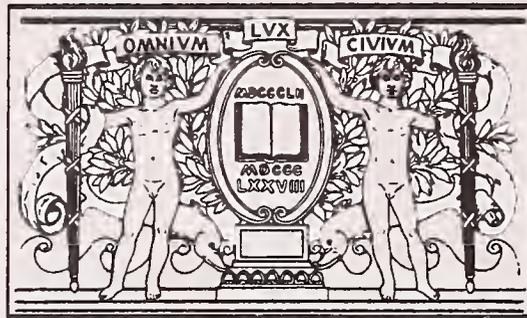


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REPORTS OF PROCEEDINGS

OF THE

CITY COUNCIL OF BOSTON,

FOR THE MUNICIPAL YEAR

Commencing Monday, January 6th, 1873, and ending Monday,
January 5th, 1874.

BEING REPRINTS OF REPORTS AS PUBLISHED BY CONTRACT IN THE
"BOSTON EVENING TRANSCRIPT."

WITH A CLASSIFIED ALPHABETICAL INDEX,

(PREPARED UNDER SUPERVISION OF THE CITY SUPERINTENDENT OF PRINTING,)

AND INTRODUCTORY NOTES.



BOSTON :

INTRODUCTORY PART FROM THE PRESS OF ROCKWELL & CHURCHILL,

CITY PRINTERS.

REPRINTS OF REPORTS FROM THE TRANSCRIPT PRESS.

Introductory Note Explanatory of the Index Compilation.

The compilation of the following Index was not commenced until after the close of the municipal year, when it should have been completed; and has therefore been hastily prepared, while the binding has been detained for its insertion.

In indexing the Proceedings of the Board of Aldermen, the following topics have been omitted, either as not being essential in the Index, or as being better classified for reference in Department offices. References are appended in the list to sources of information.

Standing Committees. See Pamphlet "Organization of City Government, 1873."

City Officers. See Municipal Register, 1873.

Police Officers and Special Police. See Police Department Records.

Truant Officers. See School Department.

Fire Department Officers and Members. See Department Report and Records.

Jurors, list of and jurors drawn. See City Clerk's Lists.

Constables and Constables' Bonds. See City Clerk's Lists.

Streets, betterments assessed and abated. See Records of Street Commissioners.

Sewers, assessments made, abated, and postponed. See Records of Sewer Department.

Buildings, permits authorized. See Records of Inspector of Buildings.

Public Buildings, use of granted. See Sup't Public Buildings.

Taxes, assessed and abated. See Assessors.

Streets, temporary closing, and removal of obstructions. See Sup't Streets.

Claims, allowed, and leave to withdraw, unless subjects of discussion. See Clerk of Committees.

Auditor's Monthly Exhibits. See City Documents.

Licenses to Auctioneers, Undertakers, Victuallers, Pawnbrokers, Newsboys, Bootblacks, and for Steam Engines and Boilers, Storage of Petroleum, Stables, Carriages, Wagons, Intelligence Offices, sale of Second-hand Articles, Billiard Halls, Exhibitions, etc. See Lists and Records of City Clerk.

It is respectfully suggested to members of the City Government, and officers of Departments using the Index, to apprise the Superintendent of Printing of such defects as they may discover, for noting and obviating in future compilations; this Index being the first of its kind that has been put in print and bound with the volume indexed.

Note relating to the City Publications.

The Third Report of the Superintendent of Printing, (City Document 114, 1873,) contains a full explanatory list of the City Publications. The report is out of print in pamphlet form, but may be found in the bound volumes of 1873, vol. 4.

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CITY OF BOSTON.

Organization of the City Government, JAN. 6, 1873.

The Mayor and members elect of the two branches of the City Council met in the City Hall at ten o'clock this morning, for the organization of the City Government for the present municipal year.

Board of Aldermen.

The Board of Aldermen was called to order by the City Clerk.

A message was received from the Common Council informing the Board that a quorum of members was present, ready to be qualified.

The Board went into convention with the Common Council, for the qualification of the members of the City Government.

Common Council.

The Common Council was called to order by George A. Shaw, senior member, in service in 1857, who on taking the chair, addressed the Council as follows:

Gentlemen of the Council—I had the honor to be a member of the Council for the year 1857, and that term of service being anterior to that of any other member elect, it becomes my duty to call the Council to order. In doing this I may be permitted to say, that the constant growth of the population of our city, the steady and permanent increase of our mercantile, commercial, and mechanical interests, the improvements constantly required in the development of our more newly acquired territory, as well as for changes and improvements upon the old, add year by year to the labors of the City Council, but at no time since the organization of the City Government under its charter, have its duties and responsibilities been as important as at this present time.

The terrible calamity which has recently fallen upon us, and by which so many of our most enterprising citizens have seen the accumulations of years of industry crumble away, and which for the time being almost paralyzed their energies, has yet developed the recuperative powers of our people; and the liberality bestowed upon the unfortunate, and the encouragement they have received both at home and from abroad, have enabled them to renew their labors full of hope and courage. But very much yet remains for the supervision and co-operation of the City Government in restoring to its wonted uses the devastated territory.

I think we may congratulate ourselves that the General Court of our State has met, with a liberal hand, the desires of the city in granting such legislation as will enable the carrying out of the requirements necessary to rebuild the now desolate ruins, and it will be our duty as it will be our pleasure as a co-ordinate branch of the City Council to aid in every proper and legitimate manner in such measures as will best promote the public good, in improving and rebuilding the burnt district, that it may be even more than ever the pride of our business marts.

There may be and no doubt are required many reforms in the management of the municipal affairs of our city, but nothing calls for more immediate and decided action than the thorough revision of the Department of Health, especially when we consider the fearful ravages of the disease now so prevalent among us, and I can have no doubt that every member of the Council will use his personal influence to the end that it may no longer be said that because of differences of opinion among the members of the present Board of Health upon the matter of locating a receptacle for the diseased, and no sufficient provisions been heretofore made available for their care, or for the protection of the community, the disease itself has thereby been allowed to spread and continue.

Although this Board has but a concurrent voice in such matters, yet the community has a right to expect of us the exercise of our best energies and positive action, in pushing forward all wise measures of relief, and that with all possible despatch.

Let us see to it that, so far at least as this branch of the Government is concerned, they shall not be disappointed.

CREDENTIALS OF MEMBERS.

On motion of Mr. Thacher of Ward 15, Messrs. Thacher of Ward 15, Burditt of Ward 16, and Wells of Ward 3 were appointed a committee to receive the certificates of members.

The committee reported that they had received the credentials of fifty-eight members, by which it ap-

peared that there was a quorum of members present, and on motion of Mr. Page of Ward 9, the report was accepted.

Mr. Blackmar of Ward 11 was appointed a committee to inform the Mayor and Aldermen that a quorum of members was present.

Mr. Blackmar soon reported that the Mayor and Aldermen would immediately meet the Common Council in convention for the qualification of members.

In Convention.

The Mayor and Aldermen came in for a convention, as agreed upon, accompanied by ex-Mayors Quincy, Rice, Wightman, Norcross and Gaston, and several other gentlemen.

Prayer was offered by Rev. James H. Means.

The oaths of office were administered to Hon. Henry L. Pierce, Mayor elect, by Hon. Horace Gray Jr., Associate Justice of the Supreme Judicial Court.

The oaths of office were then administered by the Mayor to the members elect of each branch of the City Council.

The Mayor then delivered his Inaugural Address.

The Mayor concluded the reading of his address at half-past eleven o'clock, having occupied forty-five minutes in its delivery.

Two additional members of the Council were qualified, when, the business of the convention being concluded, the Mayor and Aldermen withdrew.

ELECTION OF PRESIDENT.

On motion of Mr. Page of Ward 9, the Council proceeded to the election of President. Messrs. Page of Ward 9, Powers of Ward 4 and Hall of Ward 10 were appointed a committee to receive and count the votes, and reported the result as follows:

Whole number of votes 62, all of which were for Edward O. Shepard.

The President was conducted to the chair by Messrs. Pickering of Ward 6 and Dean of Ward 12, when he addressed the Council as follows:

ADDRESS OF THE PRESIDENT.

Gentlemen of the Common Council—The only return I can now make you for this honor, and this generous expression of your favor and confidence is to say with all heartiness I thank you, and to assure you that I undertake this office deeply sensible of its responsibilities and difficulties, and conscious of an earnest purpose to discharge all of its duties with fairness to you and with faithfulness to the public interests.

At the outset I invoke your charitable judgment upon the mistakes I may unwittingly commit, and your constant assistance and coöperation, without which all my endeavors will prove unsuccessful.

I take pleasure in testifying openly that in the private assurance of support which most of you have so kindly volunteered to me during the past few weeks, there has been no word of selfish request for preferment of place, which it is in the power of the President to bestow, but all having at heart the public trust committed to your charge, more than any private aims, have purposely left me to enter upon the duties of this office without a trammel.

If the same subservience of private to public interests shall characterize the conduct of each member throughout the year, as I confidently trust it will, there will follow such harmonious action, such far-sighted economy, and such wise legislation, as will more than fulfill the high expectations which the people have placed upon the City Council of 1873. And if those of you to whom the division of this body into working parties, which its committees are, shall seem in any respects erroneous, will judge of it by the same unselfish standard, I will cheerfully abide the result.

While committees must be the "eyes and ears," and, to some extent, the "head and hands" of an assembly like this, it has often seemed to me that after they have digested the details of the various matters committed to them, they should always place before this body such explanations and such reasons for the conclusions they report, that every member may be able to vote understandingly upon the merits of the question.

The circumstances of the destruction of a large part of the business portion of our city by fire will render the year upon which we are entering one of the most important in the whole history of Boston, and as momentous as any that is likely ever to occur. The loss of this immense amount of taxable property and the crippled condition of many branches of trade will make imperative unusual prudence in the expenditure of the public money.

On the other hand, the opportunity for long-needed improvements to the streets and grade of the district now lying in waste is so favorable, and the courage

and faith of our citizens remain so unshaken by untold losses and widespread disaster, that you will doubtless be called upon to exercise, in regard to all subjects that concern the solid growth and prosperity of our city, that wisest economy which regards not only the immediate municipal necessities, but has an eye also to the greater Boston which every succeeding year will certainly behold.

The people have manifested their view of the importance of a wise Administration of the municipal affairs of the current year by electing and placing in these seats the men whose high character and large experience distinguish this Common Council above most of its predecessors.

I enter with you into this field of arduous labors that stretches over the next twelve months with the expectation that wisdom and honesty of purpose will prevail in all our acts and deliberations; that the high trusts confided to our care will be faithfully discharged; that devotion to the public interests will brighten all our official duties; and that harmony and good will will have unbroken sway in all our intercourse and proceedings.

ELECTION OF CLERK.

On motion of Mr. Pickering of Ward 6, it was voted to proceed to the election of Clerk.

Messrs. Pickering of Ward 6, Risteen of Ward 10, and Davis of Ward 14 were appointed a committee to receive and count the votes for Clerk, and reported the result to be as follows:

Whole number of votes 63, all of which were for Washington P. Gregg.

The oaths of office were administered to the Clerk by Hon. John P. Healy, City Solicitor.

On motion of Mr. Perkins of Ward 6, a committee was appointed to inform the Board of Aldermen of the organization of the Common Council, by the choice of Edward O. Shepard as President and Washington P. Gregg as Clerk.

Mr. Perkins was charged with the message. A message was received from the Board of Aldermen informing the Council of the organization of the Board by the choice of Leonard R. Cutter as Chairman.

A proposition from the Board of Aldermen for a convention forthwith for the election of City Clerk, was concurred in.

ELECTION OF CITY CLERK.

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

Alderman Gaffield and Messrs. Prescott of Ward 9, and Dacey of Ward 2, of the Council, were appointed a committee to receive and count the votes.

The committee reported the whole number of votes to be 74, of which 67 were for Samuel F. McCleary, 5 for F. H. Underwood, and 1 each for J. M. Bugbee and E. W. James.

The oaths of office were administered to the City Clerk by the Mayor.

The business of the convention being concluded, the Mayor and Aldermen withdrew.

RULES AND ORDERS.

On motion of Mr. Caton of Ward 11—
Ordered, That the rules and orders of the Common Council of 1872 be adopted as the rules and orders of the Common Council, until otherwise ordered.

ORDERS PASSED.

On motion of Mr. Page of Ward 9—
Ordered, That Thursday evening next, at eight o'clock, be assigned for choice of Committee on Accounts.

Messrs. Page of Ward 9, Weston of Ward 1, and Jones of Ward 14 were appointed a committee to nominate candidates for Committee on Accounts.

On motion of Mr. Pickering of Ward 6—
Ordered, That Thursday evening next, at 8½ o'clock, be assigned for choice of Committee on Finance on the part of the Council.

Messrs. Pickering of Ward 6, Thacher of Ward 15 and Burritt of Ward 16 were appointed a committee to nominate candidates for Committee on Finance.

On motion of Mr. Blackmar of Ward 11—
Ordered, That his Honor the Mayor be requested to furnish a copy of his Inaugural Address, that the same may be printed.

On motion of Mr. Jones of Ward 14—
Ordered, That Thursday evening, at 7½ o'clock, be the day and hour for the meetings of the Council until otherwise ordered.

On motion of Mr. Perkins of Ward 6—
Ordered, That a committee of three, with such as the Board of Aldermen may join, be appointed to consider what disposition should be made of the several portions of the Mayor's address.

Messrs. Perkins of Ward 6, Flynn of Ward 7 and West of Ward 16 were appointed the committee.

On motion of Mr. Flynn of Ward 7—

Ordered, That a committee of three on the part of the Common Council, with such as the Board of Aldermen may join, be appointed to prepare joint rules and orders for the government of the City Council for the present municipal year.

Messrs. Flynn of Ward 7, Shaw of Ward 5 and Dean of Ward 12 were appointed the committee.

The same persons were also appointed a committee to prepare rules and orders for the government of the Common Council during the present municipal year.

On motion of Mr. Hughes of Ward 5—

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

On motion of Mr. Dacey of Ward 2—

Ordered, That the municipal register be printed under the direction of the Joint Committee on Rules and Orders, who may employ such assistance as may be deemed desirable.

Mr. Prescott of Ward 9 offered the following order:

Ordered, That the joint standing committees be directed to resume the unfinished business of last year which is appropriate to said several committees.

Objections were made by Messrs. Perkins of Ward 6 and Shaw of Ward 5 to the passage of an order referring matters to committees which have no existence as yet; but in answer it was said, by Messrs. Prescott, Mahan of Ward 5 and West of Ward 16, that it was a customary order.

The order was amended on motion of Mr. Dean of Ward 12, by providing that "all unfinished business be referred accordingly," when it was passed.

Messrs. Thacher of Ward 15, Anderson of Ward 3, Morse of Ward 13, Marston of Ward 10, and Cudworth of Ward 11, were joined to the Committee of the Board of Aldermen, to take charge of the small-pox hospital in Sweet street.

COMMITTEE ON ELECTIONS.

Messrs. Bicknell of Ward 4, Burt of Ward 16, Holmes of Ward 6, Woods of Ward 8, and Train of Ward 13 were appointed the Committee on Elections.

PETITIONS PRESENTED AND REFERRED.

Theodore Parsons and others, for a recount of the votes in Ward 5.

N. C. A. Preble, for a recount of the vote in Ward 3 for the Common Council.

The members proceeded to draw their seats.

Adjourned to Thursday evening next, 7½ o'clock.

Board of Aldermen.

ELECTION OF CHAIRMAN.

On the return of the Board from convention, after the qualification of members, it was voted to proceed to the choice of chairman.

Leonard R. Cutter was elected Chairman by a unanimous vote, and addressed the Board as follows:

ADDRESS OF THE CHAIRMAN.

Gentlemen of the Board of Aldermen—For the kindness and confidence shown in selecting me as the chairman of this Board, I beg you to accept my grateful acknowledgments. I properly appreciate the high trust and the responsibility imposed, as well as the honor conferred by it. Confidently relying upon your kindly co-operation, without which it were vain to hope for success, I accept the situation with a most earnest desire and a fixed determination to administer its functions, so far as I may be able, in such a manner that our deliberations may be pleasant to ourselves and profitable to our city. Gentlemen, I await your pleasure.

On motion of Alderman Stebbins, the Clerk was directed to inform the Common Council of the organization of the Board by the choice of Leonard R. Cutter as Chairman.

A message was received from the Common Council that the Council had organized by the choice of Edward O. Shepard as president and Washington P. Gregg as clerk.

On motion of Alderman Gaffield, a message was sent to the Common Council proposing a convention forthwith for the election of a City Clerk for the present municipal year.

The Board soon after proceeded to the Common Council Chamber for a convention for the election of a City Clerk.

The business of the convention being concluded, the Board returned.

ORDERS PASSED.

On motion of Alderman Clark—

Ordered, That the rules and orders of the Board of Aldermen of 1872 be adopted as the rules and orders

of the Board until otherwise ordered, and that Aldermen Clark, Power and Quincy be a committee to examine and report if any alterations are required therein.

Aldermen Cutter and Sayward were joined to the committee of the Council to prepare joint rules for the government of the City Council during the present municipal year.

The order of the Common Council for the printing of the Mayor's address was concurred in.

On motion of Alderman Power—

Ordered, 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 the said committee have power to employ a paymaster and such clerical assistants as may be required for this purpose; and that the expense thereof be charged to the appropriation for Soldiers' Relief.

On motion of Alderman Sayward—

Ordered, That Mondays, 4 P. M., be assigned as the day and hour for holding the regular weekly meetings of this Board, until otherwise ordered.

On motion of Alderman Cutter—

Ordered, That a special committee, consisting of three on the part of the Board, with such as the Com-

mon Council may join, be appointed and authorized to exercise all the powers in reference to the Suffolk-street District, conferred by the City Council of 1872 upon the committee in said district.

Aldermen Cutter, Brown and Stebbins were appointed on the part of this Board.

On motion of Alderman Sayward—

Ordered, That a joint special committee consisting of three members of the Board of Aldermen, and five members of the Common Council, be appointed to take charge of the smallpox hospital on Swett street, until the new Board of Health is appointed and organized, as provided by the ordinance relating to the public health, passed Dec. 2, 1872; and that said committee be authorized to complete said hospital building, and provide all the necessary furniture and fixtures, the expense to be charged to the appropriation for a Smallpox Hospital.

Aldermen Sayward, Gibson and Bigelow were appointed on said committee.

COMMITTEE ON ACCOUNTS.

The Board proceeded to an election of Committee on Accounts, when John T. Clark, Thomas Gaffield, and Solomon B. Stebbins were chosen on the part of this Board.

Adjourned to Monday next at four o'clock.

CITY OF BOSTON.

Proceedings of the Common Council,
JAN. 9, 1873.

The first regular weekly meeting of the Common Council for the year was held this evening, at 7½ o'clock, Edward O. Shepard, the President, in the chair.

A call of the roll showed 51 members present, as follows:

Abbott, Anderson, Barnes, Bicknell, Blackmar, Bleiler, Bowles, Brennan, Burditt, Burt, Caton, Collins, Cudworth, Dacey, Dean, Denny, N. Doherty, T. H. Doherty, Edwards, Flatley, Flynn, Harrington, Hine, Holmes, Hughes, Jones, Kelley, Kingsley, Madden, Mahan, Martin, McCue, McKenney, Morse, Page, Pease, Perkins, Pickering, Powers, Prescott, Shaw, Shepard, Thacher, Upham, Warren, West, Weston, Whiston, Wilbur, Woods, Woodward.

PAPERS FROM THE BOARD OF ALDERMEN.

The order for the appointment of a Joint Committee on the Suffolk-street District, was concurred in, and a committee was joined as follows: Messrs. Prescott of Ward 9, Caton of Ward 11, Burditt of Ward 16, Marston of Ward 16, and Brennan of Ward 13.

SOLDIERS' RELIEF COMMITTEE.

The order for the appointment of a joint committee to determine and pay the allowance of State Aid to "the families of disabled soldiers, and the families of the slain," was concurred in, and a committee was joined as follows:

Ward 1, McKenney; 2, Dacey; 3, Abbott; 4, Powers; 5, Mahan; 6, Hine; 7, Lamb; 8, Harrington; 9, Denny; 10, Brackett; 11, Blackmar; 12, Warren; 13, Morse; 14, Davis; 15, Edwards; 16, Upham.

COMMUNICATIONS FROM THE MAYOR RELATING TO SMALLPOX.

CITY HALL, Boston, Jan. 9, 1873.

To the Honorable the City Council: Gentlemen—I transmit herewith for your consideration the opinion of several distinguished physicians in regard to the present condition of the hospital accommodations for persons sick with smallpox in this city. It appears that the hospital on Swett street is capable of receiving only one hundred patients. There are at the present time at least eight hundred persons sick with the disease. The larger number live in tenement houses, boarding houses or hotels. It will be impossible to eradicate the disease unless the persons so situated are sent to the hospital and the principle of isolation fully carried out.

It is imperatively necessary, therefore, that additional hospital accommodations should be provided for temporary use. The building known as the "Old Almshouse," in Roxbury, is the only one within my knowledge which can be made available immediately for the purpose desired. In the opinion of the physicians there would be no danger to persons living in that vicinity or on the lines of communication.

The exigency is such that I consider it my duty to ask you to furnish the means for putting the building in proper condition for the reception of smallpox patients without delay. If the authorities are not obstructed in the discharge of their duties I believe the epidemic can be promptly suppressed.

HENRY L. PIERCE, Mayor.

To Drs. George Derby, J. N. Borland, C. E. Buckingham, H. W. Williams, Henry I. Bowditch and R. M. Hodges: Gentlemen—In order that prompt and efficient measures may be taken to eradicate the epidemic now prevailing in this city, I venture to call upon you for information upon the following points:

1. Is the building just erected on Swett street (Ward 13) in a proper condition for the reception of persons sick with smallpox?

2. Are additional hospital accommodations required, and if so, to what extent?

3. Would the building known as the Old Almshouse in Roxbury be suitable for temporary use as a hospital?

4. If proper care were taken in the transportation of the sick and in the management of the hospital, would there be any danger to persons living on the line of transportation or in the vicinity of the hospital?

I am, gentlemen, with great respect,

Yours truly,

HENRY L. PIERCE.

The following reply was received:

BOSTON, January 7, 1873.

To his Honor the Mayor of the City of Boston—We have received your communication of January 6, and respectfully present the following reply:

In answer to the first question, we are of opinion that the Pine Island Hospital is very faulty, both in its location and construction; but that under the present exigency it can at once be used with great advantage to the public health. It should be banked up to prevent the effect of frost upon the water service, and better arrangements should be made for warming the wards and water closets, for protection against fire, and for washing. A detached building for the purpose of disinfecting bedding and clothing is very essential.

In reply to the second question, we answer that additional accommodations to those offered at Pine Island are certainly needed, to what extent we have no certain means of judging. The Pine Island Hospital is capable of receiving one hundred patients.

In reply to the third question, we find that the Old Roxbury Almshouse is well adapted for the immediate reception of one hundred and fifty patients.

In reply to the fourth question we answer, after examination of the premises, that if proper care be taken, residents on the line of transportation or in the vicinity of these hospitals will not be exposed to danger.

[Signed]

GEORGE DERBY,
HENRY I. BOWDITCH,
CHARLES E. BUCKINGHAM,
HENRY W. WILLIAMS,
R. M. HODGES,
J. NELSON BORLAND.

CITY HALL, BOSTON, Jan. 9, 1873.

To the Honorable the City Council: Gentlemen—I desire to call your attention to the necessity of amending the ordinance relating to the public health, passed the second day of December, 1872, by striking out the provision in the fifth section which prevents the members of the Board of Health from engaging in other business. While the members will be required to give all the time necessary for the proper performance of their duties, it can hardly be expected that active business or professional men will consent to give up everything else to accept an office of an uncertain tenure.

HENRY L. PIERCE, Mayor.

Ordered to be sent up.

PETITION PRESENTED AND REFERRED.

Patrick Doherty and others, for a recount of the vote of Ward 2 for members of the Common Council. Referred to the Committee on Elections.

RULES AND ORDERS.

Mr. Flynn of Ward 7, from the committee appointed to prepare rules and orders for the government of the Common Council during the present municipal year, made a report recommending the passage of the accompanying order:

Ordered, That the rules and orders of the last Common Council be adopted as the rules and orders of the present Common Council, with the following amendments, namely:

Insert in the first line of the seventh section, after the word "whatsoever," the words "whether before or after the previous question has been ordered"; also by striking out section 39 and inserting in place thereof the following:

Section 39. Standing Committees on Elections, Police and Paving shall be appointed at the beginning of the municipal year, and shall consist of five members each.

Mr. Perkins of Ward 6 said he thought the report was well enough so far as it goes, but he believed that rule 7, requiring one-fifth of the members to order the yeas and nays, and rule 36, providing that no rule shall be suspended except by a two-thirds vote, should also be amended. It was often seen during the last year, that the whole body of the Council did not vote, as, for instance, in the case of the Burrill claim, when two-thirds of the members in their seats did not vote for a suspension of the rules. It was a practice of the President to count the members in their seats, and to state that two-thirds of the members present did not vote, while in his opinion the count should be the members who rise in response to the call for a vote.

It should not be assumed that those who were in their seats and did not vote were opposed to a measure, but if twenty voted in favor and ten against, it should be assumed as carried. He would move, therefore, to add after the word "present" in those rules the words "and voting thereon." Questions unimportant often come up, when no one would take the trouble to insist upon requiring all the members to vote. He would move, therefore, to add after the

word "present" in rules 3 and 36, the words "and voting thereon."

Mr. Holmes of Ward 6 hoped the amendment would not prevail, for it was too often the custom to move a suspension of the rules, and it proved injurious in hurrying through business. In too many cases were the rules suspended, and he hoped the check, by requiring a two-thirds vote, would not be taken away.

The vote being taken and all the members not voting, Mr. Flynn of Ward 7 called for the enforcement of the rule, in requiring all of the members to vote.

Mr. Dean of Ward 12 called for a division of the question.

The Chair ruled that it was too late, the question being on solving a doubt.

Mr. Dean suggested that a division might be entertained by general consent.

The Chair stated that the rule required the question of doubt to be settled without debate.

The motion to amend was lost, by a vote of 23 to 33.

The rules as reported were adopted.

JOINT RULES AND ORDERS.

Mr. Flynn of Ward 7, from the joint special committee appointed to prepare rules and orders for the government of the City Council during the present municipal year, made a report recommending the passage of the following order:

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 amendment, namely:

Insert in the first section, at the end of the list of joint standing committees, the following: "A Committee on Health Department, to consist of two Aldermen and three members of the Common Council."

"A Committee on Armories and Military Affairs, to consist of two Aldermen and three members of the Common Council."

"A Committee on Salaries, to consist of two Aldermen and three members of the Common Council; and it shall be the duty of said committee to report to the City Council, in the month of February or March, orders establishing the salaries of the several city officers for the ensuing year; and the report of said committee shall designate particularly the changes, if any, proposed in said salaries."

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

ELECTION OF COMMITTEE ON ACCOUNTS.

Mr. Page of Ward 9, from the special 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:

William E. Bicknell, Henry W. Pickering, Washington L. Prescott, James J. Flynn, Frederick Pease.

The election was taken up by special assignment, at eight o'clock, when Messrs. Perkins of Ward 6, Wilbur of Ward 9 and Doherty of Ward 2 were appointed a committee to receive and count the votes, the result being as follows: Bicknell, Pickering, Flynn and Pease by 58 votes each, and Prescott by a vote of 56.

ELECTION OF COMMITTEE ON FINANCE.

Mr. Pickering of Ward 6, from the special committee appointed to nominate candidates for the Committee on Finance, made a report, recommending the election of the following-named persons:

William H. West, George P. Denny, Charles Darrow, Joshua Weston, Wilmon W. Blackmar, Benjamin Dean, Charles E. Powers.

The Council proceeded to an election, by special assignment, at 8 1/2 o'clock, Messrs. Pickering of Ward 6, Jones of Ward 14, and Martin of Ward 7 acting as a committee to receive and count the votes. The result was the choice of Messrs. West, Denny, and Dean, by a vote of 56 each, and of Messrs. Darrow, Weston, Blackmar and Powers, by 57 votes each.

REPORTS ON RECOUNT OF VOTES.

Mr. Bicknell of Ward 4, from the Special Committee on Elections, to whom was referred the petition of N. C. A. Preble for a recount of the votes cast for members of the Common Council at the last municipal election in Ward 3, made a report that they have carefully recounted the original ballots in the possession of the City Clerk, with the following result:

George P. Kingsley had	687
Thomas J. Anderson	539
Jacob Abbott	517
Michael F. Wells	468
N. C. A. Preble	468
T. B. Towne	436
D. G. Macnamara	342

Frank B. Clock	222
George R. Curtis	135
E. W. James	112
P. O'Doherty	92
R. S. Brown	19
John B. Bailey	16
A. R. Holden, C. C. French, T. B. Gaskill, S. Canning, Jr., P. H. Shea, and John E. Quinn, each	1

It appears therefore, that George P. Kingsley, Thomas J. Anderson, Jacob Abbott, and Michael F. Wells, who now occupy seats in the Common Council, were duly elected.

The report was accepted.

Mr. Bicknell of Ward 4, from the Committee on Elections of the Common Council, to whom was referred the petition of Theodore Parsons and others, asking for a recount of the votes cast for members of the Common Council, at the last municipal election in Ward 5, made a report that they have carefully recounted the original ballots in the possession of the City Clerk, with the following result:

John W. Mahan had	405
Francis M. Hughes	372
George A. Shaw	349
Robert McCue	314
Charles H. Bush	308
Alphonso J. Robinson	270
Horace Loring	256
George S. Bartlett	245
Ames L. Noyes	163
George F. Walcott	28
John A. Duggan	22
William F. Watson	14
G. H. Walcott, Daniel Falvey, E. F. Maynard, J. J. Murphy and George W. Busted, each	1

In the box containing the ballots there was a sealed envelope upon which were written the words "Not counted." The envelope was found to contain eleven ballots pressed together in a peculiar manner, and bearing the appearance of having been fraudulently cast. The committee are of opinion that the ward officers acted rightly in excluding these ballots from the returns, and they are not included in the result given above. It appears, therefore, that John W. Mahan, Francis M. Hughes, George A. Shaw and Robert McCue, who now occupy seats in the Common Council, were duly elected.

The report was accepted.

Mr. Perkins of Ward 6 offered the following ordinance:

Ordinance to amend an ordinance relating to the public health.

Section 1. The ordinance relating to the public health, passed the second day of December, 1872, is hereby amended by striking out, after the word fourth, in the seventh line of the fifth section, the words—"they shall devote their time to those duties, and shall not actively engage in any other business."

Mr. Perkins stated that this was a part of the measure to make the Board of Health effective, as proposed by the Mayor. He had been informed by the Mayor that it was determined to submit the nominations of members of the Board of Health to the Council this evening, but this was prevented by the declination of one of the proposed number. The health ordinance was passed hurriedly by the last City Council, and as this Council could not be considered as committed to the special provisions proposed to be struck out, he hoped the ordinance would be passed.

The ordinance was read twice and passed, and a motion to reconsider was lost.

COMMITTEES TO NOMINATE PUBLIC OFFICERS.

Committees were appointed as follows, on several motions, severally to be joined by the Board of Aldermen, for the nomination of candidates for the offices named:

On nomination of Superintendent of Streets—Up- ham of Ward 16, Martin of Ward 7, Flatley of Ward 4.

On nomination of Superintendent of Sewers—Thaehcr of Ward 15, Kingsley of Ward 3, Lamb of Ward 7.

On nomination of Superintendent of Public Buildings—Wilbur of Ward 9, Bicknell of Ward 4, Tower of Ward 1.

On nomination of Superintendent of Common and Public Grounds—Dacey of Ward 2, Perkins of Ward 6, and Edwards of Ward 16.

On nomination of Superintendent of Fire Alarms—Jones of Ward 14, Whiston of Ward 8, Hughes of Ward 5.

On nomination of Trustees of Public Library—Blackmar of Ward 11, Holmes of Ward 6, Pease of Ward 1.

On nomination of Board of Directors for Public Institutions—Prescott of Ward 9, Burt of Ward 16, Bowles of Ward 12.

On nomination of Directors of East Boston Fer-

ries—Perkins of Ward 6, Caton of Ward 11, Tower of Ward 1.

On nomination of a Water Board—Page of Ward 9, Weston of Ward 1, Dean of Ward 12.

On nomination of Trustees of Mount Hope Cemetery—Blackmar of Ward 11, Shaw of Ward 5, Upham of Ward 16.

On nomination of Superintendents of Bridges—Burditt of Ward 16, Mahan of Ward 5, Warren of Ward 12.

On nomination of Ballast Inspectors—Anderson of Ward 3, McKenney of Ward 1, Collins of Ward 2.

On nomination of Harbor Master—Whiston of Ward 8, Hall of Ward 10, Madden of Ward 7.

On nomination of City Messenger—Thacher of Ward 15, Pease of Ward 1, Brackett of Ward 10.

Mr. Holmes of Ward 6 offered an order for the appointment of a committee to nominate a City Physician, upon which the Chair stated that the election of City Physician was provided for under the Health ordinance.

Mr. Marston of Ward 10 offered an order for the appointment of a committee to nominate a Chief and Assistant Engineers of the Fire Department.

Mr. Flynn of Ward 7 suggested that action at the present time was not desirable, while the investigation into the management of the late fire was uncompleted. He hoped this order would lie over.

On motion of Mr. Jones of Ward 14, the order was laid on the table.

Mr. Flynn of Ward 7 offered the following order, which was read once:

Ordered, That the joint special committee appointed to prepare rules and orders for the government of the City Council be authorized to print said rules, together with the rules and orders of the two branches and the organization of the City Government, and furnish copies thereof, suitably bound, to the members of the Government; the expense to be charged to the appropriation for Incidentals.

ORDERS PASSED.

On motion of Mr. Page of Ward 9—

Ordered, That the several heads of departments and boards of directors of the various institutions be authorized to submit their annual reports in print, under the direction of the Superintendent of Printing.

Mr. Perkins of Ward 6 offered the following:

Ordered, That the Inspector of Buildings be and he is hereby directed not to grant permits to build in Water street within the burnt district until authorized to do so by the City Council or the Joint Standing Committee on Streets.

Mr. Perkins stated in explanation that the Committee on Streets and the Street Commissioners last year agreed to certain plans made by the City Engineer in regard to widening Water street, and as he presumed those members of the committee who were now members of the Council had not changed their minds, and the citizens who were in favor of the measure would not wish to have them take a back track, this matter of the widening of the street should be held in abeyance until the Committee on Streets has fully considered it. To correct the action of the Street Commissioners, he had offered this order.

Mr. Denny of Ward 9 wished to know whether the Council could control the action of the Street Commissioners in street widenings.

Mr. Perkins replied that under the statute of last year the City Council could order the Street Commissioners to carry out street improvements.

The order was passed.

ANOTHER SMALLPOX HOSPITAL.

Mr. Flynn of Ward 7 offered the following order:

Ordered, That the joint special committee appointed under an order passed January 6, 1873, to take charge of the smallpox hospital on Swett street, be authorized to repair and furnish the building known as the Old Almshouse in Roxbury, in a manner suitable for the purposes of a smallpox hospital; and also to provide all the supplies necessary therefor; the expense to be charged to the appropriation for a Smallpox Hospital.

Mr. Kelley of Ward 15 stated that this measure was before the Council last year and was defeated, and he moved the indefinite postponement of the order.

Mr. Blackmar of Ward 11, replied that a similar order was before the City Council last year, and did pass this branch, but was killed down stairs by the Board of Aldermen. The necessity of the measure was very pressing, and as he stated in the last Council the neglect to provide a suitable hospital for smallpox patients was a terrible crime. They were our citizens, and have a right to be cared for.

The old almshouse, he had understood, had already been used as a pest house, and it was in every way a proper place for a hospital. The Mayor had not acted hastily in recommending its use for the purpose, for he had consulted the best medical talent, carefully conferring with them, and there should be no delay. Even should there be delay for investigation, it would be a loss of a week or ten days, which was of vital importance in stamping out the smallpox, as had been done in a sister city. The Mayor had asked them to act at once, and it would be in accordance with their former action, while the Board would not dare to thwart the action of the people in carrying it out.

Mr. Kelley said he had made a little mistake in his statement, but the taking of the almshouse for a hospital had been defeated in one branch of the City Council, and it made no difference, for it ought to be defeated. If more hospital accommodations were needed, they might increase the capacity of the present hospital, or if necessary have a hospital in every ward in the city.

Mr. Dean of Ward 12 said it was undoubtedly true that every member of the Council would prefer not to have a hospital near his own residence, and the gentleman from Ward 15 believed he was looking after the interests of his constituents in objecting to the proposed use of the almshouse. But we have pest houses in every ward, now, and to establish another hospital would be but concentrating these many pest houses into one. How stands the matter now? There are from 600 or 700 to 1500 cases of smallpox in the city, and estimating five or six to each family or household where these cases exist, and these persons going abroad and mingling with others, we have some thousands of persons who are liable to spread and widen the extent of the disease.

They could not wait for an increase of the disease before establishing another pest house. To enlarge the present one would require ten or twelve days, and it was a poor place not fit for a human being. The only spot we can find, is where the Mayor recommends. Walking or riding, the disease meets us everywhere, and is constantly spreading. If it was only in the ward of the gentleman who objects, would he not say it was better to have one place for it? but they could not have a pest house in every ward. There was but one place and this was the only one. There would be the same argument and the same objection if it was to be located anywhere else. The exigency was such that it was utterly impossible to hesitate a single moment, and there could be no excuse for not passing the order.

Mr. Pickering of Ward 6 said there was no one who was not in favor of stamping out the disease, if that was the term, and the order should not be indefinitely postponed. We have a hospital at Pine Island, yet there are 600 or 700 more patients who should be provided for somewhere. There could not be hospitals in every ward, and with two we could make a good beginning towards stamping out the disease.

The motion for indefinite postponement was lost, when the order was passed.

A reconsideration was moved and lost.

Mr. Mahan of Ward 5 offered an order providing for the appointment of a committee of one from each ward on the part of the Council, with such as the Board of Aldermen may join, for the purpose of extending aid to needy persons as may be deemed necessary; to be charged to the appropriation for Incidentals.

Mr. Page of Ward 9 said there was no necessity for the passage of such an order. He was on a committee of a similar character, after the fire, and after a thorough consideration of the subject, its duties were transferred to the Citizens' Committee, whose management had been satisfactory to all who solicited aid. He had had no personal applications to him as a member of that committee, and believed that all the aid needed could be had from the Charity Bureau. He hoped, therefore, that the order would be indefinitely postponed.

Mr. Mahan replied that the committee of last year may have been an excellent committee, yet there were many persons in his ward who needed aid. He did not however care to press the order now, but hoped it would lie over to a future meeting, that it may be acted upon understandingly.

Mr. Perkins of Ward 6 referred to the recommendation of the Mayor, on providing means of relief to the needy through the Overseers of the Poor.

Mr. Page withdrew his motion, when the order was laid over.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
JAN. 10, 1873.

A special meeting of the Board of Aldermen was held at twelve o'clock, noon, today, Alderman Cutter, the Chairman, presiding.

The Chair stated that the Mayor had called a special meeting of the Board for the purpose of acting on several papers from the Common Council.

PAPERS FROM THE COMMON COUNCIL.

The order from the Council for the adoption of the rules and orders of the City Council of last year until otherwise ordered, was passed in concurrence.

The ordinance to amend the ordinance relating to the public health, by striking out the provision in section 5, that the members of the board "shall not actively engage in any other business," as passed by the Common Council, was considered.

Alderman Power said that, as he understood the order, it was designed to provide that members of the Board could engage in other kinds of business. As he had something to do with drawing up the ordinance, the provision proposed to be struck out was considered to be the most important one in the ordinance.

To make the Board of Health efficient, it was believed that the members of the board should devote their entire time to the duties of the office. There should be some defining of the duties of the office, otherwise the duties will not be properly done. If the salary is not sufficient to get the right kind of talent, then increase the salary.

Alderman Gibson concurred in the views of Alderman Power. If the members of the Board were to sit still and listen only to the reports of their runners, then the business will not be well done. They would not be willing to spend more of their time than the members of this Board now do, for no compensation.

Alderman Clark favored the amendment as essential to the efficiency of the board. There could be no objection to allowing a physician, merchant or other person from attending to a little other business which might not interfere with his relations to the Board of Health, and which might not take up much time. The provision in question had been in the way of getting such a class of men as were needed, as shown in the efforts of the late Mayor. If they fail to do their work properly, they may be turned out of office.

Alderman Sayward said it had been objected to the Board of Aldermen as a Board of Health, that they had too much business to attend to, and neglected health matters. He would accordingly insist that the members of this board should devote their whole time to this business.

Alderman Power concurred with the remarks of Alderman Sayward relating to the complaints against the Board of Aldermen, and he thought the members of this board should be required to give their whole attention to the duties of the office. He would not object to a man's attending to his domestic affairs, and he believed that efficient men could be had at a salary of \$4000 a year. He had understood a competent man, who had been engaged in a similar line of duties, was willing to take the office at the present salary.

Alderman Quincy believed it would be better to have the efficient services of a man half the time rather than not to have efficient men in the office. He was willing to make the effort in establishing the board under the most favorable circumstances, and was in favor of the amendment.

Aldermen Clark and Power continued the discussion on the point as to the extent which a man's services would be required in the duties of the office. The last named said that although heads of departments devote their time to the interests of the city, and are at their offices during the hours of the day when they are expected to be there, it did not prohibit their doing private business at home.

Alderman Quincy suggested that an amendment should be made to provide that the duties of this office should be paramount to all others, and with such duties well defined, there would be no difficulty relative to the performance of the duties of the office.

Alderman Gaffield referred to a question raised as to who were to be the judges whether a man rightly discharged his duties or not. There was a Board of Health last year, and it was supposed some of them were remiss in the discharge of their duties, and the people had shown their regard to such remissness.

There were three classes of persons who would judge whether their duties would be well performed or not, and if the Mayor and City Council did not see any work of efficiency, the people would demand their removal.

Alderman Sayward further spoke on the subject of remissness in the discharge of duties in relation to health. Great complaints had been made against the Board of Health of last year. Yet, after a discussion of six months, and before anything was done, they ask for a change in the ordinance.

Alderman Hulbert said he had an impression that too much stress had been laid upon scientific attainments. There was work enough to do, and while this city had a good reputation for cleanliness it could not be considered beyond the reach of criticism. The city was growing fast, and much work was to be done in keeping the city in the condition in which it should be. Good, practical men should be secured, and reliance should not be placed on a Board to sit in the City Hall and give orders. He was opposed to the amendment.

Alderman Gibson did not believe that parties should be employed at large salaries to sit in the City Hall and employ others to do the work. They should be men who will be willing to go through the streets and alleys of the city, and see to the performance of all the duties of the office.

The ordinance was passed in concurrence, by a vote of 7 to 5, as follows.

Yeas—Bigelow, Clark, Cutter, Emery, Gaffield, Quincy, Stebbins.

Nays—Brown, Gibson, Hulbert, Power, Sayward.

The Chair submitted a communication of the Mayor, appointing as members of the Board of Health, the following-named persons:

Alonzo W. Boardman to hold office to 1st Monday in May, 1876; Dr. S. H. Durgin to hold office to 1st Monday in May, 1875; Albert T. Whiting to hold office to 1st Monday in May, 1874.

Alderman Gaffield moved that the nominations lie over, to allow members of the Board to become more familiar with their qualifications, believing that nothing would be lost by the delay, because the action of the Council could not be had until after the next meeting of this Board.

Aldermen Sayward and Clark opposed delay, believing that the nominations should be acted upon at once, since a demand had been made for a new Board of Health, and they were willing to trust the Mayor as to the qualifications of the persons named.

Alderman Clark said there could be no doubt of the qualification of Dr. Durgin, whose services had been very valuable to the city, and Mr. Whiting was well-known as a retired business man.

Alderman Sayward said he had known Mr. Whiting for many years, and believed him to be well qualified for the office.

Alderman Power further objected to acting upon nominations without knowing the qualifications of the persons nominated.

Alderman Hulbert said he should never give his vote for any nomination without personally knowing something of the qualifications of the persons to be appointed. He should therefore vote to lay the nominations over.

The motion to lay the nominations on the table prevailed.

NEW SMALLPOX HOSPITAL.

The order from the Common Council providing for taking and fitting up the old almshouse at Roxbury for a smallpox hospital, was taken up for consideration.

Alderman Power said he was sorry to be obliged to vote against the first recommendation of the Mayor. A similar order had twice been defeated by the Board, the last time unanimously, when the exigencies were supposed to be greater than ever before.

It had been stated, as he understood, by some persons who objected to the Sweet-street hospital, that it was unfit because it was a swampy location. But the same objection could be made to the whole of the Back Bay. The accommodations on the Sweet-street territory could be greatly enlarged, if necessary, and more land could be had at the same rate of cost. There were no special reasons in favor of the Almshouse, and another hospital could be created as soon as this can be altered to make it fit for a hospital.

Alderman Power further objected to the locality on account of its proximity to the Academy of Notre Dame, where pupils must be scattered by the establishment of a hospital there, and the property in the neighborhood would be ruined. It would be an outrage to plant a hospital there, and the order should be rejected, as it was before.

Alderman Gaffield said he was in favor of this recommendation of the Mayor, because he believed it to

be a good one. Objection had been made that 200 or 300 persons might be accommodated, yet there were 200,000 who were now accommodated and exposed to smallpox. The fact of the passage of the order so unanimously by the Common Council was some reason in favor of its passage here, and he hoped it would be concurred in.

Alderman Hulbert said he felt to be in a delicate position, as a resident of the Highlands, in opposing the passage of this order. Yet he believed he should oppose this were he not a resident in that section. The people in that section of the city had been much excited on the subject, and if this place should be used as a hospital, others would be required. There were, in many sections of the city, isolated houses which might be used as pest houses, and he hoped this order would not be passed.

Alderman Quincy compared this disease to that of a conflagration, which might be controlled in the outset, but which if neglected, would get beyond control. The last Legislature passed an act allowing persons to be removed from hotels, boarding houses, tenement houses, etc., but no removals could be made from private dwellings. There was a need of the hospital for temporary purposes, and he hoped the order would pass.

Alderman Power objected to setting fire in a new place because buildings were on fire, and as to accommodations there was room enough in the Swett-street locality. It was remote from other places; there was no objection to it, and it was the most fit place for a hospital.

Alderman Quincy read from the communication of the physicians consulted by the Mayor, as tending to show that there was no danger to the residents in the vicinity of the Almshouse, in locating a hospital there.

Alderman Power said the feelings of physicians could be appreciated in such matters, and while they might not have any fear, other people were afraid.

Alderman Gibson opposed the order, believing that all the hospitals should be together, for their better management. Before taking action, a visit should be made to the locality.

Alderman Power further opposed the order, contending that the subject should be looked into more fully before action was taken.

Alderman Sayward did not doubt but more hospital accommodations would be needed, and on the occupation of the Swett-street hospital, no more persons would be willing to go to Gallop's Island.

Alderman Gibson advocated erecting wings or other buildings at Swett street, to accommodate all who might need hospital facilities.

Alderman Clark believed the Board should visit both locations. He was satisfied that the Swett-street location was the best which could be had, and if the first building had not been burnt, it would have afforded accommodations for two hundred persons. He had twice voted against the occupation of the almshouse as a hospital, and did not wish to inoculate any other neighborhood with the smallpox. His belief was that a flag should have been displayed wherever the smallpox existed, and if it had been done, the disease might have been stayed. He did not know whose fault it was that the measure was not adopted.

On motion of Alderman Power, the order was laid on the table.

It was voted to visit the hospital this afternoon, and the suggestion being made that it might be occupied with patients today, the assurance was given that it would not.

Alderman Stebbins offered the following order, which was adopted:

Ordered, That the City Physician be requested to communicate to this Board whether additional hospital accommodations are needed for the reception and treatment of persons suffering from contagious diseases.

Alderman Clark offered, as an amendment, an inquiry why smallpox flags had not been displayed where the disease prevailed, in accordance with an order of the Board.

The amendment was rejected.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JANUARY 13, 1872.

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

JURORS DRAWN.

Five traverse jurors were drawn for the Superior Court for criminal business.

APPOINTMENT MADE AND CONFIRMED.

Member of Fire Department—Joseph Abbenzella

RULES AND ORDERS.

Alderman Clark, from the Committee to prepare Rules and Orders for the government of the Board of Aldermen during the present municipal year, made a report recommending the passage of the accompanying order:

Ordered, That the rules and orders of the last Board of Aldermen be adopted as the rules and orders of this Board, with the following amendment, namely:

Strike out in the seventh line of the twenty-third section as printed in the Municipal Register for the year 1872, the words, "Armories and Military Affairs." Insert after the word "hall" in the ninth line of said section the words, "and county buildings." Strike out in the tenth line of said section the word "health." Strike out in the eleventh line of said section the words, "bells and clocks" and also the word "jail."

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

The report adopting joint rules for City Council of 1873, from the Common Council, was adopted in concurrence.

The Mayor announced the several standing committees, as follows:

STANDING COMMITTEES.

Bridges—Cutter, Gibson, Power.
Cemeteries—Stebbins, Hulbert, Quincy.
County Accounts—Quincy, Stebbins, Hulbert.
Faneuil Hall and County Buildings—Sayward, Gibson, Emery.
Lamps—Brown, Emery, Hulbert.
Licenses—Sayward, Bigelow, Stebbins.
Market, Weights and Measures—Gibson, Gaffield, Brown.
Paving—Cutter, Power, Hulbert.
Police—Gibson, Cutter, Clark.
Sewers—Power, Bigelow, Gaffield.
Steam Engines—Power, Emery, Brown.
Streets—Clark, Gaffield, Hulbert.

JOINT STANDING COMMITTEES.

Armories—Quincy, Clark.
Assessor's Department—Brown, Cutter, Stebbins.
Bathing—Power, Gaffield, Gibson.
Common, etc.—Clark, Power, Bigelow.
Claims—Cutter, Gaffield, Quincy.
East Boston Ferries—Emery, Hulbert, Stebbins.
Engineer's Department—Bigelow, Cutter.
Fire Department—Cutter, Clark, Stebbins.
Fire Alarms—Gibson, Power.
Fuel—Sayward, Emery.
Harbor—Power, Gibson.
Health—Sayward, Gibson.
City Hospital—Clark, Hulbert.
Institutions at South Boston and Deer Island—Hulbert, Power, Cutter.
Legislative Business—Quincy, Stebbins.
Mount Hope Cemetery—Hulbert, Quincy.
Ordinances—Quincy, Bigelow, Cutter.
Overseers of the Poor—Brown, Bigelow.
Public Buildings—Sayward, Gibson, Emery.
Public Instruction—Gaffield, Sayward, Cutter.
Public Lands—Emery, Stebbins, Brown.
Public Library—Quincy, Emery, Hulbert.
Printing—Power, Gaffield.
Salaries—Stebbins, Gaffield.
Streets—Clark, Gaffield, Hulbert.
Surveyors' Department—Gaffield, Brown.
Survey and Inspection of Buildings—Gibson, Sayward.
Treasury Department—Hulbert, Gaffield.
Water—Stebbins, Clark, Bigelow.

PETITIONS PRESENTED AND REFERRED.

Joseph R. Grose, for leave to occupy a wooden stable for two horses rear of 564 Dorchester avenue.

John Barry, for leave to occupy a wooden stable for eight horses rear 392 Commercial street.

Henry Spilker, for leave to occupy a wooden stable for one horse on marsh near Ward street.

H. A. Stevens and others, against the stable of Robert Crosby on White street.

A. F. Poole, for leave to occupy a wooden stable for one horse on Humphreys street.

Charles C. Holbrook and others, for the continuation of public vaccination in Ward 10.

Severally referred to the Committee on Health of this Board.

Company F, First Infantry, for location of their armory in the new engine house in Roxbury. Referred to Committee on Armories.

Caroline T. Norris, to be paid for land taken to lay out Washington avenue, in Chelsea.

Thomas L. Hallworth, to be paid for land taken to widen Washington avenue in Chelsea.

Severally referred to Committee on County Accounts.

Great Western Despatch Company, to be paid for loss of property by fire.

D. Lothrop & Co., to be paid for loss of property at the recent fire by reason of the conduct of agents of the city.

Holden & Maguire, to be paid for contract work on the first smallpox hospital.

James Mullen, to be paid for injuries done by a fall on the ice on the sidewalk in Water street.

Severally referred to Committee on Claims.

Middlesex Railroad Company, for extension of location through Washington street extended to Haymarket square.

Stillman A. Tucker, for the grade of Washington street, Ward 16, near the railroad.

H. G. Flinn and others, that some street in East Boston be assigned for coasting purposes.

Severally referred to Committee on Paving.

John Nugent, for employment in the Smallpox Hospital. Referred to Committee on Smallpox Hospital.

Massachusetts Homœopathic Medical Society, that immediate measures be taken for the erection of an additional smallpox hospital. Referred to Committee on Health.

Aaron D. Webber for abatement of assessment for a sewer in South street. Referred to Committee on Sewers.

F. H. Underwood and others, for a clock upon the new schoolhouse in Ward 12. Referred to Committee on Fire Alarms, etc.

Boston Coöperative Association, that a new bond for land sold be substituted to replace one injured by fire. Referred to Committee on Public Lands.

Patrick Mulvey, for abatement of Harrison-avenue betterments.

Michael Connors and Joseph Griffin, for apportionment of Harrison-avenue betterments.

Severally referred to Committee on Streets.

James W. Fenno, for license as an auctioneer. Referred to Committee on Licenses.

A communication was received from the Metropolitan Railroad Company accepting the location on Charles street, with turnouts, granted by the Board of Aldermen December 23, 1872. Ordered to be placed on file.

A notice of proposed sale of unclaimed baggage by the Boston & Albany Railroad Company, with a request for approval, was referred to Aldermen Stebbins and Bigelow, with full powers.

A communication was received from P. R. Guiney, Register of Probate, with reference to classification of probate papers, in which he says, "The city has already expended nearly \$13,000 under improvident contracts in reference to the adjustment of the files of this office; that in his opinion not a dollar of said sum has been earned or legally paid to the contracting parties; that it is necessary the work contemplated by these contracts should be speedily accomplished; that your honorable Board will refuse to expend any further sum under or in reference to the subject matter of the said contracts until the undersigned has had an opportunity of being heard in reference to the same."

Referred to Committee on County Accounts.

COMMUNICATION FROM THE CITY PHYSICIAN.

CITY PHYSICIAN'S OFFICE,
Boston, Jan. 11, 1873.

To the Honorable the Board of Aldermen: Gentlemen—I have the honor to acknowledge the receipt of the order asking what additional accommodations are required for the treatment of smallpox patients. In reply I would say that there is still need of one hundred and fifty beds for such cases.

Very respectfully, your ob't serv't,

SAMUEL A. GREEN,
City Physician.

Read and placed on file.

QUARTERLY REPORT OF THE PORT PHYSICIAN.

The quarterly report of Dr. S. H. Durgin, Port Physician, for the quarter ending Dec. 31, 1872, gives the following statements:

The whole number of vessels examined during the quarter was 97—steamers, 12; ships, 7; harques, 27; brigs, 32; schooners, 19. No sickness of a contagious character was found on board these vessels and no unusual detention caused at the station.

There were remaining in the smallpox hospital at Gallop's Island on the 1st day of October, 15 patients. There have been admitted during the quarter 338. Total number treated during the quarter, 353. Of these 130 have died; 135 have been discharged, and 88 remain in hospital January 1, 1873. Smallpox is the only disease admitted to the hospital during the quarter. In 66 cases vaccination had never been performed at all, and in 22 others it was found to be very doubtful. Five had smallpox once before. Only four of the whole number presented scars of vaccination within two years. \$623 have been collected (\$10 of which proved counterfeit) on account of fees for boarding vessels, and paid to the City Treasurer. A large number of board bills for smallpox patients are now in process of collection, many of which belonging to the State, will be paid in a few days.

Ordered to be sent down.

QUARTERLY REPORT OF PAYMASTER OF STATE AID.

The quarterly report of the Soldiers' Relief Committee gives the receipts and payments of State aid as follows:

Balance on hand Oct. 1.....	\$551
Received from City Treasurer at various times during the quarter.....	\$20,000
	\$20,551
Disbursed to disabled soldiers and sailors and their families.....	\$20,236
Balance on hand Jan. 1, 1873.....	\$315

The number of applicants in the several wards and the aggregate payments were as follows:

APPLICANTS.

Wards.	Oct.	Nov.	Dec.	Total Amount.
1.....	88	77	87	\$1396
2.....	114	113	112	1903
3.....	73	68	69	1275
4.....	54	52	54	883
5.....	103	109	104	1785
6.....	44	37	38	620
7.....	169	171	169	2770
8.....	75	66	80	1179
9.....	44	48	47	661
10.....	54	56	59	934
11.....	63	62	60	977
12.....	61	59	64	1045
13-15.....	160	155	156	2638
16.....	40	40	45	641
Out of State.....	35	38	36	638
U. S. Navy.....	54	50	55	891
	1231	1201	1235	20,236

Ordered to be sent down.

REPORTS OF SUPERINTENDENTS OF BRIDGES.

The report of Superintendent of Meridian-street Bridge gives 2007 as the number of vessels passing the draw of that bridge during the past year.

The Superintendent of Chelsea-street Bridge reports 26 vessels as having passed the draw of that bridge in 1872.

The Superintendent of Dover-street Bridge reports the number of vessels passing the draw of that bridge last year as follows: January, 225; February, 175; March, 185; April, 550; May, 985; June, 775; July, 950; August, 990; September, 892; October, 897; November, 742; December, 684. Total—8050.

The Superintendent of Mount Washington-avenue Bridge reports the number of vessels which passed the draw of that bridge in 1872 as follows: January, 356; February, 234; March, 341; April, 927; May, 1500; June, 1133; July, 1547; August, 1604; September, 1405; October, 1543; November, 1308; December, 921. Total, 12,819.

The Superintendent of the Federal-street Bridge reports that 11,002 vessels passed the draw of that bridge during the past year.

Severally ordered to be sent down.

PAPERS FROM THE COMMON COUNCIL.

The following papers were passed in concurrence: Order to refer unfurnished business to joint standing committees.

Order for Superintendents of Departments and Boards of Directors, under City Government, to present their annual reports in prints.

Order for Inspector of Buildings to refuse permits to build on Water street until further notice.

The order to prepare and print the Municipal Register for 1873 was amended, on motion of Alderman Gaffield, by adding "also a pocket edition of the rules and orders of the City Government."

COMMITTEES JOINED.

Aldermen Quincy and Stebbins were joined to the Committee on the Disposition of Topics in the Mayor's Address.

The following committees were joined on the several orders for the appointment of committees of nominations for Boards and Heads of Departments:

To nominate Directors of East Boston Ferries—Hulbert, Gibson.

City Messenger—Gibson, Sayward.

Ballast Inspectors—Sayward, Emery.

Trustees of Public Library—Bigelow, Clark.

Superintendent of Streets—Cutler, Bigelow.

Harbor Master—Power, Stebbins.

Superintendent of Sewers—Power, Gaffield.

Superintendent of Public Buildings—Sayward, Gibson.

Cochituate Water Board—Bigelow, Quincy.

Directors for Public Institutions—Gaffield, Stebbins.

Superintendent of Bridges—Gibson, Power.

Superintendent of Fire Alarms—Stebbins, Hulbert.

Trustees of Mount Hope Cemetery—Emery, Brown.

Superintendent of Common, etc.—Clark, Power.

REPORT OF A COMMITTEE.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: O. B. Daily, to exhibit his "Mirror of Ireland" at Institute Hall, 17th and 18th inst.; Mark Salom and Constant F. Drury as auctioneers. Severally accepted.

MILITARY PAYMENTS.

Alderman Quincy offered the following order:

Ordered, That there be paid to each member of the Volunteer Militia embraced in the organizations recited in the certificate of the Adjutant-General, dated January 7, 1873, the amount allowed to him thereby for special duty in this city in November last, the whole amounting to \$11,250; to be charged to the appropriation for Militia Bounty.

Alderman Power inquired whether this order had been considered by any committee, or came from the Committee on Military Affairs.

Alderman Quincy replied that the payment was in the usual form under a certification from the office of the Adjutant-General.

Alderman Power moved its reference to the Committee on Military Affairs, which was carried.

Subsequently, on motion of Alderman Power, the reference was reconsidered, and the order was passed.

SMALLPOX HOSPITAL.

Alderman Clark offered the following order:

Ordered, That the joint special committee appointed to take temporary charge of the Smallpox Hospital on Swett street be authorized to erect additional hospital buildings on the lands owned by the city on Swett street; and that they be further authorized to purchase buildings already erected and remove them to said lands; and also to furnish the buildings erected or moved upon said lands suitable for the purposes of a smallpox hospital; the expense to be charged to the appropriation for a Smallpox Hospital.

Alderman Gaffield urged that before the order should be passed, the order which had been laid on the table for taking the old almshouse in Roxbury for a hospital, should be taken up and acted upon. Since the former action of the Board, they had visited the new hospital at Swett street, which he considered a marvel of construction for the short time in which it was built, and it reflected much honor upon the last Board of Aldermen and the committee which had it in charge. The building was warm, well ventilated, and in good condition.

On this subject they were getting new light every day, and he confessed he had changed his opinions. While he believed that additional accommodations could be secured adjoining the new hospital, he thought they should not make them until they had taken the almshouse for a hospital. In regard to the almshouse he had consulted with citizens of Roxbury, and was urged by others, to take that building. In no way, except by a heroic act of immediate action, could they succeed in stamping out this dreaded disease.

Since he made his remarks at the last meeting of the Board he had been asked if he expected to go to Heaven after such a speech. He had no fears of any scorching in this kind of weather, nor so long as he conscientiously discharged his duty, as he believed he did in this matter. After consulting with the City Physician and others, he was of opinion that they should take the almshouse. With reference to the objections by the people of Roxbury, before annex-

tion they had a pest house within fifty feet of the almshouse, when it was occupied by women and children, and that was as near to the almshouse as the almshouse is now to the street.

Physicians of good standing had told him there was no danger from smallpox at a distance of fifty feet, and others had said there was no danger at even less than that distance. There had been undue fear lest the disease could be taken by passing vehicles with patients, in the street, but there could be none with proper care, and such care there would be. The citizens require that this Board should today and now take effective measures for the suppression of this disease. Although he had modified his opinion twice he was ready to stand by his views expressed in favor of taking the almshouse.

Go where they might, there would be objections to the location of a hospital, and if they did not soon do something, it would soon affect the business of the city. There were wrong impressions as to the extent of the disease, there being but 400 or 500 cases. The City Physician was of opinion that there were not over 550 cases, and the Chief of Police agrees upon very nearly the same number. The two hospitals would accommodate about 250 persons. In making use of the almshouse, it would not be necessary to tear it to pieces, for there were both large and small rooms, and it ought to be taken today. If not done, it would be a great mistake, and it would excite the indignation of the community.

Alderman Quincy favored the measure of taking the Roxbury Almshouse. Were the Board providing for a state of things which might come a month, three weeks or a fortnight hence, he would advocate the enlargement of the Swett-street Hospital; but there was no denying the fact that the exigency was one calling for instant action. The disease, though exaggerated in some of the papers, was spreading from hour to hour, and the duty of the City Government to employ without delay the means actually under their hands to avert it was recognized most unmistakably by the public. That a clamor should be raised against the measure by those who live near the building proposed to be taken was but natural; but if the interests of the whole city involved in the spread or check of the disease is shown to be in the other scale, was it not clearly the duty of the Board to disregard such clamor, whether it came from Roxbury, Beacon street or the Black Sea? It was a mistake to assume that the disease was only raging at the North End, and that the establishment of this hospital would be like setting fire in a new quarter. The disease reached the Highlands ten days ago, cases then having come to the speaker's knowledge near the corner of Milmont street. How far it had since spread he did not know, but thought it not unreasonable to assume that it might be found if not within a stone's throw, certainly within a rifle shot of the building proposed to be taken. Every building within the city which now contains cases of smallpox unknown to the public is a pest house of the most deadly nature, for it is one into which our daily avocations may take us unsuspectingly at any instant, and with the children from which our boys and girls may be now playing in the street. It seems that the display of the red flag cannot by law be compelled by the City Physician, and what tradesman, for instance, whose shop is in his dwelling, wishes to inform his customers that he has a case of smallpox up stairs. Now do the citizens of the Highlands prefer to risk the indefinite multiplication of private pest houses into whose open doors they may walk daily without suspicion rather than to regard from afar one large, isolated building, known, feared and avoided by all, a building into which not even the foolhardy who desired it would be allowed to enter unless on urgent business and with every precaution, a building whose necessary intercourse with the outside world would be subjected to every safeguard which the resources of science have at command? No, sir. It is the pestilence which walketh in darkness which is now ravaging our city, and to those whose local interests lead them to oppose the measures by which it is to be dragged to light and stamped out, we should turn a deaf ear. If the temporary occupation of this building should for a time seriously affect the price of real estate in its vicinity, is that a consideration which should outweigh the salvation of human life?

Alderman Clark said he did not expect his order to call forth such eloquent remarks, for it was a question only of making additional accommodations at the Swett-street locality. In ten days they could have accommodations for one hundred more patients. There was one building which could be purchased which would accommodate sixty, and it could be moved and fitted up in six days; and the old smallpox hospital could be moved and accommodate twenty-

five or fifty more. It was not a question of the Roxbury Almshouse, but of making preparations at once for additional accommodations, and his object in offering the order was that the committee might commence tonight in securing the possession and removal of the buildings he had referred to.

It may be that the City Physician thinks the number of cases will not exceed 650, but something should be done to allay the feelings of the public. It might be necessary that the Roxbury Almshouse should some time be taken, but there was room on Pine Island, and it might be desirable to have a hospital somewhere else—back of the jail or even the Sailors' House—yet the question was now whether they should increase the accommodations at Swett street.

Alderman Power said it appeared to be of no consequence in the views of some gentlemen to sacrifice the property of citizens, but he believed the sacrifice should be made by the city and not by individuals, as it would be to go to Roxbury. There was no reason why they should go to Roxbury, for the additional facilities at Swett street would be ample. There were but thirty patients in that hospital, and before it would be filled they could put up additional buildings.

Alderman Stebbins said he wished to say a word on the other order, which was on the table.

The Chair said there would be no objection, since the discussion had been quite general.

Alderman Stebbins said he would like to ask a few questions of Dr. Webb, the Superintendent of the Swett-street Hospital, with the consent of the Board.

Alderman Cutler inquired why he did not call the City Physician.

Alderman Stebbins said he would, but he was desirous of asking Dr. Webb some questions, and at his request a motion was put and carried to allow the questions to be asked.

Dr. Webb, in answer to these questions, said there were thirty-two patients in the hospital this morning, and five had been added since. The hospital at Swett street was not all that was desired; did not know how much more ground there was in the vicinity which might be occupied for additional hospital purposes, but there was none within the fence; the place was not suitable on account of its low and damp situation, the sewers constantly emptying in there; and its effect would be greater in warm weather.

A hospital located in the old almshouse would not endanger the health of residents in the neighborhood, with the use of ordinary care, and it would be better for the health of the patients; the Swett-street Hospital has no small wards; the bad smells spoken of are outside of the yard; the building is not so high and is nearer to the water than the old one on Albany street; a new building would not be safe except on piles, and the health would be much more likely to be restored elsewhere than at Swett street; did not think favorably of the Swett-street location, nor of the arrangement of the wards, there being but two with fifty beds in each; cases in different stages of the disease should be separated by different wards, while now, those who were dangerously sick and the convalescent, were all together, and the moral effect is bad where the dying are in full view of those who are slightly sick.

In one case he said there was a woman there who did not have the smallpox, and in answer to Alderman Power, he said he was not the admitting physician, and did not know who sent her there, or where she came from. The difference between this and the City Hospital was that they had a variety of rooms, in which they could classify the patients.

Alderman Power called for the previous question, to which Alderman Stebbins replied that he had not yielded the floor, and the motion was withdrawn.

Dr. Green, City Physician, was called, and in answer to various questions replied that he did not believe that the Swett-street Hospital was in a desirable location, and he was not consulted in regard to it. The popular impression, he thought, greatly exaggerated the danger of carrying patients through the streets. In a close calculation he thought there were about 550 cases of smallpox in the city, excluding those in the hospital; there were about 100 in the hospitals. In the Highlands there were not more than 20 or 25 cases, and a great many cases of persons who would go to a hospital if there was a good one, would not now go. Every day he met with such persons, who would leave their own houses so as not to expose their families, if they could have a room to themselves in a hospital.

The Roxbury Almshouse could be fitted up in twenty-four or forty-eight hours to be in condition for use. In reply to Alderman Clark, he said he had not been there for two years, and did not know particularly about the drainage, heating, etc. He did not apprehend much danger from smallpox, if the person was

kept isolated in a dwelling house. Knew nothing about the Swett-street Hospital, and had thought it was time enough to give an opinion when asked for such an opinion. He believed it to be better than nothing, but not to be compared with the almshouse for a hospital; should have selected that in preference to Swett street for a location.

In answer to various questions, he said he did not know that the same effect was produced on the sewers by the tide there as at Beacon street. The Swett-street Hospital was objectionable on account of the large wards, and of having no rooms for nurses or for convalescents; but the principal objection was from the locality. There was danger that a building there would be washed off if not on piles, the tide often coming up to the road. It was the best hospital the city has, and he could not compare it with others; he did not believe there was danger in conveying patients through the streets from the North End; the almshouse could be heated by stoves until other means could be provided.

To Alderman Gibson he replied that patients could not recover so well in a damp locality as on dry land; in some cases he thought patients were better off not to be removed at all; in many instances it was objectionable to remove patients to Gallop's Island, on account of the condition of the weather, and of the stage of the disease; even with the best facilities, of covered carriages, not taken out on being taken to the boat, removal might be objectionable, and not so well as to be conveyed to a hospital without crossing the water.

Alderman Stebbins in a few concluding remarks said he visited Swett-street Hospital on Sunday, when the ice was floated up to the street, and he was told by a gentleman that it was common for the whole place to be covered by ice in winter, and there might be danger to a building by floating off if not put up on stilts. He went also to the old almshouse, where it appeared there was some heating apparatus, which needs repair, but can be repaired in a short time. He visited a lady in the neighborhood, and without knowing her opinion, she volunteered it by saying that the people in the vicinity would not object to taking the almshouse.

The people of East Boston were more exposed to smallpox by the constant passing of patients not only to the wharf adjoining the ferry, whence they are sent to the island, but also by patients crossing the ferry, than the people of Roxbury could be by locating a hospital at the almshouse, and the Roxbury people ought to be willing to yield something in staying the prevalence of the disease.

In Portland, where there were twenty cases, accommodations had been provided in an isolated place for 450 patients. But what had been done here? Or rather what had not been done? A physician said within his hearing in the City Hall some days since, that for want of action 500 lives had been lost, and 500 more would be lost because effective action was not taken to check the disease. In a matter of duty of this kind he did not wish to be responsible for the loss of one life, and he would rather sacrifice property than lives. As a lower consideration, he mentioned that many people were kept away from the city and business was likely to suffer on account of the neglect, and for the credit of the city he hoped there would be no further delay.

Alderman Gibson said it was simply a difference of opinion as to location which was in dispute, while they all wished to do all they could to arrest the disease. His experience in relation to sewerage was that men living in the vicinity of the outlet of sewers were not subject any more to disease than elsewhere. The Swett-street locality he believed to be as good a place as was that of the residences of one-half the people in the city, while the difficulty was, as he supposed, the hospital was not elegant enough, with spacious accommodations to please every one.

Alderman Clark said he did not suppose his order would induce so wide a range of discussion. The facts were that more accommodations were needed. They had one building, and it would be better to have the increased accommodations there. So far as related to the ground, it was much the same as that on which a large class of the people lived. He had the assurance of physicians that this was a most excellent location, the best which could be had, and what had been said only showed that physicians differed, as they did in relation to free vaccination. He hoped, therefore, that this order would be passed, even should the almshouse be used in the future.

Alderman Gaffield objected to using new buildings put up in a few days, when a building could be had which could be put in order in a short time. He felt assured that the people demanded the taking of the almshouse, and they had it recommended by the Mayor, with that of competent physicians. Those recom-

mendations had been almost unanimously concurred in by the Common Council, and he would move as an amendment to substitute for the order under consideration that which was passed by the Council, to take the Roxbury Almshouse for a hospital.

Alderman Clark declared that the question under consideration had nothing to do with the Roxbury Almshouse; it was a question merely of improving the facilities on the Swett-street locality, in providing additional and better accommodations there.

Alderman Power said he would renew his motion for the previous question.

Alderman Clark asked for the yeas and nays on the question.

The Chair stated the question to be on the motion of Alderman Gaffield to substitute the order of the Common Council for that under consideration.

Alderman Power raised the question that his motion was upon the passage of the order of this Board, and desiring to speak in explanation, the Chair stated that no remarks would be in order, yet he would not press the rule if the Board were willing to allow remarks or explanations.

The Chair read a remonstrance from Frederick Guild and others, and Alderman Power presented remonstrances from the Notre Dame Academy, S. C. Cobb and others, R. Worthington and 44 others, Michael Kellion and 25 others, James W. Kellion and 37 others, Jacob Jacobs and 37 others, W. H. French and 17 others, E. C. Bemis and 12 others.

Alderman Cutter moved to lay the order on the table for the purpose of taking up the nominations for members of the Board of Health.

The motion was carried.

Alderman Emery moved that the nominations be acted upon separately, which was carried.

Alderman Hulbert offered an ordinance to repeal the amendment of the ordinance passed at the last meeting of the Board, in striking out so much of the original ordinance as requires the Board to devote their whole time to the service.

Alderman Hulbert advocated the restoration of the ordinance to its original condition, as essential to the effective carrying out of the design of the board, believing that the members should devote their time mainly to the duties of the office. The remarks of Alderman Clark on the passage of the ordinance were read, to show the design in its passage.

Alderman Clark said he had changed his opinion in relation to the matter, because of the difficulty in obtaining the services of competent men.

The proposed ordinance was rejected.

The question being upon the confirmation of the several nominees—

Aldermen Gaffield and Clark expressed as their expectations in the confirmation of the nominees, that they will make the duties of this office paramount to all others, the last-named saying that as honorable men they will devote themselves to the interests of the city.

Alderman Hulbert said he brought the subject up because of the necessity of making the performance of the duties of the office effective, and he wished the members of the board to devote their time to it as the City Clerk does to his, and not to practise their professions, as he had heard it suggested some of the members would.

The nominations of A. W. Boardman and S. H. Durgin were unanimously confirmed, and that of Albert T. Whiting was confirmed by a vote of 11 yeas to 1 nay—Alderman Hulbert.

Alderman Cutter moved that all subjects relating to health be referred to the Board of Health.

Alderman Gaffield objected to the motion, as a shrinking from responsibility after the subject had been considered by the Board of Aldermen without definite action.

The Chair stated that there was as yet no Board of Health, the Common Council having concurrence with this Board in acting upon the nominations.

Alderman Stebbins moved to take from the table the order to provide additional accommodations for smallpox patients.

The motion was carried.

The Chair stated the question to be on the motion of Alderman Gaffield, to adopt the order to take the almshouse, as a substitute for the order of Alderman Clark.

The question was taken, and the substitute was lost, by a vote of 5 to 7, as follows:

Yeas—Bigelow, Emery, Gaffield, Quincy, Stebbins.
Nays—Brown, Clark, Cutter, Gibson, Hulbert, Power, Sayward.

The question recurring upon the passage of the original order—

Alderman Stebbins moved to amend by adding authority to the committee to "purchase or hire suitable buildings in any other part of the city."

Alderman Emery said he was in favor of this amendment, for it might be necessary to procure some other buildings in other localities, in an emergency.

Alderman Hulbert regarded the amendment as most sensible, for with the increase of the accommodations at Swett street, provision might also be made elsewhere. It would be any easy way out of the difficulties, and relieve the Highlands from the anxieties in regard to location of more hospitals in that section.

Alderman Brown also advocated the amendment, when it was accepted as a portion of the order, and the order, as amended, was passed by an unanimous vote.

ORDERS PASSED.

On motion of Alderman Clark,

Ordered, That the Inspector of Buildings be requested to report to the City Council, as early as practicable, whether sufficient precautions against fire are taken in the preparation and arrangement of scenery and other theatrical effects used at the several theatres in this city, and what legislation, if any, is necessary for the public safety.

Alderman Clark stated that he offered the order in consequence of the fact that last week the scenery in one of the theatres in this city took fire, and it might have proved very serious had it not promptly been extinguished. In Europe he had been assured that a preparation was used by which the scenery could not take fire, and this precaution was worthy of consideration.

Ordered, That the Joint Special Committee on Smallpox Hospital be requested to confer with the Chief of Police with a view to procure accommodations at the north part of the city for smallpox patients.

On motion of Alderman Sayward—

Whereas, It appears to this Board that the following persons, viz., John Cronin, 6 Webster place; John Nichols, 10 Emmet place; Henry O. Kelly, 6 Chilton place; Dennis McCarty, 22 Lowell street; Cornelius Lang, 21 Nashua street; Mary Reardon, 55 Oswego street; Charles Mulden, 130 Silver street; Major Jones, 1 Grover place; Sarah White, 251 Gold street, are affected with smallpox, and are occupants of tenement or boarding houses, and should be immediately removed; therefore, it is therefore hereby

Ordered, That the City Physician, with the aid of such police force as may in any case be necessary, cause each of the above persons to be removed as soon as possible to one of the smallpox hospitals heretofore established by this Board.

On motion of Alderman Sayward—

Whereas, under an order of the City Council, passed the 11th of October, 1872, a joint special committee of the City Council was authorized to erect a building suitable for the purposes of a smallpox hospital, on land owned by the city on Swett street, Ward 13; and whereas, the said committee did on the 30th day of December, 1872, enter into a contract on behalf of the city with William Smith & Co. for the erection of a building, and did agree to pay said Smith & Co. the sum of \$9000 upon the completion of said building, in accordance with the plans and specifications, in ten days from the date of the contract, and also the sum of \$200 for each and every day that the building is completed before the time specified in the contract; and whereas, said Smith & Co. did complete said building in six days from the date of said contract as certified by the architects; and whereas, the said contract after being properly executed was mislaid or destroyed so that the amount due the contractors cannot be paid without further action on the part of the City Council; it is therefore

Ordered, That there be allowed and paid to William Smith & Company the sum of \$10,300, in full compensation for work done and materials furnished by them in the erection of the smallpox hospital on Swett street; said sum to be charged to the appropriation for a Smallpox Hospital.

On motion of Alderman Emery—

Ordered, That the physicians having in charge the subject of vaccination be authorized to continue and complete the vaccination of persons in the several districts, agreeable to the instructions given them by the former Board, or until otherwise directed.

Alderman Stebbins offered the following order:

Ordered, That the City Physician be requested to provide suitable warning cards on which shall be printed in plain letters upon both sides, "Smallpox"; such cards shall be placed upon the bell handle, door handle, or upon the door of every house where a case of smallpox or varioloid may exist. In case the owner or occupant of such houses object to placing such cards as aforesaid, or shall remove the same, the City Physician shall forthwith declare every such house a hospital, and establish a guard over such house to warn and prevent the public from entering the same. He shall also present to this Board, for

their action, the names of all such persons as shall refuse to allow such warning cards to be applied to their doors. The expense attending the carrying out of this order shall be charged to the appropriation for Health.

Alderman Clark believed that it would be better to carry out the original idea of the Board, in placing a red flag upon buildings, which would be much more effective as a warning.

Alderman Stebbins said he had had some conversation with the City Physician on the subject, and he was himself of the belief that the placing of a card upon a door would not only be less objectionable to the inmates of a house, but would be more likely to remain, and prove as effective as a warning to those who visited such places.

Alderman Sayward preferred the display of a flag for in many cases there would be no door bell to which to affix a card.

The order was amended to give discretionary power to make use of a card or a flag, and as amended was passed.

Alderman Stebbins offered the following:

Ordered, That the Superintendent of Health, under the direction of the Committee on Health, be directed to provide at once a convenient and suitable room, in some central locality, for the temporary reception of persons suffering from the smallpox. The room so provided shall be open day and night, and a suitable person shall be in constant attendance to render such assistance as may be necessary. The expense attending the execution of this order shall be charged to the appropriation for Health.

Alderman Sayward objected to the order as incurring an unnecessary expense and calculated to draw more smallpox patients to the City Hall, where they are now too often seen.

Alderman Stebbins replied that it did not necessarily follow that the room should be in the City Hall, and its location would soon become known to physicians and others.

The order was passed.

Alderman Stebbins also offered the following:

Ordered, That the Superintendent of Health be directed to thoroughly fumigate, once a week, or oftener if deemed necessary, all the public school-houses in the city, the Court House and the City Hall; the expense thereof to be charged to the appropriation for Health.

As at first proposed, under the direction of the Superintendent of Public Buildings, objection was made to the order by Alderman Sayward, who said the matter properly belonged to the Board of Health and not to the Superintendent of Public Buildings; when the order was amended and passed.

On motion of Alderman Clark, an order was passed for an apportionment of betterments for Shawmut-avenue assessments upon N. B. Doggett and others.

On motion of Alderman Sayward, an order was passed for the abatement of a nuisance at the corner of Portland and Travers streets.

Alderman Stebbins offered an order requesting the Mayor to call a meeting of the Common Council, for the purpose of acting upon the subject of a smallpox hospital, and of the nominations for a Board of Health. Objections being made by several Aldermen that the order was unnecessary, as interfering with the duties of the Mayor, whose interest in the subject would prompt him to take all measures necessary on the subject, the order was withdrawn.

ORDERS OF NOTICE.

On petition of McCready & Stearns, for leave to erect and use a steam engine and boiler at 89 Court street. Hearing Monday, Feb. 3, 4 P. M.

On petition of Dennison & Co., for leave to locate and use a steam engine and boiler at No. 15 Suffolk place, for heating purposes. Hearing Monday, Feb. 3, 4 P. M.

On petition of Williams & Everett, for leave to locate a steam engine and boiler at the corner of Bedford and Washington streets. Hearing Monday, Feb. 3, 4 P. M.

On petition of R. B. Lincoln & Son, for leave to erect and use a steam engine and boiler on Alger street, near Dorchester street. Hearing Monday, Feb. 3, 4 P. M.

On petition of Carew & Walsh, for leave to erect a steam engine and boiler on wharf on East Dover street. Hearing Monday, Feb. 3, 4 P. M.

ORDERS READ ONCE.

On motion of Alderman Clark, orders to pay the Merchants' Exchange Company \$15,540 for land taken to widen Lindall street; to pay heirs of Charles Stimpson \$1275 for land taken to widen Cottage street; to pay J. F. Wilson \$7760 for land taken to widen Summer street; to pay Catharine J. Cadogan \$42 for land taken in the name of Henry A. Thomas for the widening of Warren street.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

JANUARY 14, 1873.

A special meeting of the Common Council was held this evening at 7½ o'clock, Edward O. Shepard, the President, in the chair.

On motion of Mr. Thacher of Ward 15, the roll was called, when the following-named persons answered to their names.

Barnes, Bicknell, Blackmar, Bleiler, Bowles, Burditt, Burt, Caton, Collins, Cudworth, Dacey, Darrow, Dean, Denny, J. H. Doherty, Edwards, Flatley, Hall, Harrington, Hine, Holmes, Hughes, Jones, Lamh, Mahan, Marston, Martin, McCue, McKenney, Morse, Page, Pease, Perkins, Pickering, Powers, Prescott, Shaw, Shepard, Thacher, Train, Upham, Warren, Wells, West, Whiston, Wilbur, Woods, Woodward.

The following communication from the Mayor was read:

EXECUTIVE DEPARTMENT, CITY HALL,
BOSTON, Jan. 14, 1873. }

To the Honorable the Common Council of the City of Boston—Under the authority vested in me by the forty-sixth section of the city charter, I have summoned this meeting of the Common Council to take action upon the appointment of members of the Board of Health and upon other matters from the Board of Aldermen relating to the preservation of the public health.

HENRY L. PIERCE, Mayor.

Ordered to be placed on file.

BOARD OF HEALTH.

The nominations of members of the Board of Health, as follows, were taken up, the question being upon their confirmation, in concurrence with the Board of Aldermen:

Alonzo W. Boardman, to hold office until the first Monday in May, 1876.

Sammel H. Durgin, to hold office until the first Monday in May, 1875.

Albert T. Whiting, to hold office until the first Monday in May, 1874.

On motion of Mr. Thacher of Ward 15, the question was taken on each separately, and the nominations were unanimously confirmed.

SMALLPOX HOSPITAL.

The order from the Board of Aldermen authorizing the erection of additional hospital buildings on the lands of the city on Swett street, to purchase and remove buildings already erected, and to furnish said buildings; also for the purchase or hire of suitable buildings in any other part of the city, was taken up for consideration.

Mr. Perkins of Ward 6 stated that the order of the Board of Alderman was passed before the appointments of the members of the new Board of Health were confirmed, and as it gives the committee power for temporary purposes only, it should be voted down and a new order take its place, and he moved its indefinite postponement.

Mr. Thacher asked for the yeas and nays on the question.

Mr. Blackmar of Ward 11 agreed with the gentleman from Ward 6 that a new order should be passed.

Mr. Wells of Ward 3 inquired who has power to recommend measures under the new organization of the Board of Health—whether it was the Board or the City Council.

Mr. Dean of Ward 12 said he supposed the motion to indefinitely postpone left the whole question open for argument, and it was nothing improper, on the part of any member of the Board who has any order or preferable proposition, to make known such alternative proposition. If there was any such proposition, he wished to be informed before taking any action, so that he should get all the information on the question desirable.

Mr. Flynn of Ward 7 said he intended, at the proper time, to offer a new order, which he read, as follows:

Ordered, That a smallpox hospital be established in the building known as the Old Almshouse in Roxbury, and that the Joint Standing Committee on the Health Department be directed to make the necessary repairs on said building without delay, and provide such furniture, fixtures or supplies as the Board of Health may require for the maintenance of said hospital; the expense to be charged to the appropriation for a Smallpox Hospital.

Mr. Flynn stated in explanation that this was offered inasmuch as the power of the committee under

which the first hospital was built, ceases from and after tonight.

Mr. Shaw of Ward 5 hoped the motion would prevail for after the exhibition in the Board of Aldermen yesterday,—and he did not mean to say anything indecorous—after the statements made by the City Physician and the Superintendent of the Smallpox Hospital, that the place was wholly unfit for a hospital, the order should not be passed. The statement had been sent over the wires and through the country—of such unfitness, and it was humiliating to be found in such a predicament.

A year ago application was made to the General Court for additional authority for the suppression of the smallpox; there were then but a few cases in this city, and legislation was granted. Since that time not a week, day nor hour but the disease had been on the increase, and our citizens were dying by the thousand, yet nothing effectual had been done, and the City Government in one branch had allowed the people to die without preventing the spread of the disease. One person in four or in three died from it, and this was in the nineteenth century and in the city of Boston.

The question of opening the Public Library on Sunday had been debated as affecting the public morals, but in a case involving the lives of the people the two branches differed as to where they should place the sick. Competent physicians state that the place where the present hospital is located is an improper one, yet it is proposed to build another one there. Noxious vapors rise there which would make a well man sick, and while there were places enough for a hospital he would vote for an indefinite postponement of the order. Something had been said about taking private property for a hospital, and he believed that under the law, if necessary, the Tremont House might be taken for a hospital.

Mr. Wells of Ward 3 inquired whether the gentleman had ever visited the location of the Swett-street hospital, and where he got his information in relation to it.

Mr. Shaw said he was familiar with the locality, but had not been there since the building was put up.

Mr. Wells said he knew the location, and was satisfied that those who spoke against it knew nothing of it. For construction, warmth, comfort, beds and bedding, and everything desirable, it was all that could be wished. Matched boards, two thicknesses of tarred paper between the floors and on the inner and outside of the boarding, with tarred and gravelled roof, and good heating arrangements, with hot and cold water and everything for comfort.

From what he had seen, a better place could not have been selected for a hospital. As to stench, it was all wrong, for stench could not be expected to come from water where the ice was eighteen inches thick. The cesspool was eight inches below the floor, and the draining was perfect. The building was so constructed that wings could be added, so that it might form a hollow square, and be made ample for all cases. If the physicians would go among the poor and represent the building properly it would be filled today.

Objection had been made that the hospital was built in five days; so, too, objection was made against the Gallop's Island hospital, of which he knew something, but the man who was afraid to go down there and work was the londest brawler about the City Hall against the Swett-street Hospital. If overloaded, he did not doubt they could add to the building and provide plenty of room for all who needed it. It was easy of access, and if any physician after a fair examination would say it was not a fit place, he would go, and where they might say.

Mr. Perkins said he did not think it was worth while to give in charge the building of a hospital to a committee at the first meeting of the Council, when the Board of Health was about to be organized. This committee was now dead, or will be in twenty-four hours, and they should not load a committee with powers which could not belong to them.

Mr. Mahan of Ward 5 stated some of the duties of the Committee on Health under the new ordinance, and he favored the indefinite postponement, that they might have an opportunity to vote for the order as provided for through a committee under this ordinance.

Mr. Dean of Ward 12 read the provisions of the ordinance relating to the duties of the Board of Health. Under the statute and the ordinance, he supposed that the Board of Health, with two justices of the peace, if agreed, might require the sheriff to take possession of any building, impress any persons and take such supplies as might be necessary in the care of a hospital for smallpox patients. Such powers the new Board of Health has, and if so they may take the almshouse or any

other building they may believe necessary for their purposes. What can or what can they not do? The statute gives them the largest possible powers for the discharge of their duties.

Why may not the Sheriff take possession of any property necessary for the safety of the people? This he said without being an advocate of the Board of Health. There had been a great many articles written in the papers, and much clamor, but the reasons for it were not in accordance with his judgment. The discussion and action had been of a character to take away the responsibility of an efficient Board of Health. Once the Common Council had concurrent action in health powers, but this was lost in a revision of the city charter, and the two branches could act with greater vigor than they could separately.

The articles and the discussion had not been in accordance with his judgment. It was not wise, for the reason given by President Lincoln, that you should not swap horses while crossing a stream. The discussion had paralyzed the Board of Aldermen as a Board of Health, and as the two branches differed in their action the disease spread. We had now got a new board and this board has supreme power, and may take houses, stores, attendants, nurses even, for the general safety. If they act right, it is well enough, as we are, but if they have not power enough they may apply for more.

Mr. Perkins of Ward 6 said it was doubtful how far the powers of the committee could go. The Board of Aldermen had taken a certain stand, and the public had taken a different one, and it was desirable to throw the influence of the Council in favor of taking the almshouse. In that case the Board of Health will be more likely to take it if backed up.

Mr. Blackmar of Ward 11 said he agreed that the Board of Health had unqualified power in this emergency, yet he agreed with the gentleman from Ward 6 in his views in relation to the position of the question. The various votes of the two boards were cited by him, and it appeared that the arguments of the Board of Aldermen resolved themselves into three propositions: that the Swett-street Hospital was erected in six days, and another could be built in that time; that the taking of the almshouse would greatly depreciate the value of property in the neighborhood; and that the people there were opposed to taking it.

If the hospital could be built in six days, it could never be available for hospital uses; the location is a swampy place, the tides sweep over it, and some morning the hospital may be found outside of Boston Light. The present building was built of green timber, the sap comes out at the head of the beds of patients, and it was a disgrace to the city. As there were no good reasons against the use of the almshouse, its opponents must suggest something. The location at Swett street exposes fifty people where one would be at the almshouse, and it was but 1800 feet from the St. James Hotel.

It was some argument in favor of the almshouse that the Mayor had recommended it, not carelessly but conscientiously, on due consideration, backed up by some of the best men in the city, whose opinions were in writing. The Council had twice by its vote fixed upon that location, and it was due to its dignity that it should adhere to that choice, and the new order comes up as an excuse for further delay. They were then right and ought to adhere, that the people may respect their motives and that they may command respect as a branch of the City Government. The hospital at Swett street was hardly fit for a barn in which to put a horse, and should not be a place for a citizen because he has the smallpox. It was not the way in which they treated prisoners. It was a wet, unhealthy, miserable place, and it was a shame and a crime, and they were guilty if they supported such action.

Mr. Wells denied that there was any sap oozing from the boards, which were all kiln dried. That the land was marshy in the neighborhood and the tide flowed over it, he would admit, but where the tide ebbs and flows, it must keep the locality clean and purify it, as was contended by certain individuals who wished to secure the tidal basin on the Back Bay for an ebb and flow of water. The ebb and flow of water must increase health instead of injuring it. As to the charge of marsh and bad air, there was a height of two feet in piling, with a space underneath the building.

Mr. Thacher of Ward 15 said with reference to a statement that there had been a pest house on the almshouse lot, that it was not so, but there was formerly a hospital there for ship fever. In relation to the Swett-street Hospital, and of its being too cold for horses, the thermometer had stood at 70 there with the ventilators open, while 62 was considered to be high enough. Before the wharf was purchased by

the city it was used as a lumber wharf, and he never heard of lumber being washed away.

Mr. Flynn said he failed to see, in what had been said, any argument why the order should not be indefinitely postponed. The gentleman from Ward 3 had built two smallpox hospitals, and was desirous of building two more.

Mr. Wells said his statements were true in regard to the Swett-street Hospital, and if he should have the smallpox he should desire to be taken there.

The Chair stated in answer to an inquiry, that the hospital would remain in the charge of the joint special committee until the new Board of Health was organized.

Mr. Dean said it would be but a temporary life for a committee, and not long enough for them to erect any additional buildings. That might furnish a reason why the order should be indefinitely postponed. No member of the Council could wish to enter into any contest in such a matter with the Board of Aldermen, for they were all desirous to do what they could to prevent the spread of disease. If the committee goes out of service so soon it was not worth while to give it new power.

Mr. Perkins stated that the Alderman who offered the order expected the committee having in charge the hospital would go out and be superseded.

The motion to indefinitely postpone was carried, and the order of Mr. Flynn was offered.

The Chair announced the appointment of the Committee on Health under an order of the Board of Aldermen, and in concurrence joined to the committee on the part of the Council, Messrs. Denny of Ward 9, Pickering of Ward 6, and Flynn of Ward 7.

Mr. Dean said further that the Board of Health had the power to take such buildings and other measures as may be necessary to prevent the spread of smallpox, and he supposed they mean to do it. If so, why should any special provision be made or order passed by the City Council. Such a course would be unnecessary and unwise. Why not leave the new organization untrammelled? Then if they wished for any additional powers to enable them to carry out the duties of their office with efficiency, it would be time enough to pass such an order. He would offer the following:

Resolved, That the Board of Health is hereby requested to make application to the City Council for any powers or facilities, if any, which they may find necessary and convenient to enable them to discharge their duties with efficiency.

Mr. Flynn moved to lay his order on the table, which was carried.

Mr. Shaw of Ward 5 opposed the new proposition as only tending to delay, and before proceeding the new Board of Health would be obliged to come to the City Council for more authority. It was due to the character of the Council that having twice passed an order for taking the almshouse, it was but right that they should stand up here and assert the rightfulness of their action. It was due also to the people who sent them here that they should show that they did nothing to cause delay and the spread of the disease.

Mr. Flynn said his object in laying the order offered by him on the table, was for the purpose of allowing the new Board of Health an opportunity to take the responsibility of using the almshouse. If they did not take that responsibility by Thursday night, he would take up the order and pass it.

Mr. West of Ward 16 suggested, as an answer to a question about delay, that should the order of the gentleman from Ward 7 be passed, it would not be concurred in by the Board of Aldermen, and delay would be the consequence.

Mr. Denny of Ward 9 believed it to be desirable that the course of the Council should be right from the start, and while he was satisfied with the course pursued by the Council hitherto, as being the right one, as the Board of Health had full powers, he would not lift one feather from their shoulders. The proposition of the gentleman from Ward 12 seemed a proper one, and it could be passed, leaving the responsibility where it belongs.

The resolution was passed.

The order to provide a convenient and suitable room in a central locality for the temporary reception of smallpox patients, to be open night and day, with suitable attendance thereon, was considered.

Mr. Perkins asked, Why not dispose of this as they did the other, the Board of Health having full powers to provide a room?

The order was passed by a vote of 37 to 5.

The order upon procuring accommodations at the north part of the city for smallpox patients came up for concurrence.

Mr. West of Ward 16 objected to its passage as being no sense in it, after their action on the other order.

Mr. Wells moved its reference to the Committee on Health.

Mr. Flynn said the committee would die in twenty-four hours, and moved the indefinite postponement of the order.

Mr. Pease of Ward 1 moved to lay the order on the table, which was carried.

The order for the fumigation of schoolhouses and other public buildings came up for concurrence.

Mr. Wells moved that it be laid on the table, which was lost, when the order was rejected.

The order providing, under a misplaced contract,

to pay William Smith & Company the sum of \$10,300, for work done and materials furnished in the erection of the smallpox hospital on Swett street, being under consideration—

Mr. Anderson of Ward 3 moved a suspension of the rules for its passage.

Mr. Holmes opposed a suspension of the rules generally, and particularly in this case.

The motion to suspend the rules failed, by a vote of 25 to 16—not two-thirds.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

JANUARY 16, 1873.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, E. O. Shepard, the President, in the chair.

On motion of Mr. Brackett of Ward 10, the roll was called, when fifty-six members appeared to be present, as follows:

Abbott, Adams, Anderson, Barnes, Bicknell, Blackmar, Boardman, Bowles, Brackett, Brennan, Burditt, Burt, Caton, Collins, Cudworth, Dacey, Darrow, Dean, Edwards, Flatley, Flynn, Hall, Harrington, Hine, Holmes, Hughes, Jones, Kingsley, Lamb, Madden, Mahan, Marston, Martin, McCue, Morse, Page, Pease, Perkins, Pickering, Powers, Prescott, Risteen, Shaw, Shepard, Thacher, Tower, Train, Upham, Warren, Wells, West, Weston, Whiston, Wilbur, Woods, Woodward.

PAPERS FROM THE BOARD OF ALDERMEN.

The annual reports of the Superintendents of Bridges, and the quarterly reports of the Port Physician and the Paymaster of State Aid were severally ordered to be placed on file.

The amendment to the order concerning the printing of the Municipal Register, viz., that "also a pocket edition of the Rules, Orders and Committees of the City Government" be printed, was concurred in.

The order requesting the Inspector of Buildings to report whether there is sufficient precaution used against fire in theatres, and what legislation may be necessary, was passed, in concurrence.

The orders appointing the joint standing committees were passed, in concurrence, and the members of the several committees on the part of the Board of Aldermen were read.

The President announced the joint standing committees on the part of the Council, and the standing committees of the Common Council, as follows:

JOINT STANDING COMMITTEES.

Armories—Page of Ward 9, Whiston of Ward 8, Davis of Ward 14.

Assessors' Department—Weston of Ward 1, Bicknell of Ward 4, Cudworth of Ward 11, Harrington of Ward 8, Hall of Ward 10.

Bathing—Whiston of Ward 8, Kingsley of Ward 3, Martin of Ward 5, Boardman of Ward 14, Warren of Ward 12.

Claims—Blackmar of Ward 11, Wilbur of Ward 9, Thacher of Ward 15, Brackett of Ward 10, Train of Ward 13.

Common and Squares—Perkins of Ward 6, Wilbur of Ward 9, Dacey of Ward 2, Jones of Ward 14, Risteen of Ward 10.

East Boston Ferries—McKenney of Ward 1, Pickering of Ward 6, Collins of Ward 2, Hall of Ward 10, Cudworth of Ward 11.

Engineer's Department—Mahan of Ward 5, Adams of Ward 14, Kelley of Ward 15.

Fire Department—Burt of Ward 16, Marston of Ward 10; Jones of Ward 14, Pease of Ward 1, Hine of Ward 6.

Fire Alarms—Collins of Ward 2, Davis of Ward 14, Upham of Ward 16.

Fuel—Darrow of Ward 8, Lamb of Ward 7, Abbott of Ward 3.

Harbor—Pease of Ward 1, Shaw of Ward 5, Dean of Ward 12.

City Hospital—Wells of Ward 3, N. Doherty of Ward 2, Boardman of Ward 14.

Institutions at South Boston and Deer Island—Prescott of Ward 9, Burditt of Ward 16, Thacher of Ward 15, Loring of Ward 12, Barnes of Ward 11.

Mount Hope Cemetery—Kingsley of Ward 3, T. H. Doherty of Ward 2, McCue of Ward 5.

Legislative Matters—Denny of Ward 9, Dean of Ward 12, Perkins of Ward 6.

Ordinances—Dean of Ward 12, West of Ward 16, Dacey of Ward 2, Holmes of Ward 6, Mahan of Ward 5.

Overseers of Poor—Burt of Ward 16, Lamb of Ward 7; Tower of Ward 1.

Public Buildings—Bicknell of Ward 4, Caton of Ward 11, Weston of Ward 1; Bowles of Ward 12, Morse of Ward 13.

Public Instruction—President of the Common Council (ex-officio); West of Ward 16, Holmes of Ward 6; Shaw of Ward 5, Powers of Ward 4.

Public Lands—Pickering of Ward 6, Darrow of Ward 8, Burt of Ward 16, Wells of Ward 3, Page of Ward 9.

Printing—Anderson of Ward 3, Whiston of Ward 8; Page of Ward 9.

Public Library—Holmes of Ward 6, Blackmar of Ward 11, Woods of Ward 8, Tower of Ward 1, Madden of Ward 7.

Salaries—Wilbur of Ward 9, Loring of Ward 12, Risteen of Ward 10.

Streets—Flynn of Ward 7, Perkins of Ward 6, Burditt of Ward 16, Page of Ward 9, Woodward of Ward 13.

Surveyor's Department—Jones of Ward 14, Brennan of Ward 13, Bleiler of Ward 15.

Survey and Inspection of Buildings—Caton of Ward 11, Hughes of Ward 5, Marston of Ward 10.

Treasury Department—Edwards of Ward 15, N. Doherty of Ward 2, Flatley of Ward 4.

Water—Pease of Ward 1, Wells of Ward 3, Edwards of Ward 15, Flatley of Ward 4, Adams of Ward 14.

STANDING COMMITTEES OF THE COMMON COUNCIL.

Police—Burt of Ward 16, Darrow of Ward 8, Martin of Ward 7, Kingsley of Ward 3, McCue of Ward 5.

Paving—Warren of Ward 12, Prescott of Ward 9, Anderson of Ward 3, Hughes of Ward 5, Kelley of Ward 15.

The petitions of the Boston Coöperative Association, the Massachusetts Homeopathic Medical Society, F. H. Underwood and others, Company F, First Infantry, James Mullin, D. Lothrop & Co., Great Western Despatch Company, and of Hollihan & Maguire, were severally referred, in concurrence.

The petition of John Nugent for employment in the Smallpox Hospital being on reference to the Committee on Health, in concurrence, Mr. Blackmar of Ward 11, objected to the reference as inappropriate, at the present time after the organization of the Board of Health, when a motion to refer to the Board of Health was lost, and the reference to the Committee on Health was unconcurred in.

The following communication was laid before the Council:

HEALTH DEPARTMENT, CITY HALL, }
BOSTON, Jan. 15, 1873. }

To the City Council of the City of Boston:—Gentlemen—Notice is hereby given to the City Council that the Board of Health has organized by the choice of A. W. Boardman as chairman and Charles E. Davis, Jr., as Clerk.

CHARLES E. DAVIS, JR.,
Clerk.

Ordered to be sent up.

UNFINISHED BUSINESS.

The order for the printing of the rules and orders of the City Government was laid on the table, on motion of Mr. Flynn of Ward 7, as unnecessary, after the concurrence in an order of the Board of Aldermen.

PETITIONS PRESENTED AND REFERRED.

Benjamin Clapp, for leave to purchase land. Referred to Committee on Public Lands.

E. MacLean, for leave to erect a building larger than the law allows. Referred to the Committee on Survey and Inspection of Buildings.

Boston Bottle Works, for compensation for damages sustained at the late fire by the blowing up of a building. Referred to Committee on Claims.

William M. Flanders, John Small and others, representing that George A. Shaw is ineligible to a seat in the Common Council from Ward 5, as a non-resident of the ward, and asking for an investigation of the subject. Referred to the Committee on Elections.

William M. Flanders, John Small and others, claiming that John W. Mahan is ineligible to a seat in the Common Council from Ward 5, as a non-resident of the ward. Referred to the Committee on Elections.

Mr. Darrow of Ward 8 announced that the Committee on Finance, on the part of the Common Council, had made choice of William H. West of Ward 16 as chairman.

Mr. Bicknell of Ward 4 announced that the Committee on Accounts of the Common Council had made choice of Henry W. Pickering of Ward 6 as their chairman.

REPORT ON ELECTIONS IN WARD TWO.

Mr. Bicknell of Ward 4, from the Committee on Elections of the Common Council, to whom was referred the petition of Patrick Doherty and others, that the votes cast for members of the Common Council at the last municipal election in Ward 2 may be recounted, made a report that they have carefully recounted the original ballots in the possession of the City Clerk, with the following result:

Timothy J. Dacey had.....	1069
Neil Doherty.....	945
Thomas H. Doherty.....	924
Patrick Collins.....	880
John Campbell.....	460

W. J. Welch.....	466
William Griffin.....	414
H. F. Hutchinson.....	340
William Cunningham.....	293
William Starrett.....	244
Patrick Norton.....	214
John Kelley.....	113
Henry S. Harris.....	60
Nathaniel Hamilton.....	35
W. McLaughlin.....	35
J. J. Maguire.....	27
James Hatton.....	21
Charles McDevitt.....	19

M. F. Mahoney, Thomas W. Brown, Jr., two each; John Carom, William Young, George S. Noyes, John Frazier, Thomas Dismore, C. Hoyt, Josiah Harding, Robert Marsh, W. I. Smart, Abel Monroe, Fred. Pease, William McKenney, Joshua Weston, Moses B. Tower, one each.

In presenting the report the committee desire to call attention to the fact that the practice has obtained of ordering a recount of the votes cast for members of this board simply upon the petition of a number of voters in any ward. Such proceedings are not in accordance with the provisions of the statute. It is necessary that some person who received votes should first serve upon the City Clerk, within sixty days after the election, a written notification claiming an election to the office, and declaring his intention to contest the right of some other person who received a certificate of election to occupy his seat at this board. Upon that notice the City Clerk is required to retain the ballots under seal until called for by this board or its committee. And the contestant must give notice to the Council, upon its reorganization, that he claims the seat occupied by a certain member of this board, and that he rests his claim upon the evidence furnished by the ballots in the possession of the City Clerk.

In the present case the rights of the sitting members were not contested; and although it was expected that gross errors would be shown in the returns of the ward officers, there was not the slightest probability that the result would be changed, and the petition appears to have been presented merely for the purpose of satisfying the curiosity of certain parties as to the correctness of the count made by the ward officers.

The report was accepted.

REPORT ON MAYOR'S ADDRESS.

Mr. Perkins of Ward 6, from the joint special committee appointed to report what disposition should be made of the several topics embraced in the Mayor's Inaugural Address, made a report recommending the passage of the accompanying order:

Ordered, That so much of the Mayor's address as relates to street improvements in the district recently covered by fire be referred to the Joint Standing Committee on Streets; that so much as relates to increasing the efficiency of the Fire Department be referred to the Joint Standing Committee on the Fire Department; that so much as relates to additional safeguards against loss of life by fire in buildings used for public houses and in tenement houses and manufactories be referred to the Joint Standing Committee on the Survey and Inspection of Buildings, with instructions to report as early as practicable whether additional legislation is needed;

that so much as relates to additional accommodations for the correctional, reformatory and pauper institutions be referred to the Joint Standing Committee on Public Institutions; that so much as relates to the establishment of a State Hospital for the accommodation of the insane paupers belonging in the city of Boston be referred to the Joint Standing Committee on Legislative Matters; that so much as relates to additional accommodations for the public schools be referred to the Joint Standing Committee on Public Instruction; that so much as relates to the occupation of the flats on the northerly shore of South Boston be referred to the Joint Standing Committee on Streets; that so much as relates to additional legislation concerning drainage, grades and streets in and around Boston be referred to the Committee on Legislative Matters; that so much as relates to the taking of the territory lying between Tremout, Ruggles, Parker and Prentiss streets, for the purpose of abating a nuisance existing thereon, be referred to the Joint Special Committee on the Suffolk-street District; that so much as relates to the appointment of a commission for the revision of the city charter be referred to the Committee on Ordinances; that so much as relates to the registration of voters and the manner of conducting elections be referred to the Committee on Legislative Matters.

Ordered, That so much of the Mayor's Address as relates to the public health be referred to the Board of Health.

The report was accepted, and the orders were adopted.

Mr. Jones of Ward 14 offered an order that the Street Commissioners be requested to consider the expediency of extending Lanhert avenue to Dudley street. Referred to the Committee on Streets.

COMMITTEES TO NOMINATE PUBLIC OFFICERS.

On nomination of Trustees of City Hospital—Page of Ward 9, Boardman of Ward 14, Risteen of Ward 10.

On nomination of City Solicitor—Harrington of Ward 8, Holmes of Ward 6, Blackmar of Ward 11.

ORDERS PASSED.

On motion of Mr. Prescott of Ward 9—

Ordered, That there be allowed and paid to Lucius W. Knight, in full compensation for extra services as assistant superintendent on the Suffolk-street District, during the year 1872, the sum of \$300; said sum to be charged to the appropriation for Suffolk-street District.

Ordered, That there be allowed and paid to John L. Brigham, in full compensation for his services as bookkeeper on the Suffolk-street District, from May 1, 1872, to Jan. 16, 1873, the sum of \$750; said sum to be charged to the appropriation for the Suffolk-street District.

Mr. Burditt of Ward 16 offered an order that the Trustees of the Public Library be requested to have the Reading Room of the Public Library opened on Sunday, between the hours of 2 and 9 P. M. Referred to Committee on Public Library.

On motion of Mr. Harrington of Ward 8—

Ordered, That the Superintendent of Public Buildings, be instructed forthwith to cause the skylights of the City Hall to be opened and shut at will for the ventilation of the building.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JANUARY 20, 1873.

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

JURORS DRAWN.

Sixty traverse jurors were drawn for the Supreme Judicial Court.

APPOINTMENTS MADE AND CONFIRMED.

Constable—Harrison D. Littlefield.
Weigher of Coal—Joseph Thomas.
The appointment by the City Clerk of Charles R. Alley as Assistant City Clerk was confirmed.

PETITIONS PRESENTED AND REFERRED.

W. T. Porter, for leave to occupy a wooden stable for one horse on Woodward avenue.

George W. Dyer, for leave to occupy a wooden stable for two horses on Pleasant street, corner of Savin-Hill avenue.

Joseph Burnett, for leave to occupy a wooden stable for two horses rear No. 5 Henchman street.

A. A. Hall, for leave to occupy a wooden stable for eight horses on Castle street.

C. O. Smith, for leave to erect stables in an old building on Gold street for six horses.

Severally referred to the Committee on Health on part of this Board.

Ebenezer E. Hill, to be compensated for loss sustained by him on account of the use of his house, No. 66 Hudson street, as a smallpox hospital. Referred to the Joint Committee on Health.

J. M. & F. Jones, for removal of the burnt material from the south side of High street.

Lang & Delano and others, that a portion of India wharf be called India row.

Gilman Brothers and others, that the sidewalks in Milk street may be put in order for travel.

J. H. Chadwick & Co. and others, that the sidewalks in Milk street may be put in order for travel.

William Clafin & Co. and others, that Pearl street may be cleared from rubbish and put in order.

C. O. Smith, to be paid for grade damages on Fourth street.

Eli Fernald, for leave to occupy a portion of Upton street with a small building temporarily.

Severally referred to the Committee on Paving, the last with full powers.

Horace C. Rose, to be compensated for property taken from him by the city, on Orange street. Referred to Committee on Suffolk-Street District.

Thompson, Bigelow & Brown, to be paid for loss of property by action of agents of the city at the fire November 9 and 10, 1872.

J. A. & N. Harwood, to be paid for loss of property by agents of the city at the time of the recent fire.

Smith & McGarragle, to be paid the balance on contract for erection of the smallpox hospital which was destroyed by fire.

Henderson Inches, to be paid for damage done to his building by action of the city at the recent fire on Washington street.

J. E. Tilton & Co., to be compensated for damages caused by agents of the city to building 161 Washington street at the recent fire.

Ira B. Orcutt, to be paid for personal injuries sustained from a fall in School street.

David H. Sampson, to be paid for injuries received while crossing the Common.

Severally referred to Committee on Claims.

William Adams, for appointment as an auctioneer. Referred to Committee on Licenses.

Zephaniah Bassett for abatement of Atlantic-avenue betterments.

Joseph Nickerson, for apportionment of Harrison-avenue betterments.

Severally referred to the Committee on Streets.

Georges Viles, lessee of stall under Fanenil Hall Market, to be paid for damages occasioned by the leaking of a water closet into his premises. Referred to Committee on Market.

Assistant Port Physician, for increase of salary for extra services. Referred to Committee on Health.

Mercantile Savings Institution, for remission of tax illegally assessed. Referred to Committee on Assessor's Department.

Joseph L. Watson, for appointment as Superintendent of Dover-street Bridge. Referred to committee to nominate Superintendents of Bridges.

J. W. Bartlett, that the city would adopt his method of lighting the street lamps. Referred to Committee on Lamps.

Hartford Steam Boiler Company, that steam boilers in public buildings be inspected, etc. Referred to Committee on Public Buildings.

A communication was received from the Street Commissioners transmitting an order for the taking of the estate of Michael H. Gleeson, on Summer street, at the corner of High street, for the widening of Summer street, the expense of said widening being adjudged at \$14,500; with an order accepting the surrender of said estate, the said Gleeson objecting to being assessed for the widening of Summer street; the amount of land so taken being 625 square feet. The order was referred to Committee on Streets.

ADDITIONAL APPROPRIATIONS FOR CHARLES-RIVER AND WARREN BRIDGES.

A communication was received from J. M. Wightman, Commissioner on Charles-River and Warren bridges, representing that in conformity with the requirements of the Harbor Commissioners, the legal supervisors of the plans for a new draw on Warren Bridge, a much larger sum has been obliged to be expended upon the draw and the alterations of said bridge than was anticipated or estimated by the Commissioners when the appropriation was made.

The original appropriation has consequently been found to be inadequate to meet the expenditures and the current expenses of the financial year.

The amount of the appropriation was \$42,000. Of this there has been expended to January 1:

General incidental expenses.....	\$3,506 11
Repairs on draw of Charles-River Bridge.....	1,453 16
Warren Bridge.....	36,594 03

	\$41,558 35
Balance to credit of bridges.....	441 65

An additional appropriation will therefore be required of \$10,000 to meet the outstanding bills now payable and those which will be payable during the present fiscal year of the city of Boston. The undersigned respectfully requests that this amount may be appropriated by the City Council for the care and management of Charles-River and Warren bridges.

Referred to the Committee on Finance.

REPORT OF SUPERINTENDENT OF GRANITE BRIDGES.

The annual report of the Superintendent of Granite Bridge gives 224 as the number of vessels which passed the draw of that bridge during the year 1872.

Ordered to be sent down.

ANNUAL REPORT OF SEALERS OF WEIGHTS AND MEASURES.

The annual report of the Sealers of Weights and Measures gives, as the expenditures in the Northern District, the sum of \$3361—\$2800 was for salaries of Sealer and assistant, and \$426 for horse keeping, shoeing, etc.; expenditures for office, \$700.

Expenditures for Southern District \$3356 58, of which \$2800 was for salaries of Sealer and assistant and \$431 05 for horse keeping, etc.

The whole appropriation was \$7000, and there remains a balance unexpended of \$1962 62.

Ordered to be sent down.

ANNUAL REPORT OF SUPERINTENDENT OF PUBLIC LANDS.

The sales of lands, as made under the direction of the Committee on Public Lands, during the year 1872, have been as follows:

One lot on Albany street, containing 3998 square feet, at \$2 00 per foot.....	\$7,996 00
One lot on Albany street, containing 3677 square feet, at \$2 25 per foot.....	8,273 25
One lot on East Newton street, containing 1573 square feet, at \$1 75 per foot.....	2,752 75
One lot on N. corner of Third street, containing 6250 square feet, at \$1 00 per foot.....	6,250 00
One lot on Camden, west of Tremont street, containing 6588 square feet, at \$1 00 per foot.....	6,588 00
Five lots on Harrison avenue, containing 9623 square feet, at \$2 25 per foot.....	21,651 75
One lot of marsh land near Camden street, and west of the Boston & Providence Railroad, containing 18,373 square feet, at 15 cents per foot.....	2,755 95
One lot in rear of Adams and Park streets (Ward 16), containing 6784 square feet, at 15 cents per foot.....	\$1,017 60
One lot on Savin-Hill avenue, containing 2945 square feet, at thirty-three cents per foot.....	971 85
One lot on Savin-Hill avenue, containing 1600 square feet, at fifteen cents per foot.....	249 00
One strip of land on Thomas street, containing 227 square feet.....	200 00

Total: 15 lots, containing 61,698 square feet, for the sum of.....\$58,706 15
Of the above amount there has been received by the Superintendent, in cash, and paid over to the Treasurer, the sum of.....\$8,792 15

And there has been taken in bonds from the purchasers, payable in nine annual instalments, with interest..... 49,914 00

Total..... \$58,706 15

The committee have, during the year, leased the following-named property:

The wharf on Swift street, containing 22,060 square feet, for a term of five years, at \$1500 per annum, and taxes.

The wharf on Albany street, and opposite the City Hospital, containing 67,027 square feet, for a term of five years, at \$6450 per annum.

The strip of land containing 427 square feet, and dock connected therewith, and known as the town slip (foot of Belcher's lane), for a term of five years, at \$500 per annum and taxes—the city reserving the right of drainage through the same.

The following amounts have been received by the Superintendent, during the year, and paid over to the Treasurer, viz:

For extending the time for building upon land on Albany, M. Dover and East Newton streets, also on Harrison and Columbus avenues.....	\$1,795 50
For rent of land on South Bay and at South Boston.....	1,296 50
For rent of building on Highland street.....	300 00
For rent of part of Great Brewster Island.....	40 00
For grass and pasturage of land in Ward 16, Dorchester District.....	252 00

Total..... \$3,684 00

The expenditures charged to the appropriation for Public Lands during the year 1872 have been as follows:

Paid salary of superintendent, for one year, \$1800 00; for the construction of sewers in East Canton and West Newton streets, \$1010 02; for grading land on Third near L street, \$25 66; advertising, \$80 64; stationery, \$35 75; taxes to the town of Hull for Great Brewster Island, to the town of Quincy for marsh land, and the town of Milton for wood lot, as owned by the city of Boston, \$38 51; carriage hire, \$41 00; repairing fence on Harrison avenue, \$8 50; labor on public lands, \$19 25; printing, \$2 02; expenses of the committee of 1871, \$53 00; expenses of the committee of 1872, \$802 80; total, \$4017 15.

The amount of salable lands belonging to the City of Boston, in charge of the Committee on Public Lands, is as follows:

At the South End and at South Boston.....	954,134 sq. ft.
Wharf property.....	93,051 "
Boston Highlands.....	690,540 "
Wharf property.....	22,060 "
One lot on Dorchester avenue and Gibson street, known as the Gibson School Fund property, containing about.....	586,427 "
Two lots of marsh land in the town of Quincy, containing about.....	370,910 "
One wood lot in the town of Milton, containing about.....	414,627 "
One lot on Bird street, containing.....	80,632 "
Three lots on Commercial street, containing.....	109,015 "
One lot on Norfolk street, containing.....	50,222 "
Two lots on Codman street, containing.....	90,120 "
Five lots on Ashmont street, containing.....	57,160 "

Total..... 3,518,898 sq. ft.

Ordered to be sent down.

ANNUAL REPORT OF SUPERINTENDENT OF PUBLIC BUILDINGS.

Public Buildings. The expenditures for repairs, alterations and improvements of public buildings include all the buildings belonging to, or hired by, the city (excepting schoolhouses and county buildings), used for the accommodation of the City Government, and the various departments. The amount expended on this class of buildings for the past year has been \$93,755 96, as follows:

Rent.....	\$4,778 31
Fuel.....	2,708 48
Care and cleaning.....	6,536 25
Salaries of Superintendent, one assistant and clerk.....	6,300 00
Alterations, repairs, water, gas and furniture.....	73,432 92

\$93,755 96

County Buildings. There has been expended on County Buildings \$22,626 89, as follows:

Care, supplies, repairs and furniture.....	\$17,519 04
Fuel.....	3,029 47
Gas and water.....	2,978 38

\$22,626 89

Schoolhouses. The expenditures on these houses for the past year have been \$263,321 43. Of this amount there has been expended for—

Fuel.....	\$55,042 00
Rents.....	10,102 34
Care and cleaning.....	54,086 29
Repairs, alterations, supplies and furniture.....	144,090 80

\$263,321 43

Extraordinary Expenses. The extraordinary expenses of this department are those for the erection of new, and alterations of old buildings, for which appropriations are made by order of the City Council. The following is a list of the buildings in progress of erection:

Grammar schoolhouse, L and Sixth streets, will be completed May 1, and will cost, including furniture and heating apparatus, about \$105,000 00.

Grammar schoolhouse, Atherton District, will be completed next September, and will cost about \$50,000 00.

Mather Schoolhouse, Ward 16, will be ready for occupancy in September, and will cost about \$65,000.

Hose house, Fourth and O streets, South Boston, will be completed in June, and will cost, including land, about \$20,000.

The following appropriations have been made, by order of the City Council, for new buildings and land for the same, work upon which will immediately commence:

Engine House No. 12, appropriation.....	\$28,000 00
Engine House, Ward 14, appropriation.....	20,000 00
Grammar schoolhouse, Dudley District, appropriation.....	90,000 00

During the past year the following buildings have been completed. The cost of each, including land, is annexed:

Police station house, District No. 9.....	\$45,675 15
Engine house No. 15.....	26,816 44
Hose house, Ward 15, Tremont street.....	29,967 24
Engine House No. 4, and Lancers' Armory, Bulfinch street.....	109,723 54
Rebuilding the Lyman Schoolhouse, damaged by fire Aug. 2, 1871.....	\$51,160 04
Alterations of Public Library building, including the putting in of new steam-heating apparatus and additional fire-proof work.....	60,934 53

The report also gives a list of the various buildings which have been remodelled or received extensive alterations during the year, with the amount expended on each.

These comprise repairs on Faneuil Hall, at a cost of \$5311 80; tiling floors of City Hall, \$2927 88; repairing drains in market house, new floors, etc., \$3013 28; outbuildings to Sherwin Schoolhouse, \$5283 14; Wait Schoolhouse, drains, paving yard, etc., \$9105 66, and various other items of \$2500 or less. These repairs were on five engine houses, three hose houses, one hook and ladder house, four police stations and lockups, one armory, offal depot, pound, and nineteen schoolhouses.

The following is a comparative statement of the number of county buildings, public buildings and schoolhouses, together with the number of feet of land covered by the same between the years 1864 and 1873:

	No. of Buildings, 1864.	No. of feet of land covered by Buildings, 1864.	No. of Buildings, 1873.	No. of feet of land covered by Buildings, 1873.	Increase in Nine Years.
County Buildings.....	3	153,297	4	165,498	12,201 ft.
Public Buildings.....	32	269,337	75	1,305,744	1,036,407 ft.
Schoolhouses.....	74	677,000	107	1,511,708	834,708 ft.
Total.....	109	1,099,634	186	2,982,950	1,833,316 ft.

The above will show a total increase in nine years of seventy-seven buildings, and of land equivalent to about forty-eight acres.

The estimated valuation of the several county, public buildings and schoolhouses, including furniture, land, etc., is as follows:

County.....	\$2,000,000
Public buildings.....	5,000,000
Schoolhouses.....	6,000,000

Total..... \$13,000,000

The amount of fencing surrounding the various schoolhouses is equal to about nine and one-half miles, lineal measurement.

A list is given of the number and location of the buildings belonging to or hired by the city which are under the charge of this department.

These comprise twenty-three public buildings, four county buildings, thirteen police stations and lockups, twenty-one engine houses, sixteen hose houses, seven hook and ladder houses, five pounds, one fuel house, one hundred and seven schoolhouses, twenty schoolrooms, all but two hired at a rental of \$9381, and sixteen wardrooms. Rooms are also hired for the City Solicitor and an office at Field's Corner for the Superintendent of Streets, also a room in the Highlands for the City Surveyor, and a room has been leased in the building of the Massachusetts Historical Society adjoining that of the Probate Building, for

the uses of Probate and Registry offices, for a term of fifteen years, at an annual rent of \$9000 per annum.

This department has charge of a lot of land situated on Dartmouth street and Warren avenue, containing 67,050 feet, purchased as a site for a high schoolhouse.

Ordered to be sent down.

ANNUAL REPORT OF THE BOARD OF STREET COMMISSIONERS.

The annual report of the Board of Street Commissioners was laid before the Board, in print.

The report gives a schedule of the various measures before the board during the year for the laying out, extension and widening of streets, with the action of the board thereon, comprising sixty-six different projects. The estimated expense of the various measures upon which action was taken, comprising the widening of streets in the burnt district, is \$3,935,250 93.

The following statement is given:

The Board of Street Commissioners have given hearings during the past year, either on petitions or orders of notice, upon most of the improvements referred to in the table herewith transmitted.

The important and long-sought-for improvement, the extension of Washington street to Haymarket square, urged by our most energetic business men and largest taxpayers, furnishes a direct, nearly straight, and for the most part very commodious street from one end of the city to the other, from the Charles River to the West Roxbury line; and by the widening of Warren street from Dudley to Washington street, in the Highland District, which may be called an extension of Washington street, provides a direct avenue from the Charles to Neponset River. The building of the extension of Washington street northwardly from Cornhill will, in consequence of the recent fire, be delayed beyond the time originally contemplated, because it was deemed inadvisable for the present to dispossess the occupants of stores on the line of the extension until the rebuilding of the burnt district shall, in some degree, be completed.

The widening of South Market street and its extension to Atlantic avenue, at an expense of \$282,453 50, seemed to be absolutely demanded for the greatly increased business in that locality. This improvement was previously submitted to the Council by resolve and order, but did not receive its sanction, nor did the contemplated extension of Commerce street.

The widening of Wilson's lane to a width of fifty feet for the extension of Devonshire street, which had been rejected by the Council, was again submitted to it and sustained by great unanimity. This extension of Devonshire street will afford great relief to Washington street, furnishing, as it does, a parallel roadway from Dock square to the extreme south end of the city, on a nearly level grade, generally sought for by heavily laden teams. A resolve and order for the widening of Beach street on the southerly side, was sent to the Council and rejected, with a request to furnish an estimate of the cost of widening the street on the northerly side, which was promptly furnished by the Commissioners; but the Council took no further action in the premises. It is admitted by all that the public necessity imperatively requires the widening of this street, being now scarcely thirty feet wide, while all the horse cars coming from South Boston pass through it, together with great local travel, the only question at issue being where the widening should be made.

The widening of Emerson street, and extending it westerly to Second street, effectually makes the latter a continuous and level street from Federal street to the "Point," affording much needed facilities for heavily loaded teams from the city proper to South Boston Point.

The widening of Cottage street, in the Dorchester District, has been called for by every consideration of public safety for years, being, as it was, dangerously narrow at points where it curved, and where at times it was considerable of a thoroughfare.

The County Commissioners of Norfolk and the selectmen of Dorchester had this widening under advisement, with a settled determination to make it, at the time of the annexation of Dorchester to Boston.

The pressure has been great upon the board to widen and straighten streets on the "burnt district," some persons contending that the streets should be made very much wider than formerly; while others contend equally strong that these streets were sufficiently wide for all the purposes for which they were or are likely to be used. The board has pursued a conservative course, widening where an exigency seemed to exist, and straightening when necessary, keeping in view the future wants of the public, endeavoring to furnish the requisite facilities demanded by increasing business and travel, with the least possible

injury or inconvenience to the abutters. Thus Washington street has been widened on the burnt district to a width of sixty feet. Summer street has been made a nearly uniform width of sixty feet from Washington street to Broad street, it being somewhat wider at what was "Church Green." High street has been widened to a width of fifty feet between Congress and Pearl streets, to make it conform to the width at other points, and the widening of Purchase street, commenced prior to the fire at its southerly end, has been continued northwardly to Oliver street, making the street a uniform width all the way.

All the street improvements contemplated for the devastated territory have been already made by this board, as far as the surveyor has furnished the necessary plans.

Ordered to be sent down.

ANNUAL REPORT OF THE CHIEF-OF-POLICE.

The annual report of the Chief-of-Police gives a statement of the Police organization, the general divisions, boundaries of districts, officers attached to the Central Office and City Prison, with the officers and patrolmen connected with the several districts. The maximum number of the force as established in June last is 550 men, but at present it consists of but 520 men, as follows:

Chief's Office, City Prison, City Hall Watch and Superintendent's room, 25; District No. 1, 49; District No. 2, 71; No. 3, 51; No. 4, 70; No. 5, 53; No. 6, 53; No. 7, 30; No. 8, 26; No. 9, 30; No. 10, 38; No. 11, 24. Total, 520.

The number of the force at the beginning of the year was 468 men, rank and file. During the year, four men have died, 26 have retired from the department, and 82 new officers have been added to the force. Notwithstanding the increase of the department, the causes for discharge, fine or reprimand have been less than for several years past.

In the work of the Police the following statements are given:

Arrests, 27,902; males, 22,169; females, 5733; Americans, 9216; foreigners, 18,686; non-residents, 6774; minors, 5320; commitments, 17,618. Lodgers, 236,059; males, 31,242; females, 4817; Americans, 14,674; foreigners, 21,385; non-residents, 28,773; minors, 5044.

Amount of property taken from prisoners and lodgers, and restored to them.....	\$78,153 10
Amount of property reported stolen in the city.....	\$63,801 00
Amount recovered, stolen, in and out of the city.....	\$70,014 00
Aggregate amount of fines imposed by the courts.....	\$69,746 00
Aggregate imprisonment imposed by same.....	1462 yrs. 4 mos.
Number of days spent in court.....	12,840
Amount of witness fees earned.....	\$16,002 49
Number of larcenies reported in the city.....	2,495
Number of arrests for same.....	1,575
Amount received for dog licenses.....	\$10,567 50

The principal causes for which arrests were made were as follows:

Adultery, 32; assault and battery, 2019; felonious assault, 238; assault on an officer, 32; attempt to rescue a prisoner, 22; breaking and entering, 65; common drunkard, 481; delirium tremens, 56; disorderly, 5386; disturbing the peace, 408; drunkenness, 11,226; embezzlement, 51; forgery, 22; fraud, 34; gaming on the Lord's Day, 64; housebreaking, 40; idle and disorderly, 257; insane, 224; keeping houses of ill fame, 64; noisy and disorderly houses, 31; simple larceny, 1155; felonious larceny, 477; larceny at fire, 70; malicious mischief, 262; murder, 11; night walking, 173; receiving stolen goods, 65; robbery, 115; shop breaking, 231; stubborn children, 71; suspicion of larceny, 355; suspicious persons, 1818; truancy, 207; vagrancy, 274; violation of city ordinances, 371; violation of Sunday law, 300; witnesses, 398.

Under the head miscellaneous are the following statistics:

Accidents reported, 844; arrested on warrants, 2411; buildings found open and secured, 2014; cases investigated, 6129; dangerous buildings reported, 56; dead bodies found, 105; defective drains and vaults reported, 1023; defective lamps, 4697; defective streets and sidewalks, 3829; disturbances suppressed, 6530; fires extinguished without alarm, 197; intoxicated persons assisted home, 1778; lost children restored, 1175; rescued from drowning, 38; sick and injured persons assisted, 374; smallpox cases reported, 1832; stray teams put up, 279; street obstructions removed, 25,105; vessels boarded, 547; water running to waste reported, 339.

By the reports of the various superintendents it appears that there are licensed 616 carriages, 3176 wagons, 60 pawnbrokers, 191 second-hand dealers, 59 intelligence offices, 81 auctioneers, 52 billiard and bowling halls, with 201 tables and alleys, 285 street fruit stands, 355 minors, newsboys, etc.

Prentiss streets, contains about twenty-eight acres, being nearly as large as the Suffolk-street District. The city was authorized, by an act of the Legislature of 1872 to take the estates within this territory, and raise the grade of the streets and lots in a similar manner to the improvements made in the Church and Suffolk street districts. The general grade of the interior portion of the territory not built upon, which is mostly marsh, is at grade of about ten feet above mean low water. It is proposed to fill the cellars and yards to grade 14,—two feet higher than those of the Church and Suffolk street districts, in order to insure a proper fall in the sewers to tide-water,—this territory being much farther from the outlet of the sewers than either of those districts. The grades of the streets will be fixed according to circumstances, but nowhere below "18."

The City Surveyor was directed by the committee on drainage of the low districts, early in the year, to make surveys and plans of the entire district, showing all the estates and buildings; and also profiles with proposed grades, showing the height each building is to be raised.

This survey was commenced, and a great amount of time and labor spent upon it; but the work was delayed on account of the difficulty found in determining the boundary lines of estates, as many of the landmarks were obliterated by the filling of the creek, and there being many disputed lines of ownership.

The survey would have been completed, however, before the close of the year had it not been for the great fire of the 9th of November.

The Burn' District. Immediately after the fire, this department was called upon for a plan of the whole district, for the use of the Street Commissioners and City Government, showing the streets, estates, and owners' names.

Such a plan was soon made, by compiling information already in this department; it being, however, only approximately correct, as no accurate survey of the whole district had been made.

As it was soon decided that the entire territory could not be taken by the city and relaid out into a new system of streets and avenues, the City Surveyor was called upon to propose a scheme of improving the existing streets by widening, straightening, and extending them.

These proposed street improvements were drawn without sufficient time being allowed for careful consideration of the subject, as there was a great desire to have something proposed at once; and the lines as proposed on this plan were shown more as a suggestion than as a plan to be finally adopted. The result has been that several of the proposed lines have been considerably modified, although some of them have been adopted as originally drawn.

Great difficulty has been met with in the surveys, in determining the old lines of the streets, as in many cases the front foundation walls were entirely demolished and the sidewalks broken down by the falling of buildings, leaving no vestige of where the former fronts of the buildings existed. Also the division walls between estates were so buried up by the debris of buildings destroyed by the fire, as to cause considerable additional time and labor in making the surveys.

The following-named streets were surveyed, the takings accurately measured previous to the first of January, and the orders widening them have since passed the City Government, viz., Washington, Summer, High, Purchase, and Lindall streets.

Surveys of several other streets within the district have been partially completed, and will soon be ready for action by the Street Commissioners.

Eight entries have been made in the record book during the year for determining the true meridian line, and the average variation recorded is 11° 09' 47" west of north. The foregoing statement of surveys, plans, etc., was but a portion of the work performed during the year, much of the work being of a miscellaneous nature. The City Surveyor still acts as Secretary of the Committee on Streets of the Board of Aldermen.

The classification of indexed plans gives the number as 3827, besides which there are many plans not indexed, comprising a set of fifty-two of the streets of East Boston, forty of the streets of South Boston, also plans of twenty-foot streets in South Boston, and the bound volumes of plans and profiles have been increased by additions of copies of plans by the annexation of Roxbury and Dorchester. These comprise seventeen which are classified as "Old," thirty as "New," and three volumes of insurance plans, showing widths of streets and location of buildings in Boston proper, and parts of Cambridge, Charlestown, Roxbury, East Boston and South Boston.

Ordered to be sent down.

HEARING ON ORDER OF NOTICE.

The hearing on order of notice on petition of the

Bay State Suspender Company, for leave to locate and use a steam engine and boiler at No. 24 Kneeland street, was taken up. No person appearing in relation thereto, the report was recommitted.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pay heirs of Charles Stimpson \$1275, for land taken to widen Cottage street (Ward 16).

Order to pay Catherine J. Cadogan \$42, for land taken to widen Warren street.

Order to pay J. I. Bowditch \$6700, for land taken to widen Summer street.

Order to pay J. F. Wilson \$7760, for land taken to widen Summer street.

Order to pay the Merchants' Exchange Company \$15,540, for land taken to widen Lindall street.

PAPERS FROM THE COMMON COUNCIL.

The following resolve and orders were severally passed, in concurrence:

Resolve requesting the Board of Health to apply to City Council for any additional powers or facilities for transaction of business which they may need.

Order to pay John L. Brigham \$750, for services as bookkeeper on Suffolk-street District.

Order to pay Lucius W. Knights \$300, for services as Assistant Superintendent on Suffolk-street District.

Order for Trustees of Public Library to open the reading room on Sundays from 2 to 9 P. M. Referred to Committee on the Library.

Order for appointment of a Joint Committee to nominate a City Solicitor, to which Aldermen Power and Brown were joined.

Order for appointment of a Joint Committee to nominate Trustees of the City Hospital, to which Aldermen Clark and Hulbert were joined.

The report on disposition of the several topics in the Mayor's address was accepted in concurrence.

The order for Street Commissioners to consider the expediency of extending Lambert avenue to Dudley street was referred to the Joint Committee on Streets, in concurrence.

The notice of the organization of the Board of Health on January 15, 1873, by the appointment of Alonzo W. Boardman as Chairman, and Charles E. Davis, Jr., as Clerk, was ordered to be placed on file.

ADDITIONAL APPROPRIATIONS FOR SEWERS.

Alderman Power, from the Committee on Sewers, made a request for an additional appropriation of ten thousand dollars for that department, to defray the necessary expenses for the remainder of the financial year.

There has been expended from the appropriation of \$150,000 the sum of \$149,897 96.

The sewers now building in Kemp street will require about	\$5,000
The running expenses of the department to 1st of May	3,000
There is now due on unpaid bills	2,000
	\$10,000

Referred to the Committee on Finance.

Alderman Gaffield announced that the Committee on Accounts had made choice of Alderman Clark as chairman.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Health, made reports on applications relating to stables as follows: Leave to Lorenzo D. Benner to occupy a wooden stable for two horses rear of 124 Dudley street; leave to withdraw on petition of H. A. Stevens and others against the stable of Robert Crosby on White street, action having been taken Dec. 5, 1872. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: Chester H. Graves, to manufacture spirituous and intoxicating liquors; New York Circus, to give exhibitions in this city, South Boston and East Boston, in May next; Henry O. Dockham and J. H. Cummings, as auctioneers; to certain persons, for wagon licenses, as a pawnbroker, and for the transfer of billiard licenses, wagon license; also, leave to withdraw on petition of William Arman, for leave to give a sparring exhibition at Sumner Hall; also an order to revoke the license of Henry J. Morie, to keep an intelligence office. Severally accepted.

Alderman Power, from the Committee on Sewers, reported an order confirming an assessment on Orleans street, amounting to \$502 12. The report was accepted, and the order was passed.

Alderman Sayward from the Joint Standing Committee on Public Buildings, acting upon an order from the City Council dated October 30, 1872, namely, to purchase a lot of land on the corner of Winslow and

Dudley streets and erect thereon an engine house for Engine Company No. 12, made a report that they have purchased the land agreeable to the above order for the sum of \$9736, leaving a balance of \$18,264 from the special appropriation for the purpose of \$28,000.

They having received estimates for the erection of the building and find that, owing to the advance in building material since the fire, the unexpended balance will not be sufficient to complete the building; but that an additional appropriation of \$3000 will be required.

In order that the building may be commenced as soon as possible, as the old building is soon to be demolished, they would recommend 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 \$3000; to be added to the appropriation for Engine House No. 12.

The report was accepted, and the order was passed. Alderman Quincy, from the Committee on Comity Accounts, to whom were referred the petitions of Thomas L. Hallworth and Caroline T. Norris, to be paid for land taken to widen Washington avenue in Chelsea, made a report as follows:

In 1871, the County Commissioners for the County of Middlesex, acting under the authority conferred upon them by the General Statutes, sect. 34, chap. 17, established a highway in the city of Chelsea and the town of North Chelsea, and subsequently made a requisition upon the city of Boston for the payment of the expenses chargeable to the County of Suffolk. This assessment was in accordance with an arrangement entered into between Boston and the other portions of Suffolk County in 1831, the substantial provisions of which were incorporated into the General Statutes of 1859, as follows:

"Sec. 3, chap. 17. In the County of Suffolk the real and personal estate which on or before the 23d of June, 1831, belonged or was deemed and taken to belong to said county, shall belong to or be vested in the city of Boston and the city of Chelsea and towns of North Chelsea and Winthrop shall have no right, title of interest therein."

"Sec. 6, *Ibid.* In the County of Suffolk the court houses, jails, house of correction, fire-proof offices and other necessary public buildings for the use of the county shall be provided by the city of Boston, and said city shall pay all county charges."

Although requisitions for the payment of expenses for laying out county roads had been assessed upon this city previous to 1871, the amounts assessed were so small that the attention of the Government had not been attracted particularly to the subject. In this case the assessment amounted to about \$34,500, and the Government of last year recognizing the injustice which was being done to the taxpayers of this city, applied to the Legislature to be relieved from future assessments for such purposes. An act was accordingly passed, chap. 91, 1872, adding to the sixth section, as quoted above, the following words:

"No part of the expenses incurred by the laying out, widening, alteration, discontinuance, building or repair of any highway, bridge or other way of travel in the city of Chelsea, or the towns of Revere and Winthrop, shall be assessed upon the county of Suffolk, in the city of Boston."

A portion of the damages estimated by the Middlesex County Commissioners, in their requisition on the first Tuesday of January, 1872, was paid last year, and for the purpose of completing the payments, the committee recommend the passage of the accompanying order, covering all the cases in which certificates have been received from the proper authorities showing that possession has been taken of the property for which damages were allowed:

Ordered, That there be paid to the following-named persons the sum set against their respective names for damages caused by taking land for the purpose of widening Washington avenue in the city of Chelsea, by an order of the County Commissioners of the County of Middlesex, passed on the first Tuesday of January, 1872, upon their giving an acquittance and discharge for all damages, costs and expenses caused to and incurred by them, on account of said takings; said sums to be charged to the appropriation for the County of Suffolk, viz.:

William Christy, \$75; Samuel F. Nottage, \$52; Henry H. Hall, \$47; John Dodd, \$44; J. T. Bailey, \$49; Caleb Pratt, \$56; Oren W. Fiske, \$47; Thomas L. Hallworth, \$38; George E. Colesworthy, \$35; Tarrant M. Beal, \$95; Henry C. Clayton, \$65; Louisa J. Manuel, \$65; Caroline T. Norris, \$65; George A. Patrick, \$65; Hosea Hsley, Jr., \$70; Mary E. Center, \$80; David E. Mayo, \$325; Thomas H. Carruth, \$190; Joseph H. Sanford, \$235; Mary M. Fawcett, \$70; J. D. Farnum, \$80; J. E. M. Gilley, \$205; William H. Hollis, \$150; A. J. Hilbourne, \$500; heirs of Joshua

Carter, \$3000; William G. Thwaite, \$200; J. W. Cookson, \$200; Joh H. Wilkinson, assignee of J. O. Blake, \$675; William Boyden, \$350; George C. Bosson, \$1500; James Blaisdale, \$350; John Magee, \$500; Chelsea Highland Company, \$1620; Hamlet Bates, \$1500; William H. Low, \$180; J. H. Kibbey, \$180; Oliver Calef, \$600; Henry Slade, \$180; Thomas H. Greeley, \$550; Silas K. Curry, \$450; Mellen Chamberlain, \$800; Ivory Wells, \$100; Charles E. Cook, \$250; Gardner Brewer, \$600; A. S. McIntire, \$100; George W. Gerrish, \$1500; J. C. Pratt, \$600.

The order was read once.

NOMINATION AND ELECTION OF OFFICERS.

Alderman Gaffield, from the joint special committee appointed to nominate candidates for Directors for Public Institutions, made a report in part, by recommending the election of the following-named persons as representatives of the City Council on said board:

Board of Aldermen—William Sayward.
Common Council—William E. Bicknell, Cyrus A. Page.

The Board proceeded to an election, resulting as follows:

Whole number of votes.....	12
Alderman William Sayward.....	12
Councilman Cyrus A. Page.....	10
" William E. Bicknell.....	8
" Benjamin Dean.....	3
" Frederick Pease.....	3

Alderman Sayward and Messrs. Page and Bicknell were declared to be elected.

Alderman Emery, from the joint special committee appointed to nominate candidates for Trustees of Mount Hope Cemetery, made a report in part, recommending the election of the following-named persons as representatives of the City Council on said board:

Alderman—Alanson Bigelow.
Councilmen—George L. Burr, Charles Darrow.

The report was accepted, and the Board proceeded to an election, when the several persons named were elected by a unanimous vote.

Alderman Bigelow, from the joint special committee, to nominate candidates for Trustees of the Public Library, made a report in part by recommending the election of the following-named persons to represent the City Council on said board:

Alderman—John T. Clark.
Councilmen—William E. Perkins, Charles A. Burditt.

The report was accepted and the several persons named were elected by eleven votes each.

Alderman Bigelow, from the joint special committee to nominate candidates for the Cochituate Water Board, made a report in part, recommending the election of the following-named persons as representatives of the City Council on said board:

Alderman—Leonard R. Cutter.
Councilmen—Edward P. Wilbur, William G. Thacher.

The report was accepted, and Alderman Cutter was elected by eleven votes, and the others by twelve votes each.

ORDERS PASSED.

On motion of Alderman Clark—

Ordered, That whenever the Committee on Streets of this Board deem it for the best interest of the city to refer claims for damages or betterments relating to the laying out and widening of streets to arbitration for settlement, the said committee is hereby authorized so to refer such claims, with the approval of his Honor the Mayor and the City Solicitor.

Ordered, 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.

Ordered, That the Superintendent of Streets be authorized to lay flagging crosswalks on the public streets of the city, when deemed expedient by the Committee on Paving.

Ordered, That the Superintendent of Streets, under the direction of the Committee on Paving, be authorized to furnish and set edgestones on any portions of public streets when the abutters desire them set and will pay one-half the cost thereof; also, to pave the gutters on public streets when deemed expedient by the Committee on Paving.

Ordered, 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.

Ordered, That the Superintendent of Streets be authorized, under the direction of the Committee on

Paving, to erect fences in front of vacant lots on public streets, where the public safety require, the same.

Ordered, 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.

Ordered, 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.

Ordered, That all matters of an unfinished nature relating to the improvement on Fort Hill be referred to a special committee, consisting of the chairmen of the committees on Streets, Paving and Sewers, to be called the Special Committee on Fort Hill Improvement, with authority to exercise all the powers relating to settlements for contract work and other matters relating thereto, and also all matters relating to the erection of temporary structures on land belonging to the city on the Fort-Hill territory, which were held by the Special Committee of the Board of Aldermen of 1872.

On motion of Alderman Brown—

Ordered, That the Superintendent of Lamps be and he is hereby authorized, under the approval of the Committee on Lamps, during the municipal year 1873, to contract and purchase the lamp posts, brackets, burners, tips, cocks and such other articles as shall be found necessary for the carrying on of the Lamp Department; the cost thereof to be charged to the appropriation for Lamps.

On motion of Alderman Power—

Ordered, That the following changes be made in assessments for sewers:

Forest street—Abate \$65 43 from Edward Ryan and assess the same amount upon Mrs. Edward Hamilton.

Vinton street—Abate \$16 56 from M. A. Ring & Son and assess the same amount upon J. P. Power; abate \$54 51 from Thomas Gogau and assess Timothy Sullivan \$18 40, Eugene Sullivan \$18 40, and John Hunt \$17 71.

Eighth street—Abate \$40 82 from George H. Ever-son and assess the same amount upon Charles E. Dunham; abate \$90 84 from Samuel Leeds and assess the same amount upon Patrick F. Corbett.

Seventh street—Abate \$88 31 from George H. Ever-son and assess the same amount upon Charles E. Dunham.

Guild street—Abate \$311 17 from James Guild and assess \$279 88 upon the heirs of S. Guild.

Laurel street—Abate \$12 68 from Daniel Tucker and assess the same amount upon Bennett W. Welton.

Warren street—Abate \$20 57 from assessment of George R. Clarke.

Ordered, That the collection of the following sewer assessments be postponed until entry is made from the respective estates into the sewer: Aaron D. Webber, South street, \$15 88; Bernard M. Cory, Thacher street, \$8 85; Matthew McLaughlin, do., \$12

On motion of Alderman Gaffield—

Ordered, 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 thereafter submitted to the Common Council for revision and acceptance, pursuant to law.

On motion of Alderman Quincy—

Ordered, That there be paid to each member of Company B, First Battalion of Cavalry, the sum certified by the adjutant-general as due to him for special duty in November last, the whole amounting to \$2915; to be charged to the appropriation for Militia Bounty.

On motion of Alderman Gibson—

Ordered, That the care of the public bells and clocks and the control of the appropriation for that object be vested in the Joint Standing Committee on Fire Alarms.

On motion of Alderman Sayward—

Ordered, That the Board of Aldermen be and they are hereby authorized, in accordance with section fourteen, chapter fifty, General Statutes, to make rules and regulations to restrain sales by minors; or to grant licenses for minors to make such sales, on such terms and conditions as they shall prescribe.

Ordered, That the expenses incurred by the Board of Health in the care and management of the Smallpox Hospital, be charged to the appropriation for a Smallpox Hospital; that the expenses incurred by said board in the management of the Quarantine Department be charged to the appropriation for the Quarantine Department; and that the other expenses incurred by said board in the exercise of the powers conferred upon it be charged to the appropriation for the Health Department.

Ordered, That the Superintendent of Health be authorized during the present year to make contracts,

subject to the supervision of the Committee on Health, for the purchase of such quantities of hay or grain, and for such horses and exchanges as his department may from time to time require; also for such material as shall be required for the use of the department.

Ordered, That the Joint Standing Committee on Public Buildings be authorized to supply the necessary furniture for and cause to be made such repairs and cleaning as may be needed on the City Hall, police station house, and engine houses, also other public buildings; the expense therefor to be charged to the appropriation for Public Buildings.

Ordered, That the Joint Standing Committee on Public Buildings be authorized to supply the necessary furniture for, and cause to be made such repairs and cleaning as may be needed on the several high grammar and primary schoolhouses; the expense therefor to be charged to the appropriation for Schoolhouses, Public Buildings.

Ordered, That the Superintendent of Public Buildings, under the direction of the Committee on Public Buildings, be authorized to partition the large Committee Room in the City Hall, and place folding doors in the same; the expense to be charged to the appropriation for Public Buildings.

Alderman Power wished to know the reasons for the proposed division of the committee room, which was none too large for many hearings, being often crowded, and the division of which would mar the building. He had heard that it was for the purpose of giving a room to the Committee on the Burnt District Loan. Rooms for committees might be provided up stairs, and accommodations could be provided outside, particularly in cases like that of the Committee on the Loan, having no connection with the ordinary action of the City Government, and for which such provision is not necessary.

Alderman Sayward replied that it was not designed to mutilate the building, but the proposed alteration was at the request of the Mayor and heads of departments, while it was in part to accommodate the Loan Committee. His experience had been such as never to know the committee room to be crowded, while it frequently occurred that when there was a meeting of a committee that room and the room of Mr. Bugbee were both occupied. Further accommodations outside of the City Hall would be necessary to provide for the business of the several departments; but in this case it was designed simply to run a partition through the centre of the room, the present doors serving as an entrance to each, and the two rooms to be connected by folding doors of twelve feet, by which they may be thrown into one when necessary. When a larger room was needed the Common Council Chamber could be used.

The order was passed.

Alderman Gibson offered the following order, which was referred to the Committee on Fire Department:

Ordered, That the Committee on Fire Department consider the expediency of authorizing the Mayor to appoint a Fire Inspector and three assistants, whose duty it will be to examine all buildings, public and private, with a view to ascertain the condition of matter stored, the proximity of woodwork or other combustible material to heating apparatus, and the degree of carefulness or carelessness, as the case may be, exhibited by the owners and occupants, and who will be empowered to enforce such precautionary measures as may tend to lessen the number of conflagrations in this city.

Alderman Stebbins offered the following order:

Ordered, That the Committee on Paving, together with the Committee on Licenses, constitute a Special Committee of this Board to consider and report what additional rules can be made for regulating public travel on Tremont and Washington streets below Boylston street, and in Dock square, with a view to prevent blockades and interruption to travel in those streets, and to afford necessary facilities to builders upon the easterly side of Washington street.

Alderman Stebbins, in support of the order, said it was framed like some others which had been passed, by the union of two committees, to devise some plan by which the crowding of the streets could be obviated. Very soon in the rebuilding of the burnt streets there will be much cumbering of the streets with building material, and something should be devised by which the travel may be improved. It might be necessary to prohibit the running of the horse cars below Boylston street, or this side of Hanover street, or a remedy provided in the appointment of special policeman to prevent the blockade of the streets.

Alderman Clark objected to the passage of the order at this time, and it was laid over.

ORDERS OF NOTICE.

On petition of Manuel Silva, against the Old Colony Railroad Company for estimate of grade damages to his estate on Dorchester avenue. Hearing Monday, February 3, 4 P. M.

On petition of Alexander Mosely, for leave to locate and use a steam engine and boiler in South street. Hearing Monday, February 10, 4 P. M.

On petition of the Middlesex Railroad Company, for extension of location through Washington street to Haymarket square. Hearing Monday, February 10, 4 P. M.

ORDERS READ ONCE.

On motion of Alderman Clark—

Orders to pay John, J. F. and J. Warren Faxon \$22,796 for land taken to widen Summer street, C. F.

Shimmin and A. L. Vanzandt \$10,120 for land taken to widen Washington street; to pay the heirs of Peter Parker and C. F. Shimmin \$9680 for land taken to widen Washington street; to pay Roger S. McIntosh \$2343 30 for land taken and all damages occasioned by the widening of Cottage street.

On motion of Alderman Hulbert—

An order to revoke a right to the Metropolitan Railroad Co. to lay a track over Walnut avenue, granted by the city of Roxbury in 1855.

Alderman Clark moved that when the Board adjourned, it be to Thursday next, at one o'clock, when some matters from the Street Commissioners requiring action might be expected, to be in season for action by the other branch.

The motion was carried.

Adjourned to Thursday next, one o'clock.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JANUARY 23, 1873.

An adjourned meeting of the Board of Aldermen was held this afternoon at one o'clock, Alderman Cutler, the chairman, presiding.

APPOINTMENTS MADE AND CONFIRMED.

Railroad Police Officers—Frank Davis, Jerome Hastings, A. G. Whiton and George H. Patch, employes of the Boston & Albany Railroad, as officers under the act of 1871, chapter 331, for railroad police, and the better protection of passengers upon railroad trains and at railroad stations.

The appointment by the Mayor of Ephraim Emerson as his clerk was ordered to be sent down.

PETITIONS PRESENTED AND REFERRED.

Joseph H. Ryan, for apportionment of his Cliff-street betterments.

Mary J. Johnson, for apportionment of Cliff-street betterments.

Severally referred to Committee on Streets.

Jeremiah Twoomey, for leave to build a brick stable for one horse at 321 Second street. Referred to Committee on Health on the part of this Board.

Timothy Cain and others, for a sewer in George street. Referred to Committee on Sewers.

Arthur F. Anderson and others, that the lamp at Thornton place be lighted. Referred to Committee on Lamps.

W. G. White and others, that Winter street in Ward 16 may be set apart for coasting purposes. Referred to Committee on Paving.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pay sundry persons specified. William Christy and others, forty-seven in number, for land taken and damages in the widening of Washington avenue, Chelsea, by order of the County Commissioners of Middlesex County, first Tuesday in January, 1873, the whole amounting to \$34,500.

Order to pay C. F. Shimmin and A. L. Vanzant \$10,120 for land taken to widen Washington street.

Order to pay heirs of Peter Parker and C. F. Shimmin \$9680 for land taken to widen Washington street.

Order to pay J., J. F. & J. W. Faxon \$22,796 for land taken and damages in the widening of Summer street.

Order to pay R. S. McIntosh \$2343 30 for land taken and damages in the widening of Cottage street.

Order constituting the Committees on Paving and Licenses a special committee to consider and report on the subject of regulating public travel in Tremont and Washington streets below Boylston street, and in Dock square, with a view to prevent blockades and afford facilities to builders on the easterly side of Washington street.

The order to revoke the right of the Metropolitan Railroad Company to lay a track from the corner of Warren street, over Walnut avenue, to West Roxbury line, granted by the city of Roxbury in November, 1855, being under consideration.

On motion of Alderman Hulbert, it was referred to the Committee on Paving.

ANNUAL REPORT OF SUPERINTENDENT OF LAMPS.

The annual report of the Superintendent of Lamps was laid before the Board in print. It contains a table showing in detail the expenses of the past municipal year, a table showing the comparative expenses for six years, tables showing the number of lamps and comparative increase during the same period, with some general information and suggestions.

During the year lamps have been replaced on the Suffolk-street district, and lamps have been lighted on Dorchester avenue from Field's Corner to the Lower Mills, and on a continuation of Beacon street, on Brighton, Western and Longwood avenues, and on many shorter routes.

No change has been made in the contracts with the gas companies, except on the reduction from the removal of the United States tax on gas, which will amount yearly to \$20,000. The prices paid for gas for public lamps is as follows:

City proper, five sixths of one cent per hour, or \$2 08 1-3 per thousand feet; South Boston, one cent per hour, or \$2 50 per thousand feet; East Boston, one cent per hour, or \$2 50 per thousand feet; Roxbury, one cent per hour, or \$2 50 per thousand feet;

Dorchester, one and one tenth of one cent per hour, or \$2 75 per thousand feet; Brookline, one and one tenth of one cent per hour, or \$2 75 per thousand feet.

The burners in use are known as Tuft's regulators, by which the consumption is fixed at four feet per hour. The lamps are burned every night, and a total of about three thousand eight hundred hours each.

The men who light the gas lamps are paid at the rate of 2 1/4 cents per lamp per night, for each lamp lighted in the following sections of the city: City proper, 45 men; South Boston, 9; East Boston, 5; while in Roxbury, 18 men; Dorchester, 12 men; Brookline, 1 man.—they are paid at the rate of 1 67-100 dollars per day.

Where the men are paid by the lamp, the average of lamps to each man is seventy-seven, and those paid by the day average fifty-seven lamps; but the lamps are considerably further distant from each other, which is a full equivalent to the number of lanterns in charge.

The men employed to light the fluid lamps are paid at the rate of three cents per lamp per night, and the kerosene lamps are furnished with oil, trimmed, lighted and taken care of at the rate of \$20 per annum for each lamp. The price for fluid for use in the city lamps is at the rate of one-tenth of one cent per hour with the exception of a few naphtha lamps furnished at a price of eighteen cents per gallon. The number of lanterns reported broken during the year was seventy-six hundred and thirty-one, and a considerable number were condemned as unfit for service.

The number of gas lamps is 6344, and the increase was 110 in 1868, 626 in 1869, 365 in 1870, 483 in 1871, and 456 in 1872. The increase last year in the several sections of the city, was 82 in the city proper, 18 in East Boston, 51 in South Boston, 148 in Roxbury, 112 in Dorchester, and 45 in Brookline. There were located on the territory burned over in November 175 gas lamps, which would have given the increase 631.

The number of oil and fluid lamps is 840, there being a decrease in the year of 139, 68 in the city proper, 37 in South Boston, 27 in Roxbury, 5 in Dorchester, and 2 in East Boston.

The appropriation for the financial year ending on the 30th of April next was.....\$370,500 00
Amount expended to date..... 256,937 39

Balance unexpended.....\$113,562 61

An amount more than sufficient to meet the payments for the remainder of the financial year.

The expenditures have increased from \$219,517 55 in 1867 to \$272,982 88 in 1868, \$276,064 71 in 1869, \$324,580 47 in 1870, \$337,129 07 in 1871, \$359,085 99 in 1872.

Ordered to be sent down.

WIDENING OF BEDFORD STREET.

A communication was received from the Street Commissioners with a resolve and order for the widening of Bedford street, between Washington and Chauncy streets, at an estimated expense of \$25,865.

Alderman Clark stated that the matter had been under consideration by the Committee on Streets, and they were of opinion that the order should be passed at once.

The resolve and order were passed, in concurrence.

The details give the estimated expense as follows:

Heirs of Ann G. Frothingham, Nos. 17 and 19, 80 feet of land, \$15 per foot, \$1200; damages \$3900—total \$5100. John Foster, No. 21, 65 feet, \$15—\$975; damages \$2900—total \$3875. Sidney R. Morse, No. 23, 77 feet, \$15, \$1155; damages \$3850—total \$5005. Massachusetts Charitable Meehanic Association, 165 feet, C. B. Wilson and J. T. Eldredge, No. 20, 58 feet, \$15, \$870; damages \$1750—\$2620; unknown owners, passage way, 36 feet, \$10, \$360. Heirs of Joshua Bennett, No. 16, 57 feet, \$20, \$1140; damages \$800—\$1940. Heirs of Peter Renton, No. 14, 48 feet, \$15, \$720; damages \$2400—\$3120. The Baptist Mission and Union, No. 12, 73 feet, \$15, \$1095; damages \$2750—\$3845. Total number of feet of land 688, at a cost of \$7515; damages, \$18,350—total, \$25,865.

Ordered to be sent down.

WIDENING OF OTIS STREET.

A communication was received from the Street Commissioners, with a resolve and order for the widening of Otis street, at an estimated expense of \$55,192, the number of feet of land being 2245, at a cost of \$52,442, and of damages \$2750.

The resolve and order were passed and ordered to be sent down.

The land taken and cost of estates are as follows: J., J. F. & J. Warren Faxon, corner of Summer street, 368 feet, \$26, \$9568; damages, \$750; total, \$10,318. James M. Beebe, paasageway, 51 feet, James M. Beebe, corner of Winthrop square, 694 feet, \$21,

\$14,574; damages, \$1000; total, \$15,574. Josiah Bardwell, 1132 feet, \$25, \$28,300; damages, \$1000; total, \$29,300.

WIDENING OF DEVONSHIRE STREET.

A communication was received from the Street Commissioners, with a resolve and order for the widening of Devonshire street from Summer to Franklin street, at an estimated expense of \$98,051, the number of feet of land taken being 4008, at an expense of \$93,501, and of damages \$4550.

The resolve and order were passed, in conerrence, and ordered to be sent down.

The several items of expense are as follows: John W. Beals, corner of Summer street, Nos. 186, 188 Devonshire street, 94 feet, \$30, \$2820; damages \$350—total \$3170. Seman Klous, Nos. 155-59, 765 feet, \$25, \$19,125; damages \$700—total \$19,825. Unknown owners, passageway, 44 feet. Heirs of Charles O. Rogers, Nos. 151, 153, 192 feet, \$20, \$3840; damages \$200—total \$4040. James M. Beebe, Nos. 145-9, 384 feet, \$20, \$7680; damages \$400—total \$8080. William F. Weld, Winthrop square, 780 feet, \$24, \$18,720; damages \$800—total \$19,520. H. Hollis Hnnnewell, No. 148, 222 feet, \$18, \$3996; damages \$400—total \$4396. Wright & Whitman, Nos. 140-6, 311 feet, \$20, \$6220; damages \$350—total \$6570. H. Hollis Hnnnewell, Nos. 136-8, 45 feet, \$25, \$1125; damages \$150—total \$1275. Edward Wigglesworth, corner of Franklin, 1031 feet, \$25, \$25,775; damages \$850—total \$26,625. The same, 140 feet, \$30, \$4200; damages, \$350—total \$4550.

REPORTS OF COMMITTEES.

Alderman Sayward from the Committee on Licenses

reported in favor of licenses as follows: Jonas H. French as a distiller of New England rum at the corner of Essex and South streets. Accepted.

ORDER PASSED.

On motion of Alderman Quincy.

Ordered, That there be paid to each member of companies D and E, Ninth Regiment of Infantry, the sum certified by the Adjutant General as due to him for special duty in November last, the whole amounting to \$1180, to be charged to the appropriation for Militia Bounty.

COMMITTEE TO NOMINATE CITY SURVEYOR.

Aldermen Gaffield and Quincy were appointed a committee to be joined, to nominate a candidate for City Surveyor.

ORDER OF NOTICE.

On petition of Schnetzen & Abendroth, for leave to locate and use a steam boiler and engine at No. 11 Charlestown street. Hearing Monday, February 3, 4 P. M.

ORDERS READ ONCE.

On motion of Alderman Clark—

Order to pay Jeffrey Richardson \$7910 for land taken and damages in the widening of Washington street; to pay Charlotte E. Ferris \$8360 for land taken and damages in the widening of Summer street; to pay Mortimer C. Ferris \$7005 for land taken and damages in the widening of High street; to pay Michael A. Ring \$4030 for land taken and damages in the widening of Purchase street. Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,
JANUARY 23, 1873.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Edward O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The annual reports of the Street Commissioners, City Surveyor, Superintendents of Public Buildings, Public Lands, and of Damps, Sealers of Weights and Measures, and of the Chief of Police, were severally ordered to be placed on file.

The notice of the appointment of Ephraim Emerton as the Mayor's clerk was ordered to be placed on file.

The petitions of Horace C. Rose, Joseph L. Watson, David H. Sampson, Ira B. Orentt, Smith & McGarigle, Henderson Inches, J. A. & N. Harwood, J. E. Tilton & Co., Thompson, Bigelow & Brown, Ebenezer E. Hill, Mercantile Savings Institution, Hartford Steam Boiler Company, the Assistant Port Physician, and of the Commissioner of Charles-River and Warren bridges, for an additional appropriation for bridges, were severally referred, in concurrence.

The following matters of reference were concurred in:

Reference to the Committee on Finance of a request for an additional appropriation of \$10,000 for the Sewer Department. (City Doc. No. 11, 1873.)

Reference to the Committee on the Fire Department of an order for said committee to consider the expediency of having an inspector and three assistants appointed to take and enforce such measures as may be necessary to lessen the number of conflagrations in this city.

Reference to the Committee on Streets of a preamble and order from the Street Commissioners, to take the estate of Michael Gleeson, at the corner of Summer street and High street, for the purpose of widening Summer street, the same having been surrendered by him to the city as therein set forth.

The following orders were severally read once:

Order authorizing a supply of such furniture and the making of such repairs and cleaning as may be needed in the City Hall, police stations, engine houses, and other public buildings.

Order authorizing a supply of such furniture and the making of such repairs and cleaning as may be needed in the several schoolhouses.

Order authorizing the Superintendent of Health to make contracts, subject to the supervision of the Committee on Health, for horses and such materials as may be required for the use of the Health Department.

Report and order authorizing a loan of \$3000, to be added to the appropriation for Engine House No. 12.

The following orders were severally passed, in concurrence:

Order authorizing the making of rules and regulations concerning sales by minors.

Order that the care of the public bells and clocks, and the control of the appropriation for that object, be vested in the Joint Standing Committee on Fire Alarms.

Order that the expenses of the Board of Health in the care of the smallpox hospitals be charged to the appropriation for a Smallpox Hospital; the expenses of said board, in the management of the Quarantine Department, to the appropriation for said department; and the other expenses of said board, in the exercise of its powers, to the appropriation for the Health Department.

The order authorizing a partition to be made in the large committee room in the City Hall, and folding doors to be placed therein, being under consideration,—

Mr. Flynn of Ward 7 inquired of the Chairman of the Committee on Public Buildings the necessity for this measure.

Mr. Bicknell of Ward 4 replied that more committee rooms were needed, this room could be easily divided, and with sliding doors such a division could be made.

Mr. Flynn said it was well known that there were times when a large room was needed, and when quite a number of people were in attendance upon committees. The room of Mr. Bugbee was not large, having accommodations only for five or six persons at a time. This was the only room of a large size, and it would be unjust to old and infirm people to require them to come up here to the Council Chamber for hearings.

He hoped, therefore, that the room would be retained as it is.

Mr. Bicknell said he would not object to have the order lie over.

Mr. Flynn replied that he proposed to have it disposed of now, and moved that it be indefinitely postponed.

The motion was carried.

STREET WIDENINGS.

Resolve and order for the widening of Devonshire street, from Summer street to Franklin street.

Resolve and order for the widening of Otis street, from Summer street to Franklin street.

In the above cases Mr. Perkins of Ward 6 stated that the matter had been considered by the Committee on Streets, and they were in favor of their passage.

Resolve and order for the widening of Bedford street, from Washington to Chauncy street.

These measures were severally passed, without opposition.

ELECTION OF DIRECTORS FOR PUBLIC INSTITUTIONS.

The report nominating Alderman William Sayward and William E. Bicknell and Cyrus A. Page of the Council as Directors for Public Institutions, was accepted, in concurrence, when the certificate of their election by the Board of Aldermen was read.

On motion of Mr. Flynn of Ward 7, under a suspension of the rules, the Council proceeded to an election.

Messrs. Burt of Ward 16, Flynn of Ward 7 and Darrow of Ward 8 were appointed a committee to receive and count the votes, the result of which was as follows:

Whole number of votes.....	59
Necessary to a choice.....	30
Alderman William Sayward.....	59
Councilman William E. Bicknell.....	39
" Cyrus A. Page.....	34
" Benjamin Dean.....	24
" Frederick Pease.....	19

Messrs. Sayward, Bicknell and Page were declared to be elected, in concurrence.

ELECTION OF TRUSTEES OF MOUNT HOPE CEMETERY.

The report nominating Alderman Alanson Bigelow, and George L. Burt and Charles Darrow of the Common Council, as Trustees of Mount Hope Cemetery, was accepted, in concurrence, under a suspension of the rules, when the certificate of their election by the Board of Aldermen was read, and the Council proceeded to an election.

Messrs. Burditt of Ward 16, Lamb of Ward 7 and Harrington of Ward 8 were appointed a committee to receive and count the votes.

The result was a vote of 60, each of the candidates having the full number, and they were declared elected, in concurrence.

ELECTION OF TRUSTEES OF THE PUBLIC LIBRARY.

The report nominating Alderman John T. Clark, and William E. Perkins and Charles A. Burditt of the Council, as Trustees of the Public Library, was accepted, the certificate of their election by the Board of Aldermen was read, and under a suspension of the rules the Council proceeded to an election.

Messrs. Holmes of Ward 6, Morse of Ward 13, and Kelley of Ward 15 were appointed a committee to receive and count the votes, the result of the balloting being as follows:

Whole number of votes.....	52
Alderman John T. Clark.....	51
Councilman William E. Perkins.....	50
" Charles A. Burditt.....	52
John Brown and Frederick Pease each had.....	1

Messrs. Clark, Perkins and Burditt were declared to be elected, in concurrence.

ELECTION OF COCHITUATE WATER BOARD.

The report nominating Alderman Leonard R. Cutter, and Edward P. Wilbur and William G. Thacher of the Council, was accepted under suspension of the rules, when the certificate of their election by the Board of Aldermen was read, and the Council proceeded to an election.

Messrs. Dacey of Ward 2, Woods of Ward 8, and McCue of Ward 5 were appointed a committee to receive and count the votes, the result of which was an unanimous vote in favor of each of the candidates, and they were severally declared to be elected, in concurrence.

COMMITTEE JOINED.

Messrs. Brennan of Ward 13, Martin of Ward 7, and Hine of Ward 6 were joined to the committee to nominate a candidate for City Surveyor.

REPORT OF COMMISSIONER OF CHARLES-RIVER AND WARREN BRIDGES.

The annual report of the Commissioner of Charles-River and Warren bridges was laid before the Council in print.

The report refers to the provisions of the act of 1870, requiring the draw in Warren Bridge to have a clear opening of thirty-six feet, and to the extensive improvements on the Charles-River Bridge which prevented the commissioners from proceeding with the work on the Warren Bridge. The plans for repairs, which would have been done within the estimates, were objected to by the Harbor Commissioners, which necessitated the adoption of what is known as the "counterbalance pivot" draw, and this involved the building of a foundation pile pier in the centre of the bridge, and the raising of the grade of the bridge two feet, to allow the draw to pass over the water pipe on the north side. It was necessary, also, to remove the buildings on the piers, as the new draw would require much of the space occupied by them, and for the purpose of replanking the whole pier, which was also required to be extended about seventy feet. The buildings, with the exception of the dwelling house of the Superintendent, were too old and dilapidated to be worth preserving, and they were accordingly demolished, and new ones have been erected at a cost of \$2000.

The raising of the roadway has been very expensive, as it required the taking up of a large quantity of dock mud, originally laid over the timbers, which had become very dry and hard to remove. The expense was also enhanced by the necessity of raising the curbstones on brick foundations, and the elevation of the sidewalks and bulkheads. In short, the bridge, instead of being repaired as was contemplated by the Commissioners in their estimates, has been, with the exception of the piles and floor of the bridge, entirely rebuilt. The Commissioners, however, are gratified in being able to state that all the work has been done in a most thorough manner, and, they believe, at a less cost for material and labor than was anticipated, and that it will be many years before this bridge will require any extensive repairs.

Notwithstanding the bridge has been almost entirely reconstructed during the past four months, the public travel was interrupted for only five weeks.

On account of the strong wind and tidal currents, it has frequently been difficult to pass a vessel through the draw without much delay and inconvenience to the public travel; the Commissioners have therefore decided to try steam, instead of horse power, as the former can not only be used to open and close the draw, but by means of an attached windlass, afford powerful aid in the passage of vessels through the bridge. If the experiment does not prove satisfactory, the engine can be disposed of at a small loss, and the horse power be reintroduced; but if, as it is anticipated, it should prove successful, the advantage will be very great.

The Commissioners were unable to agree with the Fitchburg Railroad as to their liability for the expense of raising a portion of the buildings belonging to the railroad to the new grade of the bridge. By mutual agreement the question was referred to the City Solicitor of Charlestown and Henry W. Bragg, Esq., who decided the law in favor of the railroad, and consequently the expense must be paid from the Bridge Fund.

The sidewalk on the north side, over the water pipe, has been covered with asphalt, and contrary to the anticipations of the Commissioners, about \$500 of this expense must be paid by the Bridge Commissioners, instead of the Water Board.

The number of times the draw of Warren Bridge has been opened for the passage of vessels from January 1, 1872, to January 1, 1873, is 7724, being an increase of 600 during the year.

Charles River Bridge. Preparatory to making the alterations and repairs on Warren Bridge, important improvements in the machinery in the draw of this bridge were made, that no probable accident might occur while the Warren Bridge was closed to public travel.

This was rendered more imperative from the fact, that by the splitting of one of the steel friction rolls, the principal truck was broken, and considerable damage done to the draw and gearing. This accident required several new trucks and gear wheels, and although it involved considerable expense, all defective or weak points were renewed. The draw has since been entirely satisfactory in its operation, and is now in excellent order.

The fender guards of both bridges have been rebuilt, and the principal expenditure for the coming year will be in providing for new bulkheads and fence and repaving the roadway on Charles-River Bridge, which are much needed.

The number of times the draw of this bridge has been opened for the passage of vessels from January 1, 1872, to January 1, 1873, was 10,270.

The amount appropriated by the City Council for the financial year ending April 30, 1873 was \$42,000.

Of this sum there has been expended from May 1, 1872, to January 1, 1873, as follows:

For general expenses.....	\$3,506 11
For Charles-River Bridge.....	1,458 16
For Warren Bridge.....	36,593 88

Balance.....	\$41,558 15
	441 85

Ordered to be sent up. \$42,000 00

ANNUAL REPORT OF THE SUPERINTENDENT OF SEWERS.

The annual report of the Superintendent of Sewers gives the expenditures for the past year as follows:

From the Sewer Appropriations.....	\$156,070 30
" Fort Hill	3,275 39
" Paving	5,000 00

Total.....	\$164,345 69
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The report gives in detail the location, length, size, kind and cost of sewers laid during the year, a recapitulation of which gives the following result:

City proper.....	6,378 feet	\$24,294 17
South Boston.....	9,404 "	25,562 16
East Boston.....	3,508 "	11,452 22
Roxbury.....	14,579 "	49,855 04
Dorchester.....	2,682 "	27,007 96
Miscellaneous.....		26,174 14

Total.....	36,550 ft. or nearly 7 m.	\$164,345 69
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Under the charge of miscellaneous expenses, \$7235 69 was for repairing sewers, \$5441 for salaries and office expenses, \$2550 for dredging Roxbury Canal, and \$2471 for land purchased.

Whole length of sewers in the city, about 123 miles. Of the amount expended from the "Sewer" Appropriation, there has been assessed upon estates benefited, the amount of.....\$69,652 80. The Treasurer has collected, during the year, assessments amounting to..... 56,984 32. The Superintendent has collected and paid into the Treasury, from fees, use of tools, warfage, etc..... 2,060 35.

Total collections.....	\$59,044 67
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During the year 1371 permits have been given to construct or repair drains, 62 manhole covers renewed with iron, and twenty with wood; and 148 manholes cleaned, containing 281 loads of sewage matter.

For the first time, an attempt is making to continue sewer building through the winter, in constructing the large stone sewer across the marshes in Kemp street, Washington Village. Two or three other contracts are still unfinished, upon which work will be resumed in the spring. The covering of the lower end of Stony Brook was suspended on account of the unusual height of water during the summer and fall, but will be finished before any annoyance can be caused by the offensive exhalations from it in the heat of summer.

No damage except breaking a few manhole covers was caused by the great fire, and the only change proposed in the sewerage of the district is the much-needed deepening of the Summer-street sewer which was originally built for house drainage, and is not low enough for the basements of stores.

A large amount of work will be needed in the construction of main outlets and the lower branches of sewers in Dorchester. This class of work is most expensive and produces no return in assessments.

It seems almost imperative that streets should be laid out in the unimproved territory of Dorchester and Roxbury, along the lowest lines of the valleys, or else this department will be forced to go to almost as much expense to take land for sewers, to make the main lines of the several systems. During the ensuing year some action of this kind must be taken, either by the Street Commissioners or by this department.

The rainfall of the year amounted to 58.04 inches. Ordered to be sent up.

PETITIONS PRESENTED AND REFERRED.

II. W. Putnam, for a recount of the votes cast at the recent election in Ward 15, contesting the claims to seats in the Common Council of the sitting members, Messrs. Thacher, Bleiler, Edwards and Kelley.

George M. Hobbs, also contesting the claims of the sitting members in the Council from Ward 15, and asking for a recount of the votes.

Severally referred to the Committee on Elections. Henry Pigeon & Sons, for leave to erect a building beyond the legal limits. Referred to the Committee on Survey and Inspection of Buildings.

W. P. Kennard, chairman of citizens' meeting, that permits for building on the line of proposed extension.

sion of Chauncey street be refused, and those granted be revoked, until the question of extension is settled. Referred to the Committee on Streets.

O. W. Holmes, P. W. Chandler, Harvey Jewell and 79 others, for a fire engine on the Back Bay.

Boston Oakum Company, Pearson Brothers & Co. and Globe Nail Company, for better facilities for extinguishing fires, by permanent attachment of hose to hydrants on Norfolk avenue.

Severally referred to Committee on Fire Department.

ELECTION OF DIRECTORS OF EAST BOSTON FERRIES.

Mr. Perkins of Ward 6, from the joint special committee appointed to nominate candidates for Directors of East Boston Ferries, made a report, recommending the election of the following-named persons to represent the City Council on said Board:

Alderman—Solomon B. Stebbins.

Common Council—Joshua Weston, Asa H. Caton.

The report was accepted, under a suspension of the rules, and the Council proceeded to an election.

Messrs. Perkins of Ward 6, Warren of Ward 12, and Train of Ward 13 were appointed a committee to receive sort and count the votes. The result was the election of Alderman Stebbins and Mr. Weston by an unanimous vote of 55, and Mr. Caton by a vote of 52.

Messrs. Stebbins, Weston and Caton were declared to be elected.

The report was sent up.

REPORTS OF COMMITTEES.

Mr. Burt of Ward 16, from the committee to whom was referred the petition of John Donnelly to be compensated for the use of his horse and wagon by the Fire Department at the recent fire, made a report recommending the passage of the following order:

Ordered, That there be allowed and paid to the said John Donnelly the sum of \$150; the same to be charged to the appropriation for the Fire Department.

The report was accepted, and the order was passed.

Mr. West, from the Committee on Finance, made a report that they have had a conference with the Commissioners appointed under the authority of the act of the Massachusetts Legislature of December 7, 1872, accepted by the City Council, December 20, 1872, for making loans secured by mortgage on property on the burnt district, and ask for the passage of the accompanying order.

Signed by

HENRY L. PIERCE,
Chairman.

Ordered, That under the authority of the act of the General Court of the Commonwealth of Massachusetts, approved by the Governor Dec. 7, 1872, and accepted by the City Council of Boston Dec. 20, 1872, there be issued to the Commissioners appointed in conformity to said act, bonds of the city of Boston for negotiation, either in currency, gold or sterling bonds, in compliance with the terms of said act, the amount of \$5,000,000, being the first instalment of \$20,000,000 authorized by said act; the said loan to be denominated the Summer-street Fire Loan.

The order was read once.

On motion of Mr. Perkins of Ward 6, an order was adopted for the appointment of a committee to nominate Overseers of the Poor.

Messrs. Perkins of Ward 6, Burt of Ward 16 and Woodward of Ward 13 were appointed the committee to be joined.

ORDERS PASSED.

On motion of Mr. Blackmar of Ward 10—

Ordered, That the Auditor of Accounts be and he hereby is authorized to allow for payment to the City Treasurer the sum of \$1000, being the amount paid by him on a writ of execution issued by the Superior Court, Suffolk County, January term, 1873, in favor of Louis Frazier, for injuries sustained by defect in a highway; said amount to be charged to the appropriation for Incidental Expenses.

On motion of Mr. Martin of Ward 7—

Ordered, That his Honor the Mayor be requested to appoint the members of the Common Council special police officers without pay.

On motion of Mr. Holmes of Ward 6—

Ordered, That the Joint Standing Committee on Fire Department consider and report upon the expediency of giving the right of way to steam fire engines, hose companies and hook and ladder companies on going to fires.

Mr. Wells of Ward 3 believed the firemen had the right of way, now, as the gentleman would probably find should he get in their way while they are going to fires.

Mr. Holmes replied that the Fire Department might assume that right, but he had been assured that they did not have it, and it would be as well to provide for giving it to them.

On motion of Mr. Dean of Ward 12—

Ordered, That the Joint Standing Committee on Health be requested to endeavor as far as possible, in conjunction with the Board of Health, or otherwise, to so construct hospitals for persons afflicted with infectious diseases that the air escaping therefrom shall be disinfected as far as possible.

Ordered, That the Joint Standing Committee on the Survey and Inspection of Buildings be requested to consider and report what measures may be necessary to be taken in relation to water pipes in buildings, so that they shall not be liable to injury by the freezing of water therein.

THE BADGE QUESTION.

Mr. Martin of Ward 7 offered the following order:

Ordered, That a special committee of three be appointed to procure suitable badges for members of the Common Council; the expense to be charged to the contingent expenses of the Common Council.

Mr. West of Ward 16 said he would suggest that a little economy be exercised in this matter; for at this time they could not afford to pour out money like water, and badges might be procured a little less expensive than heretofore.

Mr. Pease of Ward 1 stated that when he came into the Council he was opposed to the members ornamenting themselves with badges, but during the recent fire he found badges to be of great benefit and desirable. There should be some badge for members of the Council, but he objected to buying badges and having the members take them away with them on leaving the Government. There might be decent badges procured, with the simple stamp upon them "Boston City Council," and on going out of office, the members should leave them.

Mr. West suggested that with such a mark upon them alone, there would be nothing to prevent their being counterfeited.

Mr. Denny of Ward 9, said he supposed the badges to be the same they were three or four years ago, when he was in the Council, and a provision might be made for those alone who had none. If they were the same substantially, with the exception of the date, there would be no necessity for providing all the members with new ones. He moved that an amendment be made to that effect.

Mr. Perkins of Ward 6 said he opposed the procuring of badges last year, but found them to be useful. He was in favor of the suggestion of the gentleman from Ward 16, of economy in expenditures for badges.

Mr. Flynn of Ward 7 opposed the amendment and stated that a member of the Council of 1869 shoved up his badge, and it might now be seen worn by an usher of the Boston Theatre.

Mr. Denny said he was a member of the Council of 1869, but had not parted with his badge. The badge of 1869 was the same as that of 1868.

Mr. Pickering of Ward 6 believed the objection could be met by the proposition of the gentleman from Ward 1, by which every member of the Council on retiring should leave his badge with the City Messenger. There would then be no spouting of them or sporting of them on the lapsels of ushers.

Mr. Pease believed they could obviate the whole difficulty by having the city seal on the badge, marked simply with the words "City Council," then, with delivering them up, they would last through all time.

The amendment of Mr. Denny was lost, when the order was passed.

Mr. Burt of Ward 16 offered the following orders, which were severally read once:

Ordered, That there be allowed and paid for extra work and material furnished by the Atlantic Works and others, on the fire boat, as per order of the Committee on Fire Department, the sum of \$4646 69; the same to be charged to the appropriation for the Fire Department.

Ordered, That the Chief Engineer of the Fire Department be and hereby is authorized, with the approval of the Joint Standing Committee on Fire Department, to make such purchases of hay, grain and horses, and make the necessary repairs on hose and furnish such material and supplies for the use of this department as may be needed from time to time during the present municipal year; the same to be charged to the appropriation for the Fire Department.

Ordered, That the Chief Engineer of the Fire Department be and hereby is authorized, with the approval of the Joint Standing Committee of the Fire Department, to make such repairs as may be needed on the engines, hose and hook and ladder carriages from time to time during the present municipal year, provided the expense of said repairs does not exceed the sum of \$1000 on any one piece of apparatus at one time; the same to be charged to the appropriation for the Fire Department.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
JANUARY 27, 1873.

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

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers without pay—James Morse and Edward Barnes for Washington Village, Methodist Episcopal Church; Lewis F. Rogers for Beacon, Marlborough, Fairfield and Gloucester streets; George E. Hooster for the southern portion of the city.

E. R. Smyth, Joseph E. Dow, James W. Wayland, Asa Porter, John F. Chase, Augustus E. Trask, Ira M. Lyon and Alexander Campbell, for duty in the Board of Health.

OFFICERS OF FIRE DEPARTMENT.

Foremen—Engine Company No. 1, Frederick S. Wright; No. 2, David Smith; 3, Frederick M. Hines; 4, Joseph Pierce; 5, George A. Tucker; 6, Henry Daniels; 7, Daniel T. Marden; 9, Samuel L. Fowle; 10, James Porter; 11, Alanson C. Keene; 12, Moses N. Hubbard; 13, Conrad L. Rosemere; 14, Lewis P. Webber; 15, Nicholas C. Cogley; 16, William W. Carsley; 17, John E. Greenwood; 18, J. Foster Hewins; 19, George E. Fenno; 20, George G. Dennison; 21, James B. Graham.

Foremen—Hose Company No. 1, Benjamin B. Brownell; 2, Nathan S. Brown; 3, Alfred A. Young; 4, John H. Le Cain; 5, George C. Fernald; 6, John H. Weston; 7, Charles G. Green; 8, Charles H. Prince; 9, Thomas C. Byrnes; 10, John L. Bowers.

Hook and Ladder, No. 1—Daniel C. Bickford, Foreman; Isaiah H. Ware, Assistant Foreman; Thomas E. Fennelly, Oscar B. Bussey, Royal A. Kimball, Charles H. Knox, Rakemen; Joseph M. Hodet, Thomas B. Flanagan, William J. Hicks, George F. Griffin, Axemen.

Hook & Ladder No. 2—Charles Simmons, Foreman; Alden S. Turner, Assistant-Foreman; George Chilcott, Leroy P. Lawrence, Stephen C. Stinson, Edwin Fish, Rakemen; James W. Seavey, John H. Elliot, John Fenno, George A. Brown, Axemen.

Hook & Ladder No. 3—Isaac K. Jennings, Foreman; Hiram D. Smith, Assistant-Foreman; John W. Chase, Nathan B. Whitman, Robert B. Riley, George O. Ladd, Rakemen; Silas Jaquith, George W. Warren, Christopher J. Burrill, George A. Kennison, Axemen.

Hook & Ladder Company No. 5—John B. Hill, Foreman; Laurin M. Clifford, Assistant-Foreman; Joseph J. Bell, Anthony Martin, John A. Hodgkins, Sannel L. Whitney, Rakemen; John H. Howard, Appleton Lathe, A. E. Goodwin, David Kurrus, Axemen.

Hook & Ladder Company No. 6—Edmund B. Smith, Foreman; Sannel Bridgett, Assistant-Foreman; Elijah Piper, James H. Bourne, Axemen.

Hook & Ladder Company No. 7—Edmund Fruean, Foreman; Lewis P. Bird, Assistant-Foreman.

Members of the Fire Department—E. F. Field, Edward L. Bowers, George H. Carter, Clarence O. Poland, Lewis P. Abbott, George O. Ladd, Charles E. Nutter—severally to take effect February 1.

William Hall, Jr., as permanent member, to take effect on the 1st of February.

The nominations of David W. Herrick as Sergeant of Police, and of Jacob T. Beers as Truant Officer, to fill a vacancy, were referred to the Committee on Police.

PETITIONS PRESENTED AND REFERRED.

S. F. Marks & Son, for leave to occupy a wooden stable for four horses on Blue-Hill avenue, near Howard street.

E. W. E. Tompson, for leave to occupy a wooden stable for eight horses on Ward street, near Parker street.

Charles Newhall, for leave to occupy a wooden stable for five horses on Wales street, near Harvard street.

Severally referred to the Committee on Health on part of this Board.

Catharine E. Sullivan, for grade at Nos. 83 and 85 Cove street.

C. E. Jackson, to be paid for grade damages at 124 Essex street.

Lang & Delano and others, that a portion of India wharf be called "India square."

A. D. Thompson and others, that Fifth, Sixth and Seventh streets be divided by name into east and west.

Howland Otis, Jr., to be paid for grade damages in Paris street.

Severally referred to the Committee on Paving. Jacob J. Banta, for pawnbroker's license at 95 Sudbury street. Referred to Committee on Licenses.

Frank Walker and others, drivers of hose and hook and ladder companies, that an additional man be placed in the several houses of said companies. Referred to Committee on Fire Department.

Charles Burrill, that his claim for services rendered to the city of Boston be referred to arbitration; and Thomas Russell, George B. Upton, E. S. Tobey and A. H. Rice and others in aid of the same.

Thomas O. H. P. Burnham, to be paid for damages caused by agents of the city at the recent fire.

Josiah W. Hubbard, to be paid for loss of property by action of the city at the late fire.

Severally referred to the Committee on Claims. Company A, Ninth Regiment, for change of armory. Referred to Committee on Armories.

First Methodist Episcopal Church, for abatement of Hanover-street betterments. Referred to the Committee on Streets.

James Cruickshanks, for appointment as City Forester or Superintendent of Common. Referred to committee on nomination of Superintendent of Common, etc.

Dorchester Fire Department, for increase of pay. Referred to Committee on Salaries.

REPORT OF COMMISSIONERS ON SINKING FUNDS.

The report of the Board of Commissioners on the Sinking Funds for the Redemption of the City Debt, was laid before the Board in print.

The Commissioners say—

The Board of Commissioners on the Sinking Funds for the Redemption of the Debt of the City of Boston, have the honor of presenting to the City Council their fourth semi-annual report for the six months ending December 31, 1872.

The *gross* funded debt, December 31, 1872, was..... \$29,674,766 89
The *gross* funded debt, June 30, 1872, was..... 28,404,677 91

Increase of the *gross* funded debt during the six months ending December 31, 1872..... \$1,270,088 89

The total amount of redemption funds, December 31, 1872, was..... \$12,328,300 63
The total amount of redemption funds, June 30, 1872, was..... 11,734,401 88

Increase of redemption funds during the six months ending December 31, 1872..... \$593,898 75

Net debt December 31, 1872, was..... \$17,346,466 17
Net debt, June 30, 1872, was..... 16,670,276 03

Increase of the *net* debt during the six months ending December 31, 1872..... \$676,190 14

The Commissioners give tables showing the condition of the several funds, a recapitulation of which gives the following result:

Sinking and Revenue Funds.

General Debt Sinking Fund.....	\$9,625,993 59
Water Debt Sinking Fund.....	1,220,579 97
Consolidated Street Improvement Loan Sinking Fund.....	392,399 29
Appropriation and Revenue Fund, 1871-72.....	922,510 19
Suffolk-street District Sinking Fund.....	60,000 00
" " Revenue Fund.....	13,140 83
Columbus-avenue Sinking Fund.....	4,800 00
" " Revenue Fund.....	1,145 35
Scollay's Building Sinking Fund.....	3,100 00
" " Revenue Fund.....	596 16
Kingston-street Widening Sinking Fund.....	13,500 00
" " Revenue Fund.....	2,636 87
Shawmut-avenue Extension Sinking Fund....	13,500 00
" " Revenue Fund....	2,962 30
Harrison-avenue Extension Sinking Fund....	13,200 00
" " Revenue Fund....	582 32
Dudley and other streets Widening and Grading Sinking Fund.....	4,500 00
Dudley and other streets Widening and Grading Revenue Fund.....	190 50
Devonshire-street Extension Revenue Fund..	23,918 48
Federal-street Bridge Widening Sinking Fund	2,550 00
" " Revenue Fund	93 26
South Market-street Extension Revenue Fund	732 84
Congress-street Widening Revenue Fund....	400 00
Kneeland-street Widening Revenue Fund....	268 63
	<hr/>
	\$12,328,300 63

THE DEBT.

Total funded debt, June 30, 1872.....	\$28,404,677 91
Increase since, "city debt,".....	\$1,422,000 00
"water debt,".....	100,000 00
	<hr/>
	1,522,000 00
	<hr/>
	\$29,926,677 91
Paid from sinking funds.....	62,911 11
" " revenue funds.....	189,000 00
	<hr/>
	251,911 11

Gross funded debt, Dec. 31, 1872.....	\$29,674,766 80
Less redemption funds	12,328,300 63
Net debt, Dec. 31, 1872	\$17,346,466 17

Ordered to be sent down.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pay Charlotte E. Walcott \$8360, for land taken to widen Summer street.

Order to pay Jeffrey Richardson \$7910, for land taken to widen Washington street.

Order to pay Mortimer C. Ferris \$7005, for land taken to widen High street.

Order to pay Michael A. Ring \$4030, for land taken to widen Purchase street.

PAPERS FROM THE COMMON COUNCIL.

The petitions of O. W. Holmes, P. W. Chandler and others, Henry Pigeon & Sons, Pearson Brothers & Co., M. P. Kennard and others, were severally referred in concurrence.

The annual reports of the Superintendent of Sewers and of the Commissioner of Charles-River and Warren Bridges were ordered to be placed on file.

The following orders were severally passed, in concurrence:

Report and order to pay John Donnelly \$100, for use of horse and wagen at the time of the fire in November last.

Order to pay Louis Frazier \$1000, for personal injuries received from defect in highway.

Order for Committee on Survey, et al., of Buildings to consider the best mode of placing water pipes in buildings to avoid frost.

Order for Committee on Fire Department to consider the expediency of providing that steam fire engines on the way to fires shall have the right of way through the streets.

Order to provide, if possible, that the air escaping from smallpox hospitals shall be disinfected.

The order for joint committee to nominate candidates for Overseers of the Poor was passed, and Aldermen Brown and Bigelow were joined to the committee.

DIRECTORS OF EAST BOSTON FERRIES.

The report nominating Alderman Solomon B. Stebbins, Joshua Weston and Asa H. Caton of the Council, as Directors of East Boston Ferries, was concurred in, and the Board proceeded to an election, when Messrs. Stebbins, Weston and Caton were elected, in concurrence, each receiving nine votes.

Alderman Sayward, from the Committee on Health, reported in favor of stables as follows: John Barry, to occupy a wooden stable for eight horses rear 392 Commercial street; Joseph Burnett, to occupy a wooden stable for two horses rear 5 Henchman street. Accepted.

Alderman Sayward, from the Committee on Health, on the subject of the permit granted to Noah D. Joyee, to build a stable on Laurel street, Ward 14, reported the following order:

Ordered. That the time for commencing the erection of the within-mentioned stable be extended to April 1, 1873, on account of frost.

The order was passed.

Alderman Sayward from the Committee on Licenses reported in favor of licenses, as follows: Franklin Sprague and Henry J. Clinker, as auctioneers; and to sundry persons for billiard licenses and dealers in second-hand articles. Severally accepted.

The committee also reported leave to withdraw on petition of A. Hetherston for a license as a victualler, and of T. P. Denny to give a variety exhibition at the St. James Theatre. Accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of the petition of the Bay State Suspender Company to locate and use a steam engine and boiler at No. 24 Kneeland street. Accepted.

Alderman Gibson, from the Committee on the Market, reported in favor of the transfer of lease of half interest in stall No. 32 and cellar 9 of Faneuil Hall Market from Francis Krogman to Samuel D. Krogman. Accepted.

Alderman Cutter, from the Committee on Paving, to whom was referred the petition of William Claffin & Co. and others, in relation to Pearl street, made a report recommending that so much of said petition as relates to street lamps be referred to the Committee on Lamps. Accepted.

Alderman Cutter, from the same committee, reported leave to withdraw on petition of W. G. White and others, that Winter street, Ward 16, be set apart for coasting purposes. Accepted.

Alderman Gibson, from the Joint Standing Committee on the Survey and Inspection of Buildings, to

whom was referred the petition of H. Pigeon & Sons, for leave to erect a wooden shed beyond the legal dimensions at East Boston, made a report recommending the passage of the following order:

Ordered. That the Inspector of Buildings be authorized to issue a permit to Henry Pigeon & Sons to build a wooden shed at East Boston, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted, and the order was passed.

Alderman Gibson, from the same committee, to whom was referred the petition of E. Maclean for leave to erect a wooden building beyond the legal dimensions on Park and Adams streets, Ward 16, made a report recommending the passage of the following order:

Ordered. That the Inspector of Buildings be authorized to issue a permit to E. Maclean to erect a wooden building on Park and Adams streets, Ward 16, in accordance with an application on file in the office of the Department for the Survey and Inspection of Buildings: provided the said building be placed upon brick piers suitable to support the superstructure.

The report was accepted and the order was passed.

TRUSTEES OF CITY HOSPITAL.

Alderman Clark, from the joint special committee appointed to nominate candidates for Trustees of the City Hospital, made a report in part at this time, recommending the election of the following named persons as representatives of the City Council on said Board of Trustees:

Alderman—James Power.

Common Council—Timothy J. Dacey, James F. Marston.

The Board proceeded to an election, when the several persons named were unanimously elected.

Alderman Emery, from the Joint Standing Committee on Public Lands, to whom was referred the petition of the Boston Co-operative Association that a new bond for land sold to them be substituted to replace the one injured by the late fire Nov. 9 and 10, 1872, made a report recommending the passage of the accompanying order:

Ordered. That the Superintendent of Public Lands be directed to issue a new bond to the Boston Co-operative Association for land sold them by the city on East Canton street, subject to such conditions as shall meet the approval of the City Solicitor, said bond to replace the one destroyed by fire Nov. 9, 10, 1872.

The report was accepted, and the order was passed.

Alderman Emery, from the Joint Standing Committee on Public Lands, made a report that an order was passed by the City Council and approved by his Honor Mayor Gaston, January 4, 1873, whereby the Treasurer was authorized to cancel certain bonds which were given by John S. Blair and Charles W. Skinner for land purchased by them on Harrison avenue, upon their surrendering the agreements received from the city to convey said land, and the Superintendent of Lands was directed to issue new agreements to Ezekiel S. Johnson and Joseph F. Came, upon their giving to the city bonds in the amount as set forth by the Treasurer to be due on the bonds of said Blair and Skinner, said bonds and agreements to be dated January 1, 1873.

The committee learn from the Superintendent that the papers could not be prepared in season to receive the signatures of the late Mayor, and as the present incumbent was not in office on the first day of January, he is prevented from signing them, as the date cannot be changed until further action is taken by the City Council.

They, therefore, recommend the passage of the accompanying orders:

Ordered. That the order passed by the City Council Jan. 4, 1873, directing certain bonds and agreements standing in the name of John S. Blair and Charles W. Skinner be cancelled and new ones be made out to E. S. Johnson and Joseph F. Came, and dated Jan. 1, 1873, be and the same is hereby rescinded.

The other order was in terms the same as the original which was passed, to meet the difficulty represented by the committee.

The report was accepted, and the orders were passed.

NOMINATIONS OF CITY OFFICERS.

Alderman Gibson, from the joint special committee to nominate a candidate for City Messenger, made a report recommending the reelection of Alvah H. Peters.

The report was accepted and ordered to be sent down.

Alderman Stebbins, from the joint special committee to nominate a candidate for Superintendent of Fire Alarms, made a report recommending the reelection of John F. Kennard.

The report was accepted and ordered to be sent down.

Alderman Sayward, from the joint special committee to nominate a candidate for Superintendent of Public Buildings, made a report recommending the reelection of James C. Tucker.

The report was accepted and ordered to be sent down.

Alderman Power, from the Committee on Finance, to whom were referred the report of the Committee on Sewers and the communication of the Commissioners on the Charles-River and Warren Bridges, for additional appropriations, reported the accompanying order, granting the requests:

The Auditor of Accounts represents that the several Contingent funds for the joint standing committees without appropriations, the Common Council and the Board of Alderman are exhausted. They therefore embrace in the order small transfers to said funds sufficient to meet the wants under those heads for the balance of the financial year.

Ordered, That the Auditor of Accounts be and hereby is authorized to transfer from the appropriation for State tax to that for Sewers, \$10,000; from that for Lamps to that for Charles River and Warren bridges, \$10,000; to the Contingent Fund Board of Aldermen, \$1500; to the Contingent Fund of the Common Council, \$1500; to the Contingent Fund of the joint committees of the City Council, \$1500.

The report was accepted, and the order was passed.

COURT-STREET WIDENINGS.

Alderman Clark, from the Committee on Streets, made a report that an additional loan of \$2,000,000 will be required for the widening, extending, grading and paving of streets within the Burnt District, so called, and for all damages and expenses in consequence thereof.

A loan of \$1,000,000 was authorized for this purpose by an order of the City Council approved Dec. 28, 1872.

Orders have already passed the City Council to widen the following streets, which if settled for, according to the award of damages made by the Board of Street Commissioners, would more than exhaust the present loan by \$14,418; viz., Washington street, \$338,547; Summer street, \$294,133; High street, \$54,302; Purchase street, \$93,913; Lindall street, \$80,280; Otis street, \$55,192; Devonshire street, \$98,051. Total, \$1,014,418.

It is impossible at the present time to estimate the cost of the remaining street improvements, as the proposed lines of widening of several of the principal streets have not been fully determined upon by the Board of Street Commissioners; but in the judgment of the committee the cost of these improvements, including the grading, paving and other attendant expenses, will approach, if not exceed, \$2,000,000.

They would therefore recommend the passage of the accompanying order, making an additional loan of \$2,000,000:

Ordered, That the Treasurer be and hereby is authorized, under the direction of the Committee on Finance, to borrow the sum of \$2,000,000; the same to be added to the Burnt District Loan.

Referred to the Joint Committee on Streets.

OPENING THE PUBLIC LIBRARY ON SUNDAYS.

Alderman Quincy, from the Joint Standing Committee on the Public Library, to whom was referred the order requesting the Trustees of the Public Library to open the reading room of the library on Sundays from 2 to 9 P. M., made a report that the order ought to pass.

Alderman Hulbert of the committee dissented.

The Chair laid before the Board a remonstrance from Henry Burroughs and others against the opening of the Public Library on Sundays.

The question being upon the passage of the order, Alderman Hulbert expressed the hope that it would be laid over in deference to a large class of the community who were opposed to the measure, and to the remonstrants.

Alderman Clark believed it to be unnecessary to delay action on the subject, which had been well considered, yet he was not particular to act upon it today.

The order was laid over on the suggestion of Alderman Hulbert, who subsequently withdrew his objections to immediate action, and it was taken up for consideration.

Alderman Hulbert said he dissented from the proposed action of the committee for a few reasons. The religious consideration he would not urge, although he had decided convictions upon the sanctity of the Sabbath and its advantages, but he would not present his personal ideas in relation to it. His reasons

for opposing the opening of the library on Sunday were that a large portion of the community feel deep on the subject, and that there was no necessity for such an opening of the library. It would be only opening a door which they believed would not be for the public good, and would be to them a subject of regret and grief.

The number and character of this class of the community was of so much importance that they were entitled to their consideration, and they could not ignore the scruples of so large a body of citizens. Others who favored the measure believed there might be some good in opening the library. Their reasons did not go down so deep as the religious scruples of those opposed. In answering to their demand for opening the library, it may be urged that those who wish can get books from the library on Saturday night, and no one can suffer for want of reading.

It was said there was a large class of young men who needed such a means of improvement, but there were accommodations for only from seventy-five to one hundred at best, and these few were to be provided for, while a large body of the community were to be aggrieved by the action. Without stating his own convictions, he would put it squarely that they had no right to ignore the convictions of so large a body of citizens. On that ground he opposed the passage of the order.

Alderman Quincy stated that no one could be more opposed than he to any attempt at Germanizing or Frenchifying our quiet New England Sabbath, and did he believe this to be a step in that direction it would meet his earnest opposition. He hoped never to see our theatres open on that day, nor the Sabbath changed into a boisterous, dissipated holiday; and precisely because he held such views did he favor the passage of the order. The question, as it presented itself to his mind, was whether the proposed measure would or would not favor a quiet, orderly and improving manner of spending the hours of leisure which the industrious classes have at their command on that day.

It had been objected that those who now spend the Sabbath in vice would not go near the Public Library, open or shut. Undoubtedly this was so, but it was to the young men and boys who had not yet gone wrong, and who were at a loss what to do with their Sunday hours, to whom the doors of an institution like this should be thrown wide. Nothing was truer than the homely maxim that "Satan finds some mischief still for idle hands to do." It is the young man loafing aimlessly about the city, because he didn't know what to do with his time, who would be apt to accept a seat behind a fast horse if offered by a fast companion, and awake on Monday with a headache and empty pockets. It was the undoubted duty of the City Government to use every exertion towards closing liquor saloons and resorts of vice on Sunday; but in view of the fact that entire success in this direction cannot be expected before the millennium, what more sensible course could be taken than to open the Public Library as an opposition, establishment and a means of depriving the first-named places of future customers, even if, as asserted, no effect can be expected on their present habits.

Attention had been called to the fact that a former City Government had asked the opinion of their legal adviser, which had been given to the effect that the proposed measure would conflict with the letter of the statute which forbids all labors, except those of necessity or charity, on the Lord's Day. With all respect for the opinion then expressed by the City Solicitor, it should not preclude the present and all subsequent city governments from taking notice of the fact that the point is one upon which lawyers differ, a diametrically opposite opinion having been given by the legal adviser of another city in the Commonwealth. The opinion of our City Solicitor covered two points. First, that this measure is not a work of necessity or charity, and, second, that not being such, it falls under the statute prohibition. Granting the first position, although controverted by other able lawyers, if it shall appear to us at this day that there is doubt whether the inference is not too broad, is there anything in custom, courtesy or law, which renders this opinion obligatory upon us who did not ask for it. The speaker then read extracts from the opinion of the court in the 9th of Allen, in support of the position, that some labors neither of necessity or charity did not fall under the statute of prohibition. His position was, that if, notwithstanding past opinions of the City Solicitor there appeared room for a reasonable doubt, the benefit of that doubt should be given to the classes whose highest interests he considered the measure would promote.

The question was taken, and the order was passed.

ADDITIONAL ACCOMMODATIONS FOR PUBLIC OFFICERS.

Alderman Sayward, from the Committee on Public Buildings, to whom were referred several communications for additional accommodations for different departments of the public business, Directors for Public Institutions, Assessors, and for an office for the Board of Health, made a report.

The committee had learned that they could procure the building in Pemberton square occupied by the Board of Commissioners for Foreign Missions, which, in many respects, was fitted for the uses for which it would be required, and this building could be had for a term of ten years at a rent of \$7000 per annum. They accordingly report an order accepting the lease of said building for ten years on the terms proposed.

On a motion to suspend the rules for the passage of the order, Alderman Power wished to know if the building was to be procured for the use alone of the Board of Health. If so, the board would prove to be a much more expensive body than was anticipated.

Alderman Sayward replied that it was not for the use of the Board of Health, which it was designed should be kept in the City Hall. It was proposed to remove certain other institutions to give further facilities for departments of business which require more room. The Directors for Public Institutions might be removed, and there might be some other removals. The Assessors need more room, and had asked for it, and it would be better for all concerned that some changes be made. Such a disposition of the room would be made as might prove to be best under the circumstances, yet that could not be determined now.

Alderman Clark said he had heard that a building could be had in Pemberton square for \$3000 a year, and he wished to know whether provision was to be made for the work of revising the voting lists, which could be done away from the City Hall.

Alderman Sayward replied that he had not heard of any building in Pemberton square which could be had for \$3000. The revising of the voting lists and such other business as can best be removed, could be accommodated in the building proposed. The Milk Inspector might be removed, but he could not tell what might be most advantageous in the way of changes.

Alderman Clark wished to know whether there was not room in the Charity Bureau for the Board of Health, Milk Inspector, and other offices?

Alderman Sayward did not know of any room in the Charity Bureau, while they did succeed last year in getting one office there.

Alderman Gibson hoped the order would be laid over.

Alderman Clark said he was in favor of such changes in office room which would be most advantageous, but he had understood there was plenty of room in the Charity Bureau.

Alderman Sayward withdrew his motion for suspension of the rules, and the order went over.

The report of the Commissioners on the late Fire was presented and referred to the Committee on the Fire Department.

ORDERS PASSED.

On motion of Alderman Clark—

Ordered, That the expense of widening Bedford street from Washington to Channay street, as authorized by vote of the City Council January, 1873, and estimated at \$25,865, be charged to the appropriation for Laying Out and Widening Streets.

Ordered, That the bill of S. B. Heustis, police officer, for extra services, amounting to \$17, be allowed for payment by the Auditor, provided it is approved in the usual manner.

Ordered, That the Superintendent of Streets be and he is hereby directed to notify the owners and

abutters on the northerly side of Milk street, between Devonshire and Broad streets, to close up all openings in the sidewalks and remove all obstructions in front of their estates extending over the line of said street, within ten days; and in default thereof the Superintendent of Streets is hereby directed to close said openings and remove said obstructions at the expense of the owners of said estates.

Ordered, That the Superintendent of Streets be and he is hereby directed to notify the owners and abutters on High street, between Pearl and Gridley streets, to close up all openings in the sidewalks and remove all obstructions in front of their estates extending over the line of said street, within ten days; and in default thereof the Superintendent of Streets is hereby directed to close said openings and remove said obstructions at the expense of the owners of said estates.

Ordered, That the Superintendent of Streets be and he is hereby directed to notify the owners and abutters on Devonshire street, between Milk and Summer streets, to close up all openings in the sidewalks and remove all obstructions in front of their estates extending over the line of said street, within ten days; and in default thereof the Superintendent of Streets is hereby directed to close said openings and remove said obstructions at the expense of the owners of said estates.

On motion of Alderman Gibson,

Ordered, That the Chief of Police, under the direction of the Committee on Police, be authorized to purchase such supplies as are required for the Police Department during the ensuing year; the expense to be charged to the appropriation for Police.

Ordered, That the sum of \$1940 be and hereby is appropriated to pay the bill of steam-tug Lewis Osborn for services rendered at the fire on the nights of Nov. 7th and 10th, and on the ruins of the following week; the same to be charged to the appropriation for the Fire Department.

Ordered, That the Joint Standing Committee on the Survey and Inspection of Buildings, in connection with the Committee on Legislative Matters, be authorized, if in their judgment it is necessary for the public safety and convenience, to apply to the General Court for additional legislation to regulate the height of buildings in the city of Boston.

On motion of Alderman Power,

Ordered, That the Board establish the revised grade of Devonshire street, between Milk and Franklin streets, as shown on a plan and profile drawn by the City Surveyor, dated Jan. 23, 1873, and deposited in the office of said City Surveyor.

Alderman Hulbert offered the following order which was read once:

Whereas, the public business at times requires the attendance of members of the City Council at hours that render it inconvenient for them to obtain meals at accustomed times and places; and whereas, it is reasonable that provision should be made for obtaining them elsewhere; therefore

Ordered, That there be paid to each Alderman — dollars and to each member of the Common Council — dollars semi-annually, to cover such expenses; and that no amount shall be paid from the City Treasury for refreshments or meals, beyond the sums hereby appropriated either by committees, individual members of either branch of the City Council.

ORDERS READ ONCE.

On motion of Alderman Clark—

Orders to pay heirs of Thomas Tileston \$15,043, for land taken to widen Purchase street; to pay heirs of Mary Tileston \$3720, for land taken to widen Purchase street; to pay heirs of Charles O. Rogers \$8034, for land taken to widen Summer street.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

JANUARY 30, 1873.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Edward O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The annual report of the Commissioners on the Sinking Fund was ordered to be placed on file.

The report of commissioners to investigate the cause and management of the recent great fire, was referred to the Committee on Fire Department, in concurrence.

The petitions of Thomas O. H. P. Burnham, Charles Burrill, Josiah W. Hubbard, members of the Fire Department in Ward 16, James Crnickshanks, Company A Ninth Regiment, and the request for additional members of hose and hook and ladder companies, were severally referred, in concurrence.

The remonstrance of Henry Burroughs and others against the opening of the Public Library on Sunday was ordered to be placed on file.

The reference to the Committee on Streets of report and order authorizing a loan of \$2,000,000 to be added to the Brant District loan, was concurred in.

The following orders were severally read twice and passed:

Report and orders rescinding the order concerning certain bonds and agreements with John S. Blair and Charles W. Skinner, and new ones made out to Ezekiel S. Johnson and Joseph F. Came, and directing the issuing of other agreements to said Johnson and Came on the terms and conditions therein set forth.

Report and order for a permit to be issued to Henry Pigeon & Sons to build a shed at East Boston.

Report and order authorizing a new bond to be issued to the Boston Coöperative Association, for land sold to them by the city on East Canton street, on the conditions named in said order.

Order authorizing the Committee on Legislative Matters to apply to the General Court for additional legislation to regulate the height of buildings in this city.

Report and order authorizing a permit to be issued to E. McLean to erect a wooden building on Park and Adams streets, Ward 16.

Report and order for a transfer from the appropriation for State Tax to that for sewers of \$10,000; from that for Lamps to Charles-River and Warren Bridges, \$10,000; to the Contingent Funds of the Board of Aldermen and Common Council, and the Joint Committees of the City Council, \$1500 each.

The following orders were severally read once:

Order that the bill of S. B. Henstis of \$17, for extra service as a police officer, be allowed for payment, provided it be approved in the usual manner.

Order that \$1940 be appropriated to pay the bill of steam-tng Lewis Osborn for services at the fire of Nov. 9th and 10th, and during the following week.

TRUSTEES OF CITY HOSPITAL.

The report nominating Alderman James Power and Common Councilmen Timothy J. Dacey and James F. Marston as Trustees of the City Hospital was accepted, under suspension of the rules, when the certificate of the election of said persons by the Board of Aldermen was read, and the Council proceeded to an election.

Messrs. Perkins of Ward 6, Martin of Ward 7 and N. Doherty of Ward 2 were appointed a committee to receive and count the votes, the result of which was as follows:

Whole number of votes.....	51
Necessary to a choice.....	28
Alderman James Power.....	51
Councilman Timothy J. Dacey.....	53
Councilman James F. Marston.....	53

Messrs. Power, Dacey and Marston were declared to be elected, in concurrence.

The several reports nominating Alvah H. Peters as City Messenger, James C. Tucker as Superintendent of Public Buildings, and John F. Kennard as Superintendent of Fire Alarms, were read and laid over under the rule and ordinance.

THE SUNDAY-LIBRARY QUESTION.

The report in favor of the order for the opening of the reading rooms of the Public Library from 2 to 9 P. M. on Sundays, and the dissent of Charles Hulbert therefrom, came up for concurrence in the acceptance of the report and the passage of the order.

Mr. Pease of Ward 1 presented the remonstrance of Rev. W. C. High and forty-four others of East Boston

against the opening of the Public Library on Sunday. Remonstrances were also presented from M. Field Fowler and others and from D. B. Cheney and forty-seven others.

Severally ordered to be placed on file.

Mr. Holmes of Ward 6 made some remarks, giving a history of the action of the City Government on this question, from 1859 to the present year, with the several vetoes of the orders which had been passed, and the opinion of the City Solicitor against the lawfulness of the act, with the legislative action on the subject.

In relation to the legal question, his opinion was that there was a fair ground for doubt, and the only way of its settlement was by a decision of the Supreme Judicial Court. It was desirable, then, that the order should be passed for the purpose of bringing the matter before the court, and he trusted that its passage would prevail.

Mr. Pease of Ward 1 believed that the opening of the library on Sundays was fraught with evil, unwise, and of no good whatever, and was designed to legalize what the City Solicitor had declared to be illegal. There were said to be doubts about the correctness of the opinion of the City Solicitor, and so there had been doubts expressed about other opinions of the City Solicitor upon matters which had been submitted to him. Some members of the Council appear as ready to jump at this measure as members of Congress do at the Credit Mobilier. If it was desirable to have a legal adviser, his opinions should be respected, else it is not worth while to have such an officer. He hoped therefore that the order would not be passed, and called for yeas and nays on its passage, which were ordered.

Mr. Denny of Ward 9 hoped the order would not be passed tonight, for he was not prepared to vote upon it. The new members of the Council had had no opportunity to judge of the merits of the case, which had not been before them. He was aware that the subject had been before the City Council in past years, yet it had not been before this Council in all its bearings.

There were diversity of opinions held on the subject by the community, and while some believed it would be a violation of conscience to sanction such a measure, others believed there were those who were deprived of opportunities of improving their minds who would be benefited by opening the library. He had his own convictions on the subject, but was not prepared to discuss the subject now. The measure had been pressed through the Board of Aldermen without discussion and almost without consideration. He did not know of any petition which had been presented in favor of it, but it was of sufficient importance for the expression of opinions of the community, while remonstrances had been presented against the passage of the order.

Many persons wish to be heard in opposition to it, and some had been to him expressing the wish to be heard. They should give an opportunity for such citizens as are in favor of it, or remonstrants, to be heard by petitions or in person. He would move that the order be laid over or postponed one week, and that it be specially assigned to Thursday evening next, eight o'clock.

Mr. Shaw of Ward 5 said he should make no objection to the question lying over, yet he was ready to meet it now. He had his convictions on the subject, and those would lead him to oppose the measure on the ground of principle. Yet he was ready to pass the order in deference to the clamor of the people for the opening of the library, and have the matter settled by testing the question before the courts. If he thought the effect would be to lead to the opening of the theatres on Sunday, he should oppose it entirely. He believed in the sacredness of the institution of the Sabbath, but if it was for the interests of society and for the good of young men, as it was claimed, to have the reading room opened, as a place in which to spend their time more profitably than about the streets, or in places of vice, he would vote for the order.

Mr. Perkins of Ward 9 said the remarks of the gentleman from Ward 1 reminded him of a statement of a gentleman from Ward 1 in the last Council, that he made up his remarks on the subject forty years ago, yet he wished a week in which to consider the subject. The question had been talked upon so much that everybody must have made up his mind on it, and there was no need of delay until petitions and remonstrances should be received. The public expect the City Council to pass the order. Last year there were a great number of petitions in favor of the measure, and there were hearings, greatly to the discomfort of the Board of Aldermen.

We know that the Calvinistic sects are all opposed to the opening of the Public Library on Sunday, while the great body of the community are in favor

of it. There could be nothing gained by delay, and it would cause a long discussion. He hoped, therefore, that the order would not be laid over. It would require a two-thirds vote to suspend the rules in order for its second reading, and it would be as well to make a test of the question tonight.

Mr. Holmes of Ward 6 said it was often embarrassing to require members of the Council to vote on measures when they ask for delay, and he would not object to laying the order over if it was desired.

Mr. Pease inquired to whom the gentleman from Ward 6 referred, as having stated that he formed his opinions forty years ago.

Mr. Perkins replied that it was not him to whom he referred.

Mr. Cudworth of Ward 11 said he hoped the order would be laid over, for he had not thought of it, and wished to be better prepared to act upon the subject. There was a large class in the community who had conscientious scruples in many respects in relation to opening the library on Sundays, and it was not what many good citizens care to have. In days gone by good citizens had opposed the measure, and that there were others in favor it was perhaps true, but he should wish to have time to look into it more thoroughly before voting on it.

Mr. Pickering of Ward 6 said he was prepared to vote upon the order, but as an act of courtesy, when others wished further time for deliberation, he was disposed to grant it. There was no hurry for action, for there was time enough. So far as related to the question of petitions in favor of opening the library on Sunday, there had been many petitions to the City Council in favor of it. Among the remonstrants he noticed one who had been a large stockholder in the Metropolitan Railroad Company, and so long as the city allowed the Chestnut-Hill driveway to be open on Sundays, which might be shut up, he could not see any objection to opening the library.

Mr. West of Ward 16, in reply to Mr. Pickering, said the gentleman referred to as a remonstrant had always been consistently opposed to the running of the horse cars on Sunday.

Mr. Perkins urged that so long as it would require a two-thirds vote for a suspension of the rules, it would be as well to order the question to a second reading now and let it go over. The order requiring an expenditure of money, it must go over under the rules.

Mr. Denny said he was not disposed to express his own convictions now, but in deference to those who were not in the Council when the matter had been considered, and those who wished to be heard on the subject, he hoped it would be laid over. He was always suspicious of measures which are rushed through the City Council, and remembered that when he was in the Council before a measure which was defeated at the last meeting was taken up again at the beginning of the next year and rushed through, yet afterwards was a cause for regret. There might not be the same cause for opposing this, yet when efforts are made to press a measure, suspicious will be attached to it. It could not suffer by a week's delay.

Mr. Dean of Ward 12 said it appeared from a statement of the question that all parties would be accommodated by the matters coming up a week hence, and that was all that each desired. If ordered to a second reading tonight to take its second at the next meeting, every one will be accommodated, and no one will have reason to find fault. In regard to a decision by the court, this question [substantially] was before the court in 1864, when Chief-Justice Bigelow gave an opinion in regard to the making of a will on Sunday, that, although it was not a work of necessity or charity, it was valid.

Mr. Dean read at length the opinion of Judge Bigelow, from which he inferred that the same principle being involved, had not the City Solicitor given his opinion, the year before, he would not have given it. There could be no better opinion than that of Judge Bigelow, which gives as the construction of the statutes, that they were designed to affect the various matters which relate to the ordinary business of life, in restraining the carrying on of trade or traffic on Sunday. The law was intended not to carry prohibition further than this. Mr. Dean read also from letters of Mr. Bates to Mr. Ward as an object in giving money to found the Public Library, that he had in view a moral effect as well as intellectual improvement. This was shown in what he said of having a place well warmed and lighted for young men by means of which they may be drawn from vice and led in the right path. Would not the tendency, he urged, in opening the library on Sundays, be to draw many, very many from vice, and in spending their time to great moral advantage?

A great number of young men spend their time on Sundays in wandering about the streets, and to provide such a place for them as was proposed by Mr. Bates, was it not a great charity? He could not see how it could be anything else. He held to a proper observance of the Sabbath day, but could not see how a minister of the Christian religion could object to the reading of proper books on that day, which is a handmaid to Christianity. It was lawful to do good on the Sabbath day. That was the question, and that is all of it.

It was difficult for him to make up his mind that there could be any evil in opening the library on that day, for it was impossible for any one to go into the library and get any unfavorable impression. The room was quiet and orderly; no one is allowed to speak louder than in a whisper, and in walking one goes on tiptoe; what harm can come from it? Must it not, then, be all good? He hoped the order would be passed to a second reading, and reasons could be more fully given another time.

The Chair stated that as the order involved the expenditure of money, it would go over under the rules.

Mr. Dean said his attention had been called to the fact that since the City Solicitor gave his opinion as referred to by him, he had said his opinion was the same as expressed when first requested to give it.

Mr. Denny believed it would be better to postpone and assign rather than take a vote on the order now, for some one might now vote against it who may, on further consideration, vote in the affirmative. Thus would nothing be lost by voting for the assignment.

Mr. Perkins said he was desirous of taking such action now that the question can be settled at the next meeting of the Council, and not require two weeks more, for if not ordered to a second reading until the next meeting, then a vote of two-thirds will be required for a suspension of the rules.

The question was taken on the assignment, which was lost, when the order was ordered to a second reading at the next meeting of the Council.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order authorizing a supply of such furniture and the making of such repairs and cleaning as may be needed in the City Hall, police stations, engine houses and other public buildings.

Order authorizing a supply of such furniture and the making of such repairs and cleaning as may be needed in the several schoolhouses.

Order authorizing the Superintendent of Health to make contracts, subject to the supervision of the Committee on Health, for horses and such materials as may be required for the use of the Health Department.

Order to pay forty-six hundred and forty-six 69-100 dollars for extra work and material furnished by the Atlantic Works and others, on the fire boat, by order of the committee.

Order authorizing purchases to be made of hay, grain, horses and supplies for the Fire Department.

Order authorizing repairs to be made on fire engines, hose, hook and ladder carriages.

Order authorizing a loan of three thousand dollars to be added to the appropriation for Engine House No. 12.

Order authorizing to be issued to the commissioners appointed in conformity to the legislative act of Dec. 7, 1872, bonds of the city for negotiation to the amount of five millions of dollars.

PETITIONS PRESENTED AND REFERRED.

W. F. Watson, that the Street Commissioners be requested not to lay out a street on the burnt district less than fifty feet in width. Referred to the Committee on Streets.

Thomas Gogin, for leave to erect a wooden building beyond the limits allowed by law. Referred to the Committee on Survey and Inspection of Buildings.

Edward Perkins and others, in regard to assessments for betterments on Sturgis street. Ordered to be sent up.

Henry Boyd, for compensation for the blowing up of the building No. 49 Water street. Referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. Bicknell of Ward 4, from the Committee of the Common Council on Elections, to whom were referred the notifications from George M. Hobbs and H. W. Putnam that they contested the right of the persons who received certificates of election as members of the Common Council from Ward 15, to occupy seats at this board, and asking for a recount of the ballots cast at the last municipal election in said ward, made a report that they have carefully recounted the original ballots in the possession of the City Clerk, with the following result:

William G. Thacher had.....603
 Frederick Bleiler.....527
 Pierpont Edwards.....493
 Michael Kelley.....484
 H. W. Putnam.....453
 George M. Hobbs.....451
 Henry W. Fuller.....443
 Hiram A. Wright.....412
 Charles D. Bickford.....378
 William G. Bird.....135

James McLaughlin, John Kelley, Patrick Carroll and — Fuller, one each.

It appears, therefore, that William G. Thacher, Frederick Bleiler, Pierpont Edwards and Michael Kelley, who now occupy seats in the Common Council, were duly elected.

The report was accepted.

Mr. Wilbur of Ward 9, from the Joint Standing Committee on Claims, to whom were referred the petitions of Currier, Trott & Company and many others, to be compensated for damages, caused by the destruction of buildings for the purpose of arresting the progress of the fire in this city on the 9th of November last, having carefully considered the subject, made a report that it appears from the opinion of the City Solicitor (a copy of which is transmitted herewith) that the city is not legally responsible for the damages in any of the cases covered by the petition.

The committee would therefore respectfully recommend that the petitioners have leave to withdraw.

The opinion of the City Solicitor is as follows:

CITY SOLICITOR'S OFFICE, }
 2 Pemberton square, Boston, Jan. 28, 1873. }

Sir—Upon the statement of facts made by the Chief-Engineer, and submitted to me, my opinion is that the city of Boston is not legally responsible in damages for the buildings which were demolished for the purpose of arresting the progress of the fire on the 9th of November last. The liability of municipalities in such cases is created and limited by statute, and in order to cast that liability upon them the provisions of the statute in regard to the action of the Engineers in the premises must be complied with. In the cases under consideration, it clearly appears by the aforesaid statement that those provisions were overlooked or not acted upon. This opinion applies to cases where the fire did not reach the building demolished as well as to those in which the fire passed over the building demolished.

The city cannot be liable, in my judgment, for damages caused by the explosion of one building to other buildings in the neighborhood, when it is not liable for the building destroyed by the explosion.

In my opinion, the city cannot be held to pay for property destroyed by the fire because the owner was prevented by the firemen from removing that property to a place of safety, in order that the building in which the property was might be blown up. An individual in such cases cannot require that his property should be protected by the exposure to destruction of a much larger amount belonging to others.

When a building is partially destroyed for the purpose of making facilities to check the fire, the same principles must apply as in the case of a total destruction of the building; and whether the destruction be total or partial, it must be made in the manner provided by the statute, or no liability for the act attaches to the city.

Very respectfully,
 Your obedient servant,
 J. P. HEALY.

Mr. Alderman Quincy.

The report was accepted.

Mr. Wilbur, from the Joint Standing Committee on Claims, to whom was referred the petition of James Mullin, to be compensated for personal injuries received from a fall on account of an alleged defect in Water street, having heard the petitioner, made a report that he have leave to withdraw his petition. Accepted.

Mr. Wilbur, from the same committee, to whom was referred the petition of David H. Sampson to be compensated for personal injuries received from a fall on the Common, made a report recommending that the petitioner have leave to withdraw his petition. Accepted.

Mr. Wilbur, from the same committee, reported leave to withdraw on the petition of Ira B. Orcutt, to be compensated for personal injuries received from a fall on account of an alleged defect in School street. Accepted.

Mr. Brennan of Ward 13, from the joint special committee appointed to nominate a candidate for a City Surveyor, made a report, recommending the reelection of Thomas W. Davis to the said office.

The report was laid over, under the rule.

ORDERS PASSED.

On motion of Mr. Perkins of Ward 6—
 Ordered, That five members of the Common Council, including the President, with such as the Board of Aldermen may join, be a joint special committee to have charge of the erection of the soldiers' and sailors' monument.

Messrs. Perkins of Ward 6, Darrow of Ward 8, Denny of Ward 9, and Barnes of Ward 11 were appointed the committee.

Ordered, That the committee appointed under an order of the City Council, approved Jan. 2, 1873, to report upon the financial, industrial and sanitary questions concerned in the annexation of certain cities and towns to the city of Boston, be authorized to procure such clerical services and such surveys and plans as they may require for the prosecution of their investigation; the expense to be charged to the appropriation for Incidentals.

Mr. Perkins, in answer to an inquiry, stated that in the economy exercised by the City Council in the appointment of the committee, they were embarrassed for want of means in obtaining the services of clerks, maps, plans, etc.

Mr. Perkins offered the following orders:—

Ordered, That the Committee on Public Institutions be requested to consider and report upon the expediency of amending the ordinance in relation to the Port Physician, so as to require that he shall perform the duties of physician or assistant-physician to the institutions now located at Deer Island.

Ordered, That the Board of Directors for Public Institutions be requested not to proceed in the election of a resident physician for the institutions at Deer Island until further action thereon by the City Council.

Mr. Perkins stated, in explanation of the above orders, that under the former provisions in regard to the Port Physician, he was always the physician to the public institutions on the islands, but under the new ordinance establishing a Board of Health two physicians may be appointed unless the City Council otherwise provides. If two should be appointed it will be difficult to get two such as may be desired to fill both places. If combined, a much better physician may be had.

The orders were read once, and were subsequently passed, after further explanation.

Mr. Kelley of Ward 15 offered an order to provide school rooms for the children heretofore accommodated in the old Roxbury Almshouse.

Mr. Flynn of Ward 7 objected that the provisions required were under the direction of the School Committee.

The order was referred to the Committee on Public Instruction.

Mr. Jones of Ward 14 offered an order, which was passed, that the Committee on Fire Department consider and report upon the expediency of the erection of a new house for Hook & Ladder Company No. 4.

On motion of Mr. Page of Ward 9—

Ordered, That the Committee on Armories and Military Affairs be authorized to repair and furnish the armory occupied by Company K, Ninth Regiment of Infantry, M. V. M., at the corner of Third and Dorchester streets, in South Boston, at an expense not exceeding \$300; said sum to be charged to the appropriation for Armories.

On motion of Mr. Burt of Ward 16—

Ordered, That the salaries of the officers and crew of the iron steam tug used for fire purposes shall be for the balance of the present salary year at the following rates, viz.: Captain, \$3 75 per day; engineer, \$3 75 per day; mate, \$3 25 per day; assistant-engineer, \$3 25 per day; fireman \$3, deck hand \$3, steward \$3, severally per day—the same to be charged to the appropriation for the Fire Department.

Mr. Burt, in answer to inquiries, replied that the salaries generally corresponded with the salaries of officers of steam fire engines; the only difference being that the assistant-engineer and captain get twenty-five cents more a day.

On motion of Mr. Bicknell of Ward 4, the Committee on Elections were authorized to report in print in the cases of petitions against the right of George A. Shaw and John W. Mahan to seats in the Council, and for the payment of a phonographic report of the evidence; the expense to be charged to the appropriation for Incidentals.

Mr. Davis of Ward 14 offered the following order:

Ordered, That the Board of Street Commissioners be requested to consider the expediency of widening Warren street from Moreland to Copeland street, on its easterly side.

On motion of Mr. Perkins of Ward 6, the order was referred to the Committee on Streets.

On motion of Mr. Pickering of Ward 6—

Ordered, That the President of the Common Council

cil be authorized to approve bills for expenses incurred by the Common Council, and the standing committees of the Common Council not having charge of any appropriations of money; also by individual members of the Common Council while engaged in the discharge of official duty—the amount of said bills to be charged to the appropriation for Contingent Expenses of the Common Council.

Mr. West of Ward 16 moved a reconsideration of the indefinite postponement of the order to divide the large committee room by folding doors, giving notice that should the motion prevail, he would move to lay the order on the table, to await the action in the proposed hiring of rooms for the city's use in Pemberton square.

Mr. Flynn of Ward 7 opposed the reconsideration, believing the sense of the Council to be opposed to it by an almost unanimous vote in the indefinite postponement.

Mr. Perkins of Ward 6 wished to know what effect the action of hiring rooms in Pemberton square might have on the proposed division of the committee room.

Mr. West replied that some members of the Council have an impression that the division was to be made to provide accommodations for the Board of Health, which was not the case. The division of the room was necessary for the use of committees.

Mr. Caton of Ward 11 stated that the proposed division was by double folding doors in the centre of the room, which would leave but six feet of unopen space when folded back, by which two separate rooms could be had, or the two could be thrown into one. This was believed to be the proper way to do it to provide additional committee rooms.

Mr. Flynn said it was a fact that the Loan Fund Commissioners now occupy a part of this committee room, and it would be impossible to get them out should the room be divided. Any one who was present at a hearing during the past week would have been satisfied that the room was not too large for such purposes.

The motion to reconsider was lost.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

FEBRUARY 3, 1873.

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

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers without pay—Members of the Common Council during the present municipal year.

Benjamin W. Hatch, for duty at Williams Hall, corner of Dover and Washington streets, at Templars' Hall, No. 280 Washington street, and vicinity.

Thomas Houghton, for duty on High street, Hartford street and vicinity; John Graham, for service at the Boston Theatre; Sidney W. Sampson, Henry N. Rogers, William B. Tarleton, and Charles H. Meserve for duty in the Department of the Board of Health.

Foreman of Engine Company No. 8—William Childs.

Police Officers—Bernard Johnson, Oscar M. Wellman, Christopher White, William J. Condon, Burt Gilson, Thomas Shehan, Harrison Wilder, Jr., George M. Lovering, Daniel E. Curran, Joseph Brown, Harry P. Hersey, Benjamin S. Hill, John H. Shaw, Lewis F. Leighton, William Burke, Frederic T. Harvey, Harlan P. Paige, Daniel A. Ritter—Ira B. Perry.

Alderman Hulbert wished to know of the Committee on Police what they knew of the characters of those who were recommended for appointment as police officers. He supposed that the Mayor, in making the appointments, would wish to have the Board obtain all the information possible in relation to the character of the men appointed on the police. He did not think the Mayor should be wholly responsible for these appointments. The recommendation of prominent citizens was not always infallible. He was desirous of knowing from the chairman of the Police Committee whether these persons were good citizens, of good character, and possessed the requisite fitness and ability for the proper discharge of their duties.

Alderman Gibson stated in reply that these men were all before the Committee on Police Friday afternoon, and they obtained all the information in relation to them which they could, and, as far as they knew, there was nothing against any one of them. He would not object to laying the nominations over, and it might be that some one would give further information who was not so successful.

The nominations were referred to the Committee on Police.

PETITIONS PRESENTED AND REFERRED.

Edward Perkins and others, in regard to the assessment of betterments on Sturgis street.

Heirs of Ellen M. Marston, for apportionment of a betterment on estate 48 Cliff street.

Arletta H. Bixby, for apportionment of Cliff-street betterments.

Samuel Hitchcock, for apportionment of Cliff-street betterments.

Severally referred to the Committee on Streets.

Gardner Brewer and others, that Federal-street grade be raised at the foot of Franklin street.

Edward Moore, for compensation on account of injury to his property, 170 Fourth street, by the raising of the grade of said street.

Severally referred to the Committee on Paving.

M. C. Murray, for compensation for loss of horse and sleigh occasioned by a defect in the highway near the junction of Prentiss and Tremont streets.

John H. Roberts, to be paid for money advanced to pay for services of band of First Battalion of Cavalry at the laying of the corner stone of the United States Post Office in 1871.

Hannah Sullivan, to be paid for injuries received by a fall on Athens street.

Robert Irwin, to be paid for injuries sustained by his wife from a defect in Tremont street.

Philip McDonough, for compensation for injuries received by his son, Joseph McDonough, by an explosion of fireworks at Independence square, July 5, 1872.

Severally referred to the Committee on Claims.

Henry Fall, for license as an auctioneer. Referred to Committee on Licenses.

George S. Howe, for leave to occupy a wooden stable for sixteen horses on Huneman street.

Thomas Conner, for leave to occupy a wooden stable for one horse rear of 26 Cherry street, Ward 16.

Naylor & Company, for leave to occupy a wooden stable for twenty-five horses on Dorchester avenue, opposite Norway Iron Works.

M. N. Brittan, for leave to occupy a wooden stable for two horses on Marston avenue.

Thomas C. Piper, for leave to occupy a wooden stable for two horses on West Cottage street.

James H. Boyhan, for leave to erect a stable for two horses on corner of Tremont and Whitney streets.

Adam Thompson, for leave to occupy and alter a stable for thirty horses on Northampton street.

Severally referred to Committee on Health, on the part of this Board.

Joseph K. and Mary J. Melcher, to be compensated for damages caused by her admission to the small-pox hospital, she not having that disease. Referred to the Committee on Health.

Trustees of the Prince Library, that the City Library be not opened on Sundays. Read and sent down.

Winchester & Hight, for leave to erect a wooden building beyond the legal dimensions, on Dorchester avenue and Third street. Referred to Committee on Survey and Inspection of Buildings.

Washington Hook & Ladder Company No. 4, for a new house. Referred to Committee on Fire Department.

An invitation was received from the Chief-Engineer of the Fire Department directed to the Mayor and Aldermen, to witness the test of the power of a chemical fire engine from the New England Fire Extinguisher Company, on Wednesday, Feb. 5, at 2 P. M., in the square back of the City Hall, four of which engines are in use in Chicago, and fourteen additional ones have been ordered.

The invitation was accepted.

QUARTERLY REPORT OF CITY REGISTRAR.

The City Registrar reported that during the quarter ending Jan. 31, he has received for certificates of intentions of marriage \$618 50, which sum has been paid into the City Treasury.

Ordered to be sent down.

QUARTERLY REPORT OF SUPERINTENDENT OF MARKET.

The quarterly report of the Superintendent of Faneuil-Hall Market, gives the receipts, as follows:

Received for rent of stalls,.....	\$10,396 50
“ “ cellars,.....	5,385 00
“ permanent outside stands,.....	723 75
“ weighing at market scales,.....	192 22
“ rent of stalls in new market,.....	3,030 00
“ “ cellars “ “	1,462 50
	21 189 97

All of which was paid to the City Treasurer.

Ordered to be placed on file.

QUARTERLY REPORT OF OVERSEERS OF THE POOR.

The quarterly report of the Overseers of the Poor gives the receipts and expenditures for the quarter as follows:

Receipts—

Cash on hand Nov. 1, 1872,.....	\$1,735 81
Drafts on Treasurer and requisitions for Temporary Home,.....	24,750 63
Cash from cities and towns,.....	3,275 97
“ “ occupants of Charity Building, for heating,.....	370 16
Cash from State of Massachusetts for relief of State paupers,.....	837 04
Cash for burials,.....	27 00
	\$29,260 80

The expenditures were as follows:

Paid for burials,.....	\$1,563 87
“ cities and towns for relief of Boston poor,.....	518 03
“ expenses Temporary Home,.....	1,750 63
“ pensions and grants at office,.....	4,413 88
“ immediate relief of person having no settlement,.....	83 00
“ coal and wood,.....	2,213 63
“ groceries,.....	3,609 00
“ salary of Secretary,.....	550 00
“ “ of Bookkeeper,.....	424 99
“ “ of Clerk,.....	175 00
“ “ of Visitors,.....	900 00
“ office expenses,.....	344 81
“ transportation,.....	12 75
“ charity building, expenses, salaries, fuel, etc.,.....	1,862 05
	\$18,361 64
“ from State,.....	837 04

Cash balance January 1,.....\$11,797 93

Ordered to be sent down.

REPORT OF COMMISSIONER ON CAMBRIDGE BRIDGE.

The second report of F. W. Lincoln, Commissioner on Bridges between Boston and Cambridge, was laid before the Board, in print.

The report refers to the completion of repairs on the West Boston Bridge, among the more important

of which "new gates of an improved pattern have been built for this bridge by Messrs. Ross & Lord, during the past year, and the old draw has been repaired sufficiently to keep it in running order. It needs new track frames and other repairs, the making of which have been postponed until the winter months to avoid interrupting the travel over the bridge.

The wooden pavement laid on the pile portion of the bridge has worn as well as was expected. Some difficulty was experienced with the Warren pavement for a short time, the heavy rains displacing it, but since this defect was obviated it has stood well. It is, however, the opinion of the commissioners that a wooden pavement is unsuitable for bridges built after the style of those under their charge for reasons given by them, and they say it is their intention, in making the proposed improvements on Canal Bridge, to pave the roadway with small granite blocks, as being the best pavement under all circumstances for the purpose.

In accordance with requests, and on an examination of the subject, the Commissioners believe that the application of steam power would be the most efficient and economical method of moving the draws. An estimate of cost of a double-cylinder engine of eight-horse power, with the necessary shafting and gearing, was obtained shortly after the receipt of this petition. The estimate, including the cost of an engine house and coal shed, was about \$4500, and at that time it was not thought advisable to incur so large an expense in connection with the old draw. The Commissioners are obliged, by an act of the Legislature, to make the draw openings in this bridge thirty-six feet wide, instead of the present width of thirty feet; to span these openings a new draw twelve feet longer than the present one will have to be constructed, and although we have not thought it necessary to comply with the requirements of this act until the draw ways of Warren Bridge and the several railroad bridges between Warren and Canal bridges were widened, the action of the railroad corporations and the Commissioners on the Charlestown Bridges during the past year in widening the openings in their bridges leaves no excuse for further delay.

With a new draw of improved construction the use of steam might not be required; but additional difficulties are found in the width of water way, as affecting the ebb and flow of the tide, and the consequent necessity of warping vessels through the draw way without much aid from the current. It is designed to make the proposed repairs on the old draw, and the machinery which will be used on it during the reconstruction of the Canal Bridge may be used, if required, on the new one. The cost of the improvements thus far on this bridge, under the direction of the Commissioners, is \$56,746 46.

The reconstruction of Canal or Craigie's Bridge, has been delayed for the same reason as given in the case of the other bridge, and it is important for the Lowell Railroad Corporation to cooperate with the Commissioners in making the alterations, which cooperation it is believed will be consented to. The new draw, by direction of the Harbor Commission, will have to be placed one hundred and sixty feet nearer the Cambridge end of the bridge; and the position of the railroad draw altered to make the draw openings come on the same line. The old draw way on Canal Bridge is to be covered with a new superstructure, and when this is done, vessels, instead of being in line to go through the new draw way after passing through the railroad bridge, will be compelled to make two changes in direction in a contracted channel to accomplish this object.

The plans which have been adopted for the reconstruction contemplate widening the present structure to sixty-four feet, a new draw fifty feet in width, with piers and openings in the position fixed by the Harbor Commission, a removal of the bulkheads and fences, the driving of additional piles in the old bridge piers where the superstructure is raised, several new piers between the present ones which have settled, and repaving the roadway with small granite blocks.

The width of sixty-four feet, which has been decided upon, will enable us to use such piles in the present fender guard as may be suitable, at much less expense than would be required if a greater width were adopted. The sidewalks will be ten feet wide, leaving forty-four feet for the roadway, which is ample for two horse-railroad tracks and three lines of teams.

The Street Commissioners of Boston were informally consulted before we decided upon this width. Their opinion was that sixty feet would be the greatest width it would be expedient to adopt for Leverett street, if widened, although no objection would probably be made to widening the street to sixty-four feet from the bridge to North Charles street. The

plans upon which the estimate of last year was based contemplated widening the bridge to seventy-five feet to correspond to the width of Bridge street in Cambridge; but the Commissioners do not feel authorized to incur the expense of making it this width since their consultation with the Street Commissioners.

In deciding to make the draw fifty feet wide, instead of the full width of the bridge, they have been influenced by investigations of the various bridges over tide water belonging to the City of Boston.

The engineer's estimate of the cost of improvements on this bridge is \$160,000, and as soon as the plans have received the approval of the Harbor Commission we shall advertise for proposals for doing the work. To avoid delay, the contractor should have two months time previous to beginning work under his contract to procure suitable timber, much of it being of sizes not easily obtained unless sawed to order. The bridge will have to be closed to team travel for a period of three or four months.

Only such repairs as were necessary for safety have been made upon this bridge during the past season. The draw broke down early in the spring. An examination of the timbers showed them to be so much decayed as to be in a dangerous condition. The bridge was at once closed to the passage of teams and the draw thoroughly reconstructed, the foot travel being accommodated by a small swing bridge.

The draw of the West Boston Bridge was opened during the last year 1697 times, and that of the Craigie's Bridge 4580. The general expenses to this city for maintaining these bridges amounted to \$686 20, \$500 of which was for salary of Commissioner; expenses of West Boston Bridge, \$4741 56, of which \$630 was for salary of Superintendent and \$3925 23 for repairs; Canal Bridge, \$1905 23, of which \$630 was for salary of Superintendent and \$1195 73 for repairs; making a total expense of \$7333 08."

Ordered to be sent down.

HEARINGS ON ORDERS OF NOTICE.

The several hearings on orders of notice on petitions of R. B. Lincoln & Son, for leave to erect and use a steam engine and boiler on Alger street, near Dorchester street; of McCready & Stearns, for leave to erect and use a steam engine and boiler at 89 Court street; Schmetzen & Abendroth, for leave to locate and use a steam boiler and engine at 11 Charlestown street; Carew & Walsh, for leave to erect a steam engine and boiler on wharf on East Dover street; Dennison & Co., for leave to locate and use a steam engine and boiler at 15 Suffolk place; Williams & Everett, to locate a steam engine and boiler at the corner of Bedford and Washington streets, were taken up.

No person appeared in either case, and the reports were recommitted.

The hearing on order of notice on petition of Manuel Silva against the Old Colony Railroad Company for an estimate of grade damages, was taken up, when Alderman Power presented a report as follows:

On petition of Manuel Silva of this city, praying this Board to estimate the damage caused to his estate on Dorchester avenue by the location and construction of the tracks of the Old Colony & Newport Railroad in rear of said land, as in said petition is more fully set forth, and it appearing that said Old Colony & Newport Railroad Company has been duly notified of the pendency of said petition, it is now hereby adjudged and estimated by this Board, that the damages occasioned to the petitioner's land by the location and construction of the tracks of the Old Colony & Newport Railroad adjacent to and in rear of said land, and by the alteration of the grade of Dorchester avenue at that point, in consequence thereof, amounts to the sum of one dollar.

Alderman Power stated, in explanation, that it might appear singular such a report was made, but it was understood the parties could not agree, and it would be a subject of litigation. The committee therefore reported in favor of nominal damages.

The report was accepted.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pay heirs of Charles O. Rogers \$8034, for land taken on Summer street.

Order to pay the heirs of Thomas Tileston \$15,043, for land taken on Purchase street.

Order to pay heirs of Mary Tileston \$3720, for land taken on Purchase street.

The report and order to hire the Missionary Building in Pemberton square, at an annual rent of \$7000, for city purposes, were laid on the table.

PUBLIC EXPENDITURES FOR REFRESHMENTS.

The following order, offered by Alderman Hulbert, was considered:

Ordered, That there be paid to each Alderman — dollars, and to each member of the Common Council — dollars, semi-annually, to cover such expenses; and that no amount shall be paid from the City Treasury for refreshments or meals, beyond the sums hereby appropriated, either by committees or individual members of either branch of the City Council.

Alderman Hulbert said it might appear to be a trivial matter, but it was not from a want of respect to the members of the City Government that he offered the order. The history of the past showed that in more or less of its features it was something not new as a subject for public consideration. As a new City Government it was a matter worthy of their attention. In the first place, the whole expense of the Government for refreshments, whether much or little, none of it is legally chargeable upon the city. No committee or member of the City Council has a right to spend one dollar for such purposes, and standing upon its legality, that is the end of it.

In conversation with some one on the subject, the question was raised as to the ground of opposition which would be made to the order, and whether the legal question would be raised. He hoped the legal question would be raised. In the form of the order, he had given it in such a manner where no objection could be raised, as confined to expense of meals, and not including carriage hire, recognizing the reasonableness of that class of expenses.

Alderman Hulbert urged as his object in offering the order to put the city beyond scandal in the matter of furnishing refreshments, believing that the city would accord what was proper and right when members of the Government were put to the necessity of obtaining refreshments, but beyond that when they go further it should be known on what ground it is called for. It had been a custom in past times when committees and members of the City Council had been very busy to make expenditures beyond what is proper and reasonable.

The duties of members of the City Government, with reference to the public, entitle them to the respect and confidence of the community, but if not entitled to it they deserve its contempt. They might make mistakes, but should take care and not deserve contempt. In view of the interests of the city he stood appalled at the great expense which is required. The citizens may have opinions and urge certain actions, but they were called upon to take the responsibility and to decide upon those questions. Their action might be called in question, and while citizens might oppose him in his action he did not want to be disgraced. They might hate him for his course, but he did not wish to be despised.

In further urging this point for consideration, the Alderman said he wished the sustaining power of the public around them, and not have it said that they sold their manliness for a mess of pottage. The chairmen of committees were often embarrassed, as he learned, speaking from hearsay, as matters now stood. A committee would hold a meeting from two to three o'clock, and adjourn to some hotel, where they did not eat a dinner as merchants and others did, at a moderate expense, but in some upper room, where the expense would be from three to six times what merchants, lawyers and business men would expend for a dinner.

Every day there were these expenditures for dinners, but should a fixed sum be allowed, there it would end, and the committees would know it, and the chairmen would not be embarrassed. In this way the actual expenses would be amply met, and further than that they ought not to go. He could see no reason why they should do more than this, while in doing so they showed themselves not worthy of the respect of the public, and lowered themselves in self-esteem. In taking the city's fund for purposes like that, the members of a Government in another city had been demoralized, and the villain of the age, as he might be called, laughs at the judge, the court and the jury.

In behalf of every member of the City Council, of their families, of the reputation of the city, and of the young men of the city, he entreated that the practices he had spoken of be done away with. Under the oaths he had taken, he could not sanction such expenditures, and he wished the present City Council to have the respect of the public, and be careful in all the movements they make. If any gentleman should tell him that his proposition was not fair, he failed to see it.

Alderman Power said he had no doubt there had been abuses, in past years, in expenditures, and he hoped a better method would be devised to prevent such abuses. He hoped the order would be referred to the Committee on Ordinances.

Alderman Clark said he was happy to hear the remarks of the Alderman, and to inform him that, in

the matter of the expenditures complained of, the City Government had been improved. The expenditures of the kind, last year, had been reduced by a large per cent. It would be almost impossible to regulate expenses of that kind to satisfy every one, but he objected to the order of the Alderman as strictly illegal, as they had no right to vote a salary, whether of \$5 or \$500.

It was his belief that public sentiment would regulate the matter, and the Alderman would see at the end of the month the effect so much desired by the Alderman and every member of the City Government. He had an order which he would offer, by which that public sentiment would have an influence in the matter.

Alderman Power withdrew his motion to refer, when Alderman Clark offered the following order:

Ordered, That the Auditor of Accounts be directed to submit to the City Council a monthly statement, in detail, of the expenditures on account of refreshments furnished to the several standing or special committees of the City Council, or of either branch during the preceding month, designating the appropriation to which said expenditures are chargeable, and the names of the persons who have contracted the same (said report to commence with the February draft).

Alderman Quincy sympathized heartily in the purpose for which the order was offered, and hoped that in some form its object would be obtained. While he did not himself perceive on what ground the City Government should be held an exception to the rule that the laborer is worthy of his hire, yet the fact that it was so held could not render abuses of this sort dignified, decent or honest. It was not so much the amount paid, although gentlemen did not seem to have realized that they were spending out of the pocket of the poor taxpayer, as well as that of the rich; but the demoralizing effect on the character of the men who practised or permitted the abuse which was most to be deprecated.

To illustrate, what could be more natural than reasoning, thus: "Such a committee are spending their hundreds for champagne and cigars. I don't want bacchanalian snappers, but I should like a Brussels carpet and new mirrors, which wont cost half what others spend in drink and smoke, if I could only see how to make the city foot the bill." And in this frame of mind it soon occurs to him to take a hint from the parable of the unjust steward, and he goes to a man to whom the city owes forty, and tells him to take his bill and sit down quickly and write fifty. That was the way it had been done in New York and might be here. Next would come thousand-dollar safes for private counting rooms, and in view of the compound ratio in which such evils increase, how long would it be before members of the City Government might be filling their pockets with as brazen foreheads as that of the Napoleonic swindler who has just escaped the punishment of his crimes in New York. It was just these little abuses which, if unchecked, acquired the impetus of an avalanche, and swept cities into just such an abyss of corruption as that out of which New York was so bravely struggling to arise. Let those to whom the good name of our city was dear join hands in an attempt to check this abuse at once; if unsuccessful, at least their skirts would be clear, and the responsibility to the public would rest on the shoulders on which it belonged.

Alderman Clark said the question of paying salaries could not be entertained for a moment. His order, if adopted, would be all that was desirable in preventing abuses, and he was sorry that such an argument was made use of by the Alderman, for the ways suggested by him would never have been thought of. He had no fears, however, of this Government's following the ways of New York to any great extent; they might be on the road in their junketings to extravagance, but not to that extent which prevailed in New York. He should be sorry to have the City Council go to the Legislature for authority to pay salaries; for if they did, it would be expected they would pay from \$4000 to \$5000 to Aldermen and half as much to the Council. It would be strictly illegal to pay money without getting authority of the Legislature, and he hoped his or a similar order would be adopted at once and not referred to any committee.

Alderman Sayward said he was loth to say anything on this subject, but as he had been in the City Government for three years, he must allude to the past City Governments. In the discharge of his duties during that time, he had done so to the best of his ability, and if he had lost his self-respect, he thought the people would not have sent him here again. There had been enough said already to disgrace themselves and he would move an indefinite postponement of the order.

Alderman Hulbert said that Alderman Clark had hit the nail on the head. Before acting in this matter he had taken the advice of the City Solicitor in regard to the legality of payment for refreshments, and there was no right in either case; but the course proposed by him would be definite and manly, and they could go about their business feeling that it was so. They should be reasonable here as in any other business, expending only as much as might be necessary, while the practice had been to procure dinners at charges high and exorbitant. This he had had from men of experience in this hall. In strict legality they had no right to expend a dollar; but he would allow the expenditure of a definite, fixed sum, for any other course was demoralizing. With such a limit fixed, every member would feel better that it is so. What is wanted is to have confidence and to feel that they are entitled to the public confidence.

Alderman Stebbins said he should vote for the order, but suggested the addition to include the report of the February draft, which amendment Alderman Clark accepted as a part of the order.

Alderman Gaffield said this was his fifth year in the City Government, and he was glad the Alderman had introduced the subject, which had been a scandal for years. They were sent there to conduct the business of the Government in an economical manner, and in accepting office they knew that they were to have no compensation, and it would be a small sacrifice if it was not so. The people expect some one to accept office under such conditions, and if worthy men do not, those who are not worthy will, while others stay in their counting rooms writing invectives against the manner of doing the public business.

Alderman Gaffield hoped the Aldermen would never be paid as they were in New York, and it was their duty to stand and stop the chinks through which leaks are made from the public treasury. As something had been said about the expenses being less than they used to be, and as he was in this Board nine years ago, it was but right that he should make a defence of himself. He had examined the Auditor's report, and would give some comparisons between the year 1865 and the last year.

In 1865 the expenditures on armories were \$15,761, and expenses of committee \$139 25; last year, expenditures \$18,244 44, and of committee \$810 10. Bells and clocks in 1865, expenditures \$1224 30, and of committee nothing; last year, expenditures \$2876 19 and of committee \$135 55. Boston Harbor in 1865, \$11,640 expenditures, \$147 30 for committee; last year \$5371 54 expenditures, and of committee \$772 20. Fire alarms in 1865, \$17,070 expenditures, and of committee \$577 46; last year, \$42,763, and of committee \$1277 21. Health Department in 1865, \$187,711 for external department, and \$292 for committee; last year \$338,798 06 for both departments, and for committee \$654 40. Fire Department in 1865, \$134,847 expenditures, and \$721 40 for committee; last year \$399 249, and for committee \$2591 22. Streets in 1865 \$134,844 expenditures, and \$78 95 for committee; last year \$169,064 expenditures, and \$1290 for committee.

One reason for the decreased expense of committees in the years 1864-1866 was the adoption of an order that there should be no expenditure for intoxicating liquors. This was adhered to, except in some cases in which gentlemen from abroad were present, and it was thought necessary to have liquors. It would be seen that there was quite a difference between the year 1865 and the past year. Yet it was true the expenditures last year were less than in several previous years, and the expenditures had been going on in a descending scale. Last year the decrease had been at a greater rate, and this year he hoped it would be more so. He was not in favor however, of the order of Alderman Hulbert, but preferred that of Alderman Clark.

He believed it would be disgraceful to pass the order of Alderman Hulbert, for it should be left to the honor, integrity and good sense of the chairmen of committees of the City Council. They were told that gentlemen sometimes dined at the expense of the city without asking the consent of the Chairman of the Board. There are times when it is necessary to take some refreshment while in the discharge of duties on committee. Although not legal, he did so, and he was not ashamed of it. On Thursday evening last, the Committee on Accounts were engaged in the examination of millions of dollars in bills, and it was necessary to go through with it to bring it before the Common Council. There were cases of real necessity, and no man of common sense would object to their taking of refreshments in such cases.

Such expenditures should be made with reasonable limits, and not as in some cases, where the bills were so large that the chairman was ashamed of it and footed the bill himself. He could see no reason in a committee's coming together to nominate a City Messenger and expending \$40 in doing so. One reason for

an increase of the expenditures of the Committee on Streets was in the increase of the committee from three to eight, and there was a proposition before the Legislature to make the Committee on Sewers a joint committee. He hoped they would act this year to the satisfaction of those who put them there, without hope or fear as to their reelection, but in such a manner as to merit the gratitude of their fellow citizens.

Alderman Clark said he was happy to hear they were on the road to progress. The Alderman in his comparisons had gone back to when the city was a country village. He trusted the Board would do their duty, regardless of the question of reelection, and that no member would be frightened, whether he was in office one or five years. Honestly and fearlessly they should do their duty, and he was willing not to partake of a particle of anything at the city expense, and would sign an agreement to that effect. The public would not object to the cost of refreshments if conscientiously done as they would do in their own business. In regard to the expense of Committees on Armories and on Fire Department, the late fire had doubled the labors on both. So it was also in regard to the Committee on Streets.

In relation to the refreshments to the Committee on Accounts, referred to, if any objection was made, he would pay his proportion. On Friday last, he went without anything to eat from seven o'clock in the morning to six o'clock in the evening, when four of a committee had a dinner at an expense of \$2 80. If all members of committees would dine in that proportion, no one would object, and it could be done. The chairman of a committee was responsible, and if the Auditor should bring the names before the public once a month, it would be the safest check against the spending of money.

Alderman Sayward said he supposed he was associated with a body of gentlemen, but it appeared the charges of extravagance were aimed at the Common Council, and not upon this Board. It may be that the members of the other branch are as dignified as those of this Board. He did not come to this Board for dinners, and believed it was but boy's play to talk about bread and cheese. He hoped, therefore, that the order for indefinite postponement would prevail.

Alderman Quincy said that although at first he was in favor of the order of Alderman Hulbert, he was now in favor of that of Alderman Clark, in view of the legal objections. With regard to the objectionable supposition complained of, made by him, he did not think it would ever happen, but in view of the figures which had been given, he would join in an attempt now to remedy the abuses complained of.

Alderman Gaffield said he did not intend to injure the feelings of any one, in giving the figures which he had.

The question was taken and the motion to indefinitely postpone was declared to be lost.

Alderman Sayward asked for the yeas and nays, but the Chair declared it to be too late.

Alderman Hulbert wished to have the question taken on his order, and not on that of the order of Alderman Clark as an amendment to his.

Alderman Clark moved his order as a substitute for the original order.

Alderman Sayward objected to the substitute, that if committees were instituted as they were last year, there were those who talked the most who were the most ready to eat.

Alderman Hulbert was convinced that his order would put the question on the best foundation, in a manly, fair and straight manner, by which the trouble would be ended. By going straight, they would save thousands of dollars to the city. He would plead for manliness, and for expenditures, just as merchants would do in their own business.

Alderman Clark hoped for the passage of his order, for he did not believe we should go in the wicked ways of New York. He believed in the good sense of the people, that they would not allow the City Government to become corrupt. As a matter of economy, he objected to paying salaries, or anything like salaries. If salaries were to be paid, they would not be less than \$5000 to \$10,000, at least, if the abilities of the Alderman were to be taken into account. He should not want less than \$5000 to be paid for services according to the labor performed. As \$5000 it would give \$60,000 for the Board of Aldermen, and at \$1000 for the members of the Council, it would cost \$64,000. As an economical measure, it would be best to let it drop, and rest themselves on their manhood and integrity.

Alderman Sayward said he was glad the Alderman had got back to manhood on the question, and he hoped that the order would be withdrawn.

Alderman Brown moved that the order be laid over.

Alderman Clark thought it would not be well to postpone the taking of the question, when they were so well prepared to act upon it.

Alderman Brown said his reason for making the motion was on account of so many opinions being expressed, but he would withdraw the motion.

Alderman Power hoped the order would be laid over, for it was very important, and to pass it in too much haste it would do more injury than good. The matter was all in the hands of gentlemen of the City Council, who could remedy it. The members of the Common Council could not enter into extravagant feasts at the expense of the city if the Aldermen said no, for it was in their hands and they governed it. He was not ashamed to take a dinner at the expense of the city when necessary, but hoped the order would be laid over, and some plan be devised by which to remedy the evil of extravagance complained of.

Alderman Clark hoped the order would not go over, for they had devoted the entire evening to its discussion, and there could be no harm in its adoption. It was a matter between the public and themselves.

Alderman Gaffield said they were all agreed on one thing—of falling back on their own manhood. On coming to the City Council he felt as Alderman Hulbert did, but he had come to believe that the public would justify the expenditure for refreshments to a proper amount.

Alderman Quiney said it was true they had the matter in their own hands, but it was very pleasant to have public opinion come to their assistance. He would, however, favor the measure of reform any way.

The question was taken on the substitute of Alderman Clark, which was carried, by a vote of 11 to 1, as follows:

Yeas—Bigelow, Brown, Clark, Cutter, Emery, Gaffield, Gibson, Hulbert, Power, Quiney, Stebbins.
Nay—Sayward.

PAPERS FROM THE COMMON COUNCIL.

The petitions of Henry Boyd, Thomas Gogin and William F. Watson were severally referred, in concurrence.

The following reports were accepted, in concurrence:

Report (leave to withdraw) on petition of Ira B. Orent, to be paid for personal injuries received in School street.

Report (leave to withdraw) on petition of David H. Sampson, to be paid for personal injuries received on the Common.

Report (leave to withdraw) on petition of James Mullin, to be paid for personal injuries received in Water street.

The order to request the Street Commissioners to widen Warren street, from Moreland to Copeland street, was referred to the Committee on Streets, in concurrence.

The order for appointment of a joint special committee on the subject of the Soldiers' Monument was passed, in concurrence, and Aldermen Clark, Quiney and Power were joined to the committee.

The following orders were passed, in concurrence:

Order to establish salaries for officers and crew of the steam fire boat "William M. Flanders."

Order to furnish armory of Company K, Ninth Regiment, at a cost of \$300.

Order for Committee on Fire Department to consider the subject of a new house for Hook and Ladder Company No. 4.

Order to charge to appropriation for Incidentals the expense of printing the Ward 5 contested election case.

Order to provide school accommodations for children removed from Old Roxbury Almshouse. Referred to Committee on Public Instruction.

Order for purchase of horses and supplies for the use of the Fire Department during this municipal year.

Order for Chief-Engineer to cause all necessary repairs to be made on the several engines, hose and hook and ladder carriages during the present municipal year.

Order to pay the Atlantic Works \$4646 69, for materials furnished to the steam fire boat.

Report and order authorizing to be issued to the commissioners appointed in conformity to the legislative act of December 7, 1872, bonds of the city for negotiation to the amount of five millions of dollars.

Order to cause the skylights of the entry in the City Hall to be arranged so as to be opened when required.

Order for the Annexation Commissioners to procure plans and clerk hire which may be required by them.

ADDITIONAL APPROPRIATION FOR THE CITY HOSPITAL.

A request was received from the Trustees of the City Hospital, for an additional appropriation, as follows:

Gentlemen—The Trustees of the City Hospital have to inform you that the probable expenditures of this institution will exceed the appropriations made for the current year by the sum of about eleven thousand five hundred dollars, and we respectfully ask you for a further appropriation of that amount.

This deficiency is caused chiefly by the expenditures for the maintenance of the Smallpox Hospital on Albany street, amounting to \$10,352 38, which were not contemplated when the original appropriations were asked for.

Respectfully submitted,

E. C. DREW, President.

Referred to Committee on Finance.

ADDITIONAL APPROPRIATION FOR PRINTING.

Alderman Power, from the Committee on Printing, made a request for an additional appropriation of five thousand dollars, for the estimated expenses of the remainder of the financial year chargeable to the general printing account. The committee present the following statement from the Superintendent of Printing:

To the Committee on Printing—I have been notified by the Auditor of Accounts that the balance of the General Printing appropriation will be reduced to \$371 51, after payment of the February draft, requiring an additional appropriation for the two subsequent monthly payments.

The appropriation for the current year was \$30,000, being \$5000 less than the preceding year. The expenditures from this appropriation have been as follows, according to a statement from the Auditor's office:

Printing, etc., by City Printers	\$12,163 19
Printing stock	3,475 87
Stationery	2,970 30
City Bonds	4,390 00
Transcript reports, City Council	3,863 18
Salary Superintendent of Printing	2,083 33
Directories	300 00
Military passes to Burnt District	88 47
Advertising	11 75
Other expenses	282 40
	\$29,628 49
Balance	371 51

Appropriation

\$30,000 00

This appropriation supplies printing and stationery for the City Council, City Clerk, Assessors, Treasurer, Auditor, Solicitor, and offices having no other appropriation; also the Transcript reports, city bonds, etc.

The present appropriation would probably have sufficed, but for the unusually heavy expenditure for city bonds, amounting to \$4390, the preceding year being \$190.

There has been a general increase in the amount of work for this account, partly indicated by the increased number of public documents, being one hundred and thirty-four for 1872, and but one hundred and four for 1871. These documents, including the several department reports, are charged to this account, excepting only surplus copies over the usual document edition, that may be required by the departments.

The general printing account, also, carries a considerable amount of stock for the several departments, from its date of purchase to its date of charging to the several department appropriations. The monthly balances of stock on hand vary from \$1000 to \$2000; the amount Jan. 1, 1873, being \$1164.

It is estimated that the amount required for the remainder of the financial year will be \$5000, for printing, stock, stationery, reports of City Council, salary, and other expenses.

GEORGE COOLIDGE,

Superintendent of Printing.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses as follows: John B. O'Brien, to give a concert at Tremont Temple Feb. 6, 1873; James A. Healey, to hold a fair at St. James Theatre for two weeks from Feb. 4; also, licenses to sundry persons as pawnbrokers, victuallers, wagon licenses and for transfer of wagon license, carriage stand. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables as follows: Charles Newhall, to occupy a wooden stable for five horses on Wales street, near Harvard street; A. F. Poole, to occupy a wooden stable for one horse on Humphreys street; Joseph R. Gross, to occupy a wooden stable for two horses near 564 Dorchester avenue; John McCauliff, to occupy a wooden stable for one horse on Haight, corner of Centre place; A. A. Hall, to occupy

py a wooden stable for eight horses on Castle street; W. T. Porter, to occupy a wooden stable for one horse on Woodward avenue; S. F. Marks & Son, to occupy a wooden stable for four horses on Blue Hill avenue; Jeremiah Twooney, to build a brick stable for one horse at 321 Second street. Severally accepted.

Alderman Gibson, from the Committee on Police, made a report recommending the approval and confirmation of the nomination of David W. Herriek as Sergeant of Police. Accepted.

The same committee reported in favor of the confirmation of the nomination of Jacob T. Beers as a Truant Officer. Accepted.

Alderman Cutter, from the Committee on Paving, reported leave to withdraw on the petition of Eli Fernald for leave to occupy a portion of Upton street with a small building, temporarily; and leave to withdraw at the request of the petitioners on petition of Lang & Delano and others, that a portion of India wharf be called India row. Severally accepted.

Alderman Cutter, from the Committee on Paving, to whom was referred an order proposing the revocation of the right to lay tracks by the Metropolitan Railroad Company on Walnut avenue, as far as the West Roxbury line, made a report recommending the passage of an accompanying order of notice:

Ordered, That the Metropolitan Railroad Company be notified to appear before this Board on Monday, the 24th of February, instant, at 4 o'clock P. M., and show cause why the right granted to said company in November, 1855, to lay tracks in Walnut avenue (Roxbury), from Warren avenue to the West Roxbury line, should not be revoked.

The report was accepted, and the order of notice was adopted.

Alderman Clark, from the Joint Standing Committee on Streets, to whom were referred the report and order of the Committee on Streets of the Board of Aldermen, requesting an additional loan of \$2,000,000 for the purpose of widening, extending, grading and paving the streets within the "Burnt District" (so called) made a report recommending the passage of the order.

The report was accepted and the order was passed, as follows:

Ordered, That the Treasurer be and hereby is authorized, under the direction of the Committee on Finance, to borrow the sum of \$2,000,000, the same to be added to the Burnt District Loan.

NOMINATION AND ELECTION OF ASSESSORS.

Alderman Brown, from the committee to nominate candidates for Assessors, made a report recommending the election of Thomas Hills, Benjamin Cushing, Horace Smith, Thomas J. Bancroft, and Daniel H. Whitney.

The Board proceeded to an election, when the several persons named were unanimously re-elected.

SUPERINTENDENT OF COMMON.

Alderman Clark, from the special committee to nominate a Superintendent of Common and Public Grounds, made a report recommending the election of John Galvin. The report was accepted, and the Board proceeded to an election, when Mr. Galvin was elected, by a vote of 11 to 1, for Henry A. May.

SUPERINTENDENTS OF BRIDGES.

Alderman Gibson, from the joint special committee appointed to nominate suitable candidates for superintendents of the several bridges which are under the control of the city of Boston, made a report recommending the election of the following-named persons:

Superintendent of Federal-street Bridge—Jacob Norris.

Superintendent of Dover-street Bridge—Angus Nelson.

Superintendent of Chelsea-street Bridge—Edward T. Stowers.

Superintendent of Granite Bridge—Albert O. Hawes.

Superintendent of Neponset Bridge—John Galvin.

Superintendent of Broadway Bridge—John C. Poole.

Superintendent of Mount Washington-avenue Bridge—George H. Davis.

The report was accepted, and the Board proceeding to elections, each of the above named was unanimously elected.

CITY SOLICITOR.

Alderman Power, from the joint special committee to nominate a suitable candidate for the office of City Solicitor, made a report recommending the re-election of John P. Healy.

Mr. Harrington, of the Common Council, dissented, and presented the name of Oliver Stevens in place of John P. Healy.

The report was accepted, and Mr. Healy was elected by a unanimous vote.

HARBOR MASTER.

Alderman Power, from the joint special committee appointed to nominate a suitable candidate for the office of Harbor Master, made a report, recommending the re-election of John T. Gardner.

The report was accepted, and Mr. Gardner was unanimously elected.

SUPERINTENDENT OF SEWERS.

Alderman Power, from the joint special committee appointed to nominate a suitable candidate for the office of Superintendent of Sewers, made a report recommending the re-election of William H. Bradley.

The report was accepted, and Mr. Bradley was elected by a unanimous vote.

SUPERINTENDENT OF STREETS.

Alderman Bigelow, from the joint special committee appointed to nominate a suitable candidate for office of Superintendent of Streets, made a report recommending the election of Charles Harris.

The report was accepted, and Mr. Harris was elected by a unanimous vote.

ELECTIONS OF OTHER OFFICERS.

Elections of other officers were taken up, the result being the choice of each by a unanimous vote, as follows:

Superintendent of Fire Alarms—John F. Kennard.

Clerk of Committees—James M. Bngbee.

City Registrar—Nicholas A. Apollonio.

City Messenger—Alyah H. Peters.

Commissioner of Cedar Grove Cemetery—William Pope.

Superintendent of Public Buildings—James C. Tucker.

Superintendent of Public Lands—Robert W. Hall.

Water Registrar—William F. Davis.

City Engineer—Joseph P. Davis.

City Surveyor—Thomas W. Davis.

Commissioners on the Public Landing Place in Milton—Edmund J. Baker, E. J. Bispham, E. H. R. Ruggles.

ORDERS PASSED.

On motion of Alderman Gibson—
Ordered, That the Committee on Bridges be authorized to provide new engines for opening and closing the draw of the Broadway bridge; the expense, not exceeding \$4000, to be charged to the appropriation for Bridges.

On motion of Alderman Clark—
Ordered, That the sum of \$1100 be and hereby is appropriated to pay for twenty-five portable fire extinguishers, to replace those destroyed at the fire of Nov. 9 and 10; the same to be charged to the appropriation for the Fire Department.

Ordered, That a bill of James Munroe, Assistant-Engineer of the Fire Department, for personal services amounting to \$31.50, be allowed for payment by the Auditor of Accounts, provided it is approved in the usual manner.

On motion of Alderman Sayward, an order was adopted giving the usual rules and regulations governing the granting of licenses to minors, providing for licenses to be granted on application of parent, guardian or next friend, that they shall attend school two hours each day, the licenses to specify the articles to be sold; the minor to wear his badge in sight, to confine himself to the place specified, not to congregate together, the licenses to be for a definite period, to be exhibited to any officer of this city for inspection, not to be transferred or exchanged, etc.

SCHOOL MODELS AT VIENNA.

Alderman Gaffield offered the following order:
Ordered, That the Board of School Committee be authorized to expend a sum not exceeding \$8000 for the purpose of exhibiting the system of public school education of this city at the Vienna Exposition, to take place in May next; said sum to be charged to appropriation for School Committee.

Alderman Gaffield explained as the plan proposed to occupy a small building of one room, with the usual paraphernalia of desks, furniture, text and reference books, with drawings and photographs of schoolhouses. The General Government would send a person to exhibit it, and the sum named would be the first cost. The furniture would probably sell at the cost in this country. The measure was not strictly legal, yet the citizens would like to have it carried out in stretching a point. He had obtained a note from Mr. Stackpole, stating as the opinion of the City Solicitor, that it was not legal.

Alderman Power said they had spent a greater part of the afternoon in a discussion of the subject of economy. This question was strictly an illegal one, but if the school system of Boston was a defective one, he would be willing to expend money for the purpose of improving it. There was no need of this expenditure, and if it was a matter of pride in rela-

tion to our schools, the United States Government should pay the bills. The expense would be about as much as was spent for junketing last year.

Alderman Brown said he had the assurance that any furniture needed would be furnished free of cost.

Alderman Power said that would not alter the case, for the committee came here for a certain amount to be appropriated.

Alderman Hulbert stated that Alderman Gaffield spoke to him about this matter before the meeting of the Board, and he replied that he would think of it. On consulting the City Solicitor, he was assured it was not legal. They were under solemn bonds and rules, as trustees are, and their action must be limited. He appreciated the motives for the proposed action, but could not vote for it.

As representatives of the Government, burdened with expenses, they could not expend a dollar which the exigencies or wants of the city do not require. The citizens were not aware of the amount of expenditures which would be required the present year, when a million of dollars did not look larger than a button. It was neither lawful nor expedient to make this expenditure, and while he should be glad to have our school system represented, unless citizens put their hands into their private purses he could not see how it could be done.

Alderman Gibson said he fully indorsed the views of the Alderman.

Alderman Gaffield said the report was authorized before the opinion of the City Solicitor was obtained, and as the exhibition was one to which all nations were expected to contribute, it was desirable that they should respond, inasmuch as in 1876 a centennial exhibition would be held in this country, by which something might be gained to our educational systems, if we respond to this.

Alderman Power said the little education he had was obtained in the Boston schools, and while he had as much pride in the schools as any one, he did not think we should be justified in this expenditure of money. If the City Solicitor's advice was worth anything, we had no right to pass an order in which the expenditure was so clearly illegal as in this one.

Alderman Stebbins asked the Chair to rule that the order was not properly before the Board, not being legal.

The Chair ruled that the order lies over.

Alderman Stebbins said his request was that the order be ruled out, not being legal.

The Chair did not so understand the request, for, on the same ground, he might have ruled out the order to open the library on Sundays.

The order was laid over.

Alderman Quincy offered the following order:

Ordered, That the City Messenger be authorized to procure official badges of the pattern adopted by the

last Board of Aldermen for such members of the present Board as are not provided therewith, at an expense not exceeding three dollars per badge.

Alderman Hulbert wished to know the use of such badges.

Alderman Clark stated that the Board of Aldermen did not have any badges last year, until the fire, and it was found necessary to have them in order to the proper discharge of their duties in getting access to the burnt district.

Alderman Quincy believed it to be desirable to have some distinctive badge by which they might at all times discharge their duties.

Alderman Sayward suggested that the furnishing of badges was illegal, and every member should get his own and pay for it.

An amendment was accepted to add the words "to be paid for by such members," and the order was passed.

Alderman Clark rose to a personal explanation in relation to a paragraph published in the Commonwealth alleging that a greater price was paid for the land for the Swett-street hospital than it was offered for to an individual previously, the price paid being \$75,000, while \$40,000 was the price at which it was offered.

As evidence on that point he wished to read the following letter:

Boston, Feb. 3, 1873.

Dear Sir—An article in the Commonwealth, January 25, conveys a false impression as to the land sold for a smallpox hospital on Swett street, as appears by the books of the corporation. As treasurer of the Roxbury Central Wharf Company, I sold that land to the city for \$75,000, allowing no one any commission or brokerage, and receiving the whole sum for the benefit of the corporation. I never bonded or offered to bond the land for \$40,000, or for any other sum, nor did I ever offer it for sale or fix a price for it until I sold it to the city of Boston. I would further add, that \$75,000 is the lowest sum for which I would sell the above lot under any circumstances.

A. D. WILLIAMS.

J. T. Clark, Esq., Alderman.

Alderman Clark stated further that the land in question was worth \$1 per foot, and the company sold it to the city only in the expectation that thereby they would secure the extension of Swett street, and increase the value of their remaining land.

ORDERS OF NOTICE.

On petition of Joseph Watson, for leave to locate and use a steam boiler and engine at 127 Portland street. Hearing Monday, Feb. 24, 4 P. M.

On petition of Bartlett & Richardson, for leave to locate a steam boiler at 389 Broadway. Hearing Monday, Feb. 24, 4 P. M.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

FEBRUARY 6, 1873.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Edward O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The annual report of the Commissioners on Bridges between Boston and Cambridge, the quarterly reports of the Overseers of the Poor and of the City Registrar, the communication relative to the appointment of members of the Common Council as special police officers without pay, and the petition of the Trustees of the Prince Library, were severally ordered to be placed on file.

The petitions of John H. Roberts, Hannah Sullivan, Philp McDonough, Robert Irwin, M. C. Murray, Joseph K. and Mary J. Melcher, Winchester & Hight, and of Washington Hook & Ladder Company No. 4, were severally referred, in concurrence.

The following references were concurred in:

References to the Committee on Finance of

1. A request for an additional appropriation of \$11,500 for the City Hospital. (Printed City Doc. No. 19, 1873.)

2. A request for an additional appropriation of \$5000, for General Printing. (Printed City Doc. No. 22, 1873.)

The following order was passed, in concurrence:

Report in favor of the passage of the order authorizing a loan of \$2,000,000 to be added to the Burnt District Loan, and passage of said order.

The following orders were severally read once:

Order that \$1100, to pay for twenty-five portable fire extinguishers, to replace those destroyed by fire November 9, 1872, be appropriated.

Order to pay James Munroe, Assistant Engineer of the Fire Department, \$31 50, for personal services, provided the bill be approved in the usual manner.

The rules in relation to the order of business were suspended, for the purpose of taking up the unfinished business.

OPENING OF THE PUBLIC LIBRARY ON SUNDAYS.

On motion of Mr. Flynn of Ward 7, the report in favor of the order for the opening of the reading rooms of the Public Library from 2 to 9 P. M. on Sundays, and the dissent of Charles Hulbert therefrom, was considered.

Mr. Cudworth of Ward 11, said he had asked for the postponement of the order for the purpose of further considering it, and on that consideration he was opposed to its passage. There may be many things in favor of its adoption, and many against it. There could not be many persons who could get much good from visiting the library on Sunday, and the probabilities were that it would simply be a place of resort. In that respect the opening of the library would be very exceptionable, affording a place only for those who are wandering about the streets, and it would not add to the good order or good habits of the city. That would be one reason why he should object to opening the library on Sunday.

Objection would be made by him also from conscientious scruples. There being six days in the week for the purpose of taking books from the library, it would be more creditable to the city to have the library closed on one day, rather than have a place for persons to loiter away their time and be in the way. They had been told by the City Solicitor that it would be illegal, and that they had no right to open the library on Sundays. If they employ a man to tell them what is legal, and one who knows what is the law, they should be willing to take his advice in the matter, and the library should not be open to anybody. They should respect the law and not trample it down, and for these reasons it was clear to him that it was his duty to vote against the order.

The question was taken and the order was passed, by a vote of 47 yeas, 10 nays, as follows:

Yeas—Abbott, Adams, Anderson, Barnes, Bicknell, Blackmar, Brackett, Brennan, Burditt, Burt, Caton, Collins, Dacey, Darrow, Davis, Dean, Denny, N. Doherty, Edwards, Flatley, Flynn, Hall, Harrington, Holmes, Jones, Kelley, Kingsley, Loring, Madden, Marston, Martin, McCue, McKenney, Perkins, Pickering, Powers, Risteen, Shaw, Thacher, Train, Upham, Warren, Wells, West, Whiston, Woods, Woodward.

Nays—Bowles, Cudworth, Hine, Morse, Page, Pease, Prescott, Tower, Weston, Wilbur.

Mr. Flynn moved a reconsideration of the vote, which was lost.

The following orders were severally read the second time and passed:

Order that \$1940 be appropriated to pay the bill of steaming Louis Osborn, for services at the fire of November 9 and 10, and during the following week.

Order that the bill of S. B. Heustis, of \$17, for extra service as a police officer, be allowed for payment, provided it be approved in the usual manner.

EXPENDITURES FOR REFRESHMENTS.

The order for the Auditor to submit a monthly statement of the expenditures on account of refreshments for standing or special committees of the City Council, or either branch, was taken up.

Mr. Flynn of Ward 7 offered the following order as a substitute for the order of the Board of Aldermen:

Ordered, That from and after this date, no committee shall approve, nor shall the Auditor audit, nor shall the Treasurer pay any bill contracted by any committee of the City Council, or of either branch or any member thereof, or any bill contracted by any member of the City Council for refreshments of any name or nature, or for carriage hire, unless said bill is contracted under a special vote of the City Council passed prior to contracting the same.

The yeas and nays were ordered on the final passage of the order.

Mr. Pease of Ward 1 rose to a personal explanation. According to the published reports of the Board of Aldermen, one of the Aldermen stated that the committee to nominate a candidate for City Messenger met and had a dinner at an expense of \$41. The statement was false in every particular, as the committee were together but three minutes, when a nomination was made unanimously and the committee dispersed.

Mr. West of Ward 16 believed the gentleman was mistaken as to the reference to the committee of the present year, and thought the statement had reference to a previous committee.

Mr. Pease replied that no year was mentioned, but as it was published, and generally believed, the reference was to the report of the committee of the present year. He believed the report of the doings of the Board would bear out his idea.

Mr. Perkins of Ward 6 said he could not vote for the substitute, and he did not know whether the mover believed it would be adopted. If it should be, it would seriously interfere with the public business, for in the case of carriage hire, it could not be known when carriages would be needed so that they could be provided at a meeting of the Council prior to their being wanted. Suppose that carriages might be needed to go to a distant part of the city, a delay must occur in going, or the members of the committee go on foot, for they could not reach all points by cars.

The adoption of such an order might do for tactics, but he thought it undesirable. The order of the Board of Aldermen must have had in view one of two things—either that the Auditor would be required to report the name of the chairman of the committee, or in his absence that of the senior member of the committee, or the names of every member who took part in the dinner. If it required only that the chairman's name be given it was well enough, but if it was designed that every member of the committee who goes to the dinner should be served up for the instruction of the public, it was objectionable.

The hardest workers were not always the largest eaters, and there was no reason why members of the City Council, when on public duties, should not dine at the expense of the city. If the expense was to be incurred, and the chairman of the committee approve of it, he had no objection; and if any one wished to see how many dined, they could find out, by going to a little book, which would show it. If the order of the gentleman was to be adopted, so much as related to carriage hire should be cut off, as a proper expenditure. If it was intended to make the Board of Aldermen eat their own words, he was opposed to it, and did not believe in it.

Mr. Wells of Ward 3 said he was in favor of the substitute, for one Alderman said the order was passed there to keep the Common Council in check. As far as he was concerned, he was ready to go to the park, or anywhere else outside of the city, without an expense for carriage hire. The members of the Board have passes, and in that respect have an advantage over members of the Council. As far as eating and drinking was concerned, he could live one year without it, and the members of the Council should be willing to go with him one year. On the report of the proceedings of the Board, the newspapers say the Board have got the Council. He

would pass the substitute, and see whether the Board could live as long as we can.

Mr. Flynn of Ward 7 said he offered the order in good faith and he wished the Board of Aldermen to be consistent. The members of the Board dined before their meeting, and twenty minutes after the adjournment five out of six dined at Parker's at the expense of the city.

Mr. Dean of Ward 12 said he was inclined to vote for the substitute, because after its adoption they could strike out the provision relating to carriage hire. He did not like the order of the Board of Aldermen, believed it to be an undignified procedure, and should regret to belong to a body of full-grown men who seek to hold up members of the City Council to ridicule. It might be well enough in schoolboys, to induce them to improve in manners and conduct, but not in full-grown men, to report their misdoings.

If it was designed for a criticism of their fellows to hold them in check, it was undignified. He did not believe in bantering with the other branch, but believed they might adopt the substitute with the provision relating to carriage hire struck out. Public business could not well be transacted without carriage hire. They all knew that members of the Board of Aldermen must sacrifice thousands of dollars a year in time spent in the public service, and the expenditure for carriage hire would be but a trifling amount. He was willing to vote for the substitute and give the order a fair trial.

Mr. Perkins said he understood the Auditor had given as his construction of the order that the name of every member of a committee who took part in a dinner should be published, and if so he should vote for the substitute, to be amended by striking out the provision relating to carriage hire.

Mr. Denny of Ward 9 inquired how it was proposed to amend the order.

Mr. Dean replied that the order forbids the furnishing of refreshments at the expense of the city, also the furnishing of carriages. The latter provision was very important, because business could not be transacted without the use of carriages. The Paving Committee perhaps every day may be required to go to distant parts of the city, and they could not get along without carriage hire. He proposed to strike out the provision relating to carriage hire.

Mr. Denny said he was not tender-footed in the matter, and believed the city should pay for carriage hire, and if business was to be transacted the city should also pay for eating, when necessary. Neither would the citizens object to anything reasonable being expended for carriage hire or refreshments. The Board of Aldermen no doubt passed its order in good faith, and as there were forty committees, thirty-three of which were joint, he supposed the chairman of each would indorse all orders for carriages and refreshments and the responsibility for such expenditures would rest on the Aldermen. Between the two the Board of Aldermen were the greatest eaters, and any stigma there might be would fall on them.

It could not be expected by the gentleman from Ward 7 that his substitute would pass the other branch, and as the United States Senate recently passed an act to abolish the franking privilege in the belief that the House would kill it, but they were taken at their own action, much to the satisfaction of the people, so as the Board of Aldermen had passed the order under consideration, he was in favor of passing it. In his own case, he would not hesitate to assume the responsibility of ordering carriages or refreshments when necessary, not fearing that public opinion would be against him in the slightest degree.

Mr. Dean moved to amend the substitute by striking out so much as referred to carriage hire.

Mr. Wells said he did not know why they should strike out carriage hire. There were only a certain few who had the benefit of carriage hire. The Council were of no more consequence than the fifth wheel of a coach after the appropriations were made.

Mr. Perkins rose to a question of order in the reflections upon the Council.

Mr. Wells said he did not believe in members of the Council having carriage hire, and in seven years in the Council he never rode twenty times at the city's expense. The adoption of the substitute was the proper method of meeting the question.

Mr. Perkins stated in illustration as a good reason why the amendment should prevail, that the Committee on Legislative Business, wishing the Committee of the Legislature to visit the Lunatic Hospital at South Boston, took them there in carriages, where they had an opportunity to see the necessity for a new hospital. With the business which that committee had before them, had they not been taken there it is not likely they would have got them there. The result was very satisfactory, and he should consider the expense a good investment.

Mr. Dean said he agreed mainly with the gentleman from Ward 9, and that the question would resolve itself finally into a passage of the order of the Board. The citizens would not object to reasonable expense for refreshments, he was convinced; but he was willing to give the order a fair trial, with the carriage hire out of the question.

Mr. Blackmar of Ward 11 said that the upper branch, in their action, had assumed that the City Council had been expensive and extravagant, while there was no more economical city than the city of Boston. It was not right that the impression should go abroad that the Government was extravagant and wasteful. The whole expense last year for junketing, and that was a wrong term, for much of it was for necessary items of a different character, would not exceed \$12,000. Some gentlemen give a great portion of their time to the benefit of the city; sometimes sit on committees from two to twelve o'clock, and often to five, six or seven o'clock in the evening, away from their places of business and their homes, with no time to go to dinner or supper. In such cases it was proper and right that they should obtain refreshments at the expense of the city, and by our sanction.

There was no member of the City Council who was guilty of extravagance last year, for some years the expenses had been \$30,000, and these had been reduced down to \$12,000. This was not a wide range for so many members of the Government. Yet it might be well to pass the order and place the responsibility where it belongs, on the Board of Aldermen. The Council should stand on its dignity and make a clean showing in the matter.

Mr. Pickering of Ward 6 said he agreed with the gentlemen from Wards 9 and 12 generally in their views. There were some needs of reform, but they should be governed by a sense of propriety. He should prefer the substitute to the original order, but did not like either. The order of the other branch appeared like that of the whipping of a school boy for tricks on the master, and he had hoped that something would be adopted more satisfactory. The expenditure of \$12,000 last year was but fifty cents a day for each of them, and that was making the members a cheap lot. If they were not worth that, they had better get rid of them, and the better it would be for them and for the city.

The question was taken on the amendment of Mr. Dean, to strike out carriage hire, which was lost, 25 to 31, when the substitute was adopted, by a vote of 35 to 9.

As adopted, the substitute was passed, by a vote of 44 yeas to 15 nays, as follows:

Yeas—Abbott, Adams, Anderson, Barnes, Blackman, Bleiler, Brackett, Brennan, Burt, Caton, Collins, Cudworth, Dacey, Davis, N. Doherty, Edwards, Flatley, Flynn, Hall, Harrington, Hine, Jones, Kelley, Kingsley, Loring, Madden, Marston, Martin, Morse, Page, Pickering, Powers, Prescott, Risteen, Shaw, Thacher, Train, Upham, Warren, Wells, West, Whiston, Woods, Woodward.

Nays—Bicknell, Bowles, Burditt, Darrow, Dean, Denny, Holmes, Lamb, McCue, McKenney, Pease, Perkins, Tower, Weston, Wilbur.

Mr. Flynn moved a reconsideration of the vote, which was lost.

ELECTION OF ASSESSORS.

The report nominating Thomas Hills, Benjamin Cushing, Horace Smith, Thomas J. Bancroft and Daniel H. Whitney as Assessors was accepted in concurrence, and the Council proceeded to an election, the whole number of votes being 58.

Thomas Hills had.....	52
Benjamin Cushing.....	56
Horace Smith.....	52
Thomas J. Bancroft.....	57
Daniel H. Whitney.....	56
Scattering.....	3

Messrs. Hills, Cushing, Smith, Bancroft and Whitney were declared to be elected, in concurrence.

Certificates of elections were read, and elections took place as follows:

CITY MESSENGER.

Whole number of votes 59, all of which were for Alvah H. Peters.

SUPERINTENDENT OF PUBLIC BUILDINGS.

Whole number of votes 53, all of which were for James C. Tucker.

CLERK OF COMMITTEES.

Whole number of votes 50, all of which were for James M. Bugbee.

The reports nominating persons for election to office in various departments were accepted, in concurrence, and elections took place with results as follows:

SUPERINTENDENT OF SEWERS.

Whole number of votes 47, of which 45 were for William H. Bradley and 2 for others.

CITY SURVEYOR.

Whole number of votes 44, all of which were for Thomas W. Davis.

HARBOR MASTER.

Whole number of votes 41, all of which were for John T. Gardner.

SUPERINTENDENT OF STREETS.

Whole number of votes 53, of which 50 were for Charles Harris and 3 for two other persons.

SUPERINTENDENT OF COMMON.

Mr. Powers of Ward 4 inquired if Mr. Galvin, the nominee of the committee, was a resident of this city.

The Chair replied that he was unable to state.

Mr. Perkins of Ward 4 said Mr. Galvin voted in Ward 4 at the last election.

The result of the ballot was declared to be as follows:

Whole number of votes.....	52
Necessary to a choice.....	27
John Galvin.....	35
William E. Doyle, Jr.....	9
John Glavin.....	5
Henry A. May.....	2
H. Glandel.....	1

Mr. Galvin was declared to be elected.

Mr. Dacey, chairman of the committee on counting votes, subsequently asked to be allowed to correct the report, in which he stated that the five votes for John Glavin were for an ineligible candidate.

The Chair stated that the result would not be effected.

COMMISSIONERS ON PUBLIC LANDING PLACE IN MILTON.

Whole number of votes 49, of which E. J. Baker, E. J. Bispham and E. H. R. Ruggles had 47 each, and there were 4 scattering.

SUPERINTENDENT OF PUBLIC LANDS.

Whole number of votes 47, of which 46 were for Robert W. Hall, and one for Angus Nelson.

SUPERINTENDENT OF FIRE ALARMS.

Whole number of votes 48, all of which were for John F. Kennard.

CITY ENGINEER.

Whole number of votes 47, all of which were for Joseph P. Davis.

CITY REGISTRAR.

Whole number of votes 39, 36 of which were for Nicholas A. Apollonio, and 3 for three other persons.

CITY SOLICITOR.

Whole number of votes 50, 25 of which were for John P. Healy, and 25 for Oliver Stevens, and there was no choice.

Mr. Perkins said it should be the object of the Council to get the best man, and as absent members should be consulted, although they should have been here, and as it was late, he moved that the election of City Solicitor be postponed one week.

Mr. Dacey of Ward 2 said the same reason might have been given for postponing other elections, and it might happen that not so many members would be present next Thursday night.

Mr. Perkins said the office was the most important one in the city, and they should hesitate long before turning out the present City Solicitor.

The motion to postpone was lost, by a vote of 17 to 23.

The second ballot resulted the same as the first, in 25 votes for each candidate.

The third ballot resulted in the choice of Mr. Healy by a vote of 28 to 23 for Oliver Stevens.

On motion of Mr. Perkins, the remaining elections were postponed to the next meeting of the Council, and the City Messenger was authorized to have the names of candidates for Superintendents of Bridges printed on one ballot.

PETITIONS PRESENTED AND REFERRED.

Jane Logue, for compensation as a smallpox nurse. Referred to Committee on Health.

John Keenan, for compensation for damages to property. Referred to Committee on Claims.

AUDITOR'S MONTHLY EXHIBIT.

The monthly exhibit of the Auditor was presented in print, it being an exhibit of the general and special appropriations for the present financial year of 1872-73, as shown in the books in his office, February 1, 1873, including the February draft, being ten months' payments of the financial year—exhibiting the original appropriations, the amount expended, and the balance of each unexpended at that date. A recapitulation gives the following result:

	Appropriations, Revenues, etc.	Expended.	Unexpended.
General.....	\$9,904,419 01	\$8,268,512 88	\$1,635,876 16
Special.....	8,406,054 63	3,960,726 60	4,445,328 03
	\$18,310,473 67	\$12,229,269 48	\$6,081,204 19

Ordered to be sent up.

REPORT OF COMMITTEE ON ELECTIONS.

Mr. Bicknell of Ward 4, from the Committee on Elections, to whom was referred the petition of William M. Flanders and others, representing that George A. Shaw was not a resident of Ward 5 at the date of the last municipal election, and that the fact of his non-residence was publicly known to the voters of said ward who voted for him at said election, having notified, met and heard the parties, with their evidence and the arguments of their respective counsel, submitted the following report:

The ground of the petitioners' objection to Mr. Shaw's occupying a seat in the Council is, that he was not, when elected, an "inhabitant" of Ward 5, as required by the city charter, section twenty.

On this question witnesses were brought forward on behalf of the petitioners and Mr. Shaw, and from their testimony it appears as follows:

In 1866 Mr. Shaw's domicile was in the United States Hotel, in Ward 5. This was proved and was not disputed.

In the autumn of 1866, or early in 1867, Mr. Shaw removed with his family, consisting of his wife, his son and daughter, to a house in Marion street, in Brookline.

It was not clearly shown to whom this house belonged, but it appeared to have stood in the name of Mr. Shaw's wife.

From the time of said removal Mr. Shaw continued to live in Marion street with his family until November, 1872.

In November, 1872, Mr. Shaw removed from Brookline. He afterwards appears boarding in Tremont street, in Ward 10 or 11. The house in Marion street was sold.

Since 1868 Mr. Shaw has returned annually to the hotel, and has there passed the night of April 30 and the day of May 1, being accompanied in 1870, 1871 and 1872 by his wife.

No room appears to have been kept exclusively for him in the above-named hotel since his removal to Brookline.

These are the facts relating to Mr. Shaw's actual place of residence since his removal from Ward 5 in 1866 or 1867.

The evidence of Mr. Shaw's intentions, so far as the same affect the question of domicile, is as follows:

Mr. Shaw has continuously, since his removal from Ward 5, declared that he was an "inhabitant of," or that his "residence" was in Ward 5, and that he intended to continue an inhabitant or resident of said ward.

And he has accordingly been assessed as a resident in Ward 5, from 1858 to 1873 inclusive, for tax on poll and personal property.

One witness says that Mr. Shaw avowed to him his intention to return to reside in Ward 5.

There was evidence to show that Mr. Shaw removed to Brookline to take care of his wife's father and mother, the former of whom was an old man and in ill health.

Mr. Shaw has voted in Ward 5 with few exceptions, and taken part in the municipal affairs of the ward, and he has been on the register of voters in Boston for the last ten years.

Mr. Shaw has never voted in Brookline nor taken part in municipal affairs there, but has disclaimed all right so to do, on the ground that he was an inhabitant of Boston, and he has paid no poll nor personal-property tax in Brookline.

Since 1866, Mr. Shaw has held office as an inhabitant of Ward 5, having acted as Warden *pro tem.*, in June, 1869, and as Representative to the General Court in 1872. In 1869 he was appointed a commissioner on the part of Boston on the annexation of Dorchester, by Mayor Shurtleff.

When elected a director of the Western Railway on the part of the State, in 1867, the ballots were printed "George A. Shaw of Brookline," as appears by the journal of the House, March 6, 1867. But in the Manual of the Legislature published in 1868, he is entered as George A. Shaw of Boston. It in no way appears that the above-mentioned ballots were printed by Mr. Shaw or under his direction, or that he authorized the said descriptive words, "of Brookline."

These are the facts proved in the case.

Certain questions of law met the committee on the threshold, and accordingly a letter was addressed to the City Solicitor, who returned the following reply:

CITY SOLICITOR'S OFFICE,

2 PEMBERTON SQUARE, BOSTON, Feb. 4, 1873. }

Sir—I have considered the questions you proposed to me, and my answers to them are as follows:

Question 1—If Mr. Shaw had a legal domicile in Ward 5, in Boston, in 1866, and in that year removed himself and his family to Brookline, and there remained until November, 1872, and since 1866 had no house, room, or other place of actual abode in Ward 5, was his domicile in Boston necessarily lost?

Answer—Not necessarily.

Question 2—If, in the case above stated, Mr. Shaw had passed yearly the nights of April 30 and May 1 in Ward 5, would that fact have made his domicile necessarily in Ward 5?

Answer—No. I regard the passing of these nights in Ward 5 as of no significance whatever. He might as well have selected any other two nights for the purpose, or passed no nights in that ward.

Question 3—If Mr. Shaw were living, as first above stated, in Brookline, would a declared intention to continue an inhabitant or resident of Ward 5 necessarily be equivalent to a declared intention to return to reside in Ward 5?

Answer—Not necessarily. If, however, he understood the law, he could not suppose that his residence could be retained in Ward 5, unless his intention was to return there.

Question 4—If Mr. Shaw went to Brookline, as above stated, and remained there for any length of time, with no definite intention to return to reside in Ward 5, and with no intention to leave Brookline at any definite time, would his domicile be in Boston, or would it be in Brookline?

Answer—In Brookline.

I am, very respectfully,

Your obedient servant,

J. P. HEALY.

E. J. Holmes, Esq.

It is an axiom of the law of domicile that an old domicile is retained until a new one is acquired.

And that to acquire a new domicile there must be the union of actual residence with the intent to have a domicile at such place of residence; or actual residence, with no definite intention of returning to the old place of domicile, and no intention to leave such place of residence at any particular time.

See *Hallet vs. Basset*, 100 Mass., 167; *Sleeper vs. Paige*, 15 Gray, 349; *Whitney vs. Sherbourne*, 12 All., 111; *Farlee vs. Runk*, Cont. Elections in Cong., 1834-1865, p. 87; *Miller vs. Thompson*, *Ibid.*, p. 118.

In the opinion of the committee, then, the case is as follows:

Mr. Shaw was domiciled in Ward 5 in 1866, and at the end of that year moved with his family from Ward 5 to Brookline, where he remained until November, 1872.

In November, 1872, Mr. Shaw moved into Ward 10 in Boston, and has since remained there up to the present time.

Mr. Shaw has, from 1866 up to the present time, always claimed and exercised the rights, and has been subject to the duties and burdens, of an inhabitant in Ward 5; and he has represented the ward in different capacities since his removal to Brookline in 1866. As to Mr. Shaw's intentions, as effecting his domicile, Mr. Shaw has always professed an intention to continue an "inhabitant" or "resident" in Ward 5, and has accompanied his declarations with acts he deemed necessary to give such declarations validity for the purpose of retaining his domicile; viz., passing the night of April 30 in Ward 5 annually.

The committee are aware that declaring an intention to continue an inhabitant of Ward 5, and an intention to return to reside in Ward 5, are not necessarily the same thing.

Mr. Shaw might have thought that all that was necessary to do to retain his domicile in Ward 5, was to pass the night of April 30 in the Ward and pay his taxes there; and thinking so, might have said, "I will do these things, and can and will thereby retain my domicile in Ward 5, although I never intend to return to reside in Ward 5." Having done such acts he might say, "I am an inhabitant of Ward 5," when in fact he was mistaken and was not.

If this had been the state of the case, Mr. Shaw might have lost his domicile in Ward 5.

The committee have given this view its full weight, but do not think the case was as last supposed.

There is no testimony to show that Mr. Shaw has not always had a definite and clearly defined intention to return to reside in Ward 5, or an intention to return to reside there at a definite time.

The testimony of Mr. Homer is that Mr. Shaw has distinctly declared such an intention.

Opposed to this and the other evidence in support of Mr. Shaw's intention to return to reside in Ward 5, is the fact that he has not returned to reside in that Ward. The committee are of opinion that this fact is not sufficient to prove an intention in Mr. Shaw not to return to reside in Ward 5.

See *Hallet vs. Basset*, 100 Mass. 167; *Bremer vs. Bremer*, 1 Deane, 192; *Colleston vs. Hailey*, 6 Gray, 517.

The presumption is that Mr. Shaw's domicile is in Ward 5 in the absence of evidence to the contrary.

The committee therefore report, that, in their opinion, George A. Shaw was an inhabitant of Ward 5 at the date of the last municipal election, and is entitled to a seat in this Council as a member from Ward 5.

WILLIAM E. BICKNELL,
GEORGE L. BURT,
EDWARD J. HOLMES,
EDWIN H. WOODS,
WILLIAM G. TRAIN,

Committee.

The committee refer, on the points made in their report, to the various matters of testimony fully reported, making eighty-two printed pages.

On motion of Mr. Page of Ward 9, the report was laid over for consideration at the next meeting of the Council.

Mr. Denny of Ward 9, from the Committee on Health, on the petition of C. Erving Fisher, Assistant Port Physician, reported an order to pay Dr. Fisher \$700 as compensation for extra services from 1st September, 1872 to 1st January, 1873.

The report was accepted and the order was passed.

On motion of Mr. Denny of Ward 9—

Ordered, That the Committee on Legislative Affairs be requested to procure such a change in the city charter as to provide that the erection and control of stables shall be under the charge of the City Council instead of the Board of Aldermen.

On motion of Mr. Flynn of Ward 7, an order was read once, that the Mayor be requested to petition the Legislature for authority to the city to take the whole or part of the land bounded by Northampton, Eustis, Albany and Washington streets.

On motion of Mr. Wells of Ward 3, an order was passed to procure suitable badges for the Messenger, Assistant Messenger and other officers of the City Government.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

FEBRUARY 10, 1873.

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

PETITIONS PRESENTED AND REFERRED.

Charles Shuler, for leave to occupy a wooden stable for one horse on Saratoga street, No. 472.

Allen & Guthrie, for leave to occupy a wooden stable for two horses at 156 Border street.

A. Firth, for leave to occupy an iron stable for twenty-five horses on Atlantic avenue, near Commercial wharf.

M. T. Downing, for leave to erect fifty additional stalls in stable on Fourth street, South Boston.

Severally referred to the Committee on Health, on the part of this Board.

Betsey D. Rich, for apportionment of Cliff-street betterments.

Christian Brown, for apportionment of Cliff-street betterments.

Potter, White & Bailey, to be paid for land taken at Nos. 55 and 57 Pearl street, for the extension of Franklin street.

Severally referred to the Committee on Streets.

Henry A. Richards, for the application of his "fire escape" to the public buildings. Referred to the Committee on Public Buildings.

Sarah M. Allison, to be paid for damages sustained by the raising of the grade of Sawyer street.

Maria McNamara, to be paid for grade damages on Fourth street.

Ellen F. Ciley, to be paid for grade damages on Howard avenue.

Severally referred to the Committee on Paving.

Christopher J. Spenceley, for extension of the Sawyer-street sewer.

Amelia Frosin, to be paid for damages caused by a defective sewer in Halleck street.

Severally referred to the Committee on Sewers.

Shoe & Leather Dealers' Insurance Company and others, that a steam fire engine be located on Charles street, near Poplar street.

Samuel R. Russell, for leave to attach a turbine wheel to the water pipes, as an aid in extinguishing fires.

Referred to the Committee on Fire Department.

A. C. Norcross, for a license as a pawnbroker at No. 92 Court street.

Joseph Hooker, Post 25 G. A. R., for license for a dramatic exhibition at the St. James Theatre.

James Stevenson, for leave to give a variety entertainment at the St. James Theatre, March 1.

Severally referred to the Committee on Licenses.

Rev. W. F. Mallalieu and seventy-three others, against the opening of the Public Library on Sunday. Ordered to be sent down.

An invitation was received from the Protestant Association to be reviewed by the City Government, at the City Hall, on the 22d of February. Ordered to be sent down.

QUARTERLY REPORT OF THE CITY CLERK.

The City Clerk reports that for the quarter ending January 31, 1873, he has received as fees in his official capacity the following sums, viz.:

Recording mortgages of personal property, assignments, liens, etc.	\$635 15
Licenses of billiard rooms	147 00
" auctioneers	76 00
" intelligence offices	3 00
Use of Faneuil Hall in 1872	218 00

Total.....\$1079 15

All of which has been paid to the City Treasurer.

Ordered to be sent down.

SAFETY OF THEATRES FROM FIRE.

The following communication was received from David Chamberlin, Inspector of Buildings:

FEBRUARY 10, 1873.

To the Honorable the City Council:

Gentlemen—Pursuant to your request, I have personally examined the several theatres in this city, "to ascertain whether sufficient precautions are taken in the preparation of the scenery and other theatrical effects, and what legislation, if any, is necessary for the public safety," and respectfully present the following report:

The places included in the above order comprise the Boston and Globe theatres, the Boston Museum and the Howard Athenæum. The managers of each

of these places afforded every facility to obtain the necessary information, and I am indebted to them for their courtesy and willingness to afford any information bearing on the subject.

I am informed by each of them that the canvass used for the scenery is prepared in a solution of alum; the paint is laid on with glue sizing, fixing a coating which will not readily ignite, so that when the scenery is brought into contact with flame, as I know from practical test on the premises, it will not blaze, but simply smoulders and smokes, thereby giving the alarm, and gradually dies out.

In the Boston and Globe theatres and the Museum excellent arrangements are made for the prevention and extinguishment of fires. The gas jets are protected by wire screens and globes and tin shields, and hose and pipes connected with the Cochituate water pipes are kept on the stage ready for immediate use. At the Howard Athenæum this last precaution is not taken, the reason given being that the supply pipe is not of sufficient size to admit of hose being used.

At all the theatres fire extinguishers are kept ready for immediate use in different parts of the building. Great care is taken to keep everything of a combustible nature away from all source of danger, and watchmen are kept on duty during the night.

In view of the care shown and the present safe condition of the several theatres, I see no reason to recommend any additional legislation, but as the managers have expressed their desire to do anything reasonable that will add to the safety of their buildings, I shall consider it my duty, should circumstances require it, to make from time to time such suggestions as may appear desirable.

Ordered to be sent down.

ANNUAL REPORT OF THE COCHITUATE WATER BOARD.

The annual report of the Cochituate Water Board for the year ending April 30, 1872, was laid before the Board in print, comprising the reports of the Clerk of the Board, City Engineer, Water Registrar, the Superintendents of the Eastern and Western divisions, and the engineer especially employed by this board upon the question of new supply, to which they would refer the City Council for detailed statements of the progress and condition of the water works during the year.

The Board say a perusal of these reports will show the works to be in a very satisfactory condition. The average level of the water in the lake for the year ending Jan. 1, 1872, was 6 50-100 feet above the level of the bottom of the conduit, showing an average loss of 4 46-100 feet from the previous year.

The short supply of water for the year ending May 1, 1871, and the remarkable drought during several succeeding months, caused great anxiety, and the means for securing an additional supply engaged the time and attention of the board. In the month of October last, it was determined to employ an engineer to make surveys, prepare plans and estimates for a scheme of works to furnish an additional supply of pure water.

The board were especially fortunate in securing for this work the services of Mr. Joseph P. Davis, an engineer of large experience and acknowledged ability.

Mr. Davis entered upon the discharge of the duties assigned in the month of November, and as the result of his investigations it was decided to petition the Legislature for the passage of an act authorizing the city to take water from Sudbury River. The Legislature gave early attention to the application, passed an act, which received the approval of the Governor on the 8th day of April, 1872. A copy of the act will be found on page 129.

The City Council immediately made an appropriation to enable us to commence the work, and it is confidently expected that within thirty days from this date we may be able to make a temporary connection between Sudbury River and Lake Cochituate, which will relieve our present needs.

After making the connection, the engineer will proceed with the work of surveys for permanent works to connect Sudbury River, not only with Lake Cochituate, but also with Chestnut-Hill Reservoir.

The augmented territory of the city, and the constantly increasing demand for pure water, renders it imperative that a new conduit to convey water from Sudbury River, or Lake Cochituate, to Chestnut-Hill Reservoir, should be constructed at an early day. The capacity of the present (and original) conduit has been nearly, if not fully, reached.

In constructing a new conduit we should recommend that its capacity be much greater than that of the one now in use.

The engineer has made a detailed report of his labors up to this time, which may be found on pages 114 to 122.

The plan showing the proposed temporary connections has been lithographed, and is submitted herewith.

Consumption of Water. The average daily consumption of water for the year ending December 31, 1871, was 13,945,500 gallons; a decrease, as compared with the previous year, of upwards of one million gallons per day.

With a city rapidly increasing in population, and growing daily in business both of mercantile and mechanical character, this statement may seem strange, but it is easily accounted for in the fact that the community were fully aware of the diminished supply of water, and regulated its use accordingly.

The income from water rates has been \$788,252 5-100, being an increase over the previous year of \$53,461 31-100, and the estimated income for the year ending April 30, 1872, is \$800,000.

The expenses have been as follows:

For the current expenses.....	\$277,120 11
Interest and premium on the water debt.....	536,876 00
	<hr/>
	\$813,996 11
The Treasurer has credited the Water Works for the same year.....	\$840,707 45
The balance shows an excess of receipts over expenditures of.....	\$26,711 34
	<hr/>
Expended on Chestnut Hill reservoir, 26,210 12	
Less receipts.....	1,265 37
	<hr/>
	\$ 29,944 75
Expended in Wards 13, 14, 15, and 16.....	345,372 58
on new Main and Pipes in East Boston.....	37,145 30
Expended on additional Water Supply.....	2,302 81
	<hr/>
	\$409,765 44
Deduct excess of receipts over expenses this year.....	26,711 34
Cost of works May 1, 1871.....	10,571,896 64
Less amounts transferred May 1, 1871, from water debt to city debt.....	1,352,000 00
	<hr/>
	\$9,219,896 64
Making the net cost to May 1, 1872.....	\$9,602,950 71

The amount transferred from the water debt to the city debt, as noted above, materially diminished the sum of interest which has usually been charged annually to the cost of the works, and, as the result of operations, the net gain of receipts over expenditures for the current year has been \$26,711 34, which is very satisfactory when compared with former years.

Eastern Division. This division comprises that portion of the works lying east of the Brookline Reservoir, including the distributing pipes and reservoirs in the city, and is under the superintendence of Mr. E. R. Jones.

During the year there has been laid one hundred and thirty-three thousand eight hundred and thirty feet of main pipe, equal to twenty-five and one-third miles (about one mile more than was laid the previous year), making the total amount laid since the commencement of the work two hundred and nineteen and three-fourths miles.

Connected with these mains are two thousand four hundred and thirty-three fire hydrants; of this number nine hundred and seventy-seven are of the Lowry pattern.

The number of service pipes laid during the year has been two thousand two hundred and seventy-five, measuring seventy-three thousand five hundred and fifteen feet, or about fourteen miles.

Total number of service pipes, May 1, thirty-four thousand nine hundred and seventy.

In June last water was turned into the forty-eight-inch pipes, connecting Chestnut-Hill Reservoir with the main lines. A few defects have been discovered in this line of pipe, only one of which was of a serious character. This was, no doubt, attributable to an imperfect casting; fortunately the breakage was early discovered, the water shut off at the Chestnut-Hill gate house, and comparatively small damage sustained.

Pipes are now being laid from Washington street, Ward 16, through Bowdoin and Church streets, to connect with pipes already laid in Hancock street; when completed, this line of pipes will be supplied with water from the standpipe at the Highlands, and thus houses upon and in the immediate vicinity of Telegraph Hill, South Boston, will be connected with the "high service."

During the coming season connections will be made by means of large-sized pipes through which the Mystic water (by the opening of gates in Charlestown) can be carried to the top of Beacon Hill, if any emergency should arise which would render it temporarily desirable.

This arrangement will be beneficial to the city of Charlestown as well as ourselves.

High Service. The high-service supply, which was

last year connected with Beacon Hill, proves entirely satisfactory.

A considerable portion of territory in Ward 16 will need to be supplied by a connection with the high service; and at a day not far distant it will be necessary to add to our pumping facilities.

Distributing Reservoirs. The Beacon-Hill Reservoir has not been in use during the past year, as the district which it formerly supplied is now connected with the high service, and the board are of the opinion that its sale can safely be made without detriment to the works.

The East Boston Reservoir is in good condition. The South Boston Reservoir is not in perfect order, and within two or three years will need extensive repairs unless its use should be suspended by the introduction of high service in that locality.

Western Division. This division comprises the lake and all that portion of the works lying between the lake and the gate house at the Brookline Reservoir, and its superintendence is in charge of Mr. Albert Stanwood.

The low stage of the water in the lake revealed the fact that the sea wall adjoining the gate house was starting from its position; a portion of the wall has been rebuilt in a thorough and substantial manner, and the balance will be rebuilt at an early day.

In order to keep up the supply during several months of the past year it has been necessary to pump the water from the lake into the conduit; this has been done by the use of two eighteen-inch pumps driven by two twenty-five horse-power engines.

The usual annual examination of the conduit has been omitted, on account of the scarcity of water.

Chestnut Hill Reservoir. This reservoir has been thoroughly tested during the past year, and fully meets the most sanguine expectations of its projectors; as a storage reservoir it is invaluable. Its cost was large, viz., \$2,449,982 07; but we believe it to be one of the most essential features of the water works. The combined capacity of the two basins is 731,472,429 gallons.

Brookline Reservoir. The building and lands about this reservoir are in good order.

The importance of keeping our storage reservoirs full has prevented the cleaning out of the basin, as was contemplated.

Water Registrar's Department. The number of water takers now entered for the year 1872 is 38,716, an increase of 2584 over the previous year.

The number of cases in which the water has been turned off for nonpayment of rates during the year is 936, of this number 734 have been turned on again, and a balance of 202 still remain off.

Meters are attached to a variety of establishments, embracing hotels, railroad stables, manufactories, saloons and buildings occupied by several tenants.

Whole number of meters now in use, 1091.

The number of the various kinds of water fixtures on the premises of water takers January 1, 1872, was 145,786—an increase of 17,552 during the year.

- CHARLES H. ALLEN, President
- NATHANIEL J. BRADLEE, ..
- GEORGE LEWIS, ..
- JOHN A. HAVEN, ..
- LEONARD R. CUTTER, ..
- AMOS L. NOYES, ..
- CHARLES H. HERSEY, ..

Ordered to be sent down.

HEARINGS ON ORDERS OF NOTICE.

The order of notice on petition of Alexander Moseley for leave to locate and use a steam engine and boiler in South street was taken up. No person appearing in relation thereto, the report was recommended.

The order of notice on petition of the Middlesex Railroad Company for a location of tracks on the extension of Washington street to Haymarket square was taken up.

Charles E. Power, president of the Middlesex Railroad Company, appeared in behalf of the petition, and stated the desirableness of the measure, and laid before the Board plans of the proposed tracks. For two reasons the petitions were presented at an early day—to prevent other companies from obtaining the privilege, and to provide that the tracks be laid when the grading and paving of the extended street are done. The difficulties in the travel in Sudbury street were stated, and the probability of the abandonment of the Sudbury-street route was stated.

In further urging the desirableness of the change of route, he said the passengers coming into the city would be better accommodated in being left at the foot of Cornhill, the distance saved to the corporation would amount to 30,000 miles per annum, and the cost \$12,000. There was no opposition to the

proposed route that he was aware of, and some of the abutters whom he knew made no objection.

The report was recommitted.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pay Frederick Jones, \$3470, for land taken to widen High street.

Order to pay J. M. and F. Jones, \$11,663, for land taken to widen High street.

Order to pay Maria B. Frost, \$82 88, for land taken to widen Warren street.

Order to pay Edward T. Mason, \$90,640, for land taken to extend Washington street.

Order to pay Clarissa B. and Caroline Dorr, \$2,344 40, for land taken on River and Washington streets, Ward 16.

Order to pay F. G. Tuckerman, \$183,700, for land taken to extend Washington street.

Order to pay William Minot, Jr., trustee, \$6825, for land taken to widen Summer street.

Order to pay W. S. Dexter *et al.*, trustees, \$10,100, for land taken to widen Washington street.

Order to pay John A. Lowell, trustee, \$18,546, for land taken to widen Washington street.

Order to designate the portion of India wharf between Broad street and Atlantic avenue as "India square."

Order authorizing general repairs on the jail during this year, at a cost not exceeding \$5000.

Order authorizing general repairs on Court House buildings during this year, at a cost not exceeding \$5000.

The order appropriating the sum of \$8000 for an exhibition of a model schoolroom and furniture at the proposed Vienna Exposition was further considered.

Alderman Gaffield said that while he believed that our school system, with all its excellences, had many imperfections, and that a comparison of its features with those of other nations such as is contemplated at the Vienna Exposition might enable us to receive as well as to impart much good, it was clear that the object could only be accomplished by National or State legislation and appropriation, or by private subscription. When the matter was introduced to the consideration of the Committee on Public Instruction, the question of the legality of municipal appropriations for this purpose was not raised. When it was afterwards raised and settled by the adverse opinion of the City Solicitor, received a few minutes before the last meeting of the Board, he hesitated about presenting the order at all, and did so only in courtesy to the committee, and to the worthy member of the School Board, who advocated the measure. Although it may be within the memory of many now living, that expenditures, sometimes quite large, have been made for various purposes, with or without the opinion of the Solicitor, which did not come within the strict letter of the law, yet he certainly did not wish, especially in this season of our city's trial and necessarily increasing burdens, to add to the list of wrong or illegal precedents, and he therefore moved the indefinite postponement of the order.

The motion was carried.

PAPERS FROM THE COMMON COUNCIL.

The Auditor's monthly exhibit for February was ordered to be placed on file.

The petitions of Jane Logne and of John Keenan were referred, in concurrence.

The following order was passed in concurrence:

Report and order to pay the Assistant Port Physician \$700, for extra services last year.

The order for Mayor to petition the General Court for and act to take the low territory, bounded by Northampton, Eustis, Albany and Washington streets, and to raise the grade thereof, was laid on the table.

The order for Legislative Committee to apply to the General Court for an act placing the licensing of stables with the City Council, instead of the Board of Aldermen, being under consideration, Alderman Gaffield expressed the belief that the proposed enlargement of the power of licensing stables would interfere with the business, and moved an indefinite postponement of the order.

Alderman Sayward stated that the order was almost the unanimous desire of the committee, at whose request it was reported; yet he was of the belief that the business could be done with more expedition and at less expense under the present method.

The motion to indefinitely postpone was carried.

ORDERS RELATING TO REFRESHMENTS AND CARRIAGE HIRE.

The order for the Auditor to submit a monthly statement of the expenditures on account of refresh-

ments for standing or special committees of the City Council, or either branch, came up, amended, so as to read as follows:

Ordered, That from and after this date, no committee shall approve, nor shall the Auditor audit, nor shall the Treasurer pay any bill contracted by any committee of the City Council, or of either branch or any member thereof, or any bill contracted by any member of the City Council for refreshments of any name or nature, or for carriage hire, unless said bill is contracted under a special vote passed prior to contracting the same.

Alderman Clark said, I am most happy to concur with the Common Council, and think that the present moment is one which will do us honor and give to the community unusual satisfaction. It is a step in the right direction—one which I have long desired, but did not suppose it could be so successfully carried out at the present time. To the Common Council is due the credit of inaugurating the abolition of the last vestiges of an annual expenditure which a few years ago was a just subject of complaint. The time is favorable and the reasons most urgent for adopting this order. We have no money to waste which can possibly be saved and put to good uses. The large amount which it is absolutely necessary we should spend in street improvements, in increasing and making as efficient as possible the Fire Department, the necessary increase of the police force to an extent that will give full and ample security to life and property in every section of the city—will increase the rate of taxation to a very large extent. We have already created within the past year a Board of Health, which will add from \$25,000 to \$30,000 to the annual expenditures. This new department is so vital to the people that if the expenditure were four times that amount the citizens would willingly meet the expenditure. Now if this order is adopted, enough will be saved to the city treasury to run the entire Department of Health for a year to come. There is no step we can take that will be so satisfactory to the public and that will reflect so much honor on ourselves as by adopting this order.

Alderman Power said it would be impossible for committees to discharge their duties without proper modes of conveyance, and moved to strike out from the order so much as related to carriage hire.

Alderman Clark hoped the motion would not prevail, since as a member of the Committee on Common he could proceed in the street cars to every public square and common in the city, and he was ready to pay the fare of five cents himself, and the same was true in regard to the Committee on Streets. There was not the slightest reason for any change. The Common Council were in full harmony with the Board, and he had no doubt they passed the order in good faith, and he would concur in the same manner in which it came down to us. They would not do justice to themselves if they refrained from doing it.

Alderman Gaffield said that nothing had been more refreshing than the action of the Council at its last meeting. It voices that perfect and harmonious accord which ought always to prevail between both branches of the City Government and the individual members, and it removes all embarrassment from the minds of the chairmen of the committees. Whereas some might have been in doubt, on necessary and proper occasions, as to the propriety of inviting their associates on laborious committees to partake of a reasonable dinner, or a cup of tea, the question has been most happily settled by the nearly unanimous vote of our brethren of the other branch. And now that the matter has been sufficiently ventilated in a generally good-natured discussion in both boards, and is fully understood by all, I move the indefinite postponement of the whole subject, leaving it to be regulated, as it ought to be, by the common sense, integrity and manhood of the members of both boards.

Notwithstanding the votes which have been passed, I have no fear that any chairman will act in other than a liberal and honorable manner, and from my knowledge of human nature, I do not think that many members of either branch will have strength to refuse an invitation, or oppose a motion to take from the table, pleasantly discuss, or finally to dispose of any refreshments which may be laid before them for consideration in a reasonable manner, and on proper occasions. He moved an indefinite postponement of the whole matter.

Alderman Sayward remarked upon the change which had occurred among some of the Aldermen, and said he should vote for the inconsistent. He supposed the Alderman had free tickets on horse railroads, and it would not cost him anything to ride to various portions of the city. He thought it would be better to pass the order and let him send his tickets to the Common Council.

Alderman Clark said he was willing to pay for all his tickets.

Alderman Sayward said he was ready to pay his own carriage hire, but after reading the remarks of some of the members of the Common Council, particularly those of Mr. Pickering and Mr. Dean, gentlemen of this Board ought to be ashamed of themselves.

The Chair stated the question to be on the amendment.

Alderman Gaffield raised a question that the motion to indefinitely postpone was first in order.

The Chair read the will of the Board, and stated the question again, and Mr. Gaffield appealed from the decision of the Chair.

The decision of the Chair was sustained, and the question was taken on the amendment, to strike out so much of the order as relates to carriage hire.

The motion was carried, by a vote of 8 to 4, as follows:

Yeas—Bigelow, Brown, Emery, Gaffield, Gibson, Hulbert, Power, Quincy.

Nays—Clark, Cutter, Sayward, Stebbins.

Alderman Gaffield renewed the motion for an indefinite postponement.

Alderman Clark said he hoped the Board would not lose the effect of all their talk, and he did not believe in an indefinite postponement. The other branch had taken one step beyond the Board in measures of economy, and the Board should not be undone. There would be a saving of \$25,000 or \$30,000—enough to pay for the running of the Board of Health—in which action the Council was honest, and it was the duty of the Board to concur. The members of the Council meant what they said, and if they were honest and earnest in their duty to their constituents and themselves the present year, they should show that they mean reform.

Alderman Gaffield did not think that there would be any taking of back tracks. The moral effect of the discussion would be good, as shown on the public and on the City Council, and it should go no further. They should now rely on the integrity, manhood and good sense of both boards, and in this respect they would be sustained by the integrity, manhood, and good sense of the community.

The motion for indefinite postponement was lost, by a vote 5 to 7, as follows:

Yeas—Cutter, Gaffield, Gibson, Sayward, Stebbins.

Nays—Bigelow, Brown, Clark, Emery, Hulbert, Sayward, Quincy.

Alderman Sayward moved to lay the order on the table.

Alderman Clark opposed the motion.

Alderman Sayward inquired if the motion was debatable.

The Chairman replied that it was not.

Alderman Clark asked for the yeas and nays on the motion, which were ordered.

The motion was lost, by a vote of 3 to 9, as follows:

Yeas—Gaffield, Sayward, Stebbins.

Nays—Bigelow, Brown, Clark, Cutter, Emery, Gibson, Hulbert, Power, Quincy.

The question recurring on the passage of the order—

Alderman Quincy hoped that the Board would concur, and thereby put an end for the present to what threatened to become an undignified controversy between the two branches, although he regretted that the other branch had seen fit to assume the attitude they had. The order passed by the Board contemplated the reasonable use of a privilege which the public expected would be soured, but which it could not but see by published figures had in times past been unreasonably abused. The responsibility for such abuse, in his opinion, rested far more heavily upon the upper branch of former city governments who should have discouraged and checked it, than upon the lower branch. It was the upper branch of past years upon whom the order most severely reflected, and yet the present lower branch had seen fit to regard the same as a vote of censure or rebuke to themselves, and had replied, in substance, "We will agree to no such check as you propose, but we will abolish the whole system, the unreasonable, the reasonable and the necessary, including even carriage hire for committees on duty, and see how long you will stand that." And prominent members of the branch assuming this attitude, criticised severely the action of the Board as undignified and childish. It did not comport with the dignity of this body to retort accusations, and therefore the Alderman thought that the matter of dignity or childishness might safely be left to the decision of the public. The adoption of this order might be followed by some inconveniences, but he relied on the good sense of the other branch to perceive ere long that no insinuation against their body was intended, and that then they would agree to put the matter on the footing desired by the

Board, viz., to adopt a check against abuses, and to leave untouched a reasonable privilege, which the public are willing enough that the City Government should enjoy.

Alderman Clark regretted that they did not concur with the other branch in the passage of the order as it came from them, and moved a reconsideration of the vote striking out so much of the order as related to carriage hire.

Alderman Power hoped the motion would not prevail. As a matter of economy the interests of the city required the amendment to be made, for business could not be done unless some mode of conveyance is furnished to committees, who are often required to go where there are no horse railroads.

Alderman Sayward opposed the reconsideration, for it was necessary that carriages should be furnished to committees in doing the public business. This had been an undignified controversy, and would not have been brought up by those who had had experience in city matters. There were but few persons who objected to an expenditure for such purposes, and the longer the debate the better it would be. It looked undignified in an editor who had held a seat in the Board, and had partaken freely in its expenditures, to give his views as that of the public sentiment. Aldermen had spoken of improprieties of past governments, but no objections could be made against the last year's government, which was economical and had an economical chairman. He hoped the reconsideration would not prevail, but if it passed it would not be by his vote.

Alderman Hulbert did not deem the matter less trivial than it was last week, and as to knowledge of it from experience in the City Government, he only spoke from what gentlemen of past city governments had told him. The offering of his order was not personal, but was offered only so that it might be understood what was to be the practice of the Government. He had no person in mind, but a regard to the standing of members of the Government. These things were well known on the part of the Government for years, and were the subject of public scandal. It might be egotistical and self-willed on his part, but he believed the order offered by him to be a proper one, and whether others believed it to be an error, he should vote for the order. It was enough to show that there had been a public scandal, and he believed in the Scripture that they should provide things honest in the sight of all men.

In what he did he was speaking for the good name of the whole Council. He had no wish to conceal anything nor had he any personal plans to carry out. He voted for the amendment, because he could not give a good reason why provision should not be made for carriage hire. There was no danger on that point; the trouble was not there, but in relation to refreshments. The matter was worthy of their attention, and some progress had been made, but if it was believed to be best not to allow carriages he could go afoot all the year.

Alderman Sayward said he should judge from offering the order, that it was designed as a reflection on the last City Government. There were but four of this Board here last year, and half of the Council, and it looked like an imputation upon them. He was astonished at the course of the gentleman who was here last year and was so strong an advocate of the order, and it would have been better to have adopted the first order offered, which was the best one, because it might have been better for the families of the members.

Alderman Clark believed that carriage hire might be as much of an abuse as dinners, and it would be an expensive job where as many as eight are provided for. It was a large expense every year, and could be dispensed with. Why not, then, concur with the Council? After so complete a ventilation of the subject, they should not take a back step, for to pass the order as it came from the Council will give complete satisfaction. They have improved upon us, and let us follow their example, and save the outcry against the lavish expenditure of the City Government.

Alderman Sayward did not believe there was any danger of carriage hire, for in his own case he did not approve of a bill if he did not order carriages. How could the bills be paid for if the chairman of the committee did not approve of them? How could they get along without carriages, and how ride to distant portions of the city where the cars do not run? He had two horses, but he could not provide them for the use of the city. The citizens and the public had no objection to the payment of hire of carriages, nor of any reasonable amount of expenditure for refreshments.

It was not to be supposed they came here for the sake of dinners, and he did not act for the sake of getting votes, for he was not a candidate for Alderman or the Common Council or for Mayor, as it was about

REPORTS OF COMMITTEES.

time for some to be thinking of that office. He was disposed to be fair and honest, and if the citizens wished them to do business, they must have carriages to get about in. Other Aldermen are often ready to ride, if some other committees furnish carriages. This Board he supposed was made up the same as others, and some expenditures of this kind would be needed.

Alderman Gaffield stated that he did not believe it to be wrong to require the city to pay for carriage hire, and occasions must occur in which reasonable refreshments should be provided. It was not the use but the abuse of the practice which had been the subject of complaint. The question had been brought up to check abuses. The order had been discussed goodnaturedly, and the other branch had adopted a substitute in a kind of joke, and had sent it to them. He was sorry any feeling had been shown this afternoon, and hoped that between both boards they would come to an agreement to reform abuses. The discussion had done good, and it was not child's play. The remarks in the other branch did not disturb his dignity. He hoped some one would move to reconsider the order, and it ought to be indefinitely postponed.

Alderman Clark believed if some \$25,000 or \$30,000 could be saved, it was an important subject. He had no doubt the Council acted in good faith. So far as related to carriage hire, arrangements could be made beforehand if they were needed, and there was no reason why the order should not be passed as it was in the Council. There was no subject more deserving of serious consideration than this was, and the responsibility rests upon this Board. They were as much to blame as were members of the Council. No doubt he did his part toward public expenditure. He should be mortified should the order be postponed, but he hoped the reconsideration in relation to carriages would prevail.

Alderman Sayward suggested a difficulty in relation to obtaining carriages where one was authorized, and should not prove to be enough, in which case it might be necessary to postpone the action of a committee for a week.

Alderman Quincy objected to indefinite postponement because the order was necessary to check abuses. It would do for the present as it is.

The question was taken on the motion of Alderman Clark to reconsider the adoption of the amendment in striking out carriage hire.

The motion was lost by a vote of 1 to 11, as follows:

Yeas—Clark.

Nays—Bigelow, Brown, Cutter, Emery, Gaffield, Gibson, Hulbert, Power, Quincy, Sayward, Stebbins.

Alderman Gaffield believed the abuses complained of would be checked should the order be indefinitely postponed, and the matter left to the good sense and integrity of the City Council.

Alderman Clark said he was astonished at the course of the Alderman, after condemning, as he did, the follies and vices of past city governments, now to wish for an indefinite postponement of the order. Such a course put back the cause of reform twenty years. The public have become imbued with the idea that this is an extravagant Government, and as he believed the Council did not talk for buncombe in this matter, they should concur with them. He desired to inform the Alderman from Ward 16 (Sayward) that he was not talking for buncombe; he did not desire office in the future; what he desired to do was to fill his present position well, and at the present time we should retrench in every possible manner.

Alderman Sayward replied that he said nothing about buncombe, and was surprised to hear the Alderman on the other side refer to members of the Board by name; that that was more like a new member than one who had had his experience here. He thought it was hardly courteous to call such names.

Alderman Clark said he did not call that gentleman Buncombe.

Alderman Sayward replied that if the Alderman had called him by that name he should have been delighted, but he called him by name in the discussion.

Alderman Power believed the Council had not caught them in a trap, for if they mean business they will concur in the amendment. The interests of the city could not be subserved unless modes of conveyance were provided. He hoped the order would not be postponed, but passed.

The question was stated to be on the passage of the order, and it was passed, by a vote of eight to four, as follows:

Yeas—Bigelow, Brown, Clark, Emery, Hulbert, Power, Quincy, Sayward.

Nays—Cutter, Gaffield, Gibson, Stebbins.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: A. A. Noyes, to give a concert at Tremont Temple Feb. 12; John M. Watson, Browne & Cook, and Henry Fall, as auctioneers; also to sundry persons as victuallers, wagon licenses, and for billiard saloons, and for transfer of wagon license. Severally accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the several petitions for the location and use of steam engines and boilers of Schmetzer & Abendroth, 11 Charlestown street; McCready & Stearns, 89 Court street; R. B. Lincoln & Son, on Alger street, near Dorchester street; Carew & Walsh, on wharf on East Dover street; and no action necessary on petition of Dennison & Co., for leave to locate and use a steam engine and boiler at 15 Suffolk place. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables, as follows: Naylor & Co., to occupy a wooden stable for twenty-five horses on Dorchester avenue, opposite Norway Iron Works; James H. Boyham, to erect a stable for two horses corner of Tremont and Whitney streets; Adams Thompson, to occupy and alter a stable for thirty horses on Northampton street; M. N. Brittan, to occupy a wooden stable for two horses on Marston avenue, to be of brick, on the northerly corner of the lot; George W. Dyer, to occupy a wooden stable for two horses on Pleasant street, corner of Savin-Hill avenue; Edwin O. Presby, to occupy a wooden stable for two horses on Blue-Hill avenue, near Moreland street; A. Firth, to erect a stable on Atlantic avenue, to conform to the requirements of the Inspector of Buildings. Severally accepted.

The committee also reported leave to withdraw on petition of C. O. Smith, for leave to erect stalls in an old building on Gold street for six horses. Accepted.

Alderman Gibson, from the Committee on Police, to whom were referred the appointments of Police Officers made by the Mayor, made a report in favor of the confirmation of the appointments, as follows:

Police Officers—Bernard Johnson, Osear M. Wellman, Christopher White, William J. Condon, Burt Gilson, Thomas Shehan, Harrison Wilder, Jr., George M. Lovering, Daniel E. Curran, Joseph Brown, Harry P. Hersey, Benjamin S. Hill, John H. Shaw, Lewis F. Leighton, William Burke, Frederic T. Harvey, Harlan P. Paige, Daniel A. Ritter, Ira B. Perry.

The several appointments were confirmed.

Alderman Brown, from the Joint Standing Committee on the Assessors' Department, made a report recommending the election of the following-named persons as First Assistant Assessors:

Benjamin F. Palmer, William J. Ellis, James Healy, Michael Carney, Theophilus Burr, John M. Maguire, P. Ambrose Young, Joseph L. Drew, Charles E. Jackson, Edwin B. Spinney, Edward F. Robinson, George F. Williams, Otis Rich, William Gallagher, George F. Davis, L. Foster Morse, Isaac F. Atwood, Phineas B. Smith, William Withington, John L. Brigham, Henry Pierce, John H. Giblin, William H. Cundy, Thaddens Gould, Andrew J. Browne, Horatio N. Holbrook, Charles Nowell.

The report was accepted, when the Board proceeded to an election, with the following result:

Whole number of votes.....	11
Necessary to a choice.....	6
Benjamin F. Palmer.....	11
William J. Ellis.....	11
James Healy.....	7
Michael Carney.....	11
Theophilus Burr.....	10
John M. Maguire.....	11
P. Ambrose Young.....	10
Joseph L. Drew.....	9
Charles E. Jackson.....	11
Edwin B. Spinney.....	11
Edward F. Robinson.....	11
George F. Williams.....	11
Otis Rich.....	7
William Gallagher.....	11
George F. Davis.....	9
L. Foster Morse.....	11
Isaac F. Atwood.....	11
Phineas B. Smith.....	11
William Withington.....	11
John L. Brigham.....	11
Henry Pierce.....	11
John H. Giblin.....	11
William H. Cundy.....	7
Thaddens Gould.....	9
Andrew J. Browne.....	10
Horatio N. Holbrook.....	7
Charles Nowell.....	10
James Dennie.....	10
A. G. Wyman.....	6
J. K. Crowley.....	6
M. J. Croak.....	1

The committee reported that thirty persons received votes enough, three more than were required to be elected.

Alderman Stebbins, of the committee, stated that one ballot containing more than the number of candidates was thrown out. It counted it would give Messrs. Healy, Cundy and Rich one more vote, when there would be an excess of one person elected.

On motion of Alderman Brown of the committee, the twenty-four having the highest number of votes above seven were declared to be elected, and the Board proceeded to the election of three more.

On the second ballot William H. Cundy was elected, receiving 8 votes, and A. G. Wyman was also elected by 7 votes, seven being required for a choice, and Otis Rich and J. K. Crowley had 6 each, M. J. Croak 4, H. N. Holbrook 2, Thaddeus Gould, Andrew J. Browne, 1 each.

On the third ballot for one Assessor there was no choice, Otis Rich receiving 5 votes, M. J. Croak A. J. K. Crowley 2, H. N. Holbrook 1.

On the fourth and fifth ballots the votes were the same: Otis Rich having 6, M. J. Croak 3, J. K. Crowley 2, H. N. Holbrook 1.

On the sixth ballot Otis Rich was elected by a vote of 7 to 3 for J. K. Crowley, and one each for M. J. Croak and H. N. Holbrook.

Alderman Gibson, from the committee to nominate Superintendents of Bridges, made a report recommending the election of Reuben B. Wendell as Superintendent of Maverick-street Bridge.

The report was accepted, and the Board proceeded to an election, resulting in the choice of the nominee.

ORDERS PASSED.

On motion of Alderman Clark—

Ordered, That the Chairman of the Board of Aldermen be authorized to approve bills for expenses incurred by the Board of Aldermen, the standing committees of the Board of Aldermen not having charge of any appropriation of money, also by individual members of the Board of Aldermen while engaged in the discharge of official duty; the amount of said bills to be charged to the appropriation for Contingent Expenses of the Board of Aldermen.

Ordered, That there be paid to John Collamore the sum of \$14,708, for land taken and all damages occasioned by the widening of Washington street, by a resolve of the Board of Street Commissioners, passed December 16, 1872, upon the usual conditions; the same to be charged to the Burnt District Loan.

On motion of Alderman Quincy—

Ordered, That his honor the Mayor cause the flags to be displayed on the public buildings and grounds, and a national salute to be fired at East Boston, South Boston, the city proper, Roxbury and Dorchester, at noon on the 22d of February instant, in commemoration of the birthday of George Washington; the expense to be charged to the appropriation for Incidental Expenses.

On motion of Alderman Gibson—

Ordered, That the Commissioners upon West Boston and Craigie's Bridges be and they are hereby authorized and instructed, in behalf of the city, to petition the General Court for authority to reconstruct and widen Craigie's Bridge to a width not less than sixty-four feet, and to take such land, buildings and wharves and other property as may be found requisite or convenient to accommodate such reconstruction and widening.

REFRESHMENTS BY BOARDS OF DIRECTORS AND OTHERS.

Alderman Clark offered the following order:

Ordered, That on and after the passage of this order no bill shall be allowed or paid for refreshments furnished directly or indirectly to any boards of directors or trustees or heads of departments elected by the City Council, unless said expenditures have been incurred under a special order of the City Council.

Alderman Sayward said he had hoped this business of refreshments had been finished up, and asked if it was not so.

Alderman Clark replied that the whole question of economy in the City Government was involved. As it is now the directors of any board can provide refreshments as often as they see fit, and this action was necessary to complete the order relating to refreshments. They should show the community they are as desirous of contributing as far as in their power to lessening the expenses of the Government.

Alderman Sayward said it might be right, yet it appeared to him to be ridiculous, and hoped he would go on that it might sooner come to an end. He would like to know what particular Board it was aimed at.

Alderman Clark replied that it referred to no particular Board, but it was known that some boards dine, go out sailing, and engage in other matters at the city's expense. If such things were necessary, they should be provided for.

Alderman Sayward said he happened to be a member of one board, which sometimes went to Deer Island, and when they had a dinner, as they must have one somewhere. Three or four times a year they give excursions to patients in the Inmate hospital, and the Alderman would do well to see them; the inmates of the House of Reformation were also taken on excursions. This order appeared to be more ridiculous than ever, and he moved its indefinite postponement, but subsequently withdrew it.

Alderman Gibson thought the first thing in order in the matter would be to introduce an order of inquiry whether there were any abuses in expenditures by such boards. He did not expect that outsiders would be willing to work for nothing in the interests of the city. The taxpayers could not object to reasonable expense, for if they did the sooner he knew it the better, and he would leave them. An order might be adopted to inquire into excesses, but otherwise if taxpayers complain let them complain. If there are abuses let them be known, but until ascertained there was no need of complaining.

Alderman Quincy thought it was sufficient for them to keep their own skirts clear, and let others take the responsibility for their action. He hoped the order would be indefinitely postponed.

Alderman Sayward said his intention was to let the order be passed, but without his vote.

Alderman Gaffield raised the question whether they had any control of appropriations after they left them. He hoped the order would be laid over and the opinion of the City Solicitor be obtained. He should approve of the indefinite postponement.

Alderman Quincy renewed the motion for indefinite postponement.

Alderman Gaffield favored the motion.

Alderman Power agreed with Alderman Gibson in relation to this matter, yet the measure of economy should not be confined to the Board of Aldermen. If they were not worthy of trust, directors of public institutions and other boards, to prevent jealousy and secure harmony, should all be served alike.

Alderman Sayward wished to know if it included the Mayor, as it should include every one connected with the Government.

Alderman Clark said the Mayor was more likely to entertain the City Government than to be entertained by the city. The Board of Directors should be put upon the same level with the City Council. If the Directors at large were not willing to serve under such restrictions, there were plenty to be had in their places. It was but just and reasonable.

Alderman Sayward said if others in office were not to be trusted, the Mayor could not be. He did not doubt the disposition of the Mayor to entertain the City Government, and the Alderman opposite could also afford to. But these insinuations and orders were perfectly ridiculous, yet he hoped the order would pass.

Alderman Clark said he had made no insinuations, for this was a matter of business, to carry out what he believed to be right.

Alderman Sayward admitted that there were no insinuations, but plain language.

Alderman Gibson said if this goes on, when the salary bill comes up, they would wish to have every one do business for nothing. There was no need of their acting as guardians, but it was the excesses of committees they were to guard against. In all the expenditures of the three years he had been in the Board, he was not ashamed of his record.

The question was stated to be on the indefinite postponement of the order.

Alderman Gibson wished to be excused from voting as an interested party, acting upon boards to be affected by the order.

Alderman Sayward also asked to be excused, for the same reason.

Alderman Stebbins said he was on two boards, and should also be excused if others were.

Alderman Power made a statement that he also was on the Board of the City Hospital.

Alderman Quincy said if they were interested, then all the Aldermen were interested on the action which had been taken relating to the Board.

Alderman Emery believed there should be none excused.

The motions to excuse Aldermen Gibson and Sayward were lost.

The motion for indefinite postponement was carried by a vote of 7 to 5, as follows:

Yeas—Bigelow, Cutter, Emery, Gaffield, Gibson, Quincy, Sayward.

Nays—Brown, Clark, Hulbert, Power, Stebbins.

TRANSFER OF APPROPRIATIONS.

The Committee on Finance, to whom were referred the report of the Committee on Printing and the communication of the Board of Trustees of the City

Hospital, severally asking for additional appropriations, reported the accompanying order granting the requests, to which is appended the authority annually given to the Auditor of Accounts for making the necessary transfers for closing the financial year:

Ordered, That the Auditor of Accounts be and he hereby is authorized to transfer from the appropriation for Public Lands to that for Printing, \$5000; from that for Widening Tremont street, \$5500, and for Widening Streets \$6000, to that for City Hospital.

Also, That the Auditor of Accounts be, and he hereby is authorized to make such transfers of appropriations as are required to make up deficiencies in other appropriations and such others as may be necessary in closing the business of the financial year which terminates April 30, 1873.

Alderman Hulbert asked for an explanation of the proposed authority to the Auditor to make transfers of appropriations, not believing in any such measures except for specific purposes, so authorized. He moved to strike out the last clause of the order.

Alderman Gaffield was satisfied with the measure as in accordance with the usual practice and necessary, but believed the order might lie over, that the Alderman may satisfy himself with its necessity.

Alderman Power opposed the laying over of the order, there being a necessity for the transfer of appropriations specified, that required for printing being in consequence of the large documents printed. So far as related to the Auditor, it was well known there was no more trustworthy man in the City Hall, and the authority to make transfers was simply for small sums to enable him to meet deficiencies and settle up accounts for the year.

Alderman Gibson believed there might be some economy commenced at the City Hospital.

Alderman Hulbert said he did not raise the question of the integrity of any one, but he could not consistently vote for the order.

Alderman Sayward believed the order to be right, but did not object to the obtaining of information by the Alderman.

Alderman Clark explained that the result, in regard to appropriations, would not be affected, the object being to enable the Auditor to balance his books.

Alderman Power said it would be better to give the authority to make the transfer than to borrow money to meet deficiencies in appropriations. He had confidence in the judgment of the Auditor.

Alderman Sayward said the authorizing of transfers would save the trouble of passing different orders to meet the different cases of deficiencies which might come up. The objection made might be got over by passing the first part of the order, and letting the other lie over.

The order was passed with an amendment to strike out the last clause of it.

Alderman Clark moved to take from the table the order for the Mayor to petition the General Court for an act to take the low territory bounded by Northampton, Eustis, Albany and Washington streets, and to raise the grade thereof.

Some debate ensued in relation to the necessity of early action to secure legislation, upon the urgency of the measure, and whether the city was liable for the nuisance which it was alleged existed in consequence of the condition of the land.

Alderman Gibson believed the owners of the terri-

tory should be compelled to fill up the land, and not require the city to do it, and get the benefit of the rise.

Alderman Gaffield stated that some action was taken several years ago, in ordering the owners of the land to abate the nuisance by filling it up.

Alderman Clark said there was no law to compel the filling up of the land, but there should be, for the smallpox was not much worse.

Alderman Sayward believed the Board of Health had power to abate the nuisance caused by the condition of the land, and charge the expense to the owners.

Alderman Power doubted the power of the Board of Health, if the City Council had not the power.

Alderman Gaffield stated that, as the matter came before a committee upon which he was, he would look into it and report at an early day.

The motion to take from the table was withdrawn.

METROPOLITAN RAILROAD STABLE.

Alderman Sayward, from the Committee on Health and Streets on the part of the Board of Aldermen, to whom was referred, as a part of the unfinished business of last year, the order in relation to the location of the Metropolitan Horse Railroad Company's stable at the corner of Shawmut avenue and Bartlett street, made a report recommending the passage of the accompanying order:

Ordered, That the stable which the Metropolitan Railroad Company was authorized to build on its lot of land, at the corner of Shawmut avenue and Bartlett street, by an order of the Board of Aldermen, approved October 29, 1872, be located on any portion of said land which is distant at least one hundred feet from any public street or way.

Alderman Power wished to know whether the proposed location of the stable was on the line of St. James street, as proposed to be extended.

Alderman Sayward replied that there was no extension of St. James street, and he could not give the information asked for.

The debate was continued as to the understanding in relation to the location of the proposed stable by the last Board of Aldermen.

Alderman Power wished further to know whether the location would interfere with the extension of St. James street, if determined upon, and he hoped the order would lie over.

Alderman Sayward stated that the railroad company bought the land for a stable, and had been hindered in building it by the action of the last Board of Aldermen. Should St. James street be extended, it could be done as in the case of other streets, by the removal of buildings if in the way; but this company should not be further delayed in building on the possibility of extending a street.

Alderman Gibson advocated the passage of the order, believing the company to be right in asking for better terms, if the last Government turned the streets too tightly.

Alderman Quincy believed the order should go over, members of the last Board giving diametrically opposite views as to the understanding upon which the company were to build their stable.

The order was laid on the table.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen.

FEBRUARY 13, 1873.

A special meeting of the Board of Aldermen was held at one o'clock this afternoon, Mayor Pierce presiding.

The Mayor stated as the object of the meeting action upon the subject of widening Lincoln street.

WIDENING OF LINCOLN STREET.

A resolve and order were received from the Street Commissioners, providing for the widening of Lincoln street, near Summer street, by taking land of several parties, amounting to 1143 square feet, at an estimated expense of \$22,950 50.

The several items of expense are as follows:

William Boynton, 115 Summer street, 423 feet, \$21 per foot, \$10,152; damages \$600—total, \$10,752. Lucy Ann Harris, 2 and 4 Lincoln street, 95 feet, \$12, \$1140; damages \$160—\$1300. John H. J. Hincke, 6 Lincoln street, 126 feet, \$10, \$1260; damages \$200—\$1460. James Barrett, No. 8 Lincoln street, 123 feet, \$9 50, \$1168 50; damages, \$200—\$1368 50. Henry Lee, 103 Bedford street, 276 feet, \$20, \$7520; damages, \$550—\$8070. Total, 1143 feet, \$21,240 50; damages, \$1710—\$22,950 50.

Alderman Clark stated that the subject had been before the Committee on Streets, who were in favor of the proposed widening, and he hoped the order would take its second reading at this time.

The resolve and order were passed, in concurrence with the Board of Street Commissioners.

ORDERS PASSED.

On motion of Alderman Power—

Ordered, That licenses to erect steam engines and boilers be granted to Williams & Everett, corner of Bedford and Washington streets, and to Dennison & Co., No. 15 Suffolk place.

On motion of Alderman Clark—

Ordered, That there be paid to Azel Bowditch the sum of \$265 50, for land taken and all damages occasioned by the taking of land for the widening of Blue Hill avenue, at Warren street, by order of the Board of Street Commissioners, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to Mrs. Nancy M. Frederick, the sum of \$8892, for land taken in the name of the heirs of Jabez Frederick, and all damages occasioned by the widening of Summer street, by resolve of the Board of Street Commissioners, on the usual conditions; to be charged to the Burnt District Loan.

On motion of Alderman Gibson—

Ordered: That the Committee on Institutions consider the expediency of rescinding or modifying the order passed December 22, 1871, requesting the Judge of Probate and other constituted authorities not to commit any more patients to the Boston Lunatic Hospital.

REPORTS OF A COMMITTEE.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the petition of Alexander Moseley, to locate and use a steam engine and boiler in South street. Accepted.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

FEBRUARY 13, 1873.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, E. O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The quarterly report of the City Clerk and the annual report of the Cochituate Water Board were ordered to be placed on file.

The petitions of Henry A. Richards, Samuel R. Russell, and Shoe and Leather Dealers' Insurance Company were referred, in concurrence.

The remonstrance of Rev. W. F. Mallalien and the invitation of the Protestant Association to be reviewed by the City Government on the 22d February, were severally ordered to be placed on file.

The order for flags to be displayed on the public buildings and grounds and a national salute to be fitted at East Boston, South Boston, the city proper, Roxbury and Dorchester, on the anniversary of the birthday of George Washington, was read once.

The order that the Commissioners on West Boston and Craigie's bridges be instructed to petition the General Court for authority to reconstruct and widen Craigie's Bridge to a width not less than sixty-four feet, was passed, in concurrence.

The report of the Inspector of Buildings that he sees no reason to recommend additional legislation relative to theatre scenery, etc., was ordered to be placed on file.

The report and order to authorize \$5000 to be transferred from the appropriation for Public Lands to that of Printing; from that for Widening Tremont street, \$5500, and for Widening Streets, \$6000, to that for City Hospital, was amended, on motion of Mr. West of Ward 16, by adding the provision as originally reported, to authorize the Auditor to transfer appropriations for the settlement of accounts, etc.

As amended, the order was passed.

The election of assistant-assessors was laid over, on vote, until the disposal of other business.

The amendment to order concerning refreshments, etc., by striking out the words "or for carriage hire," was considered.

Mr. Loring of Ward 12 moved an indefinite postponement of the order, on which motion Mr. Page of Ward 9 asked for the yeas and nays, which were ordered.

The motion to indefinitely postpone was lost by a vote of 19 yeas to 34 nays, as follows:

Yeas—Anderson, Blackmar, Bowles, Caton, Collins, Dacey, N. Doherty, T. H. Doherty, Edwards, Flatley, Harrington, Loring, Martin, McCue, McKenney, Morse, Pease, Warren, Weston.

Nays—Abbott, Adams, Barnes, Bicknell, Brackett, Burditt, Burt, Cudworth, Davis, Dean, Denny, Flynn, Hall, Hine, Jones, Kingsley, Madden, Marston, Page, Perkins, Pickering, Powers, Prescott, Risteen, Shaw, Thacher, Tower, Train, Upham, Wells, West, Whiston, Woods, Woodward.

Mr. Flynn moved that the Council adhere to its former vote.

The Chair stated that the same result would be reached by voting on the question of concurrence.

On motion of Mr. Thacher of Ward 15, the yeas and nays were ordered on the question.

In answer to an inquiry, the Chair stated the question to be on concurrence with the Board of Aldermen, in striking out the words "or for carriage hire."

Mr. Dean of Ward 12 hoped the Council would concur with the Board of Aldermen, for after voting against the indefinite postponement of the order, he could not see how they could refuse to pass it. It would be honestly and practically impossible for members of committees to discharge their duties without carriage hire. Suppose there should be paying required in Ward 16, and the committee should be required to see to it; suppose also at the same time similar work should be required in Ward 12 and in Roxbury, if carriages should not be allowed for their use the work could not be well done.

The result would be that members of committees would not go together, and in many cases they would go separately, and individual reports would be made with the indorsement only of one member of the committee. The result would be disastrous to the public business, and if concurrence was lost, the order would be likely to be disregarded or short-lived. So far as refreshments were concerned, the

two branches were in accord, and both had said they would do without them. He could not say that he liked it, altogether, or that the action agreed with his judgment, but it should stand until it could be tried. He was opposed to indefinite postponement, but was content to pass the order. He hoped they would concur in the amendment with an honest desire to promote the public convenience.

Mr. Flynn said he wished to be consistent as his conscience directed, and referred to the action of the Board of Aldermen in passing an order at the same meeting at which this amendment was made, in authorizing the chairman of the Board to approve of bills incurred by members to be paid out of the Contingent Fund. Should the Council pass this order while the Board pass orders authorizing the approval of bills, as proposed? He hoped they would be consistent, and that all would be served alike in incurring expenses.

Mr. Dean said he did not understand that the failure to concur would prevent the order of the Board from taking effect. In the order referred to, the Board had passed the same order which the Council had passed, and even after the passage of this order the order of the Board would be proper in the approval of bills. That would have been essential, even had this never been introduced.

The question was taken on concurrence, which was lost, by a vote of 19 yeas to 35 nays, as follows:

Yeas—Abbott, Bicknell, Blackmar, Bleiler, Bowles, Burditt, Collins, Darrow, Dean, Denny, Hine, Kelley, Loring, Morse, Perkins, Pickering, Warren, West, Woodward.

Nays—Adams, Anderson, Barnes, Brackett, Burt, Caton, Cudworth, Dacey, Davis, N. Doherty, T. H. Doherty, Edwards, Flatley, Flynn, Hall, Harrington, Jones, Kingsley, Madden, Martin, McCue, Page, Pease, Powers, Prescott, Risteen, Shaw, Thacher, Tower, Train, Upham, Wells, Weston, Whiston, Woods.

SUPERINTENDENT OF MERIDIAN-STREET BRIDGE.

The report nominating Reuben B. Wendell as Superintendent of Meridian-street Bridge was accepted, in concurrence, when the Council proceeded to an election, resulting as follows:

Whole number of votes.....	54
Necessary to a choice.....	28
David W. Doane.....	34
Reuben B. Wendell.....	20

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

The resolve and order for the widening of Lincoln street was taken up, and on motion of Mr. Flynn of Ward 7, the rules were suspended, and the resolve and order for the widening was passed, in concurrence.

The order to rescind an order relative to refusal of permits for admission to the Lunatic Hospital at South Boston was considered.

Mr. Perkins of Ward 6 said that in a recent visit to the hospital it had more patients than it could conveniently accommodate, and he did not see any reason for the order.

Mr. Denny of Ward 9 said he knew of no reason for the order except to provide for special cases, in which it was deemed advisable to send patients to the hospital. It was designed by it that the trustees or the committee should consider the expediency of rescinding the former order.

Mr. Perkins said it was understood last year that the Judge of Probate exercised the power of acting in special cases without asking the permission of the City Council.

Mr. Denny replied that the Judge of Probate was unwilling to exercise such authority while the order remained in force.

Mr. Perkins said if that was the case he would withdraw his objections.

Mr. Loring of Ward 12 said it was understood three or four patients had been sent to the hospital, since the passage of the order, by whose authority he did not know.

The order was passed.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order that \$1100, to pay for twenty-five portable fire extinguishers, to replace those destroyed by fire Nov. 9, 1872, be appropriated.

Order to pay James Munroe, Assistant-Engineer of the Fire Department, \$31 50, for personal services, provided the bill be approved in the usual manner.

COMMISSIONER OF CEDAR-GROVE CEMETERY.

The certificate of the election of William Pope as Commissioner of Cedar-Grove Cemetery was read, when the Council proceeded to an election, and Wil-

liam Pope was chosen, in concurrence, by a unanimous vote.

WATER REGISTRAR.

The certificate of the election of William F. Davis as Water Registrar was read, when the Council proceeded to an election, and William F. Davis was chosen, in concurrence, by a vote of 48 to 1 for an ineligible person.

SUPERINTENDENTS OF BRIDGES.

The report nominating Jacob Norris for Superintendent of Federal-street Bridge; Angus Nelson, for Superintendent of Dover-street Bridge; Edward T. Stowers, for Superintendent of Chelsea-street Bridge; Albert O. Hawes, for Superintendent of Granite Bridge; John Glavin, for Superintendent of Neponset Bridge; John C. Poole, for Superintendent of Broadway Bridge; and George H. Davis, for Superintendent of Mt. Washington-avenue Bridge, was accepted, when the certificates of the election of the above-named persons as such superintendents were read.

The Council proceeded to an election of the whole on one ticket, on motion of Mr. Flynn of Ward 7, the result of which was as follows:

- Whole number of votes 56.
- Superintendent of Federal-street Bridge—Jacob Norris 56.
- Superintendent of Dover-street Bridge—Angus Nelson 55; John McNamara 1.
- Superintendent of Chelsea-street Bridge—Edward T. Stowers 56.
- Superintendent of Granite Bridge—Albert O. Hawes 56.
- Superintendent of Neponset Bridge—John Glavin 55; P. I. Grace 1.
- Superintendent of Broadway Bridge—John C. Poole 56.
- Superintendent of Mount Washington-avenue Bridge—George H. Davis 56.

These Superintendents were severally declared to be elected in concurrence.

PETITIONS PRESENTED AND REFERRED.

James King, to be paid for personal injuries sustained in Ruggles street, by a fall upon the icy sidewalk.

Catherine Barrell, for compensation for personal injuries.

Carrier, Trott & Co., for compensation for injuries received to property on the 9th and 10th of November.

Severally referred to the Committee on Claims.
A communication was received from the School Committee, with an order requesting the City Council to furnish the requisite accommodations for the new primary class in the Prescott School District. Referred to the Committee on Public Instruction.

ANNUAL REPORT OF THE SUPERINTENDENT OF STREETS.

The annual report of the Superintendent of Streets was laid before the Council in print.

The report states that the sum of \$1,010,508 48 was expended by the Paving Department during the municipal year 1872, for paving, repaving, grading, repairs of streets, removing and levelling snow, and for grade damages, etc., a detail of which is given. The aggregates show expenditures for the several sections of the city, as follows:

City Proper	\$438,473 40
South Boston	82,946 09
East Boston	77,491 13
Roxbury	192,627 44
Dorchester	79,129 65
Incidentals	64,497 71
Grade damages	75,342 06
	\$1,010,508 48

The expenditures for grade damages were for services in making estimates	\$10,000 00
City Proper	6,161 25
Roxbury	15,372 95
South Boston	6,550 00
East Boston	27,433 86
Dorchester	18,825 06

The amount appropriated for paving, etc., for the present financial year, 1872-3, was \$1,000,000, to which has been added \$1000, paid into the city treasury, on account of retaining wall on Harrison avenue; total expenditures of the present financial year, to January 1, 1873, \$838,163 06. Balance of appropriation unexpended January 1, 1873, \$162,836 94.

The amount of bills for edgestones, constructing and repairs of sidewalks, and old materials, lodged with the City Treasurer during the year 1872, for collection was \$15,039 46.

The amount paid into the city treasury, during the same period, and credited as having been paid in by

the Paving Department, on account of work done by said department, was \$7964 56.

Water-street Grade Damages. The payment of grade damages on Water street, the cases of which were submitted to referees, amounted to \$71,703 50, of which amount \$47,967 56 was paid in 1871. A transfer of \$100,000 was authorized in 1871 from the appropriation for Paving, made a special appropriation for Water-street grade damages. Of this amount there remains a balance of \$28,296 50, which is deemed sufficient to settle the few remaining claims.

In addition to the supervision of operations of the Paving Department, the Superintendent has been called upon, during the past year, to take charge of a large amount of other work, the cost of which has been charged to the special appropriations enumerated.

These were as follows: Atlantic avenue, \$3228 08; South Market-street extension, \$3629 95; Kneeland-street widening, \$7733 41; Shawmut-avenue extension, etc., \$15,079 28; Harrison-avenue extension, \$1380 06; Canton-street grading, \$1748 01; Dudley, Stoughton and other streets, \$40,842 61; Fort Hill, \$86,190 02; Suffolk-street District, \$61,076 66; wood paving, \$27,657 34; Tremont-street grading, \$14,064; Shawmut-avenue Bridge sidewalks, \$239 90; advertising, \$107 01. Total, \$103,144 91.

Back Bay Bridges. Amount expended on Back Bay bridges, charged to the special appropriation for that purpose, \$190,472 88.

Railroad Locations. The several railroad locations to the Metropolitan, Middlesex, Highland and Union Freight and Albany-street Freight Railroad companies, are specified. Of the freight railroads the Superintendent says—

"The principal objection to the occupation of the narrow streets of this city by freight railroads arises from the delay occasioned to public travel by the blocking up of the streets in loading and unloading cars. If the business of these roads increases to any considerable extent, this will prove a serious inconvenience, unless wider avenues are provided to accommodate the cars, and leave room for the free passage of vehicles."

Beacon street. On this subject the Superintendent says—

"In the early part of last year petitions from about one hundred of the heaviest taxpayers of Boston were presented to the Board of Aldermen, representing the crossing of Beacon street with the Boston & Albany Railroad as extremely dangerous to public travel, and praying that a bridge might be erected over the railroad, and the street graded so as to carry the travel over and above the tracks instead of upon a level with them. The railroad corporation was favorably disposed towards the project, and signified its willingness to contribute liberally towards the expense of the same. The Committee on Paving called upon the City Engineer for plans and estimates for a bridge on Beacon street, and also for one on Brookline avenue, it being evident that it would be necessary to bridge the railroad upon both avenues. The statutes of the Commonwealth provide that no bridge shall be constructed over any railroad of a less height than eighteen feet in the clear above the tracks, without the consent of the Board of Railroad Commissioners.

As fifteen feet was all that the railroad corporation required at these points, and the addition of three feet would not only increase the cost of the bridges and the grading of the avenues, but also the claims for grade damages by the owners of the adjacent lands, the committee and the railroad corporation united in an application to the Board of Railroad Commissioners for leave to construct these bridges at a height of fifteen feet in the clear above the tracks. Permission to that effect was granted November 13, 1872. The Engineer's estimate of the cost of the bridges and the grading of the avenues was \$304,590. Owing to the lateness of the season at which these results were obtained, and the momentary check given to public improvements by the fire of November 9, no further action was taken by the committee in the premises. The constantly increasing travel upon these avenues as well as upon the railroad renders these bridges absolutely necessary for the safety of the public. The cost at present seems large, but the rapid increase in the value of the adjacent land, and the certainty that building operations will soon be commenced, admonish us that delay will be attended with increased expense, and that immediate action will prove the most economical in the end."

WOOD PAVEMENTS.

The following table shows the streets in which wood pavements were laid down during the past year, the kind of pavement, number of yards, and price per yard of each:

Streets.		Sq. Yds.	Per Yd.
North Bennet,	"Lancaster,"	909.10	@ \$3 00
Central,	"Warren,"	865.60	" 3 00
Dorchester,	" "	892.80	" 2 60
"	" "	274.80	" 2 17½
Lindall,	"Boston,"	521.60	" 2 75
Lenox,	" "	2,864.48	" 2 51
Beacon,	" "	12,317.70	" 2 44
Doane,	" "	602.00	" 2 28
Suffolk-st. Dist.,	" "	10,476.27	" 2 64
Total,		29,724.25	" "

Of the Warren and Boston pavements some statements are made in relation to the inventions, and it is remarked—

"The above pavements are simple in construction, easily laid down and repaired, and are preferable in many respects to the more complicated and costly pavements heretofore laid down in this city."

With reference to the commission on the subject of wood pavements, it is said—

"It is confidently hoped that the matter in the hands of this commission will receive such thorough investigation as to make their report a valuable document for future reference and guidance."

Dorchester. In relation to Dorchester the Superintendent says—

"I wish to call particular attention to the necessity of providing for the surface drainage of Dorchester. Although three years have passed since this town was annexed to Boston, nothing has been done to supply this want. There being no sewers in this section of the city, the water which collects upon the streets is suffered to stand in pond holes or let off upon the first convenient lot of land. In former times, when a road became defective or inconvenient to travel from standing water, an attempt would be made to remedy the evil by filling the low places with broken stones or dirt. In this way the grades of the streets were constantly undergoing a change. A sample of this style of work can be seen on Dorchester avenue, where the horse-railroad track, which, when laid, was upon the crown of the road, now forms a trench in the centre, the sides having been raised from time to time by repeated layers of broken stone. The conveying of water upon adjacent land was considered, as a general thing, rather an advantage than a disadvantage,—the land being used for cultivation, the water served to irrigate the same.

The improvements which have been made during the past three years call for an entire change in this regard. New streets have been laid out, the land divided into building lots and houses erected. The wash of the streets upon these lots is no longer an advantage, but an intolerable nuisance. Complaints are made after every rain storm of yards, gardens and cellars flooded with the wash from the streets which this department is powerless to prevent, for want of sewers to receive and convey away the water. The city has no right to turn the water from its highways upon adjacent land, in opposition to the wishes of the abutters, but is bound legally and morally to provide drainage for said highways. It is not in the province of the Paving Department to build sewers. The Sewer Department constructs them only when called upon to supply the means for house drainage. As long as citizens can, without serious inconvenience to themselves, drain into cesspools in their own premises, or convey their drainage into the street gutters, they are not likely to assess themselves for the construction of sewers. Consequently none are built, and the street drainage is left unprovided for. The first requisite for a good road is thorough drainage. It is unreasonable to expect that good roads can be constructed and maintained in this section of the city until drainage is provided. This is a serious matter, and requires immediate attention. A thorough system of sewerage should be devised without delay, and put into immediate execution."

The report was ordered to be sent up.

REPORT ON ELECTION OF GEORGE A. SHAW.

Mr. Flynn moved that the Council take up the report of the Committee on Elections on the petition of William M. Flanders and others, in relation to the seat occupied in the Board by George A. Shaw.

The report was taken up, when Mr. Perkins of Ward 6 offered as a substitute for the conclusions of the committee an order that George A. Shaw was not on the day of election eligible to a seat in the Council, and that said seat be now declared vacant.

Mr. Bicknell of Ward 4 briefly addressed the Council in support of the views of the committee, stating that they had made their report on the evidence and facts in the case, the law being determined as declared by the City Solicitor. He regretted that Mr. Holmes of the committee was not present, upon whom the principal labor devolved in making up the report.

Mr. Perkins of Ward 6 said he did not oppose the

report out of any disrespect to the committee, and he was sorry that his colleague was not present to defend his report.

Mr. Bicknell moved to lay the report over to the next meeting.

Mr. Flynn of Ward 7 wished to know if assurances could be given that Mr. Holmes would be present at the next meeting of the Council. He had hoped that the sitting member from Ward 5 would have vacated his seat during the pendency of this question, and he would ask the ruling of the Chair whether he could occupy the seat until the question should be settled.

Mr. Dean of Ward 12 hoped the request would be withdrawn, for it was clear that the gentleman was entitled to his seat until it was declared vacant. It was not a question affecting him alone, but the Council, and he trusted the subject would be carefully considered. He hoped the motion to lay the subject over would prevail.

The Chair stated that on the request of the gentleman from Ward 7 he could not rule the gentleman from Ward 5 to be out of order in retaining his seat. So far as this stage of proceedings was concerned he is still a member of the Council, and his retaining it rests entirely upon his sense of propriety.

Mr. Perkins said he should be glad to vote for postponement, should it be understood that it is to be considered next week.

Mr. Bicknell was not able to say whether Mr. Holmes would be present or not next week, but presumed he would be.

The motion to postpone was carried.

REPORTS OF COMMITTEES.

Mr. Bicknell of Ward 4, from the Committee on Elections, on the petition of William M. Flanders and others, that at the date of the last municipal election in Ward 5, John W. Mahan was not a resident in said Ward, and, therefore, not eligible to a seat in the Common Council, made a report that the petitioners having failed to appear in support of their representations, after being repeatedly notified to do so, no further action is necessary thereon.

The report was accepted.

Mr. Bicknell of Ward 4, from the Joint Standing Committee on Public Buildings, acting upon an order from the City Council, namely, to purchase a lot of land on the corner of Warren and Quincy streets and to erect thereon an engine house, at a cost for land and building of \$20,000, made a report, as follows:

They have purchased the land agreeably to the order, expending from the appropriation the sum of \$6452 22. They have also received estimates for the erection of the building thereon, and find that owing to the advance in building materials the unexpended balance of the appropriation will not be sufficient for the completion of the work; but at the lowest estimate \$10,000 more will be required before the work of building can be contracted for.

The committee would therefore recommend 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 \$10,000, to be added to the amount already authorized, for Engine House Ward 14.

The order was read once.

Mr. Blackmar of Ward 11, from the Committee on Claims, on the petition of Daniel W. Bugbee to be paid for injuries received by an alleged defect in Dorchester avenue, made a report recommending that the petitioner have leave to withdraw. Accepted.

ORDERS PASSED.

On motion of Mr. Flynn of Ward 7—

Ordered, That the Committee on Legislative Matters on the part of the Common Council be instructed to take such steps as they may deem proper for the alteration of chapter 369, acts of 1869, as shall require the approval of the City Council in place of the Board of Aldermen in the erection, occupation or use of stables in this city.

Mr. Flynn stated that the order was the same which passed this branch last week, and was lost in the Board of Aldermen. The Committee on Health were of opinion that the erection and use of stables ought to be under the control of the City Council, which was the reason why the order was put in.

On motion of Mr. Perkins of Ward 6—

Ordered, That the Joint Standing Committee on Printing be requested to have an index prepared for the volumes of the City Council minutes for the years 1869, 1870, 1871 and 1872; the expenses thereof to be charged to the appropriation for Printing.

Mr. Denny of Ward 9 offered an order authorizing the Superintendent of Health to employ one principal clerk and such assistants as may be necessary in his department, the compensation for the same to be approved by the Joint Standing Committee on Health.

The order was read once.

ELECTION OF ASSISTANT-ASSESSORS.

On motion of Mr. Flynn of Ward 7, the election of First Assistant-Assessors was taken up, under a suspension of the rules.

The report of the committee nominating certain persons, specified, for assessors, was accepted, and the Council proceeded to an election.

The result of the ballot was as follows:

Whole number of votes.....	58
Necessary to a choice.....	30
Benjamin F. Palmer.....	56
William J. Ellis.....	56
Michael Carney.....	53
Theophilus Burr.....	27
John M. Maguire.....	54
P. Ambrose Young.....	51
Joseph L. Drew.....	54
Charles E. Jackson.....	55
Edwin B. Spinney.....	51
Edward F. Robinson.....	57
George F. Williams.....	55
Otis Rich.....	55
William Gallagher.....	50
George F. Davis.....	56
L. Foster Morse.....	56
Isaac F. Atwood.....	42

Phineas B. Smith.....	57
William Withington.....	56
John L. Brigham.....	54
Henry Pierce.....	55
John H. Giblin.....	51
William H. Cundy.....	46
Thaddens Gould.....	50
Andrew J. Browne.....	55
Charles Nowell.....	48
James Dennie.....	15
A. G. Wyman.....	42
James Healey.....	44
Artemas R. Holden.....	44
J. K. Crowley.....	25
C. D. Bickford.....	24
Horatio N. Holbrook.....	18
A. D. Capen.....	12
W. H. McIntosh.....	3
P. F. McGarigle.....	2
M. J. Croak.....	2
E. W. Jones.....	1

The persons having the requisite number of votes were declared to be elected, Messrs. Healey and Holden being elected in place of Theophilus Burr, and James Dennie, elected by the Board of Aldermen.
Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

FEBRUARY 17, 1873.

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

APPOINTMENTS MADE AND CONFIRMED.

Wheigher of Coal and Measurer of Wood—Daniel E. Adams.

Special Police Officers, without pay—C. M. Huggins for duty at John A. Andrew Hall; Charles E. Stowe for duty at the Meridian-street M. E. Church, East Boston.

PETITIONS PRESENTED AND REFERRED.

P. S. Morton, for leave to occupy a wooden stable for four additional horses on First street, between I and K streets.

Joseph D. Crowell, for leave to occupy a wooden stable for three horses on Eastern Packet Pier.

John H. Marshall, for leave to occupy a wooden stable for two horses on Trenton street, rear No. 82.

John D. Lane, for leave to occupy a stable for two horses rear No. 90 Trenton street.

Asa P. Potter, executor, for leave to establish a stable at No. 31 Way street.

Severally referred to the Committee on Health, on the part of this Board.

Bridget Maloney, for apportionment of Cliff-street betterments.

Sarah C. Edmunds, for abatement of betterments for extension of Harrison avenue.

Faxon & Elms, for increase of damages allowed for land taken on High street.

Josiah Bardwell, for increase of compensation for land taken to widen Otis street.

Severally referred to the Committee on Streets.

William R. Clark and others, trustees, for the conveyance to them of a piece of land in Ward 16.

Trustees of Museum of Fine Arts, for extension of time in which to build their edifice.

Severally referred to the Committee on Public Lands.

Sarah Park, for a sewer in Third street, from Emerson street to H street.

D. J. O'Farrell and others, for a sewer in Saratoga street, near Winthrop line.

Severally referred to the Committee on Sewers.

Jewett & Piteher and others, that the draw of the Chelsea-street Bridge may be opened when necessary for the passage of the fire boat. Referred to Committee on Bridges.

Dennis Conway, to be paid for grade damages on Fourth street. Referred to Committee on Paving.

Lydia A. Edgcomb, for a hearing or recompense by the city, for keeping a smallpox patient in her house.

William Whitaker, for damages for injury to his son by discharge of fireworks on Independence square.

Robert Johnson, for compensation for injury sustained in city sewer in Warren street.

Patrick Cunningham, to be paid for personal injuries caused by a fall on Harrison avenue.

Charles J. McKay, to be paid for injuries sustained by his wife by reason of defective sidewalk in Tremont street.

Severally referred to Committee on Claims.

Faulkner & Clarke, that Arch street be closed while building operations are in progress. Referred to Committees on Paving and Police.

REPORT OF HAYWEIGHER OF NORTH SCALES.

The quarterly report of the Superintendent of the City Scales in Haymarket square, for the quarter ending January 31, gives as receipts for weighing merchandise the sum of \$1339 40, forty per cent. of which, amounting to \$535 70, less expenses \$171 75, leaving \$364 01, has been paid into the City Treasury. Ordered to be sent down.

ANNUAL REPORT OF THE CITY ENGINEER.

The annual report of Joseph P. Davis, City Engineer, was laid before the Board in print. The report is made up to a great extent of the report of Henry M. Wightman, Assistant City Engineer, to which the Engineer refers, not having had time in recently assuming the duties of the office to examine the various bridges reported upon, with sufficient care to be able to give a statement of the condition of all them.

The Engineer remarks upon the condition of the bridges as follows:

Attention is called to the condition of the Broadway Bridge. There appears to be a want of lateral

stiffness in the supporting trusses to the spans over streets and railways, and a ratio of strength to strain less than is usually provided in the suspension rods of the draw. Also the towers are out of plumb, owing in part, at least, to a settlement of their supports. Measures have been taken to ascertain exactly what movements have taken place, and those, if any, that are now occurring.

The hot-air engines used for turning the draw need thorough overhauling and repair, and as they are not of sufficient power to handle the draw properly, and are costly in maintenance, owing in part to the high speed at which they are necessarily run, it is recommended that they be replaced by machines of greater power and of different character.

It now requires nearly three minutes to turn the draw on or off. This operation should be performed in, at the most, one half this time, and provided sufficient lateral strength can be given to the draw by ties and braces to resist accidental shocks, there seems to be no good reason why it should not be performed in one minute. Steam engines of from two to three times the power of the hot-air engines are recommended for this place.

The supporting piles of the Chelsea-street Bridge are in bad condition and past repair. The bridge, with the exception of its draw, must be rebuilt, and work upon it should commence as early in the spring as the weather will permit.

The abutments of the Huntington-avenue Bridge over the Boston & Albany Railroad have been badly injured and one of the wing walls destroyed by the pressure of the mud against the pile foundations, combined with the pressure of the earth backing against the masonry.

It seems difficult, if not impossible (except at an enormous cost), to build abutments or retaining walls that will not move and crack, on such ground as was found at this place, unless entire control can be had of the earth filling behind, and for considerable distance around them. Long piles are required to reach through the soft mud, and even if driven well into a firm stratum beneath, they do not possess sufficient stiffness to resist effectually the movement of the mud surrounding their upper ends. No weight that is practicable to put upon them will keep them in place. The most that can be done is to tie the piles well together, and give the mud as much an air as straight passageway between them as possible. Even then movements will occur unless the earth filling is carefully made; though fortunately they ordinarily cease before the abutment is ruined or rendered unserviceable.

Observations are being made from time to time at the Huntington-avenue abutments, to determine what changes are now occurring, and if possible their exact cause. It is not thought best to rebuild the wing wall until the observations are completed and a plan to secure and strengthen the whole structure has been devised.

In the report for 1870, the City Engineer recommends rebuilding the Neponset Bridge over Neponset River at the earliest moment. Its condition has not improved since that time, and a new structure should be built the coming season, the old one being too far gone to admit of effective repair.

The Longwood-avenue Bridge is not in good condition. The supporting trestle work is somewhat decayed and the abutment on the Brookline side has moved and seriously cracked, owing probably to a bad foundation.

The track to the Meridian-street drawbridge requires some repairs, the draw piers should be replanked, and the asphalt sidewalks repaired.

The following-named bridges need to be repainted: Albany-street Bridge, over Boston & Albany Railroad.

Berkeley-street Bridge, over Boston & Providence Railroad.

Columbus-avenue Bridge, over Boston & Albany Railroad.

Ferdinand-street Bridge, over Boston & Albany Railroad.

The ironwork under the bridge floors, which is apt to be neglected on account of difficulty of access, should be kept well painted and in good state of preservation, as well as those parts that are above and in sight.

Water Works. On this subject the Engineer refers to the low stage of water at Lake Cochituate in January, 1872, the measures taken by legislation to provide for a further supply, and a description of the work to be done, which was given in a report of the Water Board in May last. In the ditch from Farm Pond to Beaver Dam Brook the water was let in June 19, and was run to June 25, to draw down the level of the pond and finish the deepening of the mouth of the ditch.

On June 25, water from the river was turned into

the pond, and from thence let into the lake, and the flow was continued uninterruptedly until August 7, when it was stopped to finish the side planking of the ditch. August 16 the communication was again opened, and was kept open till September 17, when it was closed for the season.

The quantity of water received from the river during the seventy-five days of flow has not yet been accurately computed, but it cannot have been far from fifteen hundred millions of gallons, or equal to the supply to the city, taken at the average for the year, for about one hundred days.

On June 25, the water in the lake stood at five feet eleven and one-half inches above the bottom of the conduit; on August 7, at six feet eight and one-half inches; on August 16, at six feet four inches; and on September 17, at ten feet one inch. The rise above shown was chiefly due to the large rainfall of the summer months, the supply from the river having been but about thirty per cent. in excess of the consumption in the city.

The lake is now as nearly full as it is deemed prudent to keep it at this season of the year.

The average daily consumption in 1871 was 13,945,500 gallons; that in 1872 has been 15,063,432 gallons: an increase of eight per cent.

The average daily consumption for each month during the past year has been as follows:

January.....	12,203,911	gallons.
February.....	15,172,040	"
March.....	15,788,490	"
April.....	12,281,008	"
May.....	13,830,591	"
June.....	14,617,652	"
July.....	16,377,133	"
August.....	15,017,851	"
September.....	15,072,615	"
October.....	15,544,788	"
November.....	17,591,442	"
December.....	17,263,671	"

The above quantities are approximate only. There are no means provided at any part of the works for obtaining accurate data by which the quantities of water drawn from the lake, or supplied to the city, can be computed.

An examination of the interior of the conduit from the lake to Chestnut-Hill Reservoir was made October 12 and 13. It was found in a better condition than had been anticipated, but a number of new cracks were discovered and many of the old ones had widened (as was shown by the breaking away of the cement pointing), indicating that movements of a dangerous character are still taking place. A length of several thousand feet at the upper end was found covered with a thick vegetable growth resembling sponge, and a deposit of sand of several inches in thickness was found on the bottom, probably thrown in by the pumps used in the early part of the season.

The various reservoirs and the distributing pipes are in good condition. Probably some changes will be made during the coming season in the street-pipe system and in the hydrants, that a more abundant supply of water may be provided in case of extensive fires.

Owing to additions that have been made to the area supplied by the high service, and to the necessity for furnishing a large supply of water in case of fire within that area, changes should be made in the high-service works that will practically increase their capacity.

This can be done either by increasing the pumping power, or by building a reservoir connected with the standpipe. The reservoir would permit the pumps to be run at a uniform speed throughout the day, thereby very much increasing their effective capacity and would hold in reserve a large supply of water to be at once drawn upon for the extinguishment of fires.

By request of the Water Board, surveys and estimates have been made by this department, to determine what changes and extensions can be made, and a report will soon be presented for their consideration.

The report of the Assistant City Engineer gives \$18,405 as the expenditures in the department, leaving an unexpended balance of \$6535 52, and there was expended from special appropriations \$6974 74. The number of persons employed on the 1st of January was sixteen.

The high portion of South Boston is now connected with the high service main in Dorchester by an independent pipe twelve inches in diameter, and the high service pipes are being rapidly extended on the elevated land in Ward 16. It is recommended that the new 48-inch pipe from the Chestnut-Hill Reservoir to the city be laid through the streets to the Tremont-street crossing of the Providence Railroad to connect with the present mains.

In the removal of the earth from Fort Hill, the sev-

eral contracts make a total of 547,628 cubic yards removed, at a cost of \$447,122.

The Milton Bridge over the Neponset River, at Milton Lower Falls has been widened about twenty feet on the easterly side, and a new retaining wall has been built on the Boston side of the river. The cost of the addition was \$22,797 69, of which the town of Milton paid \$5000.

The condition of the several other bridges is referred to with remarks upon the same, the principal points of which are given in the report of the Engineer.

Mention is made of the work done upon the several bridges, wharves at Deer Island and at Gallop's Island, East Boston ferries, Pinckney-street sea wall, and of miscellaneous constructions and estimates in 1872. A list of fifteen bridges is given over tide water, rivers and creeks, and of twelve over railroads and highways. The Albany-street Bridge, over the Roxbury Canal, was put in thorough repair last spring. The fourth approximate estimate of the widening of Federal-street Bridge shows the amount of work done and materials furnished to be \$69,329.

The report was ordered to be sent down.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pay J. J. Dixwell and E. S. Rand, trustees, \$33,480, for land taken to widen Lindall street.

Order to pay James McGregor \$830, for land taken to widen High street.

Order to pay T. H. Parker, George Billings and Sarah Parker \$5523 55, for land taken on Blue-Hill avenue.

Order to pay Sarah Parker \$311 30, for land taken on Blue-Hill avenue.

Order to pay E. D. Sohier and Charles A. Welch, executors, \$1166 40, for land taken from Charles J. Taylor on Cottage street.

Order to pay J., J. F. and J. W. Faxon \$10,318, for land taken to widen Otis street.

Order to pay Frederic L. Richardson and William S. Dexter, trustees, \$5050, for land taken to widen Purchase street.

Order to pay heirs of Ann G. Frothingham \$5700, for land taken to widen Bedford street.

Order to pay Company A and band of the Second Battalion of Infantry, \$120 96, for mileage in attending camp in August and September, 1872.

Order, that the Committee on Ordinances be requested to report an ordinance providing that the Port Physician shall be either the physician or the assistant physician, (as the Board of Directors for Public Institutions may elect,) of all the city establishments which are, or may be, located upon Deer Island.

Order authorizing the establishment of new telegraph lines between the several police stations and the City Hall, at an expense not exceeding \$3500; to be charged to the appropriation for Police.

The order to divide the portions of Fifth, Sixth and Seventh streets at G street into East and West being on its passage, Alderman Emery offered the following as a substitute, which was adopted:

Ordered, That the names of all the streets crossing Dorchester street between the Old Colony Railroad bridge and the water at the northerly end of said Dorchester street, be changed by prefixing the word "East" to the name of that portion of each of said streets on the easterly side, and the word "West" to that portion of each of said streets on the westerly side of said Dorchester street; and that said streets crossing Dorchester street as aforesaid be hereafter called and known with said prefixed words "East" and "West," as set forth above, and that the Superintendent of Streets be directed to place street signs upon and number said streets in accordance therewith.

PAPERS FROM THE COMMON COUNCIL.

The petitions of Carrier, Trott & Co., James King and of Catharine Barrett, and the communication from the School Committee for additional primary-school accommodations in the Prescott District, were severally referred, in concurrence.

The annual report of the Superintendent of Streets was ordered to be placed on file.

The report (leave to withdraw on petition of Daniel W. Bugbee, to be paid for damages to his wagon by defect in Dorchester avenue, was accepted, in concurrence.

The following orders were passed, in concurrence: Order to print an index to the Transcript reports of proceedings of City Council since first publication.

Order to provide for clerical assistance in office of Superintendent of Health.

SUPERINTENDENT OF MERIDIAN-STREET BRIDGE.

The election of David W. Doane as Superintendent of Meridian-street Bridge, in place of Reuben B.

Wendell, chosen by this Board, coming up, the Board proceeded to a further ballot, the result being as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
Wendell.....	9
David W. Doane.....	3

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

ELECTION OF ASSISTANT-ASSESSORS.

The election of James Healy and Artemas R. Holden as first assistant-assessors, in place of James Dennie and Theophilus Burr, chosen by this Board, coming up, the Board proceeded to a ballot, resulting as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
James Dennie.....	10
Theophilus Burr.....	6
James Healy.....	5
Artemas R. Holden.....	2
James K. Crowley.....	1

Mr. Dennie was again declared to be elected, and there was no choice for the remaining vacancy.

A second ballot resulted as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
James Healy.....	7
Theophilus Burr.....	3
Artemas R. Holden.....	2

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

The report and order to authorize \$5000 to be transferred from the appropriation for Public Lands to that of Printing; from that for widening Tremont street, \$5500, and for Widening Streets, \$6000, to that for City Hospital, came up amended so as to authorize the Auditor to make any transfers necessary to balance his accounts at the close of this financial year.

Alderman Hulbert stated that as he moved the amendment to strike out the last clause, which was passed in the Board of Aldermen, he had seen the Auditor in relation to the matter, and on the explanations made by him, he was willing to vote for its restoration, although he believed that the working of the order as a precedent is not wise.

The amendment of the Council in giving authority to the Auditor, as proposed, was concurred in.

THE QUESTION OF CARRIAGE HIRE.

The following matter was considered:

Non-concurrence by the Common Council to strike out from the following order the words "or for carriage hire":

"Ordered, That from and after this date, no committee shall approve, nor shall the Auditor audit, nor shall the Treasurer pay, any bill contracted by any committee of the City Council, or of either branch, or any member thereof, or any bill contracted by any member of the City Council, for refreshments of any name or nature, or for carriage hire, unless said bill is contracted under a special vote passed prior to contracting the same."

Alderman Power moved that the Board adhere to its former action.

Alderman Quincy hoped that the Board would recede from its amendment and concur with the Council. It was well known that the Board had not contemplated the abolition of the reasonable privilege of obtaining proper meals at the city's expense, but had desired to interpose a check against the repetition of past abuses,—abuses for which, in his opinion, the upper branch was the most responsible. But the lower branch had seen fit to present to the Board the alternative of either abandoning the attempt to check an abuse or to agree to the entire abolition of the privilege, to which was added—which made the pill yet more unpalatable—necessary carriage hire for committees ordered on duty. Which of these alternatives the lower branch desired the Board to adopt he left the public to infer, but was clear in his own mind that both duty and dignity alike required the acceptance of the latter. Though it seemed reasonable that the city should provide transportation for committees on duty, yet he would cheerfully assume his share of the expense, rather than have it said that this talk had been for buncombe and that the Board were glad of an excuse to leave matters where they found them.

Alderman Power said he could not vote for any measure of this kind, for it was clear to his mind that it would be detrimental to the interests of taxpayers, and the city business could not be done without the use of carriages. They could get along very well without refreshments, but the gentlemen of the Common Council knew that carriage hire was necessary, and if they were sincere in measures of reform they should concur with the Board. He could

not see how they could refuse to concur, if sincere, and he hoped the Board would adhere to its former vote.

Alderman Hulbert said the subject was worthy of all the consideration that had been given to it. He would take it for granted that the members of the Council were sincere, and he should be very sorry, after all that has transpired, to have this all end in nothing. It would be recollected that, last week, for reasons given by him, he voted in favor of retaining the carriage hire, but as the Common Council had, by a large vote, decided differently, he hoped the Board of Aldermen would concur with the Council. Such had been his opinion of the evil heretofore existing in the City Government that he would cheerfully concur with the Council and let carriage hire take the same course that refreshments had.

In accepting office, the contract required that they should give their time to the city without compensation, and the additional extra charge for carriage hire was not worth considering. It would be a personal relief to them to do away with all the expenses which had brought reproach upon the City Government. They proposed to give up refreshments, and he was ready to pay his own carriage hire and any other expenses which may be necessary. To settle the question would be worth more than money. If experience teaches anything, the giving up of all such expenditures would leave them free, and relieve them from the embarrassment which heretofore had existed. He was heartily in favor of economy, and hoped the Board would concur with the Council.

On motion of Alderman Quincy, the yeas and nays were ordered on the motion, and the motion to adhere was carried, by a vote of 8 to 4, as follows:

Yeas—Bigelow, Brown, Clark, Cutter, Emery, Gaffield, Gibson, Power.

Nays—Hulbert, Quincy, Sayward, Stebbins.

REPORTS OF COMMITTEES.

Alderman Cutter from the Committee on Paving, reported no action necessary on petition of Catharine E. Sullivan, for grade at Nos. 83 and 85 Cove street. Accepted.

Alderman Power, from the Committee on Sewers, to whom was referred the petition of Aaron D. Webber for abatement of assessment for a sewer in South street, reported that no action is necessary. Accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: Warren-street Chapel Association, for leave to hold a festival at Music Hall, Feb. 22; Andrew Hall, to give a dramatic entertainment at Sumner Hall, Feb. 22; Joseph B. Sheerin, to give a literary entertainment at St. Mary's Church, Feb. 19-20; James Stevenson, to give a variety entertainment at the St. James Theatre, March 1; Joseph Hooker, Post 23, G. A. R., to give a dramatic entertainment at the St. James Theatre, for one week from March 3; Edmund E. Safford, as an auctioneer; also licenses to twenty-six newsboys, three intelligences offices, two dealers in second-hand articles, one pawnbroker, and to sundry persons as victuallers, for billiard licenses and wagon licenses. Severally accepted.

Alderman Sayward, from the same committee, reported leave to withdraw severally on petitions of F. W. Howard for leave to keep an intelligence office at 616 Washington street; J. Rufus Long, for license as a pawnbroker at 3 Tremont row; W. J. Sullivan and others for leave to give a sparring entertainment at corner of B Street and Broadway.

Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables, as follows: John Bradley, to occupy a wooden stable for two horses on Shelton street, near Adams street, Ward 16; E. W. E. Thompson, to occupy a wooden stable for eight horses on Ward street, near Parker street. Severally accepted.

Alderman Sayward, from the Committee on Health, to whom was referred the petition of the Massachusetts Homœopathic Medical Society for further smallpox hospital accommodations, and that homœopathic treatment may be furnished to all persons desiring it in the smallpox hospitals under the charge of the City Government, made a report recommending that the prayer of the petitioners be granted, it considered expedient by the Board of Health. Accepted.

The same committee reported reference to Committee on Claims on the petition of Joseph K. and Mary J. Melcher, for damages on account of her being sent to the smallpox hospital and not having the smallpox. Accepted.

Alderman Gibson, from the Joint Standing Committee on the Survey and Inspection of Buildings, to whom was referred the petition of Thomas Gogin to leave to build an addition to a wooden building for

ceeding the limit allowed by law, made a report, recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Thomas Gogh to build an addition to a wooden building, in accordance with an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted, and the order was passed.

Alderman Gibson, from the same committee, to whom was referred the petition of Winchester & Hight for leave to erect a wooden building on Dorchester avenue and First street, beyond the legal dimensions, made a report recommending that the petitioners have leave to withdraw. Accepted.

REPORT OF COMMITTEE ON SALARIES.

Alderman Stebbins, from the Joint Special Committee appointed to prepare and report to the City Council orders establishing the salaries of the several city officers for the year beginning on the first day of April, A. D. 1873, having carefully considered the subject, would respectfully recommend the passage of the accompanying orders!

The only changes proposed in the salaries as at present established, are as follows:

The allowance for clerk hire in the Treasurer's office is increased \$1600, another clerk being required to collect assessments for betterment, etc.

The allowance for clerk hire in the Auditor's office is increased \$700.

The allowance for clerk hire in the City Clerk's office is increased \$200.

The salary of the Assistant-Clerk of Committees is increased \$250.

The salary of the Assistant-Messenger is increased \$300.

The salary of the City Surveyor is increased \$500.

The salary of the Superintendent of Health is increased \$300.

The salary of the City Physician is increased from \$1500 to \$300. Under the new organization of the Health Department, it appears that the entire time of the City Physician will be required in the service of the city during the ensuing year.

The allowance for clerk hire in the City Registrar's office is increased \$1360, the employment of an additional clerk having been found necessary.

The salary of the Superintendent of Streets is increased \$300.

The salary of the Superintendent of Buildings is increased \$300.

The salary of the Chief Truant Officer is increased \$300.

The allowance for clerk hire in the Assessors' Department is increased \$1000.

The total amount of increase recommended is: on salaries, \$3750; on clerk hire, \$4860.

Under the order referred to the committee as a part of the unfinished business of last year, in relation to the rate of compensation which ought to be allowed to the Inspector of Provisions, it is recommended that the salary of that officer be fixed at the rate of two thousand dollars per annum, and an order to that effect is included in the accompanying bill.

The orders were read once.

ORDERS PASSED.

On motion of Alderman Gaffield—

Ordered, That the Committee on Public Buildings be authorized to pay a sum not exceeding \$3320, for the use of rooms of the Institute of Technology during the season of 1871-72, for the purposes of the free evening drawing schools; said sum to be charged to the appropriation for Schoolhouses, Public Buildings.

Alderman Gaffield, in explanation, stated that, through an informality, this bill, which was justly incurred and owed by the city, was not paid last year.

On motion of Alderman Power—

Ordered, That notice be and hereby is given to the persons who have recently placed or caused to be placed fences or other obstructions across the "old road" lying easterly of Blue-Hill avenue and leading from Columbia street to said Blue-Hill avenue, to remove said fences and obstructions within fourteen days from the date of the passage of this order; and in default of the removal of said fences and obstructions by said parties, the Superintendent of Streets is hereby directed to remove the same at the expense of said parties.

On motion of Alderman Clark—

Ordered, That the Auditor of Accounts be and he hereby is authorized to allow for payment to the City Treasurer the sum of \$1343 01, being the amount paid by him on a writ of execution issued by the Superior Court, Suffolk County, January Term, 1873, in favor of Sylvester Gardner and Rosanna Gardner, his

wife, for injuries sustained by a defect in a highway; said amount to be charged to the appropriation for Incidental Expenses.

FILLING UP LOW TERRITORY.

Alderman Quincy moved that the order for the Mayor to petition the General Court for an act to take the low territory, bounded by Northampton, Eustis, Albany and Washington streets, and to raise the grade thereof, be taken from the table.

Alderman Hulbert said if action was to be taken upon this subject he hoped it would lie over, for he was not ready to act intelligently upon the subject.

The Chair stated that debate was not in order, and the motion to take up the order was carried.

Alderman Quincy said he had objected to the proposed filling up if a certain line of policy is to be pursued, but he had an order which he would offer as a substitute, and which would not commit the city to any particular policy. This order provides for the same course which was adopted by the city of Cambridge in an act passed by the Legislature of last year.

The order was read as follows, and was adopted as a substitute for the original order:

Ordered, That his Honor the Mayor be requested to petition the General Court now in session for the passage of an act authorizing the City Council of Boston to require the owners of lands in said city, the surface of which is below the grade of fourteen feet above mean low water, to raise the grade of said lands, and of all private streets, courts and ways thereon, with reference to the complete drainage thereof; and in case the owners fail so to do, within a reasonable time, the city shall be authorized to enter upon and raise said lands to a suitable grade, the expenses incurred thereby to constitute a lien upon said lands.

An order to release to Samuel B. Pierce the parcel of 8880 square feet of land discontinued from a part of Forest-Hill avenue, adjoining an estate of said estate, upon the said Pierce conveying to the city the parcel of 8320 square feet of land taken from an estate of his to widen said avenue, was referred to the Committee on Streets.

ADDITIONAL ACCOMMODATIONS FOR CITY OFFICERS.

Alderman Sayward moved to take from the table the report and order to hire the Missionary Building in Pemberton square, at an annual rent of \$7000, for city purposes.

The motion was carried, and the order was considered.

Alderman Hulbert said that since the report was made he had been through all the places in the City Hall, and were it not for the necessity for economizing the expenditures of the city, he could not vote for it. He was satisfied that there were accommodations in this hall for any number of committees. If required, they should double up, for it could not be necessary in these days that they should all have separate rooms. The rent for the proposed building was \$7000, and while there was room for half a dozen committees here, there is room for a half dozen more at the Charity Building.

Alderman Sayward said he did not know what the Alderman meant by saying there was room for committees, and he asked does he not know we have no control over the Charity Bureau? There was a necessity for further room for the accommodation of various departments of the City Government. The City Council had passed an order to provide that the Treasury Department shall be more safe, and to do this it would be necessary that a portion of the room of the Board of Directors for Public Institutions should be taken up. The Board of Health is now in a confined room, and the Assessors want more room for their accommodation.

The building it was proposed to lease would provide accommodation for all parties for some years to come. The City Solicitor would be provided rooms, in it, which would be a saving of the rent now paid of \$2800 and taxes, and these rooms now occupied by him can be readily let. In this matter he had no interest other than the convenience of officers requiring more room.

Alderman Hulbert said he had a book which contained the record of the use of every room in this building; and there was not the least difficulty in accommodating all the offices, with certain changes, and not an elbow need be hit. That rooms should be had for the Board of Directors and others outside of the building, was not at all necessary.

Alderman Gibson believed there was room enough in the City Hall to make every department as comfortable as can be expected. The Inspector of Milk, for instance, could be put into the fire-alarm room, and others could double up if necessary. This would be more convenient than to go up to some other

place. They had got to begin somewhere to economize, for they had taken the contract to save the money of the city. All say they have no room, but they could get along with what they have. The call for rent of the leased building was \$7000, it would but be \$15,000 before they got through with it, in fitting it up and the care of it. The cost for ten years would be \$150,000.

Alderman Sayward reminded the Alderman that two years ago he said there was no more room for new offices. If they were to go on in the way proposed of crowding offices to save expense, then they should crowd schools to save new houses. This was not the way in which they would do their own business.

Alderman Gibson replied that there was plenty of room in the Charity Building, which was not half filled up.

Alderman Sayward said there was not plenty of room in that building, besides the city had no control over it.

Alderman Clark stated that he went over the Charity Building and found various rooms unoccupied, but they were not suitable for the Board of Directors for Public Institutions, nor for the Board of Health, which were the two most important to be provided for. The Inspector of Milk and some others might be accommodated there, yet it was true, as had been said, the City Government had no control over the building.

Alderman Power believed the accommodations for the Board of Directors for Public Institutions were ample. The room of the Inspector of Milk might be occupied by the Board of Health. It was proper to economize in these things, and these offices could be as well accommodated as they had for the past five years. There were many things in which expense is more needed.

Alderman Gibson believed the Board of Health could be accommodated in the Charity Building, up two flights. They were well paid for their services, and could go up stairs, and he had it from the parties down stairs that the rooms above could be had. There was an abundance of other rooms in the buildings, now full of stragglers of all ages. The Board of Directors for Public Institutions would prefer rooms there rather than come up stairs here.

Alderman Gaffield said he would make a statement from his personal knowledge, that in consideration of a certain sum contributed toward the erection of the Charity Building, the Overseers of the Poor had the exclusive charge of it. It was established to save money, but on a friendly conference to save money he had no doubt some arrangement could be made for the use of the rooms.

Alderman Gibson said he would like to know whether the city had any control of that building, for it was not the way to do business to spend a large sum of money for a building and have no control over it. He would like to have the order lie over that they may see how it is.

Alderman Sayward replied that the Alderman might have known how it was. They could not use the building without the consent of the Overseers of the Poor, but, as Alderman Gaffield said, the Overseers in a conference might consent. In the changes proposed, some should go out of this building. The hiring of the building could be no detriment to the city, for the rent of the City Solicitor's room of \$2500 would be saved, and changes could be made which would be for the good of the Government.

Alderman Emery said he went over the Charity Building with Alderman Gibson. The unoccupied rooms were badly arranged for anything which was needed. In the matter of control he satisfied himself that the Overseers of the Poor had the charge of it in concurrence with the City Council. He was desirous of economy, and if they could get along as they were now he would be glad to do so.

Alderman Gibson said there was one room in the Charity Building which was occupied two hours a week by a gentleman out of town. They had better get hold of the building if they could, for it had not been half occupied since it was built.

Alderman Clark denied that there was any conflict in relation to the use of the Charity Building, and the passing of an order to find out in whose control it was would be reflecting on the best men who had anything to do with the City Government. The rooms up stairs were not objectionable for some uses, but if the Board of Health were to go there, to whom smallpox patients might be sent, or persons go to learn of such patients, or persons go there to make complaints of nuisances, it might be objectionable to ladies interested in the Charity Bureau, some of the best people who frequently go to that building for the benefit of the poor.

It would not be right to force anything objectionable upon people who work for nothing for the city.

The rooms would not answer either for the Board of Directors for Public Institutions. So far as related to accommodations in the City Hall, he did not believe it would be large enough many years longer, and hoped the city would grow so as to require its enlargement to double its present size. If the city was to hire the building proposed at a rent of \$7000, and use it, he hoped the order would be laid over, and a statement be made of what changes it was designed to make.

Alderman Sayward did not think it necessary to lay the order over for that purpose. The Board of Directors were well enough accommodated now, but their accommodations would be curtailed by the improvements for the Treasury Department. The building to be leased was peculiarly adapted for the purpose, and the parties wished the city to decide at once. It was necessary to lay the order over, and it could be as well settled now as at any time.

Alderman Gibson thought it strange that it should be assumed as a reflection upon others because they wished to know their rights. He thought now was the time to know the rights of the city in the Charity Building.

Alderman Sayward repeated that the city had not the least control in that building, yet the Alderman had been in the City Council three years, and on the Committee on Public Buildings, and had not yet learned the fact.

Alderman Gaffield stated that he was on the committee which purchased the land for the building, and through the influence of the Overseers of the Poor \$20,000 was contributed. Not less than \$50,000 was saved the first year by means of it, and the building and land had been saved in seven years by it. An ordinance was adopted to put the building in charge of the Overseers of the Poor, and he should be sorry to have any order of inquiry adopted in relation to the control of it.

Alderman Power said it was not the question as to who had the control of the Charity Building, but the necessity for additional accommodations. The Board of Health was the only one for whom accommodations were required. The Board of Directors for Public Institutions had ample room for several years, and the committees could get along for two or three years just as well as they had done. The room of the Inspector of Milk could be used for the Board of Health, for his duties were not arduous, and he could be easily taken care of. Under present circumstances they were not warranted in running more in debt, and it would not be \$7000 only, but \$27,000, which would be the cost of the hiring of the building. It seemed to him they could get along without incurring this expense.

Alderman Sayward thought it singular that this question was not understood. Three orders had been referred by the City Council to the Committee on Public Buildings for distinct rooms, and on the best endeavors which the committee could make, they have found these rooms. If anything better could be done they would like to hear of it.

Alderman Power believed there were plenty rooms in the City Hall. The Assessors could get along until we could better afford enlarged accommodations, and others could be provided for as they had been.

Alderman Hulbert said there were fine rooms in the City Hall used as lumber rooms, and he could not see his way clear to vote for the order. Every department had all the accommodations needed and each could be comfortable without going outside of the building. Unimportant departments occupy fine rooms, and changes could be made so that they would not need another inch of room.

Alderman Sayward begged to differ from the Alderman. It would not do to put the Board of Directors up stairs, for it was not the board alone but the people who were to be accommodated.

Alderman Power suggested that the Inspector of Buildings might be put up stairs.

Alderman Sayward believed such would be a very inconsistent change, for many mechanics might be required to go up to the office forty or fifty or one hundred times a day. The Inspector might go up, but the public would be incommoded.

Alderman Power moved an indefinite postponement of the order.

Alderman Clark hoped the order would be laid over one week, and the motion was modified to that effect.

Alderman Sayward hoped neither motion would prevail. If the order was to be killed, it might as well be killed now. It would not in the least be a bad speculation, in hiring the rooms, and as so much would be saved in junketing, the expense would not be large.

Alderman Clark said it was not his object in having the order laid over to kill it. He should object to having the Directors for Public Institutions or the

Board of Health go up stairs with the attendants of smallpox patients or other objectionable characters. If there was so much room in the building as had been stated, he should be glad to know it, and would like to know what changes it was proposed to make.

Alderman Sayward indicated some of the changes which might be made. Should the Directors of Public Institutions be removed elsewhere, their rooms could be occupied by the Board of Health, which would be suitable for their use. The room of the Inspector of Milk might be used as a committee room, and the Inspector provided for in Pemberton square. More room was needed for the Assessors, and more rooms was needed for the use of committees.

Alderman Gibson stated that in his explorations with the Alderman who went with him, they found two rooms in the lower end of the Court House which were occupied by some one in the country occasionally.

Alderman Sayward replied that they had no right to occupy the Court House for the city's use.

Alderman Stebbins inquired what became of the rooms of the Register of Deeds now that he is to go into new quarters.

Alderman Sayward replied that the rooms were all occupied by the Register, the old as well as the new ones, and a lease had been made for fifteen years for additional accommodations.

Alderman Gibson said they went through that as well as other buildings, but they had not a foot of room to spare. They spent half a day in their searches, without any dinner, and all the occupants claimed they had no room that was not needed. There were those rooms, which a man in the county occupied an hour a week.

Alderman Sayward inquired whether the Alderman visited the building which it was proposed to hire?

Alderman Gibson replied that he had not.

Alderman Quiney said the debate had satisfied him

that there was no exigency for the hiring of the building proposed, and they might as well kill the order now.

Alderman Clark objected, for he did not know what was needed. He had not been to the building in Pemberton square.

Alderman Emery said he searched industriously for rooms, and he hoped the order would be laid over.

Alderman Sayward stated that if they wished to see the rooms in Pemberton square, they were open every day.

Alderman Clark hoped the order would be laid over and specially assigned.

Alderman Power had no objection to laying over the order, but not for the purpose of visiting Pemberton square. If suitable rooms were needed outside, the Parker House would be better and be more convenient. He could not see the necessity or exigency for hiring the rooms.

Alderman Gibson believed there was room enough, if they had mind enough to determine the matter. Suitable accommodations could be provided in the City Hall, and there were those who would take them if the present occupants were not satisfied.

The motion to lay over and assign to Monday next, 4½ o'clock, was carried.

ORDER OF NOTICE.

On the proposed rebuilding of the common sewer in Summer street. Hearing on Monday next, Feb. 24, 4 o'clock.

ORDERS READ ONCE.

On motion of Alderman Clark, orders to pay James M. Beebe \$16,374 for land taken for widening streets; Caroline M. Wheelwright \$29,000, for land taken to widen Water street; John N. Wenzell \$5115, for land taken to widen Summer street; Margaret N., wife of S. A. Britton, \$323 50, for land taken on Blue-Hill avenue.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

FEBRUARY 20, 1873.

The regular weekly meeting of the Common Council was held this evening, at 7 1/2 o'clock, E. O. Shepard, the President, in the chair.

On motion of Mr Thacher of Ward 15, the roll was called when the following-named members answered to their names:

Abbott, Barnes, Boardman, Brennan, Burditt, Burt, Caton, Collins, Cudworth, Dacey, Darrow, Dean, Denny, Edwards, Flatley, Harrington, Hine, Holmes, Jones, Kelley, Kingsley, Martin, McCue, McKenney, Pease, Perkins, Pickering, Powers, Prescott, Shaw, Thacher, Tower, Upham, Warren, Wells, West, Weston, Wilbur, Woods, Woodward—40.

A quorum of members was announced to be present.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of William R. Clark and others, trustees, the Trustees of the Museum of Fine Arts, Josephine Leary, William Whittaker, Lydia A. Edgecomb, Robert Johnson, Charles J. McKay, and of Patrick Cunningham, were severally referred, in concurrence.

The annual report of the City Engineer and the quarterly report of the Hayweigher of the North Scales were severally ordered to be placed on file.

The following reports were severally concurred in:

Report of reference to the Committee on Claims of the petition of Joseph K. and Mary J. Melcher, to be compensated for damages on account of her mission to the Smallpox Hospital, she not having that disease.

Reference to the Committee on Streets of an order authorizing the Mayor to release to Samuel B. Pierce a parcel of 8880 square feet of land, discontinued from Forest-Hill avenue, on the terms and conditions set forth in said order.

Report granting the petition of the Massachusetts Homeopathic Medical Society, that immediate measures be taken to erect additional hospitals, etc., if found expedient by Board of Health.

Report (leave to withdraw) on petition of Winchester & Hight, for leave to erect a wooden building beyond the legal dimensions on Dorchester avenue and First street.

The following orders were severally passed, in concurrence:

Report and order authorizing a permit to be issued to Thomas Gogin to build an addition to a wooden building.

Order authorizing \$3320 to be paid for the use of the rooms of the Institute of Technology, during the season of 1871-2, for the purpose of free evening drawing schools.

Report and order for the Committee on Ordinances to report an ordinance that the Port Physician be either the Physician or the Assistant Physician, as the Directors for Public Institutions may elect, for all the city establishments on Deer Island.

The following order was read once:

Order that the Auditor of Accounts be authorized to allow for payment to the City Treasurer, \$1343 01, the amount paid by him on an execution in favor of Sylvester Gardner and Rosanna, his wife, for injuries from a defect in a highway.

SUPERINTENDENT OF MERIDIAN-STREET BRIDGE.

The certificate of the election of Renben B. Wendell as Superintendent of Meridian-street Bridge, in place of David W. Doane, chosen by this board, was read, when the Council proceeded to an election, with the following result:

Whole number of votes.....	50
Necessary to a choice.....	26
David W. Doane.....	25
Renben B. Wendell.....	25

There was no choice.

The second ballot resulted as follows:

Whole number of votes.....	54
Necessary to a choice.....	28
Reuben B. Wendell.....	31
David W. Doane.....	23

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

ELECTION OF A FIRST ASSISTANT-ASSESSOR.

The certificate of the election of James Dennie, in place of Artemas R. Holden, chosen by this Board as a First Assistant-Assessor, was read, when the Council proceeded to an election.

The result of the ballot was as follows:

Whole number of votes.....	57
Necessary to a choice.....	29
Artemas R. Holden.....	28
James Dennie.....	12
James K. Crowley.....	11
Theophilus Burr.....	5
H. N. Holbrook.....	1

A second ballot resulted as follows:

Whole number of votes.....	55
Necessary to a choice.....	28
Artemas R. Holden.....	36
James Dennie.....	10
James K. Crowley.....	5
Theophilus Burr.....	3
H. N. Holbrook.....	1

Mr. Holden was again declared to be elected, in nonconcurrence.

The amendment to order concerning the taking of territory bounded by Northampton, Eustis, Albany and Washington streets, requesting the Mayor to petition for an act authorizing the City Council to require owners of lands in Boston, the surface of which is below the grade of fourteen feet above mean low water, to raise the grade thereof, and of private streets, courts and ways therein, for the purpose and on the conditions named in said order, was taken up for consideration.

Mr. Perkins of Ward 6 presented a remonstrance from Edward I. Browne for himself and co-trustee, under the will of Augustus Thorndike, protesting against the measure as an injustice, inasmuch as a large portion of said territory under their charge was once drained, and the drain had been broken down by the raising of the grade of Harrison avenue, and for the overflow of the territory they were indicted, and at an expense of \$3000 they filled up the low territory, doing all they were required to do in the premises.

The remonstrance was ordered to be placed on file, and the amendment was concurred in.

CARRIAGE HIRE.

The adherence of the Board of Aldermen to their amendment to strike out "or for carriage hire" in the order concerning refreshments, etc., came up for concurrence.

Mr. Wilbur of Ward 9 moved an indefinite postponement of the order, which was lost, by a vote of 23 to 25.

Mr. Dean of Ward 12 regarded it as undignified to bandy this order back and forth between the branches. In its present form the measure could have effect only for the present year. If intended to be permanent, it should be made a restriction in the rules and orders, but as it now is, it must be taken up again another year. If the principle was right that carriage hire should not be allowed, then the provision should not be restored again. It was sufficient to say that the matter should have a careful consideration. The exclusion of carriage hire was due to this branch, and if carried out it would interfere with the successful prosecution of the business of the city. It was certainly worthy of the consideration of the Council, and as other matters required their attention, to give more time for such consideration, he moved to lay the order on the table.

The motion was carried.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order for flags to be displayed on the public buildings and grounds and a national salute to be fired at East Boston, South Boston, the city proper, Roxbury and Dorchester, on the anniversary of the birthday of George Washington.

Ordered, That the Superintendent of Health be authorized to employ a principal clerk and such assistants as the Committee on Health may deem necessary for his department.

Report and order authorizing a loan of \$10,000 in addition to the amount appropriated for engine house, Ward 14.

PETITIONS PRESENTED AND REFERRED.

P. Campbell & Son, for leave to make an addition to their wooden buildings beyond the legal limits. Referred to Committee on Survey and Inspection of Buildings.

E. C. Drew and others, for a fire-alarm box on Commonwealth Hotel, corner of Worcester and Washington streets, and a communication from the Board of Engineers recommending the same. Referred to Committee on Fire Alarms.

REPORTS OF COMMITTEES.

Mr. Burt of Ward 16, from the Committee on Fire Department, reported leave to withdraw on petition of Pearson Brothers and others. Accepted.

Mr. Denny of Ward 9, from the Committee on Legislative Matters, on the part of the Common Council, who were instructed to take the necessary steps to secure an amendment of the act relating to the erection, occupation and use of stables in the city of Boston, so as to require the approval of the City Council hereafter, instead of the Board of Aldermen, made a report that if it should be found desirable to make any change in the present arrangement, the committee are of opinion that the Board of Health should have control of the matter; and they would therefore recommend that the order be referred to the Joint Committee on Legislative Matters, with authority to take such action as they deem expedient. Accepted.

ORDER PASSED.

On motion of Mr. Prescott of Ward 9—

Ordered, That in consideration of the payment of \$8000 by the Boston & Albany Railroad Company, his Honor the Mayor be authorized to give a release and discharge to said corporation from all claims and demands for damages, costs and expenses to the estates situated upon the westerly side of Washington street, between Chapman street and Orange street, on account of the raising of the grade of said Washington street or Orange street and Castle street, under the order of the Board of Aldermen, approved the 9th May, 1870, and the indenture between the City of Boston and the Boston & Albany Railroad Company, bearing date the 9th of May, 1870, so far as the said indenture applies to the said estates.

Ordered, That the order passed March 15, 1872, authorizing the Mayor to execute a release to the Boston & Albany Railroad Corporation be and the same is hereby rescinded.

Mr. Anderson of Ward 3 offered an order that the City Engineer be requested to inspect the arches of the towers on the Boston & Lowell Railroad Depot, and report whether, in his opinion, such arches are safe.

On motion of Mr. Perkins of Ward 6, the order was referred to the Committee on the Engineer's Department.

CONTESTED ELECTION CASE.

The report on petition of William M. Flanders and others, in relation to the seat occupied in this Board by George A. Shaw, (Printed City Doc. No. 20, 1873), with the order, proposed as a substitute for said report, declaring said seat vacant, was taken up.

Mr. Perkins of Ward 6 said he did not differ with the committee as to the statement of facts, but differed with them as to their conclusions. There was one witness to show that Mr. Shaw said he designed to return to Boston, yet not to Ward 5, and it would not be supposed that a man could go to Brookline and live there six years, and claim to have a domicile in Boston. Under the constitution, habitancy is defined as a place where a person dwelleth and hath his home, and the City Charter provides that no one can be chosen to the City Council who is not an inhabitant of the ward from which he is chosen. The conclusions of the committee were quoted by Mr. Perkins, upon which he remarked that he believed them to be in error in their interpretation of law.

When a man moves into a place, he contended that the burden of proof was upon him to show that he is not a resident elsewhere. As applicable to this case, he cited the case of *Holmes vs. Greene of Fall River* for refusing to receive his vote; and although Mr. Holmes removed to Tiverton, temporarily, the court was of opinion that the evidence all pointed to Tiverton as his habitation. A mere naked declaration of intent was not sufficient to determine the question of domicile; but the evidence of intent should be taken in connection with other facts. The cases of *Harvard College vs. Gore*, and *Whitney vs. Town of Sherborn* were also cited as having a bearing on the question. In the last-mentioned case it was held that as a man's residence must be somewhere, and as he had no intention of returning to Ashland, from whence he removed, the authorities of Sherborn had a right to tax him.

When Mr. Shaw left Ward 5 he did not determine upon any length of stay in Brookline, or of his return to Ward 5. In *Sleeper vs. Page* 15th Gray, it was held that when a debtor was absent from the State, not intending to return at any definite time, he had no domicile here. In an investigation of the subject he was surprised in looking up cases, to see how strongly they were against the conclusions of the committee, and he could not stultify himself by voting to sustain the report. The case of *John C. Tucker*, whose election was contested in the Council from Ward 3, was cited as applicable to this case, and in that Mr. Tucker resigned, knowing that he would be unseated. Many other authorities, he said, might

also be cited to show the erroneous conclusions of the committee.

Mr. Holmes of Ward 6 said the report was the result of the unanimous opinion of the committee, and it fell to his lot to draw it up. As to the facts in the case, his colleague had made one misstatement, that there was no evidence to show that Mr. Shaw intended to return again to Ward 5. On page 61, the testimony of Mr. Homer was that Mr. Shaw told him that he meant to keep his residence in Boston. The case of *Holmes vs. Greene* he had examined, but it was not sustained by decisions before or after it, and was not considered by lawyers as intelligible. It was not satisfactory, and Judge Bigelow being questioned upon it had not explained it. If the city solicitor was right, then the conclusions of the committee were right.

Mr. Dean of Ward 12 said they all had a simple duty to perform, from which they could not escape. He had no concern in bringing this question here, but must pass upon it conscientiously. Taking it away from the refinements of law, they would be compelled to say that the gentleman had not been a resident of Boston for six years, for where a man's habitation is, was where he dwelleth and has his home, where he eats, drinks and sleeps. Where a man has two residences, two dwelling houses in each of which he lives a portion of the year, the fact and the intent must go together to determine his habitation. A bare and bald intent or itself amounts to nothing, for a man cannot create a home out of nothing. In what he had to say he had not the slightest intent to call in question the honor of the gentleman, for he did not doubt he believed he could retain his residence in Boston.

Mr. Dean cited the cases of *Holmes vs. Greene* and *Sleeper vs. Page*, and urged that if the views of the committee were sustained, all of the members of the Common Council might remove to the neighboring towns, continue to represent the wards they moved from, and yet have no interests in common with the residents of the city. The strongest evidence given was that of Mr. Homer, who says Mr. Shaw told him that he intended to return to Boston, but there was no fixed time of returning. On page 68 it is testified that he said he was in Brookline on account of his aged parents, or his wife's parents. He might stay there as long as they lived, when the law says there must be a fixed time to determine the question. How long were they to live, and if he could live there for that reason, and should assume that it is healthier there than in the city for his children, he might live there as long as his children might live. They might all go into the country, and so long as we or their children live they might represent some ward in the city.

It appeared that the gentleman did return to Boston in November, 1872, and the report shows that he went to Ward 10 to reside. The case was just one of those where legal refinements throw no light upon it. He hoped, therefore, that they would settle it in accordance with the plain constructions of law.

Mr. Train of Ward 13 said that as a plain member of the committee, not a lawyer, he might possibly throw some light upon the report of the committee. The petitioners in every instance failed to show any evidence against the position occupied by Mr. Shaw. In the first draft of the question put to the City Solicitor the word "necessarily" was not in it, but the question put under the facts was, "was his domicile lost or not?" to which the City Solicitor gave an emphatic "No." That fact settled the question in his mind. The evidence showed that Mr. Shaw refused to take part in meetings in Brookline, and that had weight in the case, the voters in Ward 5 voted for him for office, and if he had not had a legal residence there, why did they vote for him?

Mr. Holmes said, in relation to the question of intent, Mr. Shaw said he meant to continue a resident of Boston. If nothing else than his denial of his residence in Brookline, it would be enough, but something more than that was shown.

Mr. Brackett of Ward 10 said the arguments of the gentleman against the report of the committee failed to convince him that it was not correct. There were certain presumptions in the case which should have weight. The people in Ward 5 elected him to the Council, and they knew what they were about. In the case of *Holmes vs. Greene*, the facts were not as in this case. Had Mr. Shaw gone away and returned, and been refused a vote, then there would have been a similarity. But there was a different state of facts.

Mr. Shaw had been recognized as having a residence in Ward 5 by taxing him, continuing his name on the voting list, and by the people voting for him in sending him to the Legislature, and electing him to other offices. As reference had been made to rummaging old law books, he had done something of

that kind, and some of the cases he cited as having an application to the question. *West Boylston and Sterling, in the 17th Pickering; Harvard College vs. Gore; Sears vs. City of Boston; Cochrane vs. City of Boston, 4th Allen*; the last of which he regarded as a strong case, it being shown that Cochrane had his family residing in Boston two years, yet it was held that his residence was in New Orleans.

It had been charged, he said, that Mr. Shaw attempted to ride two horses, but he had always declined to call Brookline his residence. He regarded the people as having some rights in this matter, and it was their affair, if they chose to elect Mr. Shaw to represent them. Even if they should elect him while not living there, it was not a very bad thing. In Ward 5 the population had greatly changed. From having been the residences of Webster and Everett and others of that class, the power of that class had diminished, and it was no disparagement of another class which was now greater there, to say that it was a good thing for them and others to be represented by those who do not reside there constantly. If the Council do as they ought to in relation to the law and the facts, they must sanction the report of the committee.

On motion of Mr. Jones of Ward 14, the yeas and nays were ordered on the question.

Mr. Powers of Ward 4 said he had read the testimony fully, and he could not see how the committee could come to any other conclusion than they did. The question of domicile had been a difficult one, and was often determined by juries under instruction of courts. Mr. Shaw had been called to Brookline on account of the infirmities of his wife's father and mother. There was no dispute that he had a residence in Ward 5, and never acquired a residence in Brookline, and it was in evidence that he always intended to return. It was of no consequence that he spent a night in the ward on the last night in April, as it was common to see on the Back Bay that windows were boarded up on the 1st of May by those who left for the country to avoid taxation. There was great looseness in the law in regard to domicile, and he liked the bill which had been introduced into the Legislature to define it more clearly.

Mr. Dean thought it strange logic in commending a bill which required a man's residence to be defined where he spent the greater portion of the year, and supposing it should be made a law, what effect would it have on the gentleman from Ward 5? What object could there be in such a law, when it is said that a man don't reside where he does reside? It was said the people have rights, but the members of the Council must pass upon such questions, under oath, and if they believed in the rights of the people, it was the only logic by which their rights could be sustained, that they be so in accordance with law. Mr. Dean cited other cases as bearing on the question.

With reference to the case of Mr. Shaw, he did not doubt he thought he could retain his residence in Boston, while living elsewhere, and thought it desirable for various reasons. But the constitution told them that a man belongs where he resides and has his home. Every member of the Council knows that very well. In regard to the first question put to Mr. Healy, it was either intended to cover the case of Mr. Shaw, or it was not frankly put. Mr. Shaw might have taken the stand and settled the question. Mr. Healy virtually puts his residence in Brookline. In deciding the question, they had the constitution to guide them, and should be governed by it.

Mr. Holmes stated that the word "inhabitaney" does not give light, but defining it is but working in a circle, and does not help us in the slightest degree. As to the fourth question to Mr. Healy it is not stated properly, but was put to meet the conclusions to be reached at the earliest period. But it was found that the facts were different from what appeared by question four. As to the matter of evidence, Mr. Shaw might have made a statement, and he offered himself to petitioners, who did not see fit to examine him, he did not know for what reason. He was perfectly ready to answer. As to the question of law, it only provides that there may be a definite intention to return, but not at any fixed moment. The intention may be definite but the time indefinite.

Mr. Dean referred again to the Sherborn case in the 12th Allen, with reference to the indefinite length of time or temporary residence affecting domicile. If indefinite, there could be no limit to it, and if Mr. Shaw had determined to come back, but that time was illimitable, he might have stayed away forever, and yet claimed to have been a resident of Ward 5, and represented it as long as he lived. When he did return it was to Ward 10, and there was no evidence that he intended to return to Ward 5.

Mr. Shaw of Ward 5, in his own defence, denied that any evidence could be found to show that he designed to remain in Brookline so long as his wife's parents lived, and on the question of intent he proceeded to answer the gentleman from Ward 12 in language of his own in the contested election against Melville E. Ingalls, Senator from the Sixth Suffolk District. This he read from Senate document 146, 1868. The argument made here was different from that made at that time. Mr. Shaw further stated that he had voted forty-nine times in twenty-five years, in the city, not a great distance from the United States Hotel, and never anywhere else except in the old Ward 5, when he was elected to the Council. In the present ward he had ever otherwise voted, under changes of boundaries, and had been elected to the Legislature and to the Council from that ward, and had paid his taxes here and not in Brookline.

Besides this, he had never taken any interest in matters in Brookline, and had never been in the Town Hall there but once and that to hear Mr. Derby on the subject of annexation. In the delicate position in which he had been placed, he would not have said anything here except for the attack upon him, and he was ready to have answered any question which might have been asked of him when before the committee. He had never doubted what the result of this contest would be, and would not have said anything but for the interference in his family affairs, which he assumed to be a piece of cruelty and inhumanity on the part of those who were opposed to him.

Mr. Dean denied that there had been any attack upon the gentleman from Ward 5, or any calling in question his motives. In what had been stated in relation to his wife's parents, it related solely to his intent, and to sustain the point made by him he quoted from page 61, in which Mr. Shaw said he intended to stay there in Brookline "while the old folks lived," and if it was his intention to live there under such circumstances he had a right to live there while his children lived, and might live there always, and yet claim to represent this city in the Council, under which all the members of the Council might live out of town.

In the case of Mr. Ingalls, he claimed that the case would not sustain the gentleman from Ward 5, for Mr. Ingalls had been in this State the five years provided by law, during which he returned to Maine temporarily and kept school there. The fact that he paid a tax there and voted did not affect his residence here, for the law of Maine was different from that of Massachusetts in allowing a vote on a residence of three months, and in his views in relation to the position of Mr. Ingalls he was sustained by H. W. Paine, who was associated with him in the case.

Mr. Holmes made a few additional remarks in relation to the intent of Mr. Shaw in returning to the city, and closed by moving the previous question, which was sustained.

The motion to substitute the order of Mr. Perkins that Mr. Shaw was not entitled to his seat, was lost, by a vote of 10 to 40, as follows:

Yeas—Blackmar, Burditt, Caton, Dean, Flynn, Harrington, Perkins, Thacher, West, Whiston—10.

Nays—Abbott, Adams, Anderson, Barnes, Bieknell, Bleiler, Boardman, Brackett, Brennan, Burt, Collins, Cudworth, Dacey, Davis, Denny, N. Doherty, Flatley, Hall, Hine, Holmes, Jones, Kelley, Kingsley, Lamb, Marston, Martin, McCue, Page, Pease, Pickering, Powers, Prescott, Risteen, Train, Upham, Warren, Wells, Weston, Wilbur, Woodward—40.

The report of the committee was then accepted. Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

FEBRUARY 24, 1873.

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

APPOINTMENTS MADE AND CONFIRMED.

Weigher of Coal—Gimán M. Hamilton.

Special Police Officer—Frederick M. Stanley, for duty at Faneuil-Hall Market.

Police Officers—Henry C. Goodwin, as Sergeant of Police, at Station Nine; George P. Greene, as Patrolman.

Undertakers—Caleb I. Pratt, Richard Dillon, Constant T. Benson, William Cooley, Lewis Jones, David Mardin, John W. Pierce, Nahum P. Whitney, Job T. Cole, William H. Brown, Benjamin F. Smith, Philip E. Field, John H. Peak, Jeremiah O'Sullivan, William E. Brown, James Haynes, Robert S. G. Marden, Hugh Taylor, Jeremiah Tinkham, William D. Rockwood, Ira W. Orcutt, Philip Kennedy, George V. Field, Joseph S. Waterman, William Manning, John Heitutz, John Haynes, Joseph S. Blye, James Farrell, Ebenezer Bird, John W. Lavery, S. Gleason, George Johnson, Jr., Samuel J. Crockett, Hyman L. Wiener, James Cotter, George A. Willard, J. B. Burke, Lewis L. Jones, John Feeney, Hugh McCaffrey.

Superintendent of Lamps—George H. Allen.

Superintendent of Faneuil Hall—Charles B. Rice.

Superintendent Faneuil-Hall Market—Charles B. Rice.

Inspector of Milk—Henry Faxon.

Superintendents of Hay Scales—North Scales, Henry A. Davis; South Scales, Levi Chadbourne; South Boston Scales, John M. Johnson; East Boston Scales, John A. Brown; Highlands, Andrew W. Newman.

Measurer of Grain—George P. Ray.

Measurers of Wood and Bark—E. G. Prescott, William Keith, Robert Hale, James C. Whitney, Thomas M. Haskell, J. B. Quimby, II, F. Lawrence, Stanley C. Burnham, William Jordan, Randall G. Morse, A. W. Burnham, Robert Vose, George E. Frost, Ebenezer Curtis, William Seaver, Jr., A. J. Wheeler, H. W. Crafts, Daniel E. Adams.

Inspectors and Weighers of Bundle Hay—Israel M. Barnes, Samuel B. Livermore, William S. Holmes, Jasper H. Eaton, William R. Inman, E. G. Dudley, Walter C. Bryant, J. T. Daltymple, E. W. Harding, C. A. Upham, A. J. Wheeler, Ebenezer Curtis, C. E. Stephenson, Aaron Bradshaw.

Surveyor of Marble—William B. Bayley.

Inspectors of Petroleum and Coal Oils—Robert F. Meaus, Nathaniel Cleaves.

Superintendent of Wagons and Trucks—Timothy R. Page.

Superintendent of Hacks and Carriages—Rufus C. Marsh.

Superintendent of Intelligence Offices, etc.—Harrison O. Read.

Superintendent of Pawn Brokers—Ebenezer Shute.

These several superintendents with all the powers of constables, except serving and executing civil process.

Inspectors of Provisions—Charles B. Rice and Joseph B. Gibson.

The confirmation of Chase Cole and nine others as Truant Officers being under consideration, Alderman Power said he had heard a great deal of talk about Truant Officers, and that the duties could just as well be performed by the police on the regular force. It would be well to have the matter looked into, and if it was so, as stated, they ought to save the amount paid to these officers. He moved that the nominations be referred to the Committee on Police.

The motion was carried.

PETITIONS PRESENTED AND REFERRED.

Naylor & Co. and others, that the sidewalks of Kilby street be cleared of obstructions.

N. C. Munson, for leave to cross a portion of Yarmouth street with a rail track.

Severally referred to Committee on Paving.

Winchester & Hight, for leave to erect a wooden building, not exceeding thirty feet in height, on Dorchester and Foundry streets. Referred to Committee on Survey and Inspection of Buildings.

W. S. Pike, for leave to give entertainments of magic at East Boston, South Boston, etc. Referred to Committee on Licenses.

Edward Spaulding & Bumstead and others, occupants of Fort Hill stores, for abatement of tax or rent on said stores or land. Referred to Committee on Fort Hill Territory.

Whitcomb & Potter, for additional compensation for construction of a wharf at Gallop's Island. Referred to Committee on Claims.

John C. Haynes and others, for a sewer at the corner of Berkeley and Appleton streets. Referred to Committee on Sewers.

ANNUAL REPORT OF THE INSPECTOR OF BUILDINGS.

The report of the Inspector of Buildings was laid before the Board in print.

The report states that the number of permits issued last year by the Inspector was 1945—of which 419 were for buildings of brick or stone, 685 of wood, and 841 for repairs, alterations and additions. Of the brick and stone buildings erected, there were 647 dwelling houses, 98 for mercantile purposes, 75 dwellings and stores, 34 family hotels and tenement houses, 26 stables, 23 mechanical, 7 public buildings, 18 stores and offices, 4 churches. The largest number, 263, was in Ward 15 the next, 127, in Ward 9. Of the whole number, 754 were with Mansard roofs.

Of the 1051 wood and frame buildings erected, or in process of erection, 768 were dwellings, 73 stables, 46 dwellings and stores, 27 for storage, 20 stores and offices, 35 mechanical. Of these 296 were in Ward 16, 240 in Ward 12, 116 in Ward 15, 110 in Ward 14, and 217 in Ward 1. Of these 512 were with Mansard roofs.

The number of violations, etc., investigated and reported upon was 387; 205 for violation of statutes, and 182 for violation of ordinance. Of these 86 were of woodwork against flues, 62 chimneys not plastered, 47 small sized timber, 38 walls not carried through roof, 23 building without permit, 23 insufficient foundation, 15 erecting wooden buildings within building limits.

The number of unsafe buildings, etc., examined and reported upon was 126, of which 60 were unsafe buildings, 46 unsafe chimneys, 8 each unsafe heating apparatus and defective flues, 2 each unsafe boilers and unsafe oven and wall. There were of these 65 secured, 10 removed, 25 rebuilt, 26 not completed.

The number of fires reported on, exclusive of the fire of November 9-10, was 216.

Estimated damage.....	\$291,719
" loss by fire of Nov. 9-10.....	13,218,350

Total loss for 1872.....	\$13,510,569
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The fire of Nov. 9-10 burned over a territory of about sixty-five acres, containing about 550 estates and 776 buildings. It will be noticed that the estimated loss by the great fire, given above, is less than estimates which have heretofore been made, owing to the fact that while former estimates included all buildings within the line of the fire as a total loss, allowance has been made, in making up the above estimates, for all buildings which were only partially destroyed or slightly damaged.

As the probable causes of fires, there were attributed as follows: 31 incendiary, 16 defective flues, 78 unknown, 6 children playing with matches, 5 overheated stoves, 2 defective stoves, 4 thawing of water pipes, 2 overheated and unsafe ovens, 7 overheated furnaces and funnels defective, and 4 from defective chimneys, and 8 from combustible materials, new boilers, explosions, overheating, etc., 5 spontaneous combustion, 3 from forges, 2 from firecrackers, 1 hot ashes in barrel, 7 gas burners and defective pipes, 2 kerosene lamps, 1 by mice among matches, one each matches thrown in basement window and among waste paper, one lighted pipe in coat pocket, 5 defective stove pipes and near woodwork.

Referring to the fire of November last, the report states that attention was called to the necessity of additional building regulations in January, 1872, and an extract is made from the report on the subject. The Committee on the Department prepared amendments, which were submitted to the Legislature, but for reasons unnecessary to detail, failed to become a law.

The report proceeds as follows:

Immediately after the fire, the same committee was again called upon to prepare whatever amendments they felt were required to secure the future safety of the city, with the assurance that whatever they presented would be acceptable. Fortunately the committee was composed of practical men and builders of long experience, who well understood the requirements of the city, and who, as builders, would not be likely to approve of any measures which would be onerous or impracticable. They were urged to prepare a few amendments to the old law, to be acted upon at the special session of the Legislature of 1872, leaving the bulk of the bill to b

presented in 1873; but having the rejected bill of 1872 as a basis, and a year's experience in the management of the department, they felt that they could prepare a bill which would cover the whole ground and avoid the necessity of again appealing to the Legislature. Accordingly, with the advice and assistance of some of the leading architects in the city, a bill was prepared and presented to the Legislature. Considering the excited state of public feeling at the time, the bill was much less stringent than might have been expected; but the committee, in preparing it, were careful not to incorporate anything which they, as builders, could not stand by.

This law, if carried out, will secure our city from another disaster like that of last November, while, at the same time, it is less stringent in its provisions than the building acts of other cities. As might be expected, the law meets with opposition from some of our builders, and it is doubtful if one could be framed which would meet with their entire approbation. A provision which one builder will condemn as severe and stringent will be approved by another builder of equally good judgment and reputation. Each builder has his peculiar method of construction, and any change from that method provokes criticism, and oftentimes condemnation, simply because it differs from his idea; while at the same time another builder will approve of any change which will secure a methodical manner of construction, and which will fix a standard alike for all. As all trades and professions disagree in opinions and theories, and in view of the impossibility of reconciling the different opinions, the public safety demands that a fair standard shall be fixed by which all shall abide. Some of the provisions of the present law might perhaps be safely modified or repealed, but, in the main, it is just what is needed for our city, and should not by any means be permitted to be weakened.

Since the fire, the subjects of building materials, fire-proof construction, methods of extinguishing fires, etc., have received considerable attention, and this department has received numerous communications on these subjects. As far as seen, brick seems to be the only material which withstood the flames. Stone and iron were utterly destroyed by the intense heat, and the action of water caused its complete disintegration. Marble was not fairly tested, the marble front on Washington street, which has been alluded to as having successfully resisted the fire, being protected by a backing of brick which received the full force of the flames. Marble, however, will be extensively used in rebuilding, and of the sixty-eight buildings on the burnt district, for which permits have been granted, thirty-two will have marble fronts. But when exposed to the fury of such a conflagration as that of last November, it matters little of what material a building is composed. Let a fire once get under such headway, and beyond the control of the Fire Department, and a few moments suffice to reduce the building to ashes. Security, therefore, consists not in endeavoring to construct isolated fire-proof buildings, but in so constructing every building that a fire may be confined to the building in which it originated, even if that is destroyed.

Buildings in process of erection, alteration, or repair have been inspected from time to time, during the year, and reports are made by the Assistant Inspectors daily. The additional number of Assistant-inspectors provided by the City Council will enable the department to exercise a more careful supervision. A glance at the record of violations which have been reported upon will show the necessity of careful inspection, but it is gratifying to be able to report that these violators have been removed, in most cases, without resorting to legal measures. In one instance it was found necessary to prosecute a builder for not plastering his chimneys, and he was convicted and fined for his offence; and there are now in the hands of the City Solicitor a few cases in which legal proceedings have not yet been commenced. In addition to the daily reports which are received on the progress of buildings, a final report is received upon the completion of each building, and put upon record. This record gives a description of the building, etc., and is often consulted by purchasers and others interested in real estate. A table appended, compiled from this record, will show the number of brick buildings completed during the year.

Early in the year a careful examination was made of the several places of amusement in the city, and the condition of the heating apparatus, etc., inspected. As a general thing, the condition of these places was found very satisfactory, and the few suggestions made to the proprietors were cheerfully complied with.

Much improvement has been made in the construction of wooden buildings during the year. The Building ordinance which went into effect January 1,

1872, specifies the minimum size of timbers, requires proper framing, and the building of suitable foundations. Under its provisions, "balloon" framing has been done away with, and a more substantial class of buildings erected. The building limits remain unchanged, but during the year a petition has been received from citizens of Wards 7 and 12, supplemented by one from the presidents of the insurance companies, asking that the limits be extended so as to include these wards. These petitions have been referred to the committee on this department, and doubtless will receive their early consideration. The number of wooden buildings in these wards is rapidly increasing, permits for 277 having been issued during the year.

During the year John B. Roys has been appointed Assistant-Inspector, in place of Job T. Souther, resigned. More clerical assistance is needed in the department, and a Surveyor attached to it for the purpose of giving grades, etc.

The report was ordered to be sent down.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice on petitions of Joseph Watson, for leave to locate and use a steam boiler and engine at 127 Portland street; also on petition of Bartlett & Richardson, for leave to locate a steam boiler at 389 Broadway, and on the proposed rebuilding of the Summer-street sewer, were taken up. No person appearing in relation thereto the reports were recommitted.

HEARING ON REVOCATION OF RAILROAD LOCATION.

The hearing on order of notice on the proposed revocation of a right to lay tracks on Walnut avenue by the Metropolitan Railroad Company was taken up.

Harvey Jewell, for the Metropolitan Railroad Company, said he came here to say that the location was granted a long time ago, that there was no necessity for the track at the time, and there had been no demand for it by the residents on that street. There was no immediate use for such track, and the corporation had no desire to extend their tracks, but they objected to a revocation of the right to lay them, not from a wish to avail themselves of it now, but they wished when the residents desired the facilities, that they may have the privilege of furnishing them, and that it should not be granted to any other corporation.

If he could have had an interview with the member of the Board who offered the order he could have assured him that what he desired to accomplish could be secured without its adoption, and with a consultation with him and with the City Solicitor such an arrangement as he desires can be made. They were willing to agree that the street shall not be opened for the purpose of laying tracks without a permit from the Superintendent of Streets, and that a notice of ten, twenty or thirty days shall be given. They only desired to preserve their rights, but would agree not to lay tracks in the streets without the wishes of the inhabitants. They were entirely willing to have the opening of streets to be subject only to proper notice, and if the report should be recommitted, an arrangement would be agreed to to accomplish what the mover of the order desires.

A petition was read from J. H. Chadwick and some forty others, against the laying of tracks in Walnut avenue, and in favor of the revocation of the right to lay such tracks by the Metropolitan Railroad Company.

The report was recommitted, and the petition was referred to the committee.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to grade and macadamize Regent street, at a cost of \$10,000.

Order to pay Margaret N. Brittan \$223 50, for land taken on Blue-Hill avenue.

Order to pay James M. Beebe \$16,374, for land taken by the city on Otis street.

Order to pay Caroline M. Wheelwright \$29,000, for land taken on Water street.

Order to pay John N. Menzell, \$5115, for land taken on Summer street.

Order for change of sewer assessments, as follows:

W. Eagle and Meridian streets—Abate \$128 03 from East Boston Company and assess \$56 90 upon Louisa A. Butland, and \$71 13 upon George P. Dudley. Abate \$16 76 from C. C. Gilbert, and assess the same amount upon Edward S. Rand.

Trenton street—Abate \$82 60 from East Boston Company, and \$21 92 from Etta Packard.

Lougwood avenue—Abate \$16 52 from Peter Copping, and assess John Kilroy \$8 81, and upon F. J. Ward \$7 71.

South street—Abate \$181 82 from Michael Rothe, and assess Alexander Mosley \$123 48 and Simon Cohen \$58 34.

Gore avenue—Abate \$57 88 from Boston & Providence Railroad Company, and assess the same amount upon Samuel A. Way's heirs.

Orleans street—Abate \$190 78 from Nathaniel Adams, and assess \$95 39 upon Barnebas Hammett, \$63 59 upon Davenport & Stickney, trustees, and \$31 80 upon Edward S. Rand.

Foundry street—Abate \$153 22 from Eliza A. Hinckley and assess the same amount upon Francis Alger and John P. Knight.

ADDITIONAL ACCOMMODATIONS FOR PUBLIC OFFICES.

On motion of Alderman Stebbins, the report and order to hire the Missionary Building in Pemberton square, at an annual rent of \$7000, for city purposes, was taken up and considered.

A petition was read from the First Baptist Society, signed by Erastus D. Badger, chairman of a committee, proposing to let to the city in their house on Somerset street spacious and commodious rooms at a rent of \$1500 and taxes, having an exclusive entrance thereto, the same having been occupied heretofore as a schoolroom.

Alderman Power moved an indefinite postponement of the order.

Alderman Clark said there appeared to be a difference of opinion in the Board as to the necessity of going out of the City Hall for office accommodations, and it was believed other rooms at a less rate could be had. He hoped the order would be laid over another week, and that the petition just read would be referred to the Committee on Public Buildings. He had been assured that the rooms in question were large, light and airy, a capital place for the Board of Health or Directors of Public Institutions, and they could be had for \$1500 instead of \$10,000.

Alderman Sayward said he had no objection to laying over the order, yet he had received a note from the parties in charge of the Missionary Building, wishing to be released from their offer, unless the building was engaged at once. These rooms might be lost by delay, and it might be very difficult to get such rooms as may be wanted, if this opportunity should be lost. His belief was that it was the best thing for the city to hire these rooms. It had been said that there were other rooms to be had in Pemberton square, but he had made inquiries, and could find none. He had inquired also whether the price for the building was extravagant, but could not learn that it was so. They may lose the building unless the order is soon adopted.

Alderman Power believed they had nothing to risk. The rent of the building proposed to be hired was exorbitant, and there would be no difficulty in obtaining accommodations much more reasonable. It was true the building was pleasantly situated, more so than any other, unless on the other corner; but other rooms could be had at a lower rent. Yet they did not need accommodations outside of the City Hall, and they could get along for two or three years as they had done, without detriment to the public business. There was ample room in the City Hall for all parties, and this Board was the proper place to decide the question. He could not run round to the various offices to see what more accommodations they wanted, and they were to decide how it was advisable to get along and not expend more of the public money than necessary.

Alderman Sayward replied that the gentleman had not visited the building in question to see what its accommodations were. He had made inquiries in Pemberton square, and was assured that there was no building to rent. He had also inquired of those who were good judges, who said the rent asked for was not extravagant, and he believed it would be a good investment by the city, for they needed more room. If the object was to save money, they might hire cheap rooms, and let the rooms in the City Hall. He had not gone among officers to inquire whether they wanted more room, but knew that all the departments were not accommodated.

Alderman Emery said he went with the Alderman from Ward 16 to look at the building it was proposed to hire, and was well satisfied with the rooms. He had examined them and believed it would be a good trade for any one who wished them. They would afford good accommodations for the purposes for which they were wanted. He should be reluctant to go from the City Hall if accommodations could be had here, and if accommodations could be had he had nothing to say. More rooms they must have, and he knew of none so eligible as those proposed. There were other rooms to let in Pemberton square, less commodious and at a less rent, but if we could secure these they will be better suited. He had no objection to having the order laid over.

Alderman Gibson said it was understood the Board of Health would not be satisfied to go upon the lower floor of the City Hall, and if so, the measure would

be defeated in the other branch. There was no alternative, then, but to go out of the building.

Alderman Emery said he had heard of rooms to rent in Montgomery place, at \$3000, but these were not to be had and they would not be so well adapted to the purpose for which they were needed. It was possible some of the Aldermen knew something about them.

Alderman Clark said he did not believe the Aldermen were conversant with such rooms. There would be a meeting of the board on Wednesday or Thursday, and it may be necessary to go outside of the City Hall for rooms. Meantime the Committee on Public Buildings can look at the rooms which have been offered in the church on Somerset street, which are large and airy. These rooms have been used for a young ladies' school, and may be all that are wanted for the Board of Health or the Directors of Public Institutions. As the price is low, they were worth looking at. Rooms must be had, for the Board of Health could not continue to occupy their present quarters without contracting disease. As there were no other rooms here which they can have, they must be had outside. The rent of the Missionary Building would not be \$7000 alone, but \$2500 additional for fitting the rooms up.

Alderman Power said the shoe pinches where he supposed it would. There were no rooms which suit those who are to occupy them. No doubt the Parker House would be a much pleasanter place. But the Board were to be the judges of the rooms. There were rooms enough in the City Hall, and they were to decide who were to make use of them. The expense of the building proposed would be from \$25,000 or \$30,000, for the alterations would amount to more than the rent. There were other rooms in Pemberton square, if necessary, to be had, which would not cost more than \$3500 rent, and would give three-quarters as much accommodation as the Missionary Building. There were no doubt ample rooms in the church if they were needed.

Alderman Sayward said he wished to settle this question, and he would leave it to that gentleman as a committee to assign rooms to all the occupants in the City Hall.

Alderman Power believed there would be little difficulty in settling the matter in fifteen minutes. If the occupants did not like their rooms, others could be found who would accept them, and they would not dare dissent from the assignment.

Alderman Sayward did not believe there would be any dread, for the elections were all settled for the year, and the Aldermen were safe in their places for the year.

The motion to lay the order over was carried, and the petition of the Baptist church was referred to the committee with the request that they visit the rooms in question.

SALARY BILL.

The report and orders to fix the salaries of the several city officers for 1873-4 (City Doc. 27), was taken up. The changes from the previous year, as indicated by a portion of the report already published, are as follows.

The allowance for clerk hire in the Treasurer's office is increased \$1600, another clerk being required to collect assessments for betterment, etc.

The allowance for clerk hire in the Auditor's office is increased \$700.

The allowance for clerk hire in the City Clerk's office is increased \$200.

The salary of the Assistant Clerk of Committees is increased \$270.

The salary of the Assistant-Messenger is increased \$300.

The salary of the City Surveyor is increased \$500.

The salary of the Superintendent of Health is increased \$300.

The salary of the City Physician is increased from \$1500 to \$3000. Under the new organization of the Health Department, it appears that the entire time of the City Physician will be required in the service of the city during the ensuing year.

The allowance for clerk hire in the City Registrar's office is increased \$1360, the employment of an additional clerk having been found necessary.

The salary of the Superintendent of Streets is increased \$300.

The salary of the Superintendent of Buildings is increased \$300.

The salary of the Chief Truant Officer is increased \$300.

The allowance for clerk hire in the Assessor's Department is increased \$1000.

The total amount of increase recommended is—on salaries, \$3750; on clerk hire, \$4860.

The salary of Inspector of Provisions, a new office, is fixed at \$2000.

The salaries under the first order were passed without comment, until that of the Clerk of Committees was reached, when Alderman Clark moved to increase it from \$3300 to \$3800. In support of the amendment, he stated that the present salary was inadequate for the service performed. He commended the Clerk of Committees as one of the most efficient officers in the City Hall, whose duties were arduous, and from whom the members of the City Government and those connected with different departments received much assistance and information.

The motion to amend was carried.

On reading section five of the second order, fixing the salary of the Harbor Master, Alderman Clark inquired the duties of that officer, and said he had understood the office might be abolished.

Alderman Power replied that the office could not be abolished, although it was possible a change could be made in relation to it. The Harbor Master must be a person familiar with the harbor and with its lines, so that in the anchoring of vessels they shall not interfere with the commerce of the port; and it was his duty that no interference was made with the shipping. It was his duty also to furnish berths for vessels, and to see to the removal of obstructions by vessels sunk. He supposed the Alderman had got his impression from statements that the Harbor Police might discharge the duties of the office. They might if they were good pilots. There was no complaint against the present incumbent of the office, and he presumed he does his duty. The office was not so important as in New York, where the profits were \$50,000 a year.

Alderman Clark said the explanation was satisfactory, for he had understood that the duties of the office could be performed by the Harbor Police, and that the office was of little consequence.

Alderman Gibson said it was a duty of the Harbor Master to see to keeping the channel open. But there were, besides the Harbor Master, the Harbor Police, Harbor Committee and the fire boat, and most of them had not much to do. Possibly there might be some saving by combining the duties of these offices.

On motion of Alderman Clark, the salary of the Clerk of the Board of Street Commissioners was increased from \$1500 to \$2300. The Alderman bore testimony to the faithfulness and capacity of the present incumbent of the office, and Mr. Jenkins, he observed, was richly entitled to the increase.

On motion of Alderman Sayward—

Section 3 of the order relating to the salary of the Clerk to the Committee on Health was stricken out, provision having been made otherwise for the said office.

Alderman Power objected to section four of the same order, fixing the salary of the City Physician at \$3000, and hoped it would not pass.

The ordinance in relation to the new Board of Health he said he had something to do with framing, and it was believed the physician to be appointed as a member of the board would act as City Physician, for he could do all its duties without any trouble. In view of the intentions of the framers of the ordinance, when the duties of the City Physician would be lessened, and action had been taken for a general vaccination, which was one of the principal and most disagreeable duties, with most of the labor taken from him, and to double the salary, was out of all reason. The proposal would raise the salary to that of most of the heads of departments, who devote their whole time to the city, and whose responsibilities amounted to hundreds of thousands of dollars, and he would labor only just as much as he pleased.

No one could serve two masters, and he could not vote for the increase of salary unless the duties of the office were defined. He could not either make such a distinction between the salary of this officer and that of the physician who was confined to the island. The intentions of the committee were that the member of the board who was a physician should perform all the duties of the office, and he did not see why he could not. Such, too, were the intentions of the whole City Government in establishing the new Board of Health. If the City Physician was to devote his whole time to the city, he should not object to the salary.

Alderman Stebbins read from the ordinance defining the duties of the office, and stated that in the discharge of duties in ascertaining causes of death in certain cases, which he was required to do, there would be a saving of \$600 a year, which was now paid out, as he learned from the City Registrar was the case last year.

Alderman Power stated that four physicians had been employed in each ward in vaccinating the people, and there would be but little of that to do. He would make no objection if the City Physician was to give his whole time to the city, as the Board of

Health were expected to do, but there was where the trouble comes, that he had a different standing from other officers. Before increasing the salary he hoped the ordinance would be altered so that the City Physician should attend to no other business.

Alderman Stebbins said if the Alderman would offer an amendment to that effect he would agree to it. He did not know who the City Physician will be for another year, and his remarks seemed to reflect upon the present City Physician.

Alderman Power denied that it was any reflection upon the present City Physician.

Alderman Stebbins stated that he happened to know that the present City Physician had faithfully discharged the duties of his office, more than the public were aware of. His labors were not only during the day, but extended far into the night. He had given up his private practice and also the office connected with the Dispensary, to devote himself entirely to the interests of the city.

Alderman Clark did not suppose the office was to be abolished by the establishment of the Board of Health, nor that the duties were increased by the board, an able physician being comprised in it. In years past the office had been thought to be desirable at a salary of \$1500 a year, and it would be a little singular if the labor should be more arduous with the duties diminished. It was a fact that the office had been much sought after, yet for an able man to devote himself entirely to the duties of the office it could not be expected that his services could be had for less than \$3000. He asked that the section be stricken out and laid on the table, that they might be better informed as to what was expected of that officer.

The motion was carried—6 to 5.

On motion of Alderman Power, the salary of the Superintendent of Sewers was increased to \$3500.

On motion of Alderman Sayward, the salary of the Superintendent of Streets was increased to \$3800; in support of which he said, that while he agreed as to the efficiency of the Clerk of Committees, the Superintendent of Streets ought to have as large a salary as the Clerk of Committees had, as so large interests were committed to his charge.

On motion of Alderman Sayward, the salary of the Superintendent of Public Buildings was increased to \$3800.

Alderman Power moved to increase the salary of the Superintendent of Printing to \$3000. It was a new office, he said, and he had been chairman of the Committee on Printing during his whole service in the Board, and while he was opposed to raising the salary last year, he had found the superintendent to be an honest and faithful officer, and through the creation of the office a great saving had been effected. It was due chiefly to his honesty and integrity that these results had been brought about, and his salary should be increased.

Alderman Gaffield said it was designed by the Committee on Printing to ask for an increase of the salary, and it would have been reported favorably upon, but it was too late for the report. He heartily agreed with the remarks of the preceding Alderman.

The amendment was adopted.

Alderman Power moved to increase the salary of the Superintendent of the Federal-street Bridge to \$1300, the double draw requiring two additional assistants, and with the increase it would yield him only about as much as he had been receiving.

Alderman Gibson inquired if he fed his own horses. Alderman Power replied that he supposed the city fed the horses. An additional horse would also be required.

The amendment was adopted.

The section relating to salaries of truant officers was stricken out and laid on the table.

Alderman Gibson moved to increase the salary of the Chief-Engineer of the Fire Department from \$3500 to \$3800, and said he deserved every dollar of that amount.

Alderman Clark advocated the motion as a matter of justice to a faithful and efficient officer. If there was an efficient Fire Department in the United States it was in the city of Boston, and if there was an officer who did his duty faithfully and honestly, it was the present Chief-Engineer.

The amendment was adopted.

Alderman Sayward moved to strike from section four of the order relating to the Fire Department, the words, "except those located in Ward 16," believing the duties of the firemen in that locality to be as much and as worthy of full pay as those of other sections of the city.

Alderman Gibson inquired if they performed as much service.

Alderman Sayward replied that they did not do as much as some firemen did, but they did as much as those of East Boston, South Boston and Roxbury.

Alderman Gibson objected to paying as much, if not as much service was rendered.

Alderman Sayward replied that as much service was rendered as by those of the sections mentioned by him.

Alderman Power stated that those firemen may not be called out so often, but they had more ground to travel over, and as their duties had become more arduous, they should be put on an equal footing with others.

Alderman Gibson said he understood their duties were not quite so great last year, when it was proposed to increase their pay.

Alderman Power said it was asked to increase the pay last year, but it was not looked upon so favorably as now, when their duties had increased, and the alarms in that section had been more frequent than last year.

Alderman Gibson moved a reference of the section to the Committee on Fire Department.

Alderman Sayward did not object to a reference, but contended that the firemen of that section should be on an equal footing with those of other sections of the city, their labors being more than those of East Boston.

Alderman Quincy was of the belief that for discipline and for efficiency of the force, there should be no discriminations in regard to pay. They were all under the same orders and were liable to be called out at any time.

Alderman Clark did not understand that the members of the Fire Department were on duty so much as members of the police in the same ward, and while the police performed the same amount of duty in all sections of the city, the firemen in that section were not called out one-sixth as much as in the old sections of the city, in which there was hardly a night in which they were not called out from one to three or four times. The pay might be too much in some sections, but the cases of the firemen and police were different.

Alderman Power did not believe the difference in labor was as much as the difference in pay. The pay was not half as much as it ought to be, and he believed it to be better to have the pay equal. There was a difference in the service of the police, who had the same pay, between a beat on North street and one in Ward 16.

Alderman Clark believed no firemen had a cleaner record than had those of this city, but he failed to see so much service performed by those of Ward 16, and he thought the remarks of the Alderman were a reflection upon the services of firemen.

Alderman Power said he designed no reflection in his remarks. The pay of firemen was about \$300 a year, while that of policemen was \$3 a day. If there was no alarm there was no discount on the pay, and the firemen should be so paid, that when their duties were extraordinary, they would not expect to have any additional pay. There was no better Fire Department than in Boston, and the firemen of Ward 16 let themselves to go when they were called. They were ready and willing to go when they were called upon, and found no fault in being called out.

Alderman Sayward said the Alderman from Ward 4 had stated the question fairly, that there should be no difference in the pay of firemen, who were all liable to be called upon at all times, and were ready and willing to discharge their duties. If it was not enough, he would agree to vote for more. It was true that some of the firemen had more duty to perform than others, but justice required that after working for three years for less pay, the pay of these firemen should be the same as the rest of the firemen of the city.

Alderman Gibson believed in doing justice to all parts of the city, and that there should be no gouging. Those who do double the duty of others should have more pay, and there was no reason why they should pay all alike. They should meet the question squarely, and talk to the mark, and those who do double duty should have double pay.

Alderman Sayward was willing to meet the question squarely, and as the firemen of East Boston do not half the duty that the firemen of No. 4 do, they should not have so much pay.

Alderman Quincy again objected to discrimination in the way of discipline, and illustrated it by army life, for while one regiment may be assigned to charge of trains in the rear and have an easier time, they may at another time be called to the front. So it would happen in the cases of the firemen, that, at times, some of them would have easier duties than others.

Alderman Gaffield referred to the circumstances under which the reduced pay of firemen of Ward 16 was established. Immediately before annexation the inhabitants of the town voted to purchase six steam engines, as many as were in the old portion of Bos-

ton; and as so many were not needed, it was agreed that if all were retained in service the firemen were to serve at less pay.

Alderman Sayward replied that it was true they had six engines, but there were no more than there were when Dorchester was a town.

The motion to refer to the Committee on the Fire Department was carried, and section five, relating to the salaries of assistant foremen, etc., with a similar exception applying to Ward 16, was also referred to the same committee.

Alderman Sayard moved to strike out section seven, fixing the salaries of members of companies in Ward 16, and this also was referred to Committee on Fire Department.

Some discussion occurred upon the pay of the men of the fire boat, Alderman Power inquiring why any of them should have more pay than the firemen, or those of the same class, on shore, while those on the boat were furnished also with their board.

Alderman Gibson stated that these men were required to be on the boat all the time, and they would prefer paying their own board if they could go home.

Alderman Stebbins said the pay was the same as was paid on the tug boats.

Alderman Brown moved to increase the pay of First Assistant-Assessors from \$7 to \$8 per day.

Alderman Clark opposed the amendment, believing that \$7 a day was good pay for the time employed.

Alderman Brown believed the pay to be small for the value of the services performed, and stated in reply to questions that it was expected they would be employed eight hours a day, and that was the amount of time which he gave to the city in his office. The increase for 45 days' service would give an aggregate of but \$1200, which was extremely small.

Alderman Clark said he had supposed that not more than four or five hours were devoted to the duties, and he did not believe that many of them were as faithful as was the alderman while acting as Assessor.

It was further objected to increasing the pay while there were so many anxious to be elected to the office, and Alderman Gibson expressed the belief that the services of the Second Assistant-Assessors might be dispensed with after getting through with the out-of-door work.

Alderman Power urged as an objection against increase of pay, that most of the Assistant-Assessors attended to other business.

The motion to amend was lost.

The several orders having been passed, Alderman Clark moved a reconsideration of the salary of the Superintendent of the Public Library, with a view to its increase.

Aldermen Gaffield and Quincy favored the reconsideration, in remarks upon the efficiency of the Superintendent, whose services would command greater pay elsewhere.

The reconsideration was carried, and the salary was increased to \$3500.

Alderman Sayward moved a reconsideration of the section establishing the salary of the Superintendent of Health, with a view to an increase.

Aldermen Gibson and Hulbert opposed any increase, believing that the duties could not be increased by the establishment of the new Board of Health.

Alderman Sayward said the duties had not been lessened.

Alderman Gibson further objected, that if each Alderman increased the salaries of the department under him, he should be obliged to ask for a similar increase of those with which he was connected, otherwise he would be found fault with.

Alderman Stebbins stated that the committee had reported an increase of this salary of \$300.

Alderman Gaffield proposed a compromise to increase the salary \$200, instead of \$500, as at first designed by the mover, which would make it \$3500, an increase of the same amount with other departments.

The amendment as proposed was carried, and the salary was fixed at \$3500.

The several orders were passed, together with a concluding one that the Auditor and Treasurer be directed to pay to the several officers of Suffolk County the amounts prescribed by law to be paid by the county of Suffolk.

PAPERS FROM THE COMMON COUNCIL.

The petitions of P. Campbell & Son, E. C. Drew and a communication from the Board of Engineers of the Fire Department, were severally referred, in concurrence.

The report (deave to withdraw) on petition of Pearson Brothers & Co. and others, for the location of additional fire apparatus in Norfolk avenue, was accepted.

The report referring to the Committee on Legisla-

five Affairs the subject of placing the control of stables in the hands of the Board of Health, came up for concurrence.

Alderman Sayward said this matter had been before the Board in one form once, yet if the Board saw fit to, they would pass it.

On motion of Alderman Gibson the order was laid on the table.

The reference to the Committee on the City Engineer's Department of an order for an inspection and survey of the arch entrances to the towers of the Boston & Lowell Railroad Station on Canseway street, being on concurrence,

Alderman Bigelow moved the reference to the Committee on Survey and Inspection of Buildings, as more appropriate, in which case, the services of the Engineer might be called, if necessary.

This motion was debated on the question of appropriateness, an objection being made that a delay would be caused by sending the matter back to the other branch, and if the building in question needed an examination it should be done at once.

The motion was withdrawn, when the Board non-concurred in the reference, and the order was passed requesting the City Engineer to make the inspection and survey proposed.

FIRST-ASSISTANT-ASSESSOR.

The election of Artemas R. Holden as a First-Assistant-Assessor, in place of James Dennie, chosen by this Board, came up, when the Board proceeded to an election, resulting as follows:

Whole number of votes.....	12
James Dennie	10
Artemas R. Holden.....	2

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

The following orders were severally passed, in concurrence:

Order that the Superintendent of Health be authorized to employ a principal clerk and such assistants as the Committee on Health may deem necessary for his department.

Report and order authorizing a loan of \$10,000 in addition to the amount appropriated for engine house, Ward 14.

Order for a release to the Boston & Albany Railroad of all claims for damages on account of raising certain estates on Washington and Orange streets, on payment to city of \$8000 therefor.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses as follows:

Post 26, G. A. R., to give dramatic entertainments at Institute Hall, February 24 and 27; B. F. O'Donnell, to give a musical entertainment at Summer Hall, February 25; also to twenty-five newsboys and three booth-lacks; to Aaron D. Capen and William H. Merriam, as auctioneers, and to sundry persons for billiard saloons, wagon licenses and dealers in second-hand articles. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables as follows: P. S. Morton, to occupy a wooden stable for four additional horses on First street, between I and K streets; Allen & Guthrie, to occupy a wooden stable for two horses at 156 Border street; Charles Shuler, to occupy a wooden stable for one horse at 472 Saratoga street; and leave to withdraw on petition of M. T. Downing, for leave to erect additional stalls in stable on Fourth street, South Boston. Severally accepted.

Alderman Sayward, from the same committee, reported leave to withdraw on petition of Jane Longe for compensation as a nurse; also on petition of E. E. Hill to be compensated for supplies furnished and property destroyed, on account of his house, No. 66 Hudson street, being used as a smallpox hospital. Severally accepted.

Alderman Stebbins, from the Committee on Water, to whom was referred as unfinished business of last year, the order in relation to establishing a drinking fountain on the corner of Cabot and Tremont streets, made a report recommending that the order be referred to the Cochituate Water Board.

Accepted.

Alderman Carter, from the Committee on Fire Department, to whom was referred the remonstrance of Samuel S. Perkins and others of Upton street against the location of Hose Company No. 5 on said street, made a report that the committee was unanimous in the opinion that the hose company should be located further south if removed from its present site, and that no action is necessary. Accepted.

ORDERS PASSED.

On motion of Alderman Quincy—

Ordered, That there be paid to the following-named persons the sums hereinafter set against their respective names, being the amounts of the verdicts,

interest and costs recovered by them respectively for land taken and damages sustained by them by the widening of Washington avenue, in the city of Chelsea, by an order of the County Commissioners of Middlesex County, passed on the first Tuesday, 1872, upon their giving due acquittance and receipt therefor, viz.: James Blaisdell, \$942 57; Silas R. Curry, \$613 74; Thomas H. Greeley, \$784 04; Hamlett Bates, \$2121 88; Sarah H. Loomis, wife of Jason B. Loomis, \$1517 45; Joseph W. Cookson, \$613 70; Oliver S. Caff, \$1006 48; Mary Jane Bosson, wife of George C. Bosson, \$1650 16; Nancy Thwaites, wife of William G. Thwaites, \$460 37.

Ordered, That so much of the order passed by this Board on the 22d January last as authorized the payment of any money to either of said persons, be and the same is hereby rescinded.

Alderman Quincy explained with reference to the above, that when the order was passed a few weeks since, in relation to the widening of Washington avenue, in Chelsea, it was believed by him that the payments made under the order included the full amount, but it appeared that some of the parties had appealed from the award of damages, and the amounts named had been recovered through the courts.

On motion of Alderman Clark—

Ordered, That the following bills for extra services performed by police officers be allowed for payment by the Auditor of Accounts, provided they are approved in the usual manner, viz.:

S. B. Hueston, \$19; Clark T. Tripp, \$42; Luther C. Bailey, Patrick Coakley, Gilman F. Decatur, Jacob Karcher, Isaiah S. Robinson, \$9 each; Michael Crosby, Stephen D. Gardner, William H. Hubbard, Roswell M. Lyon, John F. Metzger, Martin R. Shay, Joseph W. Weeks, Eben T. Hitchcock, \$6 each; Andrew Lyman, James H. Baxter, Samuel W. Marsh, Joseph Parker, \$3 each.

A question was raised whether the sums above-named were proper payments, it being supposed that the police were only in the proper discharge of their duties, but these charges, it was said, were for extra duties after the regular service of the day was performed, some of them in attendance upon the small-pox hospitals.

WIDENING OF FEDERAL STREET.

Alderman Clark presented a petition from George C. Richardson, Charles W. Freeland and many others, setting forth as their belief that the northerly portion of Federal street, near Milk street, should be widened on the easterly side, and that to make the widening as contemplated, on the westerly side, would be a grave error. They therefore ask that a hearing be granted them on the subject before the Board.

Alderman Clark stated that the Street Commissioners were nearly ready to report upon the widening of Congress, Federal street and Oliver street extended, and nearly all the other streets, including all of Congress street except from Water street to State street. He did not see how they could refuse to hear the petitioners, and he moved that a hearing be granted to them on Wednesday at one o'clock.

It was voted to give a hearing at the time designated.

Alderman Sayward offered the following order:

Ordered, That the Superintendent of Public Buildings be authorized to prepare photographs and plans of several schoolhouses at an expense not exceeding the sum of \$500, and to loan the same to the State Commissioner on Education for the Vienna Exposition; the expense therefor to be charged to the Appropriation for Schoolhouses, Public Buildings.

Aldermen Power and Gibson opposed the order as a needless expense, and not justifiable, and it was advocated by Aldermen Sayward, Clark and Gaffield, who believed there might be some utility in it, while the pictures and plans would be loaned only, and not a gift as was asserted. Alderman Sayward did not suppose the expense would exceed \$300.

The order was rejected, and Alderman Clark moved a reconsideration, on which the yeas and nays were ordered.

The reconsideration was lost, by a vote of 5 to 7, as follows:

Yeas—Clark, Emery, Gaffield, Quincy, Sayward.

Nays—Bigelow, Brown, Carter, Gibson, Hulbert, Power, Stebbins.

METROPOLITAN RAILROAD STABLE.

On motion of Alderman Sayward, the order to locate the proposed stable for the Metropolitan Railroad on Bartlett street and Shawmut avenue, "at least one hundred feet from any public street or way," was taken from the table and considered.

Alderman Power opposed the order on account of its effect in preventing the extension of St. James street, and he hoped it would not be passed until the question of extending that street was decided upon.

Alderman Sayward said there was no reason for the delay, and it was due to the Metropolitan Rail-

road Company that they should be allowed to build their stable at once.

Alderman Hulbert said he had given some attention to the matter, as one of interest to his section of the city, and it was his opinion that the building of the stable should be allowed. The opening of a new street the railroad company did not object to, and were willing that one should be opened which would better answer the purpose designed, in getting access to the Public Library. One of the principal movers in the matter originally did not object to the passage of the order as affecting the question of the street opening.

The order was passed.

ORDERS OF NOTICE.

On petition of J. J. Birkmaier & Co., for leave to place a steam engine and boiler in building formerly No. 11 South street. Hearing Monday, 10th March, 4 P. M.

On petition of Benjamin Randall, for leave to place a steam engine and boiler on lot 13, on Chelsea street. Hearing Monday, 10th March, 4 P. M.

ORDERS READ ONCE.

On motion of Alderman Clark, orders to pay, heirs of Joshua Bennett \$1940, for land taken to widen Bedford street; to pay heirs of Charles O. Rogers \$4040, for land taken to widen Devonshire street; to pay James M. Beebe \$8080, for land taken to widen Devonshire street; to pay Jane Montgomery \$8980, for land taken in the name of heirs of Thomas Montgomery for the widening of Summer street; to pay John L. Bird \$653 70, for land taken to widen Cottage; to pay Metropolitan Railroad Company \$1380 45, for land taken to widen Stoughton street, and \$2496 44, for land taken to widen Pynehon street.

Adjourned to Wednesday, one o'clock.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

FEBRUARY 26, 1873.

An adjourned meeting of the Board of Aldermen was held this afternoon at one o'clock, for the purpose of hearing certain petitioners in relation to the widening of Federal street—Alderman Cutter, the Chairman, presiding.

Alderman Stebbins suggested that as there had been no report from the Street Commissioners as to what they intended to do, it would be desirable to have a report from them as to their plans in the premises.

Mr. Smith, chairman of the Board of Street Commissioners, stated that the Committee on Streets were familiar with their plans, and could give the desired information.

Alderman Clark stated that it was the design of the commissioners to make the proposed widening, partly on one side and partly on the other, while the petitioners wished the widening to be entirely on the easterly side. The Board would be ready to put in their report tomorrow, and it was desirable that it should be acted upon at that time so that it might go for action to the Common Council on Thursday evening.

It was believed to be desirable to have this hearing to save complaint and the comments of the press, but neither the commissioners or the City Council had been the cause of delay in widening the streets. It had not been the commissioners, but individuals who had asked for changes and for continuous hearing, which had caused the delay.

D. E. Ware appeared for petitioners and stated that they believed public consideration required the widening to be on the easterly side of the street, at the outlet of which it was abrupt and difficult for the travel which passes through those streets. To show that, he would call several witnesses.

George C. Richardson said the views expressed by Mr. Ware were those entertained with him. He had been engaged in business for many years on Federal street, and there had been a constant difficulty in the blocking of the street at the corner of Milk street. When the Cunningham estate was cut off on the corner, individual owners of property contributed to the slight widening. When the plans were first proposed, it was contemplated widening the street on the easterly side, and that it was understood would be the widening until after the 1st January. When the proposed change of widening to sixty feet and on both sides was determined upon, the petitioners were not notified, and that was the reason of their coming here.

Federal street must continue to be a great thoroughfare, and to widen on the westerly side would be to bring the travel against the new post office. If either street was to be widened, he believed it should be Federal street, yet with the widening of several of the streets in this vicinity, there was not a great width required in widening.

George O. Hovey said he had no interest in the matter except as a taxpayer, but he had often been subject to blocks at the corner of Federal, Milk and Congress streets. If one of the streets was to be fifty and the other sixty, the sixty should be Federal street. The block where he mentioned was one of the worst that he knew of, and the street should be widened on the easterly side to bring the street more nearly to Congress street.

To Alderman Clark he said he was not aware that Milk street was to be widened to sixty feet. Yet that would not be enough to prevent the difficulty in the way of blocking.

To Mr. Ware—There ought to be fifty per cent. more width at the corner of the streets mentioned than at other points, and if the widening was to be sixty feet, at the corner or junction of the streets, it should be ninety feet, and he would prefer to have it one hundred feet. The extension of Franklin street he did not think would relieve this blocking much. He was in favor of wide streets. Federal street should be sixty and Congress street fifty feet.

Charles W. Freeland said he had testified before the Street Commissioners that the widening should be done on the easterly side. He had been in favor of rounding off the corner of Milk and Congress streets, (which Mr. Ware said the Government would object to as a portion of the post-office purchase). In view of this statement he believed there should be a rounding off on the corner of Federal and Milk streets at the lower corner. The appearance of the

plan exhibited to him he thought would take off more than was necessary.

In relation to the widening of other streets, he said if it was understood that Devonshire street, from Milk to Franklin street, was to remain at its present width of forty eight feet, he did not see why fifty feet was not wide enough for all the streets running in the same direction below that street. The streets being near together, there was not much need for widening. It would be more natural to widen Federal street than any other, from its natural outlet.

Charles H. Parker (A. & A. Lawrence & Co.) concurred in the statements in relation to blockades at the corner of Congress, Milk and Federal streets. The standing of teams in the vicinity had been discontinued to cause the removal of the difficulty, but it did not remedy the evil, and the only remedy he could see was to cut off on the lower corner of Federal street. The travel on Federal street was northwardly towards the water, the outlet being from Federal to Congress street. It was not so much consequence which side the street was widened provided the lower corner should be widened to eighty or ninety feet. In the property in which he was interested, he was willing to pay reasonable betterments to secure the improvement needed.

R. L. Holt (Holt & Steadman), as a truckman for many years, had known no other place in the city for blocking so bad as the corner of Milk, Congress and Federal streets, and frequently had lost trains in going to the railroad depots on account of the blocking of the street. By taking off the east side, with the widening of Milk street, a great relief would be afforded. There was a great deal of suffering in going to the northerly depots. He was not aware until today of the proposed widening of Milk street to sixty feet, which would give great relief. He was afraid that the widening of Milk street would not give the relief required.

Richard Bradford, truckman, gave similar testimony in relation to the blocking at the corner of Milk, Federal and Congress streets. The widening of Milk street would not alone give all the relief needed, and the widening of Federal street should be on the easterly side on account of the grade, and to bring the street more nearly in junction with Congress street.

Alonzo Hamilton, for many years located in Federal street and vicinity, had long been familiar with the blocking at the corners specified, and on hearing of the proposed widening on the westerly side, he was astonished, believing the convenience of the public should require bringing Federal nearer to Congress street. The widening of Milk street would by no means remedy the difficulty, which was to get rid of right angles of the streets.

William Endicott, Jr., (Hovey & Co.,) was of opinion that the widening should be on the easterly side, to bring Federal street nearer to Congress street, the natural continuation of the street. Federal street should turn into Congress street with as little interruption as possible.

To Alderman Clark—Even though it cost from \$150,000 to \$200,000 more to widen on the easterly side, it was desirable to make the widening when it can be done, so that it shall meet the wants of the public for twenty years to come.

Henry Adams, formerly in business in the vicinity, concurred in the statements in relation to the blocking at the corners mentioned. He would have Federal street sixty feet in width from Channing to Milk street, deflecting towards Congress street. There was now a prospect of making Federal street one of the best avenues in the city and it should be done for all time, as easily right as wrong. It would not do to have Federal street come against the Post Office, but as far as possible Federal street and Congress street should be one avenue, much more travel passing from Congress to Federal than in the continuance of Congress street.

L. J. Bradish agreed with the other witnesses generally in regard to the proposed widening.

George S. Winslow concurred also in the views expressed by others.

Mr. Herschell, engineer, in the proposed widening believed Federal and Congress streets should be brought as near together as possible, but the difficulty was greater in the grade, inasmuch as few teams would be likely to turn up Milk street from Federal street. In the octagonal plan the proposed widening at the corner would take 2000 feet, and the rounding off about 1900 feet.

F. L. Key, teamster, found the same difficulty in blocks, and agreed with others as to the means of relieving the blocks by widening on the easterly side.

Michael F. Lynch, newsman, believed the widening should be on the easterly side of the street. Mr. Lynch proceeded, in a speech of much earnestness, to protest against the proposed action of the Street Commissioners, when Alderman Clark objected, and

Mr. Lynch closed by saying if he could not be heard here he would be at the polls.

Mr. Ware said he would close here, it having been hoped that Mr. Burt, the postmaster, would be heard, but he was absent at Washington.

Robert K. Potter, as a remonstrant, objected to the plan of petitioners. The subject had been thoroughly considered in three exhaustive hearings, in which he gave his views fully. He had long been familiar with the corner where the blocks occurred, and he did not believe they were any greater than in many other places. He believed fifty feet was wide enough for Federal street, with the widening of many other streets in the vicinity. If Congress street was to be a continuation of Federal street, let it be continued through to Chauncy street or beyond, and it would not wipe out more property than it would under the plan of petitioners.

Mr. Potter called upon the Street Commissioners to give their reasons for the proposed action by them.

Mr. Smith, chairman of the Street Commissioners, stated the various plans which came before the Board, and the reasons given in favor of those plans, in relation to which the friends of the measures used the most urgent means to carry out their plans. Admitting, he said, that there had been a great cause of complaint in the blocking at the point specified, the widening of Milk street and the extension of Franklin street would give great relief. Atlantic avenue would also take a great amount of travel which has hitherto gone over these blocked streets. The commissioners were at one time in favor of fifty feet for Federal street, but on account of the great pressure, a delay was occasioned, and now if no changes are required they would be prepared to lay these plans before the City Council within forty-eight hours.

The delay occasioned in giving lines was not on account of the Street Commissioners, as had been attributed, and when their plans were matured, they generally obtained the approval of the Committee on Streets, to prevent delay in the City Council. No matter which side of the street the widening should be made on, there would be the same objection, and the opposition now made to the plans of the commissioners were almost entirely by the parties interested.

To Alderman Stebbins he said the widening as proposed, partly on both sides, was for the purpose of straightening the street as far as possible.

Alderman Hulbert wished to correct the commissioner by saying the Committee on Streets were not entirely unanimous in favor of widening Federal street to sixty feet.

Mr. Smith said to Mr. Ware that one cause of the blocking at the corners specified was that Milk street was narrower at Federal street than above or below, but that difficulty would be remedied in the widening of Milk street. He did not believe there would be so much obstruction to travel at the corner by turning at an angle as there would be in crossing diagonally from Federal to Congress street.

Mr. Talbot, commissioner, agreed with Mr. Smith as to the relief which would be afforded by the widening of Milk street, and this would be aided by the extension of Pearl street. The expense of street widenings it was hoped would come within \$3,000,000, yet with the widenings to be presented tomorrow, the

cost to the present time would amount to \$2,700,000. He was satisfied with the action of the commissioners, and was willing to rest their reputations upon it in the future.

General Burrell, Commissioner, agreed with the other Commissioners in relation to the action of the Board.

Mr. Richardson was called in relation to some statements made, and stated that the project of the additional widening of ten feet was not a matter in hearing, the chairman having repeatedly stated that while there were two lines on the plans, it was not expected that the widening would be more than fifty feet in width.

Mr. Smith replied that it was true he did not believe more than fifty feet in width would be required, but in that the Commissioners were overruled by the public, but the lines were each on the plans, and in relation to these lines, Mr. Talbot concurred with him that both of the lines were matters of hearing while Mr. Richardson was present.

Mr. Ware concluded the hearing in remarks upon the testimony of the petitioners, in which he urged that the petitioners were not heard in relation to the proposed widening, and as the action of the Commissioners was not conclusive he entreated the Board to take such measures as may be necessary in providing convenient, suitable, proper streets for the transaction of business. The loss of minutes was a loss of time, a waste of wealth, and it should be the object in street improvements to prevent delay in travel, by making streets as far as possible continuous lines of travel.

Mr. Ware referred to the various plans which had been considered, some of which were to make continuous streets to State street, and this had reference to direct travel, without obstruction; and while the programme had been carried out to a great extent, it had been departed from in this most important thoroughfare, much to the surprise of the petitioners.

It could be carried out with but little sacrifice, of 1500 to 2000 feet of land, which would secure continuous travel from Federal to Congress street. There had been six conflicting lines of travel at the point of blockade, but, as proposed by petitioners, these lines would be reduced to four. Every argument in favor of the extension of any streets was equally favorable to a continuance of Federal street to make the travel easy to Congress street.

Upon the conclusion of the remarks of Mr. Ware, the question was raised as to what should be the disposition of the petition.

A motion to lay the petition on the table was objected to by Alderman Power, who thought it should be referred to the Committee on Streets.

Alderman Clark said there would have been no hearing if the matter had been for the committee to act upon.

The Chair stated that the petitioners had obtained their object in a hearing, when the petition was laid on the table.

An order was read once to change certain assessments for sewers.

On motion of Alderman Gibson, the Board adjourned to Thursday, twelve o'clock.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

FEBRUARY 27, 1873.

An adjourned meeting of the Board of Aldermen was held at noon, today, Alderman Cutter, the chairman, presiding.

PETITIONS PRESENTED AND REFERRED.

Mr. N. Hubbard, for leave to occupy a wooden stable for one horse rear of 24 Sherman street. Referred to Committee on Health.

John H. Kelly and others, that Daniel Crockett be confirmed as foreman of Hook and Ladder Company No. 4. Referred to Committee on Fire Department.

Leander H. Jones and others, that a street in continuation of Foundry street be called Alfred street. Referred to Committee on Paving.

Patrick Campbell, to be paid for damages caused to his sleigh upon Broadway Bridge. Referred to Committee on Claims.

Nehemiah Berry, for leave to furnish water to East Boston from Flax Pond, in Lynn. Referred to Comitate Water Board.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pay John L. Bird \$653 70, for land taken to widen Cottage street.

Order to pay Jane Montgomery \$8980, for land taken in the name of heirs of Thomas Montgomery, for the widening of Summer street.

Order to pay James M. Beebe \$8080, for land taken for the widening of Devonshire street.

Order to pay heirs of Joshua Bennett \$1940, for land taken for the widening of Bedford street.

Order to pay heirs of Charles O. Rogers \$4040, for land taken to widen Devonshire street.

Order to pay Elizabeth and Ann M. Moore \$500, for land taken and damages in the widening of Emerson street.

Order to pay Metropolitan Railroad Company \$1380 45, for land taken for the widening of Stoughton street.

Order to pay Metropolitan Railroad Company for land taken to widen Pynchon street.

Order for the change of certain sewer assessments on Vinton, Laurel, Ottawa, Hammond, Beacon, Trenton, Bellevue and Warren streets.

REPORTS OF COMMITTEES.

Alderman Power, from the Committee on Steam Engines, reported in favor of the petition of Bartlett & Richardson to locate a steam boiler at 389 Broadway. Accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables as follows: George S. Howe, to occupy a wooden stable for sixteen horses on Hunneman street; Richard Woodsome, to occupy his stable for seven more horses rear of 654 Sixth street; Joseph D. Crowell, to occupy a wooden stable for three horses on Eastern Packet pier. Severally accepted.

The same committee reported leave to withdraw on petition of Henry Spilken, for leave to occupy a wooden stable for one horse on marsh near Ward street. Accepted.

Alderman Cutter, from the Committee on Claims, reported leave to withdraw on petition of Holohan & Maguire, to be paid for plumbing work performed on the smallpox hospital on Sweet street, which was destroyed by fire.

On motion of Alderman Sayward, the report was laid on the table.

Alderman Cutter, from the same committee, reported leave to withdraw on petition of Smith & McGaragle to be paid the full amount mentioned in their contract with the city for the erection of the smallpox hospital on Sweet street, which was destroyed by fire.

Laid on the table.

ORDERS PASSED.

On motion of Alderman Quiney—

Ordered, That the armory of Company A, Ninth Regiment of Infantry M. V. M., in the hall on the corner of Causeway and Leverett streets, be and the same is hereby approved as a suitable place for the deposit and safe keeping of arms and equipments.

STREET WIDENINGS.

The following communication was received from the Street Commissioners, covering orders for widening several streets, as specified:

The resolves and orders adopted by the Board of Street Commissioners, today, and sent to your honorable body for concurrence, are for the widening of Milk street, between Washington and Batterymarch streets, to fifty feet, in all but that portion between Devonshire and Congress, where the width is increased to sixty feet; the widening and extension of Franklin street, from Devonshire across Federal and Congress streets to Pearl street, at Sturgis street, as a forty foot street, and making a continuous avenue from Washington street to Atlantic avenue in a direct line, and by an easy grade; the widening of Federal street to sixty feet, by takings upon both sides of the street to produce a perfectly straight street from High to Milk street; the widening of Congress street by takings upon both sides to sixty feet until the vicinity of Milk street is reached, when the new line is carried on the easterly side above, increasing to a width of seventy feet opposite the proposed Post Office site to Water street—the intention being to complete the widening of the street thence to State street when the surveys shall be completed; the fifty feet wide extension of Pearl street, from Milk street to Water street, at Congress street, about eighty feet north of the corner of Milk and Congress streets, leaving an open space or square some 160 feet in width from the westerly side of Pearl street; and the extension of Oliver street from Milk street to Liberty square at fifty feet width.

The interdependence of these streets has led the Commissioners to treat these several widenings and extensions as parts of one whole improvement, as in their judgment this course will result in less expense to the city in the payment of damages, and greater benefit in the future assessments for betterments.

The Commissioners beg leave to represent to the Honorable Council that the labor upon the necessary surveys of these streets, after the lines had been decided on, was the principal cause of the delay attending the presentation of the accompanying orders. They were, however, happy to say that the surveyors' work upon the remaining portion of the streets in this part of the city in which changes are contemplated is in such a state of forwardness as to insure its completion within a few days.

WIDENING OF CHANNEY STREET.

Resolve and order for the widening of Channey street, at the corner of Summer street, at a cost of \$42,520, by taking land, as follows:

Osborn Howes and Richard J. Monks, trustees, 1384 feet, \$30, \$11,520; damages \$1000—\$42,520.

Alderman Clark stated that this measure had been before the Committee on Streets, and they were in favor of its approval.

Passed in concurrence.

WIDENING OF FEDERAL STREET.

Resolve and order for the widening of Federal street, by taking land of the several persons therein named, at an expense of \$341,869.

The several items of cost are as follows:

George Lawton, corner of Broad street, 602 feet, \$18, and total costs damages \$1,110. E. M. Cate and W. A. Nickerson, 588 feet, \$18; total \$10,960. J. M. Roberts, corner of Purchase street, 780 feet, \$22—\$17,660. Ariel Low and C. W. Hersey, Purchase to High street, 517 feet, \$15—\$8555. Edwin H. Sampson, corner of High street, 112 feet, \$24—\$3038. G. W. & F. Smith, 161-166 High street, 95 feet, \$15—\$1575. Charles A. Welch, trustee, No. 158 do, 91 feet, \$15—\$1500. Catherine Ford, 156 do, 97 feet, \$15—\$1600. Theodore Harrington, 154 do, 111 feet, \$15—\$1800. Martin H. Baneroft, 152 do, 124 feet, \$15—\$2000. Charles H. Dodge, 347 feet, \$11—\$3980. Nathan Matthews, 128-136 do, 674 feet, \$13—\$9300. David Snow, 111-108 do, 1143 feet, \$12—\$14,516. John Colamore, 100-102 do, 421 feet, \$11—\$4931. H. & F. A. Whitwell, executors, 94-98 do, 502 feet, \$12—\$6350. Heirs of Mary Powers, 84-92 do, 761 feet, \$12—\$11,950. William Sheafe, 80-82 do, 770 feet, \$15—\$12,000. Richard Baker, Jr., 78 do., 254 feet, \$13—\$3170. William F. Weld, 72 do., 121 feet, \$14—\$1830. E. M. Abbott and E. S. Bangs, 64-70 do., 756 feet, \$16—\$12,496. Heirs of Nathaniel Snow, 58-60 do., 340 feet, \$16—\$5640. William Minot, Jr., trustee, 54-56 do., 317 feet, \$16—\$5272. B. G. Boardman, 46-52 do., 510 feet, \$18—\$9500. John P. Gilman, 42-44 do., 359 feet, \$18—\$6370. Edward D. Pefers, 32-36 do., 406 feet, \$18—\$7650. Andrew T. Hall, 26-30 do., 340 feet, \$18—\$6450. S. H. Russell, trustee, 14-24 do., 473 feet, \$20—\$10,000. F. G. & L. A. Shaw, trustees, corner of Milk street, 185 feet, \$25—\$5300. Joseph L. Cunningham, corner of Milk street, 884 feet, \$35—\$31,300. Charlotte A. Johnson, 7-19 Federal street, 1344 feet, \$20—\$27,555.

James H. Beal, 21-25 do., 582 feet, \$18—\$10,850. George C. Richardson, 27-39 do., 940 feet, \$18—\$17,600. James Lawrence and others, trustees, 41-49 do., 533 feet, \$16—\$9,201. Gardner Brewer, 51 to corner of Franklin street, 324 feet, \$20—\$7,080. John Ritchie, John Ritchie, 2d, and Elizabeth Lewis, corner of Franklin, 48 feet, \$17—\$1,166. John Ritchie, 2d, and Elizabeth Lewis, 69-71 Franklin, 57 feet, \$11—\$1,040. John Starrett, No. 73 do., 67 feet, \$14—\$1,180. George T. Bigelow and others, trustees, 91 do., 115 feet, \$10—\$1,350. David Snow, 103-107 do., 71 feet, \$13—\$1,300. Nathan Matthews, 111-115 do., 37 feet, \$13—\$731. Isaac Pratt, Jr. and T. E. Tobey, 117-121 do., 5 ft. \$13—\$130. H. H. Hunnewell, 127-131 do., 15 feet, \$13—\$345. Heirs of J. G. Torrey, 133-141 do., 140 feet, \$12—\$2,150. D. L. and J. G. Webster, corner of Milton place, 124 feet, \$15—\$2,100. H. F. Smith, 155-157 do., 269 feet, \$18—\$5,217. S. R. Spaulding, 159 do., 363 feet, \$27—\$10,201. Leonard Ware, corner of High street, 590 feet, \$19—\$11,910. Charles E. Cook, 181-183 do., 93 feet, \$22—\$2,300. Total, 18,403 feet, at \$324,592; damages, \$17,277—\$341,869. The several items of damages range from \$65 to \$800.

Alderman Clark stated that all of these widenings had been before the Committee on Streets, who had given them full consideration and were in favor of them all. There was no occasion for delay, and it was desirable to send them at once to the Common Council. They were satisfied that they were the best widenings which could be made for the benefit of the Government.

In the matter of land damages, it was believed to be better to have all these measures passed at the present time, and that none of them should be laid over.

Alderman Clark moved that the order take its second reading at the present time.

The second reading was ordered, and the question was on its passage.

Alderman Power hoped the order would not be passed, as it was an important departure from the plan first drawn up by Mr. Davis, City Surveyor, which was generally accepted. Federal street was an important thoroughfare, and it should be widened so as to prevent the blockade at the corner of Milk and Congress streets. It was more important than any other measure which will come before the Government, and this had better be carried out rightly if all others had to be abandoned. He was surprised at the remarks of the Street Commissioners, and believed the improvement was as much needed as was the extension of Washington street or Devonshire street.

Alderman Quincy believed the petitioners yesterday made out a good case, and he was in favor of the change proposed, believing that it would be better to have delay than to make a mistake in the widening of the street.

A petition was presented from Michael F. Lynch, asking for a delay in the widening of Federal street, and asking to be heard on the subject.

Alderman Clark stated that the little plan before them, made by Mr. Davis in about a week after the fire, was of a general character only, which gave a favorable impression, but upon mature reflection it was believed that important changes should be made. Some of these changes he indicated; and in relation to the blockade in question, he said it was not necessary that testimony should be introduced here to show it, for they were all aware of it. Yet that blockade was not greater than in many other places, and the various extensions of the streets would greatly relieve that portion of the street.

The Street Commissioners, he said, had had this subject under consideration for nearly three months, and in the various hearings which had taken place it was believed that three-fourths of those who had paid attention to it were in favor of the plans of the Commissioners. The additional expense of the widening as wished by those who asked for the widening on the easterly side, would cost \$200,000 more than that of the plan of the Commissioners. No widening could be made satisfactory to all persons, and in regard to the width, some of those who are opposed to the plan of the Commissioners agree that the street should be sixty feet in width.

In regard to the importance of immediate action, he said, if the order should not be passed, as proposed, it would cause a delay of at least four weeks, and that to the great inconvenience of owners of property, who would have not less than 150 buildings under construction at the end of the period named if they could have their lines at once.

Alderman Power did not question that the Commissioners had consistently discharged their duty, yet they had changed their minds, as it appeared. The change of the lines of Federal street to connect more fully with Congress street, would be more important than the widening of the street.

As to blocks elsewhere there could be no doubt that if the territory where they occur was burned over, improvements would be made to prevent such blocks. In relation to the persons who have taken part in the matter, those who asked for a change had no personal interest, while there were interests involved in favor of the plans of the Commissioners.

Alderman Clark said he had not intended to allude to interests of parties who appeared here, yet it was in evidence that some of those who favored a change were interested. It would be impossible to make Federal street a straight street, and although the Commissioners did not at first agree in all matters, they did so finally. There is now no difference of opinion as to the manner of widening.

Alderman Power said, in regard to Eastern avenue, which had been alluded to, there was no positive determination as to where it shall come in, and it may as likely be at Federal as at Congress street. At any rate, Federal street would always be a largely travelled street, and it would be better to widen that properly rather than put a foot of widening on Congress street.

Alderman Quiney said he did not doubt that the Street Commissioners had conscientiously discharged their duties, but he believed the petitioners of yesterday made out their case, and it was now a matter of responsibility upon this Board how it was best to make the widening of Federal street.

Alderman Clark called attention to the fact that in the negotiations last year it was determined that the Eastern avenue would come in at Congress street, and it would not be many years before the improvement was made.

Alderman Power said that his belief of the matter was that the Eastern avenue would not come in at Congress but at Federal street, and he did not believe the city would agree to the terms of the Boston & Albany Railroad Company, and under such circumstances it was not likely that the improvement would be made short of ten years.

Alderman Gaffield stated that the improvements made were not for temporary purposes but for all time, and while some persons were in favor of very wide streets and others were opposed to any widenings, the Commissioners had taken a golden mean. In relation to the Eastern avenue he had been assured that it must come in at Congress street. If there had been no determination to go beyond a fifty-foot street, he did not believe there would have been any opposition. It was due to the Commissioners and to all parties interested that this matter should be settled at once.

Alderman Hulbert defined his position as a member of the Committee on Streets. He was in favor of fifty feet both for Federal and Congress streets. Federal street could never be as it was, because other avenues had been opened, which would relieve that street. On the grounds of business and of business interests he advocated the widening of the streets to fifty feet only, and he believed it would be an injury to business by having wide streets. Wool dealers did not seek Congress street because it was wide; on the contrary, they sought to be in crowds, where it was busy, and that was the policy of the best business men. It was not desirable to have wide streets for business, except to get room for the business. The crowding of streets was not an unmitigated evil, and the widening of them was not always for good.

If Federal street was to be fifty feet wide, it should be on the easterly side, and he should prefer not to have it any wider than that. The business would be distributed much more by the other street changes, and Franklin street would be much better for business should it be narrowed up. Should the crowded streets be much widened, the crowds would seek business quarters elsewhere. As to the Post Office being a common centre of business, he denied it, for it could not be. As to the cost, the difference between fifty and sixty feet streets for Federal and Congress streets would be \$1,000,000, which would add \$100,000 yearly to their tax bills, and the whole cost of the street widening on the burnt district, with the paving, would not be less than \$6,000,000. For these reasons he could not favor the proposed widenings.

Alderman Clark believed the Alderman to be incorrect in his calculations, for the whole expense of widening Federal and Congress streets, as estimated by the Commissioners, was but \$850,000.

Alderman Hulbert, in reply, stated that the estimates before the Board did not include the widening of Congress street, from Water street to State street. His figures would make about a million of dollars when the bills were all paid, much allowance being necessary in settling up damages.

Alderman Clark questioned the figures of Alderman Hulbert, and stated that he knew something of the reasons why wool dealers went to Congress street, which was for cheap rents and abundance of

loft room. In that street land had sold within three years for \$12 a foot with good granite buildings upon it, and since the fire sales had been made of land in that street at \$15 a foot. The Alderman practically favored wide streets while he was in business, removing from narrow to wide streets.

Alderman Hulbert, in further statements, said business men would go where there was room, and where there was a crowding in the kind of business done. In his own case, he removed from other considerations than a wide street. In regard to the costs, he made additional statements, citing the chairman of the Street Commissioners as estimating the cost of the widening of Congress street to State street, additional, to be \$650,000.

Alderman Clark declared the Boston Post Office to be the centre of business, not necessarily, but in fact; for the value of land was much more within a radius of half a mile of the Post Office than it was beyond. He was not satisfied with the figures of the Alderman, and could not agree to them.

Alderman Quincy agreed with Alderman Hulbert that it was better to have streets of a moderate width than to have them wide, provided there was a pulsation in the flow, and he had been assured by a dry-goods dealer that Federal street would be wide enough at fifty feet, with a rounding off at the corner.

Aldermen Hulbert and Clark made further statements in sustaining their respective positions, the last named stating that a portion of Federal street had been fifty feet wide, and that portion was often blockaded.

Alderman Gibson said he was at first disposed to agree with Alderman Hulbert, but on looking at the plans he could do no other than agree that the Commissioners had done the best which could be done, taking the connections through from depots to depots. He was willing to compromise in width at fifty-five feet, and would agree to making Federal street sixty feet and Congress street fifty feet.

Alderman Gaffield said the committee had been importuned to give a width of at least sixty feet to this street, and it was a happy mean, for many persons advocated a much greater width. Reference was made by him to the various proposed changes, and he believed the expense of improvements, although great, would bring back revenue to the city in betterments. It was not true, that widening streets diminished their value, as he knew from the charge of an estate on Hanover street, which rented for 33 per cent. more with diminished room from the widening.

Alderman Gibson made some further remarks upon the effect of the extension of Washington street, and the opening of more direct routes of travel.

Alderman Hulbert moved to amend by making the proposed widening fifty feet instead of sixty feet.

The Chair ruled that the amendment could not be entertained, the question being upon concurring or non-concurring with the Street Commissioners.

Alderman Hulbert moved to recommit, with instructions to the Street Commissioners to provide for the widening of Federal street to fifty feet.

Alderman Clark opposed the motion on account of the delay which would be occasioned by recommitting, the loss to the community being not less than \$50,000 a day.

Alderman Quincy said he would vote for the motion could it be modified to provide for a widening of sixty feet from Channing street to Milk street on the easterly side.

Alderman Gaffield opposed the motion, and he believed that if all the members of the Board had been on the committee they would have agreed with them generally.

Alderman Sayward opposed delay, stating that he was prepared to vote at once, and was when he came to the Board today.

Alderman Emery opposed delay, and the reduction of the street to fifty feet. If the width was to be but fifty feet, the widening should be on the easterly side. With the widening to sixty feet, he believed the public would be generally accommodated. Congress street and Federal street, both at sixty feet, must accommodate travel at present and prospectively.

Alderman Gibson believed it would be better to widen on the westerly side, as leading the travel near to Devonshire street, which would be the most desirable street to travel in. The termination would be much better through Devonshire street than through Congress street.

Alderman Emery stated further that he favored the plans of the Commissioners.

The question was taken on recommitting, which was lost, by a vote of 2 to 10, as follows:

Yeas—Hulbert, Power.

Nays—Bigelow, Brown, Clark, Cutter, Emery, Gaffield, Gibson, Quincy, Sayward, Stebbins.

The concurrence in the passage of the order was agreed to by a vote of 8 to 4, as follows:

Yeas—Bigelow, Clark, Cutter, Emery, Gaffield, Gibson, Sayward, Stebbins.

Nays—Brown, Hulbert, Power, Quincy.

WIDENING OF MILK STREET.

Resolve and order for the widening of Milk street, by taking land of the several parties therein named, at an expense of \$297,462.

The resolve and order were passed, under suspension of the rules.

The several items were as follows:

Heirs of Samuel Davis and others, No. 3 Milk street, 95 feet, \$85—\$8075. Nathaniel L. Williams, Nos. 5-7 do., 345 feet, \$50—\$17,250; damages, \$350—\$17,600. Heirs of Joseph Bumstead, Charles Pope, trustee, 11-13 do., 205 feet, \$45; damages, \$1000—total, \$10,225. Owner unknown, passage, 141 feet. Charles M. Parker, 15-17 do., 409 feet, \$25; damages, \$200—total, \$10,425. Mary T. Goddard, 19-25 do., 578 feet, \$25; damages, \$200—\$14,900. Jacob Sleeper, 27-35 do., 193 feet, \$20; damages, \$100—\$4310. Owners unknown, Morton place, 107 feet. William Dwight and others, trustees, 37-43 do., 192 and 265 feet, \$25; damages, 400—\$11,825. George P. Upham, 45-47 do., 532 feet, \$40; damages, \$300—\$21,580. Heirs of T. B. Lawrence, 55-61 do., 481 and 495 feet, \$32 50; damages, \$500—\$32,220. D. W. Williams and Jona. French, trustees, 63-65 do., 364 feet, \$32; damages, \$250—\$11,898. R. T. Paine, Jr., and others, 67-69 do., 430 feet, \$29; damages, \$250—\$12,720. Jos. L. Cunningham, 71-75 do., 430 feet, \$29; damages, \$400—\$26,090. F. G. & Q. A. Shaw, trustees, 77-79 do. 662 feet, \$27; damages, \$350—\$18,224. Levi L. Tower, 81-83 do., 572 feet, \$25; damages, \$14,600. Jos. G. Russell, 85-87 do., 555 feet, \$30; damages, \$350—\$17,000. Heirs of Jos. Whitney, 91 do., 404 feet, \$20; damages, \$250—\$8380. Wm. S. Dexter, 318 feet, \$20; damages, \$250—\$6610. Heirs of John P. Cushing, 95-97 do., 486 feet, \$23; damages, \$250—\$11,678. Moses Williams, 92-91 do., 70 feet, \$23; damages, \$250—\$1860. Heirs of Thos. Cordis, 96-98 do., 134 feet, \$18; damages, \$200—\$2612. Robert C. Waterston, 100-102 do., 308 feet, \$18; damages, \$350—\$5894. Samuel Atherton, 104 do., 510 feet, \$23; damages, \$400—\$12,130. Liberty-square Warehouse, 112-116 do., 991 feet, \$16; damages, \$800—\$16,656. Total, 10,576 feet, \$288,912; damages, \$8550—\$297,462.

WIDENING AND EXTENSION OF PEARL STREET.

Resolve and order for the extension of Pearl to Congress street, at Water street, at an expense of \$170,300.

The resolve and order were passed in concurrence.

The several items of expense are as follows:

Heirs of John Tappan, 99-101 Milk street, 168 feet, \$20, \$3360; damages \$540—\$3900. Moses Williams, 88-90 do., 617 feet, \$30, \$18,510, damages \$490—\$19,000. Ellen Stearns, 84-86 do., 2040 feet, \$23, \$46,920; damages \$880—\$47,800. James Lawrence and others, trustees, 2 to 5 Bath street, 1457 feet, \$13, \$18,941; damage, \$309—\$19,250. James Lawrence, 80-82 Milk street, 1785 feet, \$19, \$33,915; damages \$535—\$34,450. Heirs of James Vila, 1 Bath street, 2643 feet, \$13, \$34,359; damages, \$891—\$35,250. Unknown owners, passage-way 1203 feet. J. C. Howe and J. J. French, 67 Water street, 344 feet, \$30—\$10,320; damages, \$330—\$10,650. Total 10,257 feet, \$166,325; damages, \$3975—\$170,300.

EXTENSION OF OLIVER STREET.

Resolve and order for the extension of Oliver street, at an estimated expense of \$131,220.

Alderman Hulbert opposed the order as unnecessary, and it was advocated by Alderman Clark as an important improvement.

Alderman Gaffield, as an additional reason for the order, said the city owned fifty thousand feet of land on Fort Hill, which would be greatly bettered by this extension.

The order was passed in concurrence.

The several items of expense are as follows:

Liberty-square Warehouse Company, 108-110 Milk street, 4772 feet, \$18, \$85,896; damages, \$1500—total, \$87,396. Heirs of John Belknap, 66-64 Kilby street, 779 feet, \$20, \$15,580; damages, \$100—\$15,980. Daniel P. Stone, 62-60 Kilby street, 553 feet, \$20, \$11,060; damages, \$350—\$11,410. Benjamin F. White, 58 Kilby street, 592 feet, \$27, \$15,984; damages, \$450—\$16,434.

WIDENING OF CONGRESS STREET.

Resolve and order for the widening of Congress street between Water and Broad streets, at an estimated expense of \$514,795.

The order being on its passage, Alderman Power opposed the widening beyond a width of fifty feet, as unnecessary, never to be a greatly travelled thorough-

fare, and not to connect with Eastern avenue, at least for many years, if ever.

Alderman Clark advocated the order as called for by business men, and an improvement which will be very important in the future. He believed the expense of connecting with Eastern avenue would be much less by way of Congress street than by Federal street, and an appeal to the City Surveyor assured him that such was the case, on account of conflict with the Hartford & Erie Railroad Depot.

Alderman Power denied that there would be any conflict with the Hartford & Erie Railroad. On the contrary, it would be in harmony with that railroad, and they wished the connection there.

Alderman Clark reiterated his statement in relation to the Eastern avenue, and the building of a bridge at the Hartford & Erie Depot would interfere with their bridge.

Alderman Hulbert agreed in relation to the location of Eastern avenue with Alderman Clark, yet he did not believe the street should be more than fifty feet in width.

The order was passed, by a vote of 10 to 2, as follows:

Yeas—Bigelow, Brown, Clark, Cutter, Emery, Gaffield, Gibson, Quincy, Sayward, Stebbins.

Nays—Hulbert, Power.

The several items were as follows:

Rufus G. Norris, Nos. 255-257 Congress street, 634 feet, \$11, with damages, \$7500. S. R. Spaulding, 251, 253 do., 239 feet, \$9—\$2300. J. P. Preston, 243-249 do., 538 feet, \$11—\$6350. James Hyndman, 235-237 do., 228 feet, \$13—\$3200. Heirs of Benjamin Willis, 231-233 do., 220 feet, \$10—\$2450. L. L. Fuller, 227-229 do., 220 feet, \$10—\$2450. E. C. Milliken, 233-235 do., 225 feet, \$10—\$2500. S. R. Spaulding, 219 do., 749 feet, \$15—\$11,800. Joseph B. Moors, 201-209 do., 817 feet, \$16—\$14,500. Henry Poor & Son, 189-199 do., 755 feet, \$10—\$8100. B. G. Boardman, 181-187 do., 753 feet, \$9—\$7310. W. B. Spooner, 163-173 do., 813 feet, \$11—\$9600. Heirs of George Parkman, 267 feet, \$13—\$3600. Alexander H. Reed, 155 do., 175 feet, \$13—\$2400. Sampson and Davenport, 153 do., 4 feet, \$15—\$60. H. H. Hunnewell, trustee, 145 do., 242 feet, \$10—\$2600. James M. Cook, 131-137 do., 710 feet, \$10—\$7600. B. G. Boardman, 123-129 do., 241 feet, \$10—\$2410. Heirs of Peter Coffin, 117-21 do., 51 feet, \$10—\$510. F. H. Stimpson, 60-62 do., 1498 feet, \$33—\$50,350. James Parker, 64-66 do., 2385 feet, \$28—\$65,000. James Leeds, 68-76 do., 2636 feet, \$33—\$88,000. Joseph G. Russell, 86-88 do., 1491 feet, \$30—\$45,400. Heirs of Joseph Whitney, 90-94 do., 837 feet, \$18—\$15,700. Heirs of John Fleatt, 96-102 do., 936 feet, \$16—\$15,400. H. J. Plaff, 106-16 do., 1441 feet, \$14—\$20,800. Heirs of J. W. Fenno, 118-20 do., 406 feet, \$14—\$6000. Andrew J. Morse, 122-26 do., 634 feet, \$11—\$7300. James Lawrence and others, trustees, 130 do., 633 feet, \$11—

\$7370. Heirs of George H. Blackburn, 136-40 do., 449 feet, \$10—\$4900. F. R. Sears, guardian, 144-48 do., 386 feet, \$10—\$4200. Heirs of F. Allen, 150 do., 71 feet, \$10—\$800. Heirs of F. S. Carruth, 160-62 do., 307 feet, \$11—\$3600. John S. Potter, 164-66 do., 245 feet, \$12—\$3200. W. B. Spooner, 168-174 do., 523 feet, \$12—\$6700. F. M. Johnson and A. Thompson, 176-82 do., 623 feet, \$11—\$7350. Eben B. Phillips, 184-86 do., 295 feet, \$11—\$3500. Edward Brooks, passageway 174 feet. E. B. Phillips, 188-94 do., 474 feet, \$11—\$5600. James O. Safford, 196-98 do., 260 feet, \$11—\$3100. Thomas E. Proctor, 200-6 do., 872 feet, \$15—\$13,750. E. B. Phillips, 210 do., 637 feet, \$15—\$10,000. James Tuttle, 471 feet, \$10—\$5050. Heirs of Samuel May, 230-34 do., 824 feet, \$10—\$8240. E. B. Phillips, 246-52 do., 531 feet, \$11—\$6300. Heirs of F. S. Carruth, 254-56 do., 241 feet, \$9—\$2300. William F. Weld, 258-60 do., 649 feet, \$11—\$7645. Total, 28,779 feet, \$496,922; damages, \$17,873—\$514,795. The items of damage varied from \$90 to \$4020.

WIDENING AND EXTENSION OF FRANKLIN STREET.

Resolve and order for widening and extension of Franklin street, by taking land of the several persons therein named at an expense of \$314,892.

The order was passed, in concurrence.

The several items were as follows:

Heirs of Isaac Rich, Nos. 81-83 Franklin street, 517 square feet, \$28, \$14,476; damages \$450—total \$14,926. John Ritchie and others, Nos. 85-91, 1084 feet, \$18, \$19,512; damages \$800—\$20,312. William F. Weld, Nos. 72-74 Federal street, 3116 feet, \$14, \$43,624; damages \$450—\$44,074. Richard Baker, Jr., Nos. 76-78 do., 1997 feet, \$13, \$25,961; damages \$450—\$26,411. E. M. Abbott and E. S. Bangs, No. 70 do., 2 feet, \$13, \$26. James M. Cook, Nos. 131-137 Congress street, 1 foot, \$8. H. H. Hunnewell, trustee, Nos. 145-151 Congress street, 4358 feet, \$10, \$43,580; damages \$400—\$43,980. Heirs of George Parkman, Nos. 8-11 Channing street, 21 feet, \$7, \$147. Sampson & Davenport, 153 Congress street, 485 feet, \$15, \$7275; damages \$250—\$7525. Alexander H. Reed, 155 Congress street, 7 feet, \$15, \$105. Heirs of F. Allen, 150-154 do., 3925 feet, \$10, \$39,250; damages \$600—\$39,850. Heirs of F. S. Carruth, 156-162 do., 1544 ft., \$12, \$18,528; damages \$400—\$18,928. Wales Tucker, 51-49 Pearl street, 1474 feet, \$15, \$22,110; damages, \$550—\$22,660. James Leeds, Nos. 53-55 do., 2306 feet, \$17, \$39,202; damages \$850—\$40,052. Heirs of Freeman Allen, 57-59 do., 2517 feet, \$14, \$35,238; damages \$650—\$35,888. Total, 23,354 feet, \$309,042; damages, \$5850—\$314,892.

Alderman Clark moved a reconsideration, with a view to sending the several orders to the Common Council, hoping the motion would not prevail.

Alderman Power wished the question to be taken on each separately, which was lost, when the reconsideration was lost.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

FEBRUARY 27, 1873.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, E. O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of Whitecomb & Potter, Patrick Campbell, Winchester & Hight, Nehemiah Barry and the communication of the First Baptist Society of Boston were severally referred, in concurrence.

The annual report of the Inspector of Buildings was ordered to be placed on file.

The following reports were accepted, in concurrence:

Report of reference to the Water Board of the subject of establishing a drinking trough at the corner of Tremont and Cabot streets.

Report (no action necessary) on remonstrance of S. S. Perkins and others, against proposed erection of an engine house on Upton street.

Reports (leave to withdraw) on petitions—

1. Of Ebenezer E. Hill, to be paid for loss on account of use of his house, 66 Hudson street, as a smallpox hospital.

2. Of Jane Logue, for compensation as a smallpox nurse.

The order to pay bills of certain police officers for extra services was read once.

The non-concurrence in the reference to the Committee on Engineer's Department, and passage of the order for City Engineer to inspect the arched entrances for towers of Boston & Lowell Depot, came up for action.

Mr. Perkins of Ward 6 said that the Council would perhaps concur in the passage of the order, should the gentleman who offered the order give some reasons for its passage.

Mr. Jones, of Ward 14 moved that the Council recede from its reference.

Mr. Perkins repeated that no reason had yet been given for the passage of the order.

Mr. Dean of Ward 12 said that from the character of those who were engaged in the construction of the building, it was *prima facie* evidence that it was properly constructed, as much so as any in the city. Before they meddled with the matter, they should know something about it.

Mr. Pease said it would appear to be the object of the other branch to send the order immediately to the Engineer. In answer to an inquiry of Mr. Perkins, the occurrence of today, he said, showed the necessity of looking after all buildings believed to be unsafe.

Mr. Jones said it would be a matter of courtesy in any event, if the committee reported in favor of it, to refer it to the City Engineer, and it might as well go to him to be looked after at once. Many people believe these arches to be unsafe, and it would be as well to have them examined.

Mr. Mahan of Ward 5, of the Committee on the Engineer's Department, said the committee would make no objection to sending the order at once to the Engineer.

Mr. Perkins objected to acting upon orders without knowing reasons for them, otherwise they would be constantly sending the City Engineer from Dan to Beersheba.

Mr. Jones said there were many who believed the arches in question to be unsafe, being merely tied together, and the sooner the security of them was looked into the better.

The Council receded from the reference, and concurred in the passage of the order.

ELECTION OF FIRST-ASSISTANT-ASSESSOR.

The certificate of the election of James Dennie as a First-Assistant-Assessor in place of Artemas R. Holden, chosen by the Council, was read, when the Council proceeded to an election, which resulted as follows:

Whole number of votes.....	56
Necessary to a choice.....	29
Artemas R. Holden.....	29
James Dennie.....	12
James K. Crowley.....	6
H. N. Holbrook.....	5
Theophilus Burr.....	4

Mr. Holden was declared to be again elected, in nonconcurrence.

STREET WIDENINGS.

The Chair stated that he would take up first the papers received from the Board of Aldermen today, before taking action upon the Salary bill.

WIDENING OF CHAUNCY STREET.

The resolve and order for the widening of Chauncy street was read once, and Mr. Pease of Ward 1 moved a suspension of the rules for the passage of the order tonight.

Mr. Perkins of Ward 6 said it was the opinion of members of the Committee on Streets that it would be better not to pass the various street widenings tonight.

Mr. Pease said it was known to every one that the owners of land in these streets were very anxious to build, and the Street Commissioners and the Committee on Streets had given the matter very careful hearings, and the sooner they were disposed of the better.

Mr. Perkins replied that the gentleman might have authority to speak for others, but not for the Committee on Streets. The Street Commissioners were of opinion that all of these orders should be passed at once, and for that reason they did not wish to have action upon two when there were half a dozen connected together. Rather than compel the city to pay more for land in consequence of the passage of any one of them, they should all lie over.

The original and favorite plan was to have Federal street run into Congress street, thus making it a continuous street. The plan was changed to allow the enlargement of the Post Office, to which it was believed the General Government was inclined. At the last meeting of the committee, a communication was laid before them from the Secretary of the Treasury, relative to the widening of the streets opposite the Post Office, and the House of Representatives was in favor of the plan of the Postmaster to have a space on Congress street of eighty feet. The plan before the Senate was to lay out the whole triangular piece of land between Congress and Pearl streets, and as it is believed they are opposed to further appropriations for public buildings in Boston; the City Council should not act until the action of Congress was definitely settled. It was desirable that the course of the Government should be known, and if the additional piece of land is not to be taken then the original plan of Federal street should be carried out. Nothing would be lost, then, by a delay of one week.

Mr. Pease said his object was to facilitate matters, and that was his reason for the motion made by him. He did not pretend to speak for the committee, and this measure was not connected with the others.

Mr. Perkins said he understood that the committee would have no objection to the passage of the order for the widening of Chauncy street.

The rules were suspended, and the order was passed

WIDENING OF FEDERAL STREET.

The resolve and order for the widening of Federal street was read once.

Mr. Denny of Ward 9 said he did not fully understand the reasons of the gentleman from Ward 6 for postponement. The subject had been under consideration nearly four months, and it was necessary for the owners of property to commence forthwith the rebuilding of their stores as soon as their lines were fixed. After the deliberations of the Street Commissioners and the action of the Board of Aldermen, they could safely act upon the conclusions to which they had come, and unless there were serious objections in each instance, action could be taken at once in their passage. The owners of land were clamorous for action, and great blame would be cast upon them for any unnecessary delay.

It was not the Street Commissioners, but others, who had caused the delay, and many persons were of opinion that the Street Commissioners should have acted independently of what others might say, and fix the lines, whoever it might hurt. The damage had been very great from the delay, and there had been no hasty legislation and could be no objection to passing each one of those orders to which no objection could be made.

Mr. Perkins said the Commissioners and the committee were unanimous in their opinion as to each of these measures except the widening of Federal street. They were at first in favor of a through street, and if the Government does not want the additional land for the Post Office, Federal street would be laid out through that land. Otherwise it would be better to turn the travel down instead of up from Federal street. It would be absolutely impossible to comply with the terms of the United States House of Representatives in the widening of streets, and before the next meeting of the Council the question must be

settled by Congress. If it must be a choice between that and the plan of the Street Commissioners, the last must be chosen, as recommended.

Mr. Denny said if it was a question of lines merely, and not the widening of Federal street, he did not see why they could not discuss it tonight. Reasons could be given why the easterly and not the westerly side of the street should be cut off. The question of widening had been fully discussed in the papers, and was fully understood, and if the question of widening on the easterly side could be disposed of, he did not see why it could not be settled tonight.

Mr. Perkins said the Council might talk all night if they chose to. Referring again to the original plans, he gave the reasons for a change, on account of the Post Office, and if the Government would not take the land on Congress street, he thought the city had better run Federal street straight through it.

Mr. Wells of Ward 3 could not see why the subject should not go over, for it would take from three to five weeks to clean out cellars in that neighborhood, and nothing could be lost by allowing the matter to lie over.

Mr. Dean of Ward 12 hoped the matter would not be pressed tonight. The subject had just come before them, and was one of the greatest importance which could be acted upon. The public had little idea of the importance of Federal street as a thoroughfare.

The Chair stated that there was no question before the Council, and the debate had been out of order.

Mr. Harrington of Ward 8 moved a suspension of the rules for the passage of the order.

Mr. Birditt of Ward 16, said the Mayor was now in Washington in relation to the action on the subject of the Post Office, and on that action this order hinges. The mayor would be at home on Saturday or Monday, and it would be better to have the matter lie over.

Mr. West of Ward 16 hoped the order would not be passed now, for much depended upon the action of Congress. It would not do any harm to let it lie over one week.

Mr. Denny said he had no desire in the slightest degree except to secure right action. There was a necessity for action, and if no objection was made to any particular measure, that might be passed, the should act on every one they can.

Mr. Perkins said he had been unfortunate if he had not made himself understood. The Street Commissioners did not wish to have action on any one of these tonight if they could not all be passed. If action should be taken on any one, it would affect the land to be taken in other cases, and it was the desire to keep down the prices of land until they were all passed. It was obvious that one alone should not be passed. There could be no time lost in laying the subject over one week.

Mr. Flynn of Ward 7 said it was agreed by the committee that they should be passed altogether, and there was no reason why they should be hurried through tonight. They should all lie over.

The question on suspension of the rules was lost.

The several orders for the widening of Milk street, the extension of Pearl street, the extension of Oliver street, the widening of Congress street, and the extension of Franklin street were read once and laid over.

SALARY BILL.

The report and orders establishing the salaries of city officers for the year, beginning the first day of April next, with amendments of the Board of Aldermen thereto (Printed City Doc. No. 27, 1873,) were considered.

Mr. West of Ward 16 moved that the report and orders be laid on the table, to allow time to look through them.

Mr. Flynn asked to have the motion withdrawn to allow him to give notice of amendments.

The motion was withdrawn.

Mr. Flynn gave notice that he should propose amendments to make the salary of Chief-of-Police \$4000, captains of police \$1500, lieutenants \$1400, sergeants \$1300, and patrolmen \$1200 per annum; also on page 16 to amend by making the salaries of Chief-Engineer of Fire Department \$1000, assistant-engineers \$700 in place of \$500, secretary of the board \$2600; section 4, foremen of companies \$525, instead of \$325; assistant-foremen, etc., clerks, etc., section 5, \$500; enginemen \$3 75 per day; firemen \$3 50 per day.

Mr. West of Ward 16 asked if it was designed to strike out the distinctions against the members from Ward 16.

Mr. Flynn replied that he did so design.

Mr. Shaw of Ward 5 raised the question by what rule any thing could be struck out which was not before the Council.

Mr. Flynn replied that he gave notice only of what he proposed to do when the subject should come up.

Mr. Shaw wished to know where could be found sections 5 and 6 relating to firemen, because if he was called upon to act he should wish to know whether such sections were before the board, and he would call for the reading of them.

The Chair said there was no motion pending, and he stopped the reading of the report on a proposed question. There was nothing but the reading of the report before the Council, and the discussion was wholly irregular.

Mr. West renewed his motion to lay the subject over.

Mr. Flynn said if the gentleman from Ward 5 had put on his spees he would have found the sections in question.

Mr. Shaw called for the reading of the sections.

The Chair stated that he was going on to read the whole order when he was stopped.

Mr. Shaw said he only wished for the reading of a part of it.

The Chair proceeded to read the orders.

Mr. Perkins of Ward 6 moved that the reading be dispensed with.

Mr. Shaw claimed that under the rules, when any member called for the reading of an order or report, it was not competent for any one to ask to dispense with the reading. It was the right of any one that when he asked it should be read.

The Chair stated that it was competent to call for the reading, or that it be dispensed with. It was competent to ask that a document be read by its title. In this case the Chair was stopped in his reading, and he should go on. The Chair should have proceeded to read.

Mr. Perkins moved that the bill be read by its title, and the motion was carried.

Mr. Shaw said he still had the right to call for the reading of the order in full, or in detail, and he called for the reading. He wanted to know what he was to vote upon. It was his right to have the order read, and it must be read.

The Chair said he would first decide on the question of order, and stated that as a general principle it was correct that a member had a right to have a document read, at any time. Yet a motion might also be made to have the reading by its title. The order would first be read by its title, and he now read it by title.

The Chair then stated the question to be upon giving the orders a second reading.

Mr. Blackmar inquired if a motion had not been made to lay the orders on the table; if not he would make the motion.

The motion was put and carried.

The Chair stated that there was a communication from the Board of Aldermen, stating that sections 4, 5, 6 and 7 of the orders relating to pay of the Fire Department had been stricken from the orders and referred to the Committee on Fire Department.

Mr. Wells of Ward 3 moved the further consideration of the subject be referred to the next meeting of the Council.

Mr. Blackmar of Ward 11 inquired if the references were not in the nature of an amendment of the orders.

The Chair ruled that they were not.

Mr. Jones of Ward 14 inquired if the sections were not those stricken from the orders by the Board of Aldermen.

Mr. Shaw rose to a point of order, that the gentleman had no right to refer to the action of a coordinate branch of the Government. He had a right to refer to what was before them for their action, but not to criticize or refer to any action of the other branch, which was out of order.

The Chair said he did not understand the point of order made by the member from Ward 5.

Mr. Shaw replied that the gentleman had no right to refer to any matter on the table, or that had been referred by the Board of Aldermen.

The Chair did not understand what the gentleman considered as not in order.

Mr. Shaw said he was stating his point of order.

The Chair asked him to state it, there being nothing before the Council debatable.

Mr. Shaw proceeded to state that sections 5, 6 and 7 were laid on the table by the Board of Aldermen, and his friend had spoken of them as having been laid on the table or had been referred to a committee.

Mr. Flynn rose to a question of order, that the gentleman was not talking to the subject matter, and had not raised any point of order.

The Chair stated as his understanding of the point of order, that the gentleman from Ward 14 was out of order for referring to the action of the Board of Aldermen. He heard nothing improper in his allu-

sions, and there was nothing disrespectful in his reference to the Board, which disrespectful allusions *alone* are not in order in either branch towards the other.

Mr. Jones said he was engaged when the communication was read, and he made the inquiry for information.

Mr. Wells seconded the motion for an assignment.

Mr. Perkins inquired what the motion of assignment was.

The Chair stated that the Board of Aldermen had stricken out sections 4, 5, 6, and 7 of the order relating to the pay of the Fire Department, and they were referred to the Committee on Fire Department.

Mr. Perkins moved that inasmuch as the others had been so disposed of, the communication and references be laid on the table. Carried.

UNFINISHED BUSINESS.

The order that the Auditor of Accounts be authorized to allow for payment to the City Treasurer \$1343 01, the amount paid by him on an execution in favor of Sylvester Gardner and Rosanna, his wife, for injuries from a defect in a highway was read a second time and passed.

PETITIONS PRESENTED AND REFERRED.

Certain citizens and taxpayers, to be heard in relation to changes in the Building law, and for a stay of proceedings, the proposed changes not being for the good of the greatest number. Referred to Committee on Survey and Inspection of buildings.

S. D. Crane and forty-two others, for a steam fire engine in Ward 11. Referred to Committee on Fire Department.

RESOLUTIONS.

Mr. Jones of Ward 14 offered the following resolutions, which were unanimously passed:

Resolved, That the thanks of the City Council are hereby tendered to Captain Snow and the officers and men of the Boston Fusileers, Company G, Third Regiment of Infantry, M. V. M., for promptly volunteering their services and for the valuable aid they rendered to the police at the fire in Hanover street this day.

Resolved, That the sympathy of the City Council is hereby tendered to the families of those firemen and others who lost their lives at the fire in Hanover street this day, and to those who were injured in the discharge of their duty, and to the other persons injured and their families.

The last resolution was passed by a rising vote.

NOMINATION OF ENGINEERS OF FIRE DEPARTMENT.

Mr. Marston of Ward 10 moved to take from the table the order for the appointment of a committee to nominate a Chief and Assistant Engineers of the Fire Department.

Mr. Dean of Ward 12 said the appointment of the committee to make the nominations proposed should be delayed for action on certain recommendations referred in the report of the Fire Commissioners to the Committee on Fire Department, in relation to the nomination of Chief and Assistant Engineers to be made by the Mayor and confirmed by the City Council. It was an important and very excellent change, and as the subject was now before a committee of the City Government it would not be well to take action upon making nominations. Until those recommendations were passed upon or a report was made, he hoped the order would not pass, and moved that it lie over until the next meeting.

Mr. Wells of Ward 3 hoped the motion to lay the subject over would not prevail, for sixteen members of this branch and twelve of the other were just as well qualified to make nominations as the Mayor could be. With all due respect to the Mayor, he would not take the question of making the nominations from the City Council.

Mr. West of Ward 16 said he had no doubt the Mayor would be delighted to be relieved of such a responsibility.

Mr. Jones of Ward 14 did not think there were any such suggestions in the report of the Fire Commissioners. The committee were in favor of some changes in the ordinances hereafter, to take place at some future time, by which the Chief and Assistant Engineers would be given more power than they have now.

Mr. Flynn hoped the matter would not be laid over, for he felt competent to judge for himself as to the nominations for engineers.

Mr. Train of Ward 13 said with due deference to the suggestions made for a change, the nominations should be selected by the members of the several wards, who are more competent than others can be to judge of the qualifications of the engineers in their own sections.

Mr. Dean said that after the Fire Commission had presented a report, and certain recommendations

had been referred to the committee, it is now said the Committee on Fire Department will sometime propose a change in the ordinance, but go on now, and commit themselves this year beyond the possibility of changes, which they say may be made at some future time.

Now it would be the strangest thing, so soon after the fire, to turn a deaf ear to these recommendations of the Commissioners, and not try to have any improvements made in the Fire Department. The gentleman from Ward 7 moved that the report be laid on the table, and, unless he had great leisure, he could not have read much of it. He did not understand that it was giving up a prerogative, but it was a recommendation to consider whether the appointment of a Chief, and he believed also of Assistant-Engineers, could not be better made in a different way than it now is. If he was convinced that it could be, he would not object to giving up the prerogative of the Council, and would part with the power. There was not a member of the board who had the power to select independently, for it was always a foregone conclusion what the result would be from the measures used to secure the nominations.

He could understand that the members of the Fire Department and their friends desire that a change should not take place, and they can make it difficult to take place. They were not sure that there will be any change, but the committee should report promptly, and they should take a careful consideration of the subject, as to what shall be for the best interests of the city in the long run. It may be best not to exercise the power proposed, or in a particular way, yet there should be no lugging of a prerogative. He hoped, therefore, the appointments would be laid over, and that the committee would take prompt action, which should prove to be for the best interests of the city.

Mr. Jones said there was no design by the committee to cover up anything. He could not say that there would be any change proposed in the manner of election, but it was believed an amendment would be recommended to give the engineers of the Fire Department more power. As an old member of the department, he knew it was the feeling that they did not have power enough. The committee would probably soon report on the subject.

Mr. Dean was of the belief that the mode of election was before the committee as much as anything else; and before an election was made there should be a report on the subject.

Mr. Wells of Ward 3 said he believed from what he could learn, the Fire Commissioners would be glad to get their report back again for their own credit. They knew so little about the matter that they did not know what was meant by coupling or uncoupling hose.

Mr. Mahan of Ward 5 said he had listened to the gentleman from Ward 12 for the purpose of learning his duty, whether they should or not postpone action on the subject of nominating officers for the Fire Department, and he failed to see why the committee should not be appointed tonight. They were acting under the present ordinance and should act now.

Mr. Jones, in justice to the Committee on Fire Department, said it should be stated that they would probably report on the matter in their hands before the Committee on Nominations make their report.

Mr. Dean said the gentleman had said they had heard from the committee, but it was not so, for the hearing from one member was not hearing from the committee. The matter was once laid on the table for the purpose of hearing from the committee, and there could be no objection to looking into the matter.

Mr. Dacey of Ward 2 believed the gentleman from Ward 14 answered all the objections of the gentleman from Ward 12, in the statement that the nominations would not probably be reported upon before the committee made their report on the suggestions of the Commissioners.

Mr. Dean believed there could be nothing lost by delay, and hoped the appointment of a committee would not be made tonight.

Mr. Flynn said it was true he made the motion to lay the report of the Commission on the table, which report was laid before the Council on the 30th January, since which time there had been abundant opportunity to consider the matter.

Mr. Jones stated that there would be but a month before the new board should be elected, failing in which the engineers would hold over.

Mr. West of Ward 16 moved as an amendment that the committee shall not report on the nominations until the committee shall report on the report of the Fire Commissioners.

The Chair stated that the motion was not now in order, the question being on postponement one week.

The motion to postpone was lost.

The question being upon the appointment of the committee, Mr. West offered his amendment again.

The amendment was lost, and the order for the appointment of the committee was carried.

The Chair appointed as the committee on the part of the Council—Ward 1, Tower; 2, Daegy; 3, Wells; 4, Powers; 5, Mahan; 6, Perkins; 7, Flynn; 8, Dar-

row; 9, Prescott; 10, Marston; 11, Caton; 12, Dean; 13, Woodward; 14, Boardman; 15, Edwards; 16, West.

Mr. Dean asked to be excused from serving on the committee, but the request was not granted.

On motion of Mr. Page of Ward 9, Messrs. Page, Pickering of Ward 6, and Thacher of Ward 15 were appointed a committee, to be joined, to nominate a candidate for Commissioner on the Sinking Fund.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

MARCH 3, 1873.

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

JURORS DRAWN.

Four Grand Jurors were drawn for the United States District Court.

APPOINTMENTS MADE AND CONFIRMED.

Weighter of Coal and Weigher and Inspector of Bundle Hay—George A. Soule, at Wales wharf.

Undertaker—Alonzo T. Baxter.

Commissioner on Cambridge Bridges—Frederic W. Lincoln.

Commissioner on Charlestown Bridges—Joseph M. Wightman.

Special Police Officers, without pay—Joseph Tillmann, at the German Roman Catholic Church, Shawmut avenue; George W. Blair, at the Old South Church; Joseph Story, at the Bowdoin-square Church.

PETITIONS PRESENTED AND REFERRED.

Henry T. Fagen, for leave to occupy a wooden stable for six horses on K street, near First street.

Sammel S. Kenney, for leave to build a stable for two horses on Saratoga street, corner of Putnam street.

John Day, for leave to occupy a wooden stable for one horse on Eighth street, rear of 351.

George H. Homer for leave to occupy a wooden stable for one horse on Gold street, rear of 367 Fourth street.

Severally referred to the Committee on Health on the part of this Board.

George Atkinson and Moses Williams, Jr., trustees, for increase of damages on Washington-street widening.

Potter, White & Bayley, to be paid for extension of Franklin street through their leasehold estate Nos. 55-57 Pearl street.

Severally referred to Committee on Streets.

Fearing, Rodman, Swift & Co. and others, for relief from the blockaded condition of North and South Market streets, caused by wagons, teams, etc. Referred to Committees on Market and Licenses.

Minerva W. Houghton, to be paid for grade damages at 493 Tremont street.

James Parker and others, for change of grade in Hawley street.

Severally referred to Committee on Paving.

Edward Lang and others, for the removal of the elm tree in St. James street, near Regent street. Referred to Committee on Common, on the part of this Board.

Mary G. Pickering and others, for abatement of assessment for construction of a drain in Otis place, Ward 6.

S. N. Messer and others, for a sewer in St. James street.

Severally referred to Committee on Sewers.

Bernard O'Kane, for amendment of certain rules and regulations of the Police Department, to provide that no deductions shall be made from pay of officers during sickness, and that provision be made for them to attend their respective places of worship on Sundays. Referred to Committee on Police.

Jacob Rand, for extension of time in which to build on East Dedham street.

Nathan S. Wilbur, for extension of time in which to build on Harrison avenue, corner of Springfield street.

Severally referred to Committee on Public Lands.

Company B, Ninth Regiment, M. V. M., for increase of rent of armory at 577 Washington street. Referred to Committee on Armories.

Alderman Clark presented a petition from sundry citizens of Boston, requesting that all departments of the Public Library may be open to the public on Sundays. Signed by John G. Loring, James Freeman Clarke, Sammel G. Howe, H. D. Parker, Little, Brown & Co., Theodore Metcalf, A. K. Loring, Jordan, Marsh & Co., Arthur Cheney, Otis Rich, James T. Fields, Crosby, Morse & Foss, Charles G. Greene, Francis H. Underwood, George H. Chickering, Henry C. Badger, H. G. Otis, Patrick Donahoe, Edward E. Hale, Rufus Ellis, George E. Ellis, Daniel N. Haskell, P. S. Gilmore, and others. Referred to Committee on Public Library.

RESIGNATION OF OFFICE.

A communication was received from John H. Cook, resigning his office as Clerk of Ward 11, under the order of the President of the United States by which persons in the employment of the General Government are disqualified from holding State or municipal offices. Ordered to be placed on file.

ANNUAL REPORT OF COMMISSIONERS OF CEDAR GROVE CEMETERY.

The fifth annual report of the Commissioners of Cedar Grove Cemetery states that the services of F. M. Safford were secured as Superintendent on the first of May last, and he has performed the duties of the office to the satisfaction of the Commissioners and the acceptance of those having relations with the cemetery. The work during the year embraces the raising and grading of a part of Linden avenue, changing the location of another part of the same avenue, and of a part of Cedar avenue and the grading of the same; the grading in part of the large tract of land lying between these two avenues; the preparation of the ornamental spaces for plants and shrubbery; the planting of trees, plants and shrubs, and other work of clearing the ground.

Twenty-five of the lots previously sold have been newly graded and sodded at the expense of the proprietors; twenty lots were sold and twenty-six were graded in 1872, and the number of interments was forty. A public lot large enough to afford room for one thousand single graves has been laid out in an eligible location on Maple avenue, the grading of which will be carried on as occasion may demand. Under the authority to expend \$6000 in improving the grounds, the expenditures have amounted to \$5156.49, of which \$3492.05 was for Superintendent and laborers, \$514.48 for horses, carts, etc., \$273.20 for plants, trees and seeds, \$231.51 for manure and loam, \$200 to clerk, \$188 for tools, \$140 for posts, \$113.68 for printing, engineering, removal of bodies, etc. Since the last annual report the Shawmut Branch Railroad Company has completed its track through a part of the cemetery grounds, and is running its cars, but the railroad company has yet considerable work to do in the grounds to place them and the crossings of the avenues by its track in the condition required by law.

Laid on the table and ordered to be printed.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to allow Company K, Ninth Infantry, \$70.70, for repairs on their armory on Third and Dorchester streets.

Order to allow Company A, Ninth Infantry, \$600 per annum for rent of armory at the corner of Causeway and Lowell streets, from Feb. 1, 1873.

Order to allow Company A, Ninth Infantry, \$300, for repairs and furniture of armory.

Order to pay Sidney B. Morse \$5600, for land taken on Bedford street.

Order to pay Henry Willis \$2985, for land taken on Purchase street.

Order to pay William F. Weld \$19,520, for land taken on Devonshire street.

Order to pay heirs of E. H. Robbins, \$256, for land taken on Sturgis street.

PAPERS FROM THE COMMON COUNCIL.

The petitions of S. D. Crane and others and of William H. Blue and others, were referred, in concurrence.

The order for the appointment of a joint committee to nominate a Commissioner on Sinking Funds, was concurred in, and Aldermen Gibson and Clark were joined to the committee.

The appointment of one member of the Common Council from each ward, with such as the Board of Aldermen may join, as a committee to nominate a Chief and Assistant Engineers of the Fire Department, was concurred in, and the whole Board of Aldermen were joined to the committee.

The following votes were passed, in concurrence:

Resolutions of sympathy with families of firemen killed or injured at the recent fire on Hanover street.

Vote of thanks to Boston Fusileers for military assistance rendered at the scene of the said fire.

FIRST ASSISTANT-ASSESSOR.

The election of Artemas R. Holden as a First Assistant-Assessor in place of James Dennie, chosen by the Board, came up, when the Board proceeded to an election with the following result:

Whole number of votes.....	12
Necessary to a choice.....	7
James Dennie had.....	9
Artemas R. Holden.....	3

Mr. Dennie was again declared to be elected, in nonconcurrence.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Health, reported that leave be granted to Thomas C. Piper to occupy a wooden stable for two horses on West Cottage street, provided said stable shall be located on the southwesterly corner of said lot. Accepted.

Alderman Cutter, from the Committee on Paving, to whom was recommitted the order of notice relative to the revocation of the location of the Metropolitan Railroad on Walnut avenue, and petitions in favor of said revocation, made a report recommending the passage of an order revoking the right granted to the Metropolitan Railroad Company by the city of Roxbury November 7, 1855, to lay a single track over Walnut street (now Walnut avenue), from the corner of Warren street to West Roxbury line. Read once.

Alderman Cutter, from the Committee on Paving, reported leave to withdraw on the several petitions of Leander H. Jones and others, that a street, in continuation of Foundry street be called Alfred street; William Hayes, to be paid for grade damages on Maverick street; James J. Hogan, to be paid for grade damages on H street, near Second street; and no action necessary on the several petitions of Maria D. Lockwood, to be paid for grade damages on Dorr street; Eben Jackson, to be compensated for grade damages in Broadway; and F. W. G. May, to be paid for grade damages on Dorchester avenue. Severally accepted.

Alderman Sayward, from the Joint Standing Committee on Public Buildings, to whom was referred the accompanying offer from the First Baptist Society, of apartments in their church for city offices, made a report that they have visited the premises and find they are not suitable for the use required by the city. They would therefore report inexpedient. Accepted.

Alderman Clark, from the Committee on Streets, made a report on sundry petitions for apportionment of betterments on sundry estates on Harrison avenue, with an order for the apportionment into three equal parts of the assessments upon Joseph Niekerson, Joseph Griffin, Michael Connors, Canterbury Litchfield, Henry B. Chamberlin, John F. Newton, four estates; Henry Kelley, Mehitable Curtis, Daniel A. Sigornney, two estates; Horatio G. Morse, three estates; heirs of Peter Goodnow, Caleb Dyce.

The report was accepted and the orders were passed.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses as follows: J. Graham and others, to give a concert at Wait's Hall, March 5; W. S. Pike, to give entertainments of magic at East Boston, South Boston, etc.; T. H. Dunn, to deliver a course of lectures at the Meionaon; to R. H. Spalding, as an auctioneer; to fourteen newsboys; to certain persons as victuallers, a pawnbroker, wagon licenses, transfer of wagon license, to keep an intelligence office, for hack stand, dealers in second-hand articles. Accepted.

The same committee reported leave to withdraw on petition of Flint Peaslee, for leave to sell candies in Bowdoin square. Accepted.

Alderman Gaffield, from the Joint Standing Committee on Public Instruction, to whom was referred the order of the School Committee requesting the City Council to furnish additional accommodations for primary scholars in East Boston, made a report, recommending the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be authorized to procure plans and estimates for the erection of primary schoolhouses on land owned by the city in the Prescott and Chapman school districts in East Boston, said plans to be approved by the Committee on Public Instruction, and the expense of procuring the same charged to the appropriation for Public Buildings.

The report was accepted, and the order was passed.

Alderman Quincy, from the Committee on Ordinances, who were requested to report an ordinance providing that the Port Physician shall be the physician or assistant-physician, as the Board of Directors for Public Institutions may elect, of all the city establishments which are or may be located at Deer Island, made a report recommending the passage of the accompanying ordinance:

Ordinance to amend an ordinance relating to the public health.

Section 1. The ordinance relating to the Public Health passed the second day of December, 1872, is hereby amended by striking out the twenty-fifth section and inserting in place thereof the following:

Sec. 25. The Port Physician shall reside at Deer Island. He shall be superintendent and physician of the quarantine establishment at Deer Island, and either physician or assistant-physician, as the Board of Directors for Public Institutions may elect, of all

the city establishments which are or may be located upon said island. He shall perform all such services as may be required of him by the Mayor or the Board of Health in relation to quarantine.

The report was accepted and the ordinance was passed.

SECOND ASSISTANT-ASSESSORS.

Alderman Brown, from the Committee on Assessors' Department, made a report recommending the following named persons for Second Assistant Assessors:

Ward 1 (2 districts)—John Noble, Daniel J. Sweeney.

Ward 2 (2 districts)—George W. Close, Dennis Cawley, Jr.

Ward 3 (1 district)—Charles H. Boardman.

Ward 4 (2 districts)—Martin Dowling, William S. Whitney.

Ward 5 (2 districts)—Roger H. Scannell, Daniel J. Courtney.

Ward 6 (1 district)—Emerson Coolidge.

Ward 7 (2 districts)—Dudley Pray, Jeremiah Sullivan.

Ward 8 (1 district)—M. H. Enwright.

Ward 9 (2 districts)—Francis R. Stoddard, James Standish.

Ward 10 (1 district)—Charles B. Hunting.

Ward 11 (1 district)—George W. Skinner.

Ward 12 (2 districts)—Thomas Leavitt, Joseph R. Grose.

Ward 13 (1 district)—Edward W. Dolan.

Ward 14 (2 districts)—Elbridge G. Scott, William H. McIntosh.

Ward 15 (2 districts)—Henry A. Drake, B. F. S. Bullard.

Ward 16 (3 districts)—John Pierce, E. H. R. Ruggles, George W. Conant.

The report was accepted, when the Board proceeded to an election, the result of the ballot being as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
<i>Ward 1—Two Districts.</i>	
John Noble.....	12
Daniel J. Sweeney.....	12
<i>Ward 2—Two Districts.</i>	
George W. Close.....	12
Dennis Cawley, Jr.....	12
<i>Ward 3—One District.</i>	
Charles H. Boardman.....	6
E. W. James.....	3
Artemas R. Holden.....	2
Joseph Allen.....	1
<i>Ward 4—Two Districts.</i>	
Martin Dowling.....	12
William S. Whitney.....	12
<i>Ward 5—Two Districts.</i>	
Roger H. Scannell.....	11
John J. Gallivan.....	11
John Donnelly.....	2
<i>Ward 6—One District.</i>	
John T. Prince.....	9
Emerson Coolidge.....	3
<i>Ward 7—Two Districts.</i>	
Dudley Pray.....	11
Jeremiah Sullivan.....	12
James H. Magner.....	1
<i>Ward 8—One District.</i>	
Ira D. Davenport.....	9
M. H. Enwright.....	3
<i>Ward 9—Two Districts.</i>	
Francis R. Stoddard.....	12
James Standish.....	12
<i>Ward 10—One District.</i>	
Charles B. Hunting.....	12
<i>Ward 11—One District.</i>	
George W. Skinner.....	12
<i>Ward 12—Two Districts.</i>	
Thomas Leavitt.....	12
Joseph R. Grose.....	12
<i>Ward 13—One District.</i>	
Edward W. Dolan.....	12
<i>Ward 14—Two Districts.</i>	
Elbridge G. Scott.....	12
William H. McIntosh.....	12
<i>Ward 15—Two Districts.</i>	
Henry A. Drake.....	11
B. F. S. Bullard.....	9
Edward Kelley.....	5
James H. Merrow.....	1
<i>Ward 16—Three Districts.</i>	
John Pierce.....	12
E. H. R. Ruggles.....	12
George W. Conant.....	9
Oliver Hall.....	3

By the returns it appears that there was a choice in all the wards except Ward 3.

On the second ballot the result in Ward 3 was as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
Joseph Allen.....	6
Charles H. Boardman.....	4
E. W. James.....	1
Artemas R. Holden.....	1

The third ballot resulted as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
Joseph Allen.....	9
Charles H. Boardman.....	3

Mr. Allen was declared to be elected.

ORDERS PASSED.

On motion of Alderman Stebbins—

Ordered, That in addition to the amount of \$26,000 allowed for clerk hire in the Assessors' Department, in the salary order of the City Council of 1872, a further sum of \$1000 be allowed for that purpose, for payment of clerk hire in that department during the present salary year, ending March 31, 1872; said sum to be charged to the appropriation for Salaries.

On motion of Alderman Clark—

Ordered, That the Superintendent of Streets be directed to take such measures as the Committee on Paving may from time to time deem expedient to keep the streets on the burnt district clear from obstructions and safe for public travel; the expense thereof to be charged to the appropriation for the Burnt District.

On motion of Alderman Sayward—

Ordered, That the Committee on Paving report to this Board a series of rules to govern the persons authorized under section 41 of the ordinance on streets, to sprinkle the streets of this city.

ORDERS OF NOTICE.

On petition of N. C. Munson, for leave to cross a portion of Yarmonth street with a rail track. Hearing, Monday, March 24, 4 P. M.

On petition of the Howard Watch Company, for leave to locate a steam engine and boiler on Eustis street, at the corner of Prescott street. Hearing, Monday, March 24, 4 P. M.

ORDERS READ ONCE.

On motion of Alderman Clark—

Orders to pay John Foster \$2875, for land taken to widen Bedford street; to pay Caleb Stetson and Samuel Atherton \$2577, for land taken to widen Purchase street; to pay H. Hollis Hunnewell \$5621, for land taken to widen Devonshire street; to pay J. Henry Sears \$786 90, for land taken to widen Cottage street.

On motion of Alderman Power, that the street leading from Fourth street opposite Foundry street, and extending to Dorchester avenue near Sixth street, a portion of which has heretofore been called Foundry street and a portion Sixth street, be called and known as Foundry street.

On motion of Alderman Quincy, an order to rescind an order of April 12, 1872, making an allowance of \$400 per annum for rent of armory of Company A, Ninth Regiment, on Hanover street.

PAYMENT OF CLAIMS FOR WORK ON SMALLPOX HOSPITAL.

On motion of Alderman Sayward, the report "leave to withdraw" on petition of Holohan & Maguire to be paid for plumbing work on Smallpox Hospital destroyed by fire, was taken from the table, and considered.

Alderman Sayward offered an order as a substitute for the report, to pay the parties \$1024 for work done on said hospital.

Alderman Gaffield stated as the grounds for the report, that the opinion of the City Solicitor was obtained, that as the work under the contract was not accepted, it would not be legal to pay for it, and, admitting it to be a hard case, as they were not called upon to exercise charity, the committee could not report in favor of the payment of the claim.

Alderman Sayward did not agree with the committee in their conclusions, for he believed the contract to be virtually completed, there being but three or four extra hours' work to be done; and it would be a species of robbery not to pay them for their work. If the contract was fulfilled, the city ought to pay them.

Alderman Quincy stated as the difference, that if the contract was nearly completed it was not fully, and it was a question whether they had a right to pay for work not delivered, simply because it was a hard case. He heartily sympathized with the parties, but they were not there to exercise pity, and should not vote for the order if it was illegal, as they were assured it was by the City Solicitor.

In answer to a question of Alderman Stebbins, he said the work was not at the time the city's, but to

be delivered, and was at the risk of the builders. If completed and accepted, the city would have been liable; but at the time the building was owned by the contractors, and it was at their risk.

Alderman Sayward declared that they did deliver their work to the city on their grounds, and on the second contract, after the fire, what was picked up as the remains of the fire were accepted by the city. If the contract was not admitted to be completed, why did the city accept the materials saved from the fire?

Alderman Clark believed there could be no doubt there was an equitable claim. The circumstances of the case were peculiar, and was for work in plumbing, not like that of a schoolhouse or engine house, to be completed and delivered. It was so far completed that orders had been given to put in the furniture the night on which it was burnt. All the work would have been completed if it had been thought necessary to use lights. Inasmuch as the city had given orders to its agents to put in furniture, and it would have been done but for the storm on the night of the fire, and furthermore as it was in the charge of the city's agents, as watchmen, it might have been set on fire through the carelessness of these agents, it should be considered as a virtual acceptance of the work, and an equitable claim for payment.

A precedent for the payment of this claim could be found in the case of Rockwell & Churchill, city printers, for work destroyed in their office during the great fire. In that case the City Solicitor believed the payment was not legal, yet considered it an equitable claim. Here was a case of mechanics suffering for the sum of \$1000 or \$1100 because they did not work till twelve o'clock to complete their work. If not legal it was an equitable claim, and it would be complete robbery and the greatest injustice not to pay every dollar of it. Inasmuch as the city did accept the old material, and it was deducted from the other, he had no doubt they could collect the claim legally. Why recognize the ownership of the material if not pay the claim for the work?

Alderman Gibson inquired if the building was not insured by the parties, and if not, it was not the concern or loss of the city.

Alderman Gaffield replied that there was no insurance on this work.

Alderman Gibson wished to know then why the case was here when the city was full of insurance offices, ready to insure such property, and if it was not their lookout to get it insured it was not the city's fault. They paid a City Solicitor \$10,000 for his opinion, and they should regard his opinion, or start him off. He pitied the men, but there was no reason why they should be paid a cent.

Alderman Clark did not believe there was one plumber in a thousand who got an insurance on his work, and they could not afford to pay in such a case. It was a case of equity if not of law, and it was no more than justice that it should be paid. The cost of the building would be cheap enough with the payment of all the bills, and when improvements are made and additions made to it it will answer the purpose for which it was designed for many years to come. As to the salary of the City Solicitor, they did not pay him \$10,000 but \$5000.

Alderman Sayward expressed a doubt whether the parties could have got an insurance.

Alderman Gibson believed they were derelict of their duty if they did not, and it was none of the business of the city if they did not. In the face of the opinion of the City Solicitor, and he did not mean that he was paid \$10,000, but that the office cost that sum, they ought not to pay that claim. It was the fault of the parties if they did not get insured. He could not see that it was a hard case, for if they had intended to bear the loss they would have got insured.

Alderman Sayward replied that the parties agreed to do certain work and they had done it. The only contract they had was a verbal one, and as they were honest they acknowledged that they made such a contract, when they might have put in their work by the day, and got their pay for it.

Alderman Clark referred to the case of the Girls' High and Normal School, as a precedent, in which the city paid for work destroyed by a gale of wind. In that case the contractors could have afforded the loss, while in this case the contractors could not.

Alderman Gibson said it was news to him if the city was to be a gale, fire and accident insurance company.

Alderman Sayward referred again to the fact that the contract was a verbal one, and that the parties might, if they had so chosen, put in a bill for their work by the day. There was a moral if not a legal obligation to pay the bill.

Alderman Gibson held the verbal contract to be as strong as a written one, and if the parties failed to

get insured, they could not come upon the city for their pay. They could have got insured at twenty-five cents a month upon \$100. He did know of insurance companies that write on buildings blown down, and the city had nothing to do with the neglect of others.

Alderman Quincy said the Committee on Claims were clear that the city was not liable for the payment of this claim, and if paid as a precedent, what would follow? In the cases of the blowing-up of buildings at the fire, they believed the city was not liable, and so reported, and there was no reason for it in these cases, so there was none in this. If it was to be paid it should be taken on the shoulders of the Board, and not on those of the committee.

Alderman Sayward stated that the city received all the contractors agreed to give it in work.

Alderman Gafield believed the payment of such a claim would open the door to a multitude of claims. The City Solicitor says it should not be paid, and that should be reason enough. In a recent case before the committee, the party being asked his amount of claim, replied \$3000; yet the committee reported leave to withdraw, because it would open the door to other illegal claims. If every unfortunate person who suffers by fire and accidents and comes to the city because his case is a hard one, to pay them all would make the city bankrupt. He was willing to use his purse so far as might be necessary to meet hard cases, but could not vote to take the money of the city.

The committee reported leave to withdraw in this case, because they did not believe the parties fulfilled their contract, yet the Alderman now says they might have brought in their bill for days' work. He did not believe in doing business in that way. It was in evidence when the building was burnt that when it was asked how much the fire would cost the city, the reply was not a dollar. The city was not liable for the work until it was delivered, and it was not in a condition to be delivered up.

Alderman Power said the payment of claims for accidents was not to be compared with this. But in the comparison as to the payment for broken arms and legs, is it an uncommon thing to continue to pay the wages of those in the employ of the city, who meet with such accidents? As in the case advocated by him for the payment of the claim of Rockwell & Churchill, he was in favor of this, and did not like to have the city take advantage of a legal quibble to cheat a poor man out of a few dollars under such circumstances as this. There was not a voter in the city who would object to the payment. Rockwell & Churchill had not a legal claim, but in justice it was believed the claim should be paid.

If these parties should now make out a bill for their days' work, they could not refuse to pay it. As to getting insurance on their work, he never heard of a mechanic doing such a thing under such circumstances in his life. There were precedents for the payment, and in justice they ought to pay it, and should there be more claims, and there was nothing worse than this, no citizen would find fault for so doing.

Alderman Gibson said he had never heard of any mechanic not getting an insurance in such cases; it was their duty to do it, and if they did not they should get nothing. The city was not a hurricane, fire or accident insurance company. There was no money due, and he considered it a put-up job to get their sympathy. The city had a large pocket, and long-armed men liked to get their hands down deep in that pocket. He moved the previous question, but withdrew it on request.

Alderman Clark denied that this was a put-up job. He had no doubt if the City Solicitor was familiar with all the facts in the case that he would agree that the city had virtually accepted the work, for they were putting in bedsteads, bedding and other articles that day. As they were putting in these things it was just as likely that our agents set the building on fire. He doubted whether the Solicitor knew it was virtually accepted, by putting in supplies and provisions. In justice and equity, to the city and to the citizens, this was a fair case to be settled by paying it.

Alderman Gibson said the contract was not completed, and the claim should not come here. Offices were open to them for insurance, but they failed to get it, and ought not to come here for their pay. The work might be said to be well along, but it was not done.

Alderman Clark said the work was virtually accepted, and orders were given to occupy the building that day. If not accepted, then it was not right in the city to occupy the building. He doubted whether the Solicitor would have given the legal opinion he did if he had known all the facts. But for the storm, furniture would have been placed in the building during the afternoon and evening, and an allowance had been made for the materials saved from the fire.

Alderman Brown, in view of the difference of opinion, and for the purpose of ascertaining whether the City Solicitor knew all the facts in the case, moved that the subject be laid over one week, but withdrew the motion.

Alderman Gibson said if it was understood the work was completed he would vote to pay for it.

Alderman Sayward replied that the work lacked an hour or two of completion. He could not understand what was meant by the Alderman's saying it was a put-up job, unless the term applied to buying old steamboats. The work was put up in a building of the city, and he believed it to be a legal claim.

Alderman Quincy stated that all the evidence in the case was before the City Solicitor, as to moving in articles. On the statement of the Alderman the contract was made with a mental proviso, that if not paid, it was to be charged as days' work. He had no right to say so.

Alderman Sayward said he did not say that the parties claimed a right to charge for days' work. The verbal contract was held to be just as binding as a written one, and the parties meant to do right and acknowledged the contract. But it was believed that that was the cheapest way of doing the labor by days' work, and the Chairman of the Board asked why it was not done so.

Alderman Gibson inquired whether the Alderman considered the work to be done according to contract?

Alderman Sayward replied that the contract was a verbal one, for \$1240. He knew nothing of the words of the contract, but knew that it was all done but an hour's work, and this might have been on account of extra work.

Mr. Stebbins wished to know of the superintendent of the work, who was present, whether the stoves put into the building were not put there by the city.

M. F. Wells, by request of the Board, stated in answer to questions, that the stoves were put in and run by the city, and the work was all done except in making connections with the boilers. It might have been done except for extra work. Beds, bedsteads, coal hods, etc., had been put in.

Alderman Stebbins contended that on these statements the work had been virtually accepted, and the city was legally bound to pay for it.

Alderman Gafield said the statements in relation to the knowledge of the City Solicitor touched him. His sympathies were all in favor of the parties, and all the evidence which was reported was submitted by him to the City Solicitor. He got the evidence, and again and again went to the City Solicitor with its details, told him all about the Superintendent's services, and the supplies, etc. But on this point ex-Alderman Jeuks testified that the supplies were to be sent the next day, and were so ordered. Yet this did not alter the legal liability, in the opinion of the City Solicitor, unless the contractors protested against putting in the articles.

Alderman Brown renewed his motion to recommit to ascertain whether the City Solicitor knew all the facts, and if so whether it was a legal claim.

The motion was lost—5 to 6.

Alderman Clark, to relieve doubts as to the question of acceptance, stated that certain kinds of goods were ordered to the hospital to the amount of \$200 or \$300, under direction of the employes, and would have been there but for the storm. On account of the storm they were stored on the way. But a certain lot to the amount of \$100 was delivered. The work was virtually accepted, for the city had its own stoves, coal and the care of the building when burnt.

Alderman Quincy stated that the work could not be accepted before delivered. The next day the keys were to be delivered, when the acceptance would have taken place.

Alderman Sayward wished to know how it could be learned what was the language of the contract when it was not written.

Alderman Gibson was sorry the motion to recommit did not prevail. There appeared to be a disposition to choke off obtaining the opinion of the City Solicitor on the full facts in the case. They were guardians of the city's property, and should look over matters to see that no illegal payments were made.

Alderman Sayward said he knew something of the work. There were stoves in the building put in by the city, but he never heard of stoves being put in to dry plumber's work.

Alderman Gibson reported that there was no claim, for the job was not done. It appeared to be only a put-up job. If one or two hours' more work was required, it was not complete, and there was nothing here for us. It had no business here, and there was nothing to pay for. He moved the previous question and the yeas and nays on the motion.

The order was lost by a vote of six to six, as follows:

Yeas—Brown, Clark, Emery, Power, Sayward, Stebbins.

Nays—Bigelow, Catter, Gaffield, Gibson, Hulbert, Quincy.

The question recurred upon the acceptance of the report, leave to withdraw.

Alderman Hulbert said he was going to move a re-committal, for no one wishes injustice done in anything. Every member of the Board desired to do right, and if the payment was to be made it must be made in accordance with the authority for doing it. It should be submitted to the City Solicitor, who is bound to know the legality of the measure. He should be glad to know that he was acquainted with all the facts, and if, after they were all stated, he should give a like decision, he should vote in accordance with that opinion. That it may be fully understood by the City Solicitor, he hoped it would be re-committed to the committee to report again upon it.

Alderman Quincy said he would vote for re-committing if there were more facts to be reported upon. There had been nothing said here that had not been told to the City Solicitor. He could not see any necessity for re-committing, and could not vote for it.

Alderman Gibson would not pay the claim if not due, and the difference of opinion, 6 to 6, called for another investigation.

Alderman Gaffield had no objection to the commitment, yet all of the evidence had been given to the City Solicitor. The question was put to him relative to the goods being sent to the hospital, and he replied that it made no difference at all, if there was no protest.

The motion to recommit was carried.

On motion of Alderman Sayward, the report "leave to withdraw" on petition of Smith & McGarragle to be paid the amount of their contract for erection of the Smallpox Hospital which was destroyed by fire, was taken from the table.

Alderman Sayward asked for the reasons for the conclusion of the report.

Alderman Cutter (Alderman Gibson in the chair) addressed the Board in defence of the report of the committee. He said there were a large number of witnesses before the committee, and everybody who knew anything of the matter was summoned. The report of the evidence was then sent to the City Solicitor, who gave it as his opinion that the claim was an illegal one, and it was their duty to report that it should not be paid. He would never report an illegal bill for payment if not required to. The powers of the city were created by charter, and they were not to vote away money in charity. By virtue of law money was raised and by virtue of law it was expended. Most of the claims which are made against the city are illegal, and if the parties think justice is not done them, they have their remedy in the courts.

He was surprised that this claim was advocated here, for all there was of it was sympathy, and they had nothing to do with it. In corroboration of his views he would cite from the opinions of the Mayor, while a member of this Board in 1871. The views of the Mayor were given in the House of Correction cases, in which a distinction was made between that of Freeland, Beard & Co., who required a receipt for all the goods delivered by them, and those of other parties who did not. In that Alderman Pierce argued that the City Council must act within its corporate powers.

Alderman Clark wished the Alderman would read the argument on both sides in those cases.

Alderman Cutter said he wished to give the opinion of the present Mayor, which was that they were debarred the payment of illegal claims. So far as related to the furnishing of stoves in this case, they were for the convenience of builders as much as they were for the city. The contract was to be completed the next day, when the building was to be delivered at noon. It was in evidence that the last thing they did at night was to look after the stoves, and in less than half an hour after they left it was burned. The next morning, in answer to his question, the Alderman in charge of the work, said the city had not lost a dollar. He replied that if the city was not holden he had nothing to say. If holden, he would have asked for an investigation. When this present contract was made, it was not given to the lowest bidder, for the reason, it was said, that the city did not own the piling. If the building had been accepted, then the city would have owned the piling.

Alderman Sayward said, I call this report from the table at this time for the purpose of asking the committee what are the reasons for giving these petitioners leave to withdraw. While I believe we have an able and discreet judge in our City Solicitor on all legal questions, still he is human and liable to err. Now he says these parties have no legal claim for the labor and materials furnished to the city of Boston in building the smallpox hospital on Swett street,

which was destroyed by fire on the night of the 26th of December, 1872. Now this may be so, but I think all will admit that they have a claim in equity. Now, sir, as to the legality of this claim, I have so much confidence in this that were it my own case and I could not get my claim allowed here I should ask for a jury to decide it.

I think these parties have a legal claim, and I will endeavor to give my reasons for this, so that the members of this Board will see it in the same light in which I do. In the first place let us see what the contract says, and I will merely glance at some of its provisions. It provides for insurance when the roof is on and the policy be made payable to the city of Boston. Why this precaution on the part of the city? Does the city by the terms of this contract agree to pay at this time? or is there any evidence that the contractors made a demand for money at this time, and that this was the reason the city desired to be insured? No, sir! the city knew that when the roof was on this building, whatever labor and materials had been put into that building the city were bound to pay for, hence the request to insure. If this is not so, and it was the contractors' loss, in case of fire or any other calamity, what right has the city of Boston to say when or how much insurance shall be effected on this building? Another provision in this contract is, that this smallpox hospital is to be completed on or before the 28th of December, 1872. These parties claim that it was completed the day before it was destroyed by fire. If this was the case, have they not fulfilled their contract? It may be said they had not delivered it to the city. Is there any clause in the contract requiring them to make any formal delivery of this building to the city? But suppose there was such a clause. The city did not wait for such a notice, but took possession by placing furniture in the building, causing fires to be made, and placing watchmen there to tend fires, and I think firemen and police to guard the building.

But if what I have already said should fail to convince members of this Board that the contractors should be paid for the labor and materials furnished to the city for this hospital—for no one denies that the materials were furnished, and the labor performed—the only question is will the city pay for this? In the absence of a contract, these parties would get their pay. Now there is a contract, and that contract having been fulfilled on the part of the contractors, by completing the building on or before the 28th of December, 1872, the city of Boston is bound to pay the amount agreed upon. But, as I said before, if I have failed to convince this Board thus far, there are still other reasons.

The first is, that the party who superintended the building of this hospital for the city of Boston has been paid in full for his services, namely, by the usual percentage for plans, specifications and superintendence on the full cost of the building. If this is not proof that the city accepted this building, what other proof is wanted?

I presume it will not be denied that if the city owned any portion or part of this building, it owned the whole. To show that it did claim to own the part that was not destroyed by fire, in asking for proposals the parties were told that the foundation was there and need not be included in the bids. Was this not saying the city owned this building? Then I ask why should we, as agents for the city, refuse to pay this claim?

I have but few words more to say on the subject, and then shall leave the matter with the Board, hoping that they will believe with me that they are both legally and morally bound to pay these petitioners. If these parties had not fulfilled their contract at the time of the fire why did not the city insist that they should, instead of making a new contract? It may be said in answer that there was not time. Under the circumstances the time could have been extended and a compromise have been made with the contractors to put up such a building as we now have, in place of the one they had previously contracted for. But everything that has been done on the part of the city goes to show that it was considered that this smallpox hospital that was destroyed by fire must be paid for.

Alderman Cutter said they had but to discharge their duty in the refusal to pay an illegal claim, and take the consequences.

Alderman Sayward replied that that was what he proposed to do, to discharge his duty, and he did not wish that any one should call his vote in question.

Alderman Quincy referred to the clause in the contract in relation to insurance as an acknowledgment of liability of contractors when the roof was on.

Alderman Sayward explained that it had reference to the time when it was to be insured, and not when

delivered up. There was some extra work after the contract was completed, having nothing to do with the contract.

Alderman Gaffield stated that the contractors swore the contract was not completed. Suppose they should take the same course proposed in relation to school houses, in assuming that there was an obligation to pay for contracts before completed. There would be a great liability upon the city in the amount of work always going on.

Alderman Sayward said he would pay in such cases if there was a similarity in the completion of the contract.

Alderman Clark said he was clear about the other case, but he had not made up his mind about this, and he hoped it would go back to the committee. He wished to know positively as to whether the putting in of goods and stoves was not a virtual acknowledgment of the acceptance of the work, and he moved a recommitment.

Alderman Quincy had no objection to recommitment, but believed there would be no change in the result, for the same evidence would be put before the City Solicitor, to receive the same answer.

Alderman Sayward could see no reason for recommitting to the same committee, who had made up their minds, and did not desire to change them.

Alderman Cutter said there were no reasons for sending the report back. The keys of the building were in the contractors' hands, and the City Solicitor had given his opinion that the city was not bound to pay the claim. They stood in the place of the city, and should stand by the treasury and not spend the money in an illegal and trifling manner. If they did, it would open a wide gate, and they could not get rid of a multitude of such claims. It fit became them to pay illegal claims.

Alderman Sayward objected that the Alderman still says he has no right to vote according to his convictions. When he voted as he believed it to be right, he did not wish to have the vote called in question.

Alderman Power claimed that all the citizens and taxpayers are the city, and it was a part of their business to defend the rights of citizens, to defend every claim which was a just one. A claim might be just, although illegal. The City Solicitor was supposed to look at the question in one way merely, as to whether it is legal, while it was not their duty to compel parties to go to law to get their rights. If justly entitled to pay, they should not hesitate to pay claims.

Alderman Sayward said he knew that not everything was stated to the City Solicitor. There were not stated to him the facts in relation to the piles, or that the superintendent of the work on the buildings on the part of the city had been paid for his services, which were two important points. He moved the substitution of the order in place of the report of the committee.

The question was taken on the recommitment, which was carried.

ADDITIONAL ROOM FOR CITY OFFICES.

On motion of Alderman Sayward the report and order to hire the Missionary Building in Pemberton square, at an annual rent of \$7000, for city purposes, were taken from the table.

Alderman Sayward said all the inquiries had been made which were required in relation to rooms in the church on Somerset street, and another building had been looked at, but none of them had the conveniences which were needed. With the adoption of the order, the building in question could be occupied with but trifling expense, and all the accommodations provided which would be needed for years to come.

Alderman Gibson said he went with the chairman of the committee to look around, and found that the rooms in the church would not answer at all, and the members of neither board would be willing to go there. They looked at another house in Pemberton square, the rent of which was \$3500, which was illy adapted for the uses of the city. The building on the corner was very desirable if they needed so much room. He did not think so much was needed, and on inquiry whether the City Solicitor's present rooms could be given up, it was believed they could not, but they might be rented at a less rate than now paid.

Alderman Clark believed the city must hire some rooms, and thought the rooms in the church might answer the purpose. It was thought, however, that

they might make a shift, by removing the Lamp Department and giving the room to the Board of Health. The Milk Inspector might also be removed. With such changes they might get along for awhile.

Alderman Brown inquired how many committees needed accommodations?

Alderman Sayward said the rooms were not wanted for committees but for office accommodations for departments. The Board of Directors for Public Institutions, Assessors and other departments had asked for more accommodations, and if the Legislature does what they had suggested, certain changes must be made requiring other rooms. If this opportunity should be lost, another would not be had so good for years. The building on the opposite corner rented for \$10,000, while this could be had for \$7000.

Alderman Quincy could not agree with the Alderman as to the accommodations in the church, and the rent of the Missionary Building was believed to be exorbitant at \$7000. Until convinced of the exigency he could not vote for the order.

Alderman Sayward believed the rooms in the church were not fit for the Board of Health.

Alderman Gibson estimated the cost of the rooms in the other house in Pemberton square, fitted up, would be \$3500.

Alderman Sayward said he had the opinion of Mr. Bradlee, who had the house to rent, that the Missionary building at \$7000 would be cheaper than the other at \$3000. That was the opinion also of Mr. Kirby, Mr. Cotton and others. The other building was the house of Mr. Atkinson, the next above the State constable's office.

Alderman Hulbert said he believed it to be desirable to have all the public offices in the City Hall, and it was his conviction that with certain changes all of the departments could be accommodated in a manner of which they could not complain. Such accommodations could be afforded as were better than four-fifths of the merchants of this city put up with.

Alderman Sayward said he should like to know where the accommodations are which the gentleman speaks of, for he did not know of such accommodations.

Alderman Hulbert believed there was no occasion for the removal of the Board of Directors for Public Institutions, who were well enough off as they are. As to the matter of accommodations in the City Hall, he knew whereof he spoke. Should a consultation be made with the Board of Health, he did not doubt satisfactory arrangements could be made with them for their accommodations.

Alderman Power referred to the large amount of room in the upper part of the City Hall, and the ample accommodations of the Superintendent of Schools. They had been debating a long time about saving \$1200 in the payment of a claim, and he thought they might as well save the rent of \$7000.

Alderman Gibson, in further remarks in relation to the Missionary Building, was of the opinion that with the taxes and repairs it would cost \$10,000 a year.

Alderman Clark said he had been waiting to get more light from the Committee on Public Buildings, who were divided in opinion on the subject. He had looked at the rooms in the church, and believed such as were needed for the Board of Health and Public Institutions might be had for \$1000 a year, the city making its own repairs. The rooms answered well for a high school for girls for ten years, and provision might be made for the care of them by the janitor of the building at a small expense.

In regard to rooms in the City Hall, the Superintendent of Schools had large and magnificent rooms, and it may be that they were all needed. Of that he did not understand. Accommodations might be had up stairs for some offices, and the Superintendent of Lamps and the Inspector of Milk might perhaps be removed to the church.

Alderman Sayward said in regard to the room adjoining the Common Council chamber, that that could not be used for offices, and the Superintendent of Printing was placed in a corner of it because no quarters could be had anywhere else.

Alderman Clark made a few remarks upon the suggestions of Alderman Gibson, that some occupants of rooms should double up, and he moved an indefinite postponement of the order, which was carried by a vote of six to four.

Adjourned

CITY OF BOSTON.

Proceedings of the Common Council,

MARCH 6, 1873.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, E. O. Shepard, the President, in the chair.

A call of the roll showed the following named members to be present, there being a quorum:

Abbott, Adams, Barnes, Bicknell, Bleiler, Boardman, Brackett, Brennan, Burditt, Caton, Collins, Cudworth, Dacey, Darrow, Dean, N. Doherty, T. H. Doherty, Edwards, Flatley, Flynn, Hall, Harrington, Hine, Holmes, Hughes, Lamb, Loring, Madden, Mahan, Marston, Martin, McCue, McKenney, Morse, Page, Perkins, Pickering, Powers, Risteen, Shaw, Thacher, Tower, Upham, Warren, West, Weston, Whiston, Woods, Woodward.

AUDITOR'S ESTIMATES FOR 1873-74.

The Auditor's estimates were laid before the Council, in print, as follows:

OFFICE OF THE AUDITOR OF ACCOUNTS, (CITY HALL, February 27, 1873. }

Edward O. Shepard, Esq., President of the Common Council: Sir—The Auditor of Accounts has the honor of submitting to the City Council, as required by the ordinance relating to finance, the accompanying estimates of the money which will be needed to defray the expenses of the city of Boston and the county of Suffolk for the financial year 1873-74, which commences May 1, 1873, and terminates April 30, 1874, and pay the State tax of 1873.

The estimated expenditures for 1873-74 are... \$10,932,147 00
The estimated income for 1873-74 is... 2,545,650 00

To which add three per cent. for the amount of taxes which will not be paid into the treasury during the financial year... 251,595 00

We have a total which, in the judgment of the Auditor of Accounts, should be the gross tax for 1873, say... \$8,638,092 00

The amount to be raised by taxation this year, as compared with that of last year, shows a large increase, as follows:

Tax of 1873... \$8,638,092 00
Tax of 1872... 7,759,842 00

Increase of tax in 1873... \$878,250 00

Taking the valuation of the city at a sum of \$45,000,000 less than it was last year, which was \$682,734,300, in consequence of the loss of property by the great fire of November 9, 1872, and other causes, over the gains from valuation of new buildings erected during the year 1872, and the increase of value of real estate in some portions of the city, it will require to raise the amount of the tax, as above stated, of \$8,638,092, and the percentage to be levied by the Board of Assessors to meet abatements, a rate of about \$14 per \$1000 of property. This is an increase of \$2 30 per \$1000 over that of 1872, which was \$11 70. The following table exhibits the rate of taxation on each \$1000 of property for the past ten years:

1863	\$11 50	1868	\$12 30
1864	13 30	1869	13 70
1865	15 80	1870	15 30
1866	13 00	1871	13 10
1867	15 50	1872	11 70

The average rate for ten years being \$13 52 per thousand dollars.

The aggregate of the interest to be paid on the gross debt of the city, and the gold premium, shows an increase of \$434,000. The debt was largely increased the last municipal year, and has already been increased \$3,000,000, for street improvements in the burnt district, and it will require in all probability \$1,000,000 to \$2,000,000 more for that purpose. With this large increase of the debt of our city, a large increase of the interest account must of necessity follow.

The estimates show the introduction of three new standing appropriations as compared with those of 1872-73: one for the Board of Health, a department created by an ordinance relating to health passed by the City Council of 1872, who have charge of the general health of the city, the abatement of nuisances, etc.; one for Cedar Grove Cemetery, to the Board of Trustees of which the City Council granted an appropriation after the passage of the general appropriation order of 1872; one providing for the registration of voters and election expenses. The expenses at-

tending elections have, heretofore, been charged to Printing and Incidental Expenses; the latter appropriation has been decreased the amount usually charged to it for that purpose. The amount for registration of voters is to defray the expenses to be incurred in adopting the new method of registering voters, which will be enacted by the present session of our State Legislature.

Several of the departments, it will be seen, ask for largely increased appropriations. The increase for the Fire Department is \$106,316, asked for principally to increase the force of that department, four steam engines, live horse hose carriages, and one hook and ladder truck. For the carrying on of the schools \$139,525, of which amount \$105,275 is for instructors, the salaries of the grammar and primary school instructors having been increased in 1872. For the Board of Health and Health Department an increase of \$101,874, the increase being wanted for the purpose of organizing a new gang of street sweepers, and the more thorough abating of nuisances. For the police, \$30,000, to meet the pay for an increase of the number of policemen. For East Boston ferries, \$50,000, for a new boat. For sewers, \$50,000, to meet the increased wants for sewerage. For water works, \$95,500, caused by the laying of new service pipes, and increased cost of carrying on the works in consequence of their extension into the Roxbury and Dorchester districts. For the West Boston and Craigie's bridges, \$49,000, the city having to bear one-half the cost of rebuilding Craigie's Bridge.

The above gives the largest items of increase and the causes for it, and the following tables show the appropriations of 1872-3, compared with the estimates for the financial year 1873-74, exhibiting the increase and decrease of each, and the table shows a comparison of the estimated revenue of 1873-74 with that of 1872-73.

The total amount asked for the carrying on of the schools, is \$1,406,125, and for interest and premium \$2,348,000.

	1872-73.	Estimated 1873-74.	Increase.	Decrease.
Advertising	\$4,000	\$6,000	\$2,000	
Annuities	512	512		
Armoines	25,000	22,000		\$3,000
Board of Health	86,274	86,274		
Boston Harbor	10,000	10,000		
Bridges	26,500	28,000	1,500	
Cedar Grove Cemetery		3,000	3,000	
Cemeteries	16,500	15,700		800
Charles River and Warren Bridges	42,000	7,000		35,000
Chestnut Hill Drive-way	5,000	5,000		
City Hospital	107,000	110,000	3,000	
Common, Public Squares, etc.	90,000	80,000		10,000
Contingent Funds	10,000	10,000		
County of Suffolk	290,000	325,000	35,000	
East Boston Ferries	240,000	290,000	50,000	
Engineer's Department	20,000	24,000	4,000	
Fire Alarms and Bells and Clocks	4,650	50,940	46,290	
Fire Department	115,000	551,316	436,316	
Grammar School-house, L street		15,000	15,000	
Health Department, Inspector of Buildings	365,000	383,550	18,550	
	10,950	16,800	5,850	
Interest and Premium	1,281,000	1,695,000	414,000	
Incidental Expenses	90,000	87,000		3,000
Lamps	370,500	390,000	19,500	
Lyman Schoolhouse	15,000			15,000
Markets	10,000	10,000		
Milflia Bounty	45,000	45,000		
Mount Hope Cemetery	16,000	15,000		1,000
Overseers of the Poor	69,800	73,400	3,600	
Old Claims	1,500	1,500		
Paving, Grading, and Repairs of Streets	1,000,000	1,000,000		
Police	670,000	700,000	30,000	
Printing and Stationery	30,000	35,000	5,000	
Public Baths	40,000	40,000		
Public Buildings	92,000	92,000		
House of Industry	153,500	180,000	26,500	
House of Correction	88,500	90,500	2,000	
Lunatic Hospital	65,000	60,000		5,000
Pauper Expenses	31,000	31,500	500	
Steamboat "Henry Morrison"	13,500	16,000	2,500	
Office Expenses	8,000	8,000		
Coal Sheds at Deer Island	15,000			15,000
Wharf at Deer Island	12,000			12,000

	1872-73.	Estim'd 1873-74.	Inc.	Dec.
House for Engineer at Deer Island....	7,500			7,500
Public Lands.....	10,000	6,000		4,000
Public Library.....	91,000	90,000		1,000
Quarantine Department.....	25,000	19,250		5,750
Registration of Voters and Election Expenses.....		20,000	20,000	
Reserved Fund.....	300,000	300,000		
Salaries.....	160,000	166,000	6,000	
Schools and school-houses, viz.....				
School Instructors..	949,600	1,024,875	105,275	
School Expenses, School Committee.	73,000	86,750	13,750	
Salaries Officers,....	24,000	24,500	500	
Schoolhouses, Public Buildings.....	235,000	255,000	20,000	
Sealers of Weights and Measures.....	7,000	7,000		
Sewers.....	150,000	200,000	50,000	
Sinking Fund Commissioners.....	2,500	2,800	300	
State Tax.....	717,020	736,180		10,540
Surveyor's Department.....				
Water Works.....	38,000	40,000	2,000	
Water Works, Interest and Premium..	241,000	336,500	95,500	
West Boston and Craigie's Bridges....	630,000	653,000	23,000	
Widening Streets....	5,000	54,000	49,000	
	325,000	300,000		25,000
Totals..	\$9,861,032	\$10,932,115	\$1,222,705	\$151,590

The following table shows the estimated income of 1872-73 compared with that of 1873-74, with the increase and decrease in each:

	Estim'd 1872-73.	Estim'd 1873-74.	Inc.	Dec.
Armories.....	\$10,000	\$10,000		
City Hospital.....	3,500	3,500		
Charles-River and Warren bridges....	3,000	500		\$2,500
Common.....	3,000	3,000		
Corporation Tax....	400,000	400,000		
County of Suffolk..	90,000	120,000	\$30,000	
East Boston ferries.	180,000	217,000	37,000	
Fees.....	5,000	5,500	500	
Fire Department....	1,000	2,000	1,000	
Interest.....	40,000	50,000	10,000	
Health Department.	43,355	26,600		16,755
Militia bounty.....	15,000	45,000		
Outstanding Taxes..	400,000	450,000	50,000	
Overseers of Poor..	16,550	17,550	1,000	
Paving.....	20,000	20,000		
Police.....	8,000	8,000		
Public Institutions..	63,000	80,000	17,000	
Public Library.....	1,200	1,500	300	
Quarantine Dept....	5,000	5,000		
Rents.....	100,000	105,000	5,000	
Schools.....	23,000	24,000	1,000	
Sewers.....	55,000	60,000	5,000	
Unclaimed Drafts..	1,500	1,500		
Water Works.....	810,100	890,000	79,900	
Totals.....	\$2,327,205	\$2,545,650	\$237,700	\$19,255

Total increase of estimated appropriations for 1873-74..... \$1,222,705
Total decrease of estimated appropriations for 1873-74..... 151,590

Net increase of estimated appropriations for 1873-74..... \$1,071,115

Income.

Estimated income 1873-74	\$2,545,650
" " 1872-73	2,327,205
Increase of income 1873-74.....	\$218,445

Percentage of Taxes.

3 per cent. on amount required (\$8,386,497) in 1873-74.....	\$251,595
3 per cent. on amount required (\$7,533,827) in 1872-73.....	226,015
Increase in 1873-74.....	\$25,580

Recapitulation.

Net increase of appropriations in 1873-74.....	\$1,071,115
Net increase of percentage in 1873-74.....	25,580
	\$1,096,695
Less increase of income in 1873-74.....	218,445

Increase of the tax as before stated..... \$878,250

The accompanying communications, which I have received from the several boards, departments and committees, contain the details which aggregate the amount required.

All of which is respectfully submitted.

ALFRED T. TURNER,
Auditor of Accounts.

Referred to the Committee on Finance, with such as the Board of Aldermen may join.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of Company B, Ninth Regiment, John G. Loring and others, Nathan S. Wilbur and Jacob Rand were severally referred, in concurrence.

The following reports were accepted, in concurrence:

Report inexpedient to accept the offer of rooms to the city by the First Baptist Church.

Recommitment of report of leave to withdraw, on petition of Smith & McGaragle, to be paid the balance on contract for erection of smallpox hospital, destroyed by fire.

Recommitment of report of leave to withdraw, on petition of Holohan & Maguire, to be paid for contract work on first smallpox hospital.

The report and an ordinance to amend an ordinance relating to public health was read twice and passed.

The following orders were severally read once:

Report and order to authorize plans and estimates for a new primary schoolhouse on city land in the Prescott and Chapman districts, East Boston.

Order that measures be taken to keep the streets on Burnt District free from obstructions and safe for public travel.

Order authorizing an additional sum of \$1000, for clerk hire in Assessors' Department.

Order to pay Company A, Ninth Regiment M. V. M., \$600 per annum, for rent of armory on corner of Causeway and Lowell streets.

Order authorizing not exceeding \$300 to be expended in repairing and furnishing the armory of said company.

Order that there be allowed an additional sum of \$70 70, for repairing and furnishing the armory of Company K, Ninth Regiment M. V. M., on corner of Third and Dorchester streets.

FIRST-ASSISTANT-ASSESSOR.

The certificate of the election of James Dennie as a First-Assistant-Assessor, in place of Artemas R. Holden, chosen by this Council, was read, when the Council proceeded to an election, resulting as follows:

Whole number of votes.....	53
Necessary to a choice.....	27
Artemas R. Holden.....	26
James K. Crowley.....	14
James Dennie.....	10
H. N. Holbrook.....	3

A second ballot resulted as follows:

Whole number of votes.....	56
Necessary to a choice.....	29
Artemas R. Holden.....	38
James Dennie.....	10
James K. Crowley.....	5
H. N. Holbrook.....	2
Theophilus Burr.....	1

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

SECOND-ASSISTANT-ASSESSORS.

The report nominating certain persons named as Second-Assistant-Assessors, was accepted, in concurrence, when the Council proceeded to an election, under a suspension of the rules.

Mr. Mahan of Ward 5 gave notice of the declination of Daniel J. Courtney as a candidate from Ward 5, a nominee of the committee.

The result of the ballot was as follows:

Whole number of votes.....	57
Necessary to a choice.....	29

Ward 1—Two Districts.

John Noble.....	57
Daniel J. Sweeney.....	57

Ward 2—Two Districts.

George W. Close.....	57
Dennis Cawley, Jr.....	56
M. J. Harkins.....	1

Ward 3—One District.

Joseph Allen.....	33
Charles H. Boardman.....	20
E. W. James.....	4

Ward 4—Two Districts.

Martin Dowling.....	56
William S. Whitney.....	57
Owen Howard.....	1

Ward 5—Two Districts.

Roger H. Scamell.....	50
J. J. Hughes.....	30
John J. Gallivan.....	24
John Donnelly.....	3
D. J. Courtney.....	4

Ward 6—One District.

John T. Prince.....	43
Emerson Coolidge.....	13

Ward 7—Two Districts.

Dudley Pray.....	30
Jeremiah Sullivan.....	53
James H. Magner.....	29

<i>Ward 8—One District.</i>	
Ira D. Davenport.....	31
M. H. Enwright.....	23
<i>Ward 9—Two Districts.</i>	
Francis R. Stoddard.....	57
James Staudish.....	57
<i>Ward 10—One District.</i>	
Charles B. Humfing.....	56
Daniel Finnigan.....	1
<i>Ward 11—One District.</i>	
George W. Skinner.....	57
<i>Ward 12—Two Districts.</i>	
Thomas Leavitt.....	56
Joseph R. Grose.....	56
M. H. Keenan.....	1
<i>Ward 13—One District.</i>	
Edward W. Dolan.....	57
<i>Ward 14—Two Districts.</i>	
Elbridge G. Scott.....	53
William H. McIntosh.....	57
J. E. Learnerd.....	4
<i>Ward 15—Two Districts.</i>	
Henry A. Drake.....	49
B. F. S. Bullard.....	9
James H. Morrow.....	11
Edward Kelley.....	45
<i>Ward 16—Three Districts.</i>	
John Pierce.....	57
E. H. R. Ruggles.....	54
George W. Conant.....	25
Oliver Hall.....	35

The whole number of Assessors required was declared to be elected, Messrs. Hughes of Ward 5 in place of Gallivan, Kelley of Ward 15 in place of Bullard, and Hall of Ward 16 in place of Conant, in concurrence.

UNFINISHED BUSINESS.

The order to allow for payment sundry bills for extra services by certain policemen therein named, being under consideration—

Mr. Page of Ward 9 inquired the nature of the services for which payment was asked.

Mr. Martin of Ward 7 replied that he was not aware that the matter had been before the Committee on Police.

On motion of Mr. Page, the order was referred to the Committee on Police.

WIDENING OF FEDERAL AND OTHER STREETS.

The resolve and order to widen Federal street to sixty feet from Summer to Milk street (Printed City Document No. 31, 1873,) coming up—

Mr. Perkins of Ward 6 moved to lay on the table the several orders for widening and extending streets, with a view to offering a resolution.

The Chair stated the question to be on the single order under consideration and the question being taken, the order was laid on the table.

Mr. Perkins offered the following resolution:

Resolved, That the resolves and orders now before the Common Council for the extension of Oliver street, the widening and extension of Pearl street, the widening and extension of Franklin street, and the widening of Milk, Federal and Congress streets, except those parts of Federal and Congress streets north of Franklin street extended, have the support of the Council, and that the Council hereby assures the property owners affected by the contemplated changes in the lines of the foregoing streets, that the said resolves and orders, subject to the foregoing exceptions, will be adopted whenever a decision can be reached in regard to the portions of those streets reserved in this resolution.

Mr. Perkins stated in explanation of the resolve that there was no question in regard to the proposed improvements, except that of widening Federal street between Franklin and Milk streets, and Congress street, north of Milk street. The Street Commissioners were not prepared to ask for the passage of the resolves and orders at the last meeting of the Council, and since then the text of the appropriations by Congress had been sent by telegraph requiring a further widening of streets in the neighborhood of the Post Office and the removal of the buildings on the triangular space of ground between Congress, Milk and Bath streets. This despatch he read, as containing all the information known on the subject, and it was desired to ascertain the whole conditions before action was taken in the matter.

The question to be decided was what should be for the best interests of the city, and whether to concede to the United States Government in relation to the line of widening, to secure the expenditure of one and a half millions of dollars. The Street Commissioners had no recommendations to make, and the Council was called upon to indicate their choice as citizens and not as members of the Council. No ac-

tion could be taken until further orders should be sent to the City Council in relation to the triangular piece of land, and the reason was obvious, that if the present orders should be passed without providing for the taking of so much as will be left in the extension of Pearl street, the value of the land will be so increased that it cannot be had except at an exorbitant price.

It was accordingly desirable that the resolution should be passed, so that all persons in the burial district embraced within its provisions should be relieved as to the action of the City Government, and the property owners assured that those are the lines to be established just as soon as the question on the whole of these connected orders can be put to the Council. There will be no change in the plans so far as relate to the extension of Oliver street, the widening of Milk and Franklin streets and the widening of Federal and Congress streets as far as the northerly line of Franklin street, which are satisfactory to every one.

Mr. Shaw of Ward 5 inquired what effect the action of the United States Government would have upon the widening of Federal street, at the corner of Milk street, for the gentleman from Ward 6 had not explained it. Before he voted he wished to know what effect the action of Congress would have upon the widening of Federal street.

Mr. Perkins replied that it would have no effect at all. The resolution was offered simply because, so far as the contest was settled, there should be no delay. The reason why the Street Commissioners do not send out the necessary orders for further taking of land is that they do not wish to until there is an expression of opinion whether it is desirable to go into such an expense as will be required.

Mr. Shaw said the gentleman had not answered his interrogatory. Everything was to be passed upon by a wholesale sweep of a resolution except in relation to the widening of Federal street, and when he asked the basis of the action, he was answered by reference to the action of Congress in regard to another matter. Again he asked what the action of Congress had to do with the widening of Federal street to its junction at Milk street. The gentleman takes it for granted that all the other matters are agreed upon, and yet no votes have been taken to indicate any such feeling.

It had been said that the report of the plan of the Street Commissioners received the unanimous vote of the Committee on Streets. There had been two weeks' delay in the action upon it, and the cry of the citizens was, why this delay? And now there was to be another delay in regard to Federal street. It was an unusual thing to pass such measures by a sweeping clause of this kind, and if adopted it would be an extraordinary state of things. It was proper to consider these several streets in detail and not by a wholesale resolution, important as were these measures to the public.

The city of Boston was competent to act in these matters without the dictation of Congress, or knowing from whom or to whom it may come. The resolution appeared to be the result of the action of the Committee on Streets, but no explanation had been made to satisfy him. He did not wish to impede progress, but believed they were here for the purpose of acting upon the order in the report of the committee. If he was not correct he asked to be set right. He thought it would be boys' play to have the reports laid over or passed by resolution. It might be his stupidity, but he had yet to learn the necessity of passing the resolution.

Mr. Flynn of Ward 7 said the order was laid over from the last meeting to ascertain the action of Congress, and since then the Government had called for the laying out of a piece of land of 5000 feet, at a cost of some \$200,000. It was believed that a space of seventy feet in front of the Post Office was sufficient, and he was not in favor of action to please the postmaster or anybody else.

The resolution was passed—39 in favor, none in opposition.

Mr. Loring of Ward 12 offered the following order:

Ordered, That the resolve and order for the widening of Federal street from Summer to Milk street be recommitted to the Street Commissioners, with instructions to report a resolve and order for the widening of Federal street from Summer to Franklin street, substantially in accordance with the plan made by the City Surveyor, dated January 27, 1873, and adopted by the Street Commissioners, February 27, 1873; also a separate resolve and order for the widening of Federal street between Franklin and Milk streets to sixty feet by taking land on the easterly side.

Mr. Loring, in support of the order, said in view of the weight of testimony, the widening of Federal street from Franklin street to Milk street should be on the easterly side, so as to make, as far as possible,

a continuous street to Congress street, and he had yet to hear of the first good reason for the widening on the westerly side. For the purpose of satisfying himself in regard to travel, he watched the course of it yesterday, and found that three-fourths of the travel from Federal street into Milk street was to Congress street; and of fifteen teams or carriages fourteen went down to one up. One of the arguments for the widening on the westerly side was that the travel would go into Devonshire street. Devonshire street was extended for the purpose of relieving Washington street, and Devonshire street was now crowded with travel.

The termination of Federal street at Milk street, as proposed by the Commissioners, was against the Post Office, and not, as it should be, a continuous street. The effect of it would be as in State street, where the travel seeking Court street goes up the northerly side of the Old State House, and if one portion of it should be closed it would be the southerly portion in preference to the other.

Mr. Wells of Ward 3 said he had taken notice recently of the course of travel in that vicinity, with reference to the blocks in consequence, and he was of opinion that the resolve and order should be referred back to the Commissioners.

Mr. Flynn replied that it should be understood that Milk and Congress streets were to be widened to sixty feet, which would greatly relieve the crowds at that portion of the streets, and it should further be considered that Congress street would be a great thoroughfare to South Boston in the future.

Mr. Barnes of Ward 11 inquired what would be the difference in expense between the plans of widening on the easterly and westerly side.

Mr. Loring replied that he put the question to the Chairman of the Street Commissioners, who said that there would be no material difference in the expense; and in relation to grade he would like to know of the committee if the difference of grade had been considered by them.

Mr. Flynn replied that his impression was that an order had been passed to make the grade the same through the territory of the burnt district.

Mr. Loring said he should judge that the difference in grade was at least ten feet between Congress and Devonshire streets. Federal street and not Congress street must be the thoroughfare to South Boston. The construction of the bridge to South Boston to connect with Congress street could not be within ten or fifteen years, and if he was to be governed by self-interest rather than by his judgment, he should prefer to have Congress street the thoroughfare. As an owner of seven acres of flats he would give his check for \$10,000 could the new avenue be completed in ten years. It was all nonsense to contend that Congress street is to be the great thoroughfare, for Federal street is and must be the thoroughfare to South Boston and out of town. The manner of agreeing to the street widenings he objected to, in the Street Commissioners holding conferences with the Committee on Streets, making it an *ex parte* matter. By looking to the naked facts in the case, the committee would arrive at better opinions.

Mr. West of Ward 16 said he was favorably impressed with the plan of the gentleman from Ward 16 when he first looked at it, because from his knowledge of the corner of Milk, Federal and Congress streets in the last twelve years in its being constantly blocked. In the widening it should be considered that Milk street is to be widened, and the grade is to be raised, and by widening on the westerly side, the travel will be more easily divided, passing into Devonshire street as extended as a thoroughfare.

Mr. Brnditt of Ward 16 said if it was possible to have Federal street a direct street, running into Congress street, he would go with the gentleman from Ward 12, but it could not be without going across the Post Office. It was desirable, then, to divide the travel, and he believed the marginal streets would, in future, take much of the heavy travel.

Mr. Flynn, with reference to the building of the new avenue to South Boston, called attention to the indenture made last year, by which he believed the avenue would be made in five years, and he could take the check of the gentleman on that condition.

Mr. Perkins offered the following as a substitute for the order of Mr. Loring:

Resolved, That the Common Council approve the plans of the Street Commissioners for the widening of Federal and Congress streets from Franklin street extended to Milk street, and hereby assure the property holders on those streets that the orders in which those plans are embodied shall be passed as soon as the other orders with which they are necessarily connected can be prepared and considered.

Mr. Perkins stated, in explanation of the views of the Commissioners, that as it was not expected that Federal street would be a continuous street to Con-

gress street, it would be better to take the travel so that it might be divided between Congress and Devonshire streets, the foot travel especially taking the upper side to Devonshire street.

Mr. Hall of Ward 10 hoped the substitute would be passed, for the Street Commissioners, after full consideration of the subject, believed the widening of Milk street at this point would be ample to obviate the difficulty of blocking the street, and it should be considered that this street was but thirty-eight feet wide previous to the widening.

Mr. Wells stated that the travel downward was a continual stream, and with the widening of Federal street on the easterly side, there would be a chance to turn without blocking. Nineteen of twenty teams would take the down grade rather than the up one, and he failed to find any man who would drive up 150 feet to turn a sharp corner, when by going ten or twelve feet he could make a better turn. He hoped the substitute would not prevail.

Mr. Brackett of Ward 10 hoped the substitute would prevail, for it would give the abutters the same assurance that those have on the other streets, that there is to be no further delay. The Street Commissioners gave three hearings on the subject, the result of which was that in their best judgment the widening should be on the westerly side of the street. These all were related to one whole, and if one was to be changed, it might necessitate the change of others. He would abide in the judgment of the Commissioners rather than have more delay. During the debate in the Board of Aldermen, the Chairman of the Committee on Streets stated that a recommitment would involve a delay of four weeks, at an expense of \$50,000 a day. The report was entitled to their consideration and respect.

Mr. Loring stated that those most interested in the widening on the easterly side would be the greatest sufferers in case of delay, and the weight of testimony in favor of the widening on that side came from these persons who were to be affected by it. The question was how to make the widening to serve the public interest, and if there should be any loss from the delay, those who wished this widening would be the sufferers.

Mr. Flynn stated that should there be a recommitment there must be fourteen days' notice after the action taken by the Board of Aldermen.

Mr. Perkins said it was a mistake to say that the abutters on the easterly side ask for the widening on that side.

Mr. Loring replied that the weight of testimony showed that they were in favor of it, although he would not claim that all the abutters were in favor of it.

On motion of Mr. Perkins, the previous question was ordered, and the substitute was adopted for the order of Mr. Loring.

The several resolves and orders for the widening of Milk street, the widening and extension of Pearl street, the extension of Oliver street, the widening of Congress street between Water and Broad streets, and the extension of Franklin street to Sturgis street, were laid on the table.

Mr. Perkins offered the following resolution:

Resolved, That in the opinion of the City Council it is expedient to take and lay out as a public way of the city, that parcel of land remaining between the proposed extension of Pearl street to Congress street, at Water street, Congress street widened to seventy feet on the easterly side, and Milk street after the completion of the said contemplated improvements, and also to widen Water street between Devonshire and Congress streets, on the northerly side, to sixty feet, by taking land from the estate of Edward A. White and others, trustees, and the estate of Beals, Greene & Company; and requesting the Street Commissioners to report orders and estimates of the cost at the earliest practicable moment.

Mr. Perkins said the order was offered simply for the purpose of obtaining the views of the Council on the subject. It was not one of those cut and dried matters of which the gentleman from Ward 12 had spoken, and did not come from the Committee on Streets. Yet if Water street was to be widened further, it would be well to have an expression of opinion, and without it it is supposed there will not be the large expenditure on the Post Office which is contemplated.

Mr. Flynn of Ward 7 believed that the order would keep one week, and moved that it be laid on the table, which was carried.

PETITIONS PRESENTED AND REFERRED.

John Lynch, for leave to construct an addition to his building on Foundry street, beyond the legal dimensions.

Edward Bryant, for leave to erect a wooden shop

in Franklin court, near Norfolk avenue, Ward 16, beyond the legal dimensions.

Severally referred to Committee on Survey and Inspection of Buildings.

AUDITOR'S MONTHLY EXHIBIT.

The Auditor's monthly exhibit was laid before the Council in print, it being an exhibit of the general and special appropriations for the present financial year of 1872-73, as shown in the books in his office, March 1, 1873, including the March draft, being eleven months' payments of the financial year,—exhibiting the original appropriations, the amount expended, and the balance of each unexpended at that date. A recapitulation gives the following result:—

	Appropriations, Revenues, etc.	Expended.	Unexpended.
General	\$9,910,926 41	\$8,700,815 60	\$1,210,110 81
Special	10,400,551 63	4,245,894 71	6,154,656 92
	\$20,311,481 04	\$12,946,710 31	\$7,364,770 73

Ordered to be sent up.

REPORTS OF COMMITTEES.

Mr. Blackmar of Ward 11, from the Committee on Claims, reported leave to withdraw severally on petitions of William Whittaker to be compensated for the death of his son caused by the discharge of fireworks at Independence square on the 5th of July, 1872, and of Philip McDonough to be compensated for injuries received by his son from an explosion of fireworks at Independence square 5th of July, 1872; also of M. C. Murray to be compensated for damages to his property caused by an alleged defect in Tremont street. Severally accepted.

The same committee reported leave to withdraw on petition of Joseph K. and Mary J. Melcher to be compensated for damages caused to said Mary J. Melcher by her being sent to the smallpox hospital without cause, and on petition of Lydia A. Edgecomb to be compensated for damages caused by the failure of the health officers to remove from her house a person sick with smallpox. Severally accepted.

Mr. Burt of Ward 16, from the Joint Standing Committee on the Fire Department, to whom was referred the petition of Samuel D. Crane and forty-two others that a steam fire engine be located in Ward 11, after a careful consideration of the subject, reported that they find there is no steam fire engine located in that section of the city, while it contains a taxable valuation of \$25,000,000; Engine No. 3, located on Washington street, near Dover street. Engine No. 12, being the next nearest steamer, located on the corner of Warren and Dudley streets, a mile and one-fourth from Engine No. 3, while across the city from east to west are a mile and three-eighths.

In this large area of territory there are some of the largest manufactories of the city, with many extensive lumber yards. In view of all these facts, the committee are unanimous in the opinion that the prayer of the petitioners ought to be granted, and would therefore recommend the passage of the accompanying order:

Ordered, That the Chief-Engineer be authorized to locate and equip a steam fire engine in the house now occupied by Chester Hose No. 4 on Northampton street, and the expense thereof to be charged to the appropriation for the Fire Department.

The report was accepted and the order was passed.

Mr. Flynn of Ward 7, from the Joint Standing Committee on Streets, to whom was referred the order of the Board of Street Commissioners authorizing the taking by the city of the estate of M. H. Gleeson on Summer street, at the corner of High street, made a report that the order ought to pass. They also recommend the passage of the accompanying order:

Ordered, That the Joint Standing Committee on Streets be and they are hereby authorized to sell in such manner, and upon such terms as they may deem best for the interest of the city, the portion of the estate taken from M. H. Gleeson on the corner of Summer and High streets, which is not required for the improvement of said streets, the proceeds of said sale to be paid into the City Treasury.

Mr. Dean of Ward 12 moved, as an amendment, to provide that the sale shall be by auction, but on the statement being made that the remaining land would be but a small parcel, valuable only to the owner of the adjoining property, the amendment was withdrawn and the order was passed, together with the original order.

Mr. Flynn, from the same committee, to whom was referred the order authorizing his Honor the Mayor to release to Samuel E. Pierce, upon certain terms and conditions, a parcel of land discontinued from Forest-Hills avenue, in widening the same, made a report that the order ought to pass.

The order provides for the release of 8880 square feet of land adjoining the estate of said Pierce, upon

the conveyance to the city by him of a parcel of land amounting to 8320 square feet, taken from an estate of his to widen said Forest-Hill avenue, by an order of the Street Commissioners, December 31, 1872.

The report was accepted, and the order was passed.

Mr. Flynn offered the following order:

Ordered, That the Joint Standing Committee on Streets be authorized to sell, in such manner and upon such terms as they may deem best for the interest of the city, the portion of the estate taken from C. M. Wheelwright on the corner of Water street and Broad street, which is not required for the improvement of said streets; the proceeds of said sale to be paid into the City Treasury.

Mr. Shaw of Ward 5 moved an amendment to provide that this sale of land shall be by auction.

Mr. Page of Ward 9 stated that this case was similar to that just acted upon, there being but a small piece of land of little value except to the adjoining estate, and it would save expense by making the sale private, while if it is required to be public, and imperative, there may be no other bidder than the party immediately interested, whose policy would be to get it by as low bid as possible.

Mr. Loring of Ward 12 wished to know the bounds of the land.

Mr. Page stated that the width of the lot on Broad street was very slight, but quite deep on Water street.

Mr. Blackmar of Ward 11 said there had been no argument of any force why the lot should not be put up to the highest bidder, which he thought to be a good policy which should always be followed.

Mr. Holmes of Ward 6 wished to know if there was no minimum sum fixed, otherwise in a public sale the land might be sacrificed.

Mr. Page stated that in the case of a sale of a small lot of land on South Market street, last year, the lot was sold less by public auction than it would have brought at private sale.

Mr. Loring moved that it be laid on the table, with a view, he was proceeding to say, when Mr. Shaw raised a point of order that the motion was not debatable.

The point of order was sustained and the order was laid on the table.

Mr. Caton of Ward 11, from the Joint Standing Committee on the Survey and Inspection of Buildings, to whom was referred the petition of P. Campbell & Son for leave to erect a wooden addition to shed situated on Reed street, near Swift street, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to P. Campbell & Son to erect a wooden addition to shed, situate on Reed street, near Swift street, in accordance with an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted and the order was passed.

Mr. Caton, from the same committee, to whom was referred the petition of Winchester & Hight for leave to erect a wooden building on Dorchester avenue and Foundry street, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Winchester & Hight to erect a wooden building in Dorchester avenue and Foundry street, in accordance with an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted, and the order was passed.

Mr. Caton, from the Committee on Survey and Inspection of Buildings, made a report that in their opinion the public safety demands that immediate measures should be taken to examine all buildings in Boston in which operatives are employed, for the purpose of ascertaining their safety and the means of escape in case of fire.

The destruction of the workrooms on the burnt district has necessitated the occupation of a large number of rooms which were not originally intended for such purposes, and which in most cases are located in the upper stories of high buildings accessible only by long flights of narrow stairs.

Should a fire occur in the lower stories of any such buildings while the operatives are therein employed, it would be almost certain to cut off all means of escape, and the loss of life would be fearful. The committee already know of one building, in which 225 persons, mostly females, depend upon a staircase 3½ feet wide for means of escape in case of fire. The committee feel the necessity of immediate action, and in order that there may be no delay in making the necessary examination, they respectfully request that authority be granted to employ, temporarily, a sufficient number of persons to make such examinations.

The committee therefore respectfully recommend the passage of the following order:

Ordered, That the Inspector of Buildings be directed to immediately examine all buildings in Boston in which operatives are employed, to ascertain whether they are provided with sufficient facilities for escape in case of fire, and that he be authorized to employ such temporary assistance as may be required to make such examinations, at an expense not exceeding \$1000; to be charged to the appropriation for the Inspection of Buildings.

The question being upon the second reading of the order—

Mr. Shaw of Ward 5 rose for information, and wished to know how many assistants were now employed.

Mr. Caton replied that until today there were but three assistants, and they were not able to attend to the new work which required their attention, while it was designed to employ these to be provided for temporarily.

Mr. Shaw wished to know if the persons to be

appointed were practical men, or were broken-down policemen.

Mr. Caton replied that all of the inspectors were practical men, master mechanics, masons or carpenters.

Mr. Pease of Ward 1 stated that the law required them to be practical men.

Mr. Shaw said the reason for his inquiry was that last year a police officer was appointed against whom serious charges were preferred.

An amendment was proposed to require the approval of the Committee on Survey and Inspection of Buildings in the appointments to be made.

Mr. Caton stated that the appointments of inspectors were made with the approval of the Mayor, and in answer to inquiries stated that there had been three assistant-inspectors, and three additional appointments had been submitted to the Mayor today.

The amendment was lost—16 to 19—when the order was laid over under the rules.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
MARCH 10, 1878.

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

JURORS DRAWN.

Six petit jurors were drawn for the United States District Court.

APPOINTMENTS MADE AND CONFIRMED.

Sealers of Weights and Measures and Inspectors of Charcoal Baskets—Wm. F. Reed, Charles R. M. Pratt. Measurers of Upper Leather—William Bragdon, William Powers, George W. Bragdon, Melville C. Bragdon, John W. Bragdon, Jr.

Special Police Officers, without pay—John Kennefic, at the corner of Mount Washington avenue and Federal street; J. P. Keefe, at the Boston Cathedral and Castle-street Church; William J. Coleman, for the burnt district; George H. Maguire, at Bowdoin-square Church; Joseph K. Thomas, at Berkeley-street Stable.

Weigher of Coal—George E. Frost.

Weigher of Coal and Measurer of Wood and Bark—Frederic H. Lewis, Frank M. Hatch.

Constable—Jacob T. Beers.

Undertaker—Jabez B. Cole.

Members of the Fire Department—George W. Frost, foreman, and John M. Powers, assistant-foreman of Hook & Ladder Company No. 4; John W. C. Prescott, foreman, and J. W. Randall, assistant-foreman of Insurance Brigade; James Sturks, to take effect from February 24, 1873; Mark W. Hayes to fill the vacancy occasioned by the death of James Sturks, to take effect March 1. Mortimer D. Gill, as a member, John Kelly, hoseman, Charles W. Hodgdon, driver, and John F. Barber and Edward M. Grant as hosemen, to take effect March 1.

Police Officers—Martin L. White as a lieutenant and Albion Adams and Daniel M. Hammond to be sergeants of police; James McLaughlin and Freeman Hanscom as police officers.

Referred to Committee on Police.

PETITIONS PRESENTED AND REFERRED.

Ann Welch, to be paid for grade damages at No. 4135 Fourth street.

Joseph Streck, to be paid for grade damages on Cabot street.

Albert Blaisdell, that a portion of Hawley street be closed during the removal of the walls of Trinity Church.

Severally referred to the Committee on Paving, the last with full powers.

Mary Jane Shedd, for abatement of assessment for a sewer in Eustis street.

William R. Gray and others, against the proposed construction of a sewer in St. James street.

Severally referred to the Committee on Sewers.

Lafayette M. Perkins for leave to occupy a wooden stable for two horses, near Huntington-avenue bridge.

Joseph J. McCarthy, for leave to occupy a wooden stable for two horses on Cherry street, near Blue-Hill avenue.

George G. Poland, for leave to occupy a wooden stable for five horses on Harrison avenue, near Malden street.

Thomas Conner, for leave to occupy a wooden stable for one horse on Cherry street, near No. 26, Ward 14.

Severally referred to Committee on Health on the part of this Board.

W. L. Lothrop, to be paid for loss of property during the fire by action of officers of the city.

Sister Mary Elizabeth and Sister Mary Regina of St. Joseph's House, to be paid for injury to a horse.

Severally referred to the Committee on Claims.

Joseph Muddock and others and William R. Gray and others, against the proposed removal of a tree from Regent street. Referred to the Committee on Common on the part of this Board.

Thomas W. Carter, for leave to change the position of certain buildings on the City Hospital lot recently let to him. Referred to Committee on Public Lands on the part of this Board.

Benjamin Frankliu, for permission to erect a building on Palmer street beyond the legal limits. Referred to Committee on Survey and Inspection of Buildings.

Beals, Greene & Co., against the proposed widening of Water street upon their estate. Read and sent down.

The remonstrance is as follows:

To the City Council of the City of Boston—From our report of the proceedings of the Common Council at its meeting on Thursday evening last, we learn that a resolve was offered that in the opinion of the

City Council it is expedient to widen that part of Water street which lies between Devonshire and Congress streets, by taking land from our estate on the northerly side of Water street; that is to say, by taking a part of the Boston Post building. The resolve, we observe, was laid on the table. We embrace the earliest moment possible, upon being informed of this contemplated movement, respectfully to remonstrate against the passage of the resolve. And we submit for your consideration some reasons personal to us, but in which, nevertheless, as with other citizens in like circumstances, the community, we believe, has also an interest, perhaps not altogether indirect, and which are quite apart from the reasons usually urged against the expediency of such street widenings. The chief reason usually urged in such case is the cost. And where, as in this case, it is manifest that the cost must inevitably be very large, with no urgent need of the widening nor reasonable expectation of a corresponding public benefit from it, this reason would seem to be sufficient. We think, in any case of street widening involving an appropriation of public moneys, it should be made to appear affirmatively that the public safety and convenience require such widening. But to us, one of whom, at least, has passed many years in business in the immediate neighborhood, and all of whom are familiar with the locality, and, we think, competent to form an opinion of some value upon the question, it is, on the contrary, apparent, in this case, that no such want of safety or convenience exists. It is not true that travel is ever obstructed, unless, indeed, it be in some quite extraordinary circumstances, in this part of Water street. Nor do we believe it is likely to be so obstructed in many years to come as seriously to impede travel. Our building was a costly one, yet it cost much less when built, a few years ago, than a like building would cost at the present time. It is occupied in part by ourselves. Other parts are let to tenants, some of whom are entitled to hold for a term of years yet to come. The building was fitted and furnished with especial reference to our business. It has machinery and other costly fixtures and implements suited to our work and business. To cut off the building proposed would destroy it for our purpose. We should be obliged to remove from it when the cutting is begun; and when it is ended and the building repaired, it will be too small for and unsuited to our use. The machinery, fixtures and implements, so adapted to the building as it now is, would then be of little value. Meanwhile the publication of our paper cannot be stopped. We must seek out somewhere, somehow, as best we may, another place. Our tenants' leases are not destroyed by the cutting. They have rights which we cannot impair or change. Meanwhile, we may find ourselves, against our will and inclination, involved with the city and our tenants in a lawsuit, in which each will occupy and maintain, as best he may, at no little expense, one side of the triangle, with the certainty on our part that we cannot be compensated. Altogether, such a complication is not pleasant to contemplate. We are aware that the answer to all this ordinarily is, "But the city must pay you." But this is the answer of the ill-informed or the unreflecting only. Now the value of our building as it is to us is a very different thing from its market value. We did not build it to put on the market; nor altogether nor chiefly as an investment; but we designed it especially to meet our own wants, and fitted it to that end and purpose. We would not sell it for what would be deemed by others to be a reasonable price. To occupy it, as it is, is of the first importance to us. Such, sketched in hurried outline, are our reasons for this earnest remonstrance. We are not strangers to the public. Indeed, we are nearly related to it. It is not capricious. It is not inclined to mischief or wrong. We know its wants in this case; and we know, too, that while it is fairly represented it will not tear down our building under a false pretence.

BEALS, GREENE & CO.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice on petition of Benjamin Randall, for leave to place a steam engine and boiler on lot 13 Chelsea street, and on petition of J. J. Birkmaier & Co., for leave to place a steam engine and boiler in building formerly 11 South street, were severally taken up. A remonstrance was presented from C. Schwaar and others against the petition of Benjamin Randall. The reports were recommended, accompanied by the remonstrance.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to revoke location, granted by the city of Roxbury to the Metropolitan Railroad Company, for tracks in Walnut avenue.

Order to extend the name of Foundry street to the extension of said street as far as Dorchester avenue, near Sixth street.

Order to terminate rent of armory of Co. A, Ninth Infantry, in Hanover street on March 1, 1873.

Order to pay H. H. Hmnewell \$521, for land damages on Devonshire street.

Order to pay C. Stetson and S. Atherton \$2577, for Purchase-street land damages.

Order to pay John Foster \$3875, for Bedford-street land damages.

Order to pay J. Henry Sears \$786 90, for Cottage-street land damages.

PAPERS FROM THE COMMON COUNCIL.

The petitions of John Lynch and of Edward Bryant were referred, in concurrence.

The following reports were accepted, in concurrence:

Reports (leave to withdraw) on petitions of

1. Lydia A. Edgecomb, for neglect of city to remove a smallpox patient from her boarding house.

2. Mary J. Meleher, for being conveyed to small-pox hospital from Massachusetts General Hospital, she not having the smallpox.

3. Philip McDonough, for injuries to his son by explosion of fireworks in July, 1872.

4. William Whittaker, to be paid for injuries to his son by discharge of fireworks in July, 1872.

5. M. C. Murray, to be paid for damages to his property from an alleged defect in Tremont street.

The auditor's estimates for year 1873-1874 (City Doc. No. 34), were referred, in concurrence, Alderman Gibson, Sayward, Brown, Power and Clark being joined to the committee.

The following orders were passed, in concurrence:

Order to locate a steam fire engine and apparatus in house of Chester Hose Company, on Northampton street.

Order to release to Samuel B. Pierce 8880 square feet of land on Forest-Hills avenue in exchange for \$320, to be conveyed to the city by said Pierce for the purposes of a street.

Order to allow Winchester & Hight to erect a wooden building on Dorchester avenue and Foundry street beyond the legal limits.

Order to allow P. Campbell & Son to erect a wooden building on Reed street beyond the legal limits.

Orders to take the estate of M. H. Gleeson on Summer and High streets, which he relinquished to the city. Also to sell such portion as will not be needed for streets.

ELECTION OF FIRST-ASSISTANT-ASSESSOR.

The election of Artemas R. Holden as First-Assistant-Assessor in place of James Dennie, chosen by this Board, came up, when the Board proceeded to an election, with the following result:

Whole number of votes.....	12
Necessary to a choice.....	4
James Dennie.....	10
Artemus R. Holden.....	1
Theophilus Burr.....	1

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

SECOND-ASSISTANT-ASSESSORS.

The election of J. J. Hughes of Ward 5, Edward Kelley of Ward 15, and Oliver Hall of Ward 16, as Second-Assistant-Assessors, in the places of J. J. Gullivan, B. F. S. Bullard and George W. Conant, chosen by this Board, came up, when the Board proceeded to a ballot, resulting as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
<i>Ward Five.</i>	
J. J. Gullivan.....	8
John Donnelly.....	3
William M. Flanders.....	1
<i>Ward Fifteen.</i>	
B. F. S. Bullard.....	7
Edward Kelley.....	5
<i>Ward Sixteen.</i>	
George W. Conant.....	10
Oliver Hall.....	2

Messrs. Gullivan, Bullard and Conant were declared to be again elected, in non-concurrence.

REPORTS OF COMMITTEES.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the petition of Joseph Watson, for leave to locate and use a steam boiler and engine at 127 Portland street. Accepted.

Alderman Sayward, from the Committee on Health, reported in favor of petitions for stables as follows:

Henry Fagen, to occupy a wooden stable for six horses on K, near First street; Samuel S. Kenney, to occupy a stable for two horses on Saratoga street, corner of Putnam street; Asa P. Potter, to occupy a brick stable for eight horses on Way street, No. 31; George H. Homer, to occupy a wooden stable for one horse on Gold street, rear 367 Fourth street. Severally accepted.

Alderman Clark, from the Committee on Streets, reported leave to withdraw on petition of Lewis W. Spaulding to be paid for damages for land taken for Fifth street, between G and H streets. Accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: Marie C. Ladreyt, to give a concert at Tremont Temple, March 12, in aid of the disabled firemen; R. A. Brannon, to exhibit a panorama of Ireland at East and South Boston, March 11 and 12; Edward G. Kendall, to exhibit a billiard match at Bumstead Hall, March 11; George Ellis, to give a series of lectures, concerts, etc., at Stoughton-street Baptist Church; John O'Brien, to give a concert at Lyceum Hall, Ward 16, March 16, and lecture March 17; J. M. Bellw, to give public readings at Music Hall; Martin F. Corley, to give a concert at South Boston, March 17; also to seventeen newsboys and one bootblack; to Nathan M. Hatch, as an auctioneer; and to sundry persons to keep intelligence offices, victuallers, wagon stand, transfer of wagon license. Severally accepted.

Leave to withdraw was reported on petition of Charles C. Barry, for license as a victualler. Accepted.

Alderman Cutter, from the Committee on the Fire Department, on the part of the Board of Aldermen, to whom was referred the petition of John H. Kelly and others, asking that Daniel Crockett be confirmed as foreman of Hook & Ladder Company No. 4, made a report recommending that the petitioners have leave to withdraw. Accepted.

Alderman Cutter, from the Committee on the Fire Department, made a report that the authority on the part of the City Council to appropriate money for the relief of firemen disabled in the service of the city, and for the relief of the families of such firemen as have been killed in the performance of their duties, is limited to the sum of \$1000 per annum. The act giving this authority was passed in 1851, when the city was much smaller than it is at present, and it is proper that the amount should now be increased. A communication on the subject from the Chief-Engineer is appended hereto. The committee would respectfully recommend the passage of the accompanying order:

Ordered, That the Committee on Legislative Matters be requested to appear before the proper committee of the General Court now in session, and urge the passage of an act authorizing the City Council of Boston to expend a sum not exceeding \$3000 annually for the relief of such firemen as have been disabled in the service of the city, and for the relief of the families of such firemen as have been killed in the performance of their duties.

The report was accepted, and the order was passed.

Alderman Cutter, from the Committee on Paving, who were directed to report a series of rules to govern the persons authorized under section 41 of the Ordinance on Streets to sprinkle the streets of this city, made a report recommending the adoption of the following rules:

1. All applications for watering the streets of the city shall be referred to the Committee on Paving.

2. The expense of watering the streets shall be borne in all cases by the abutters, unless otherwise ordered by the Board of Aldermen.

3. The mode of watering the streets and the kind and quantity of water to be put upon the streets during each day shall be determined by the Superintendent of Streets.

4. The license shall be for the term of one year only and shall be liable to be revoked at the pleasure of the Board of Aldermen.

5. The time of commencing and finishing the duty of watering the streets to be determined by the Superintendent of Streets.

6. In watering the streets, special care must be taken to avoid wetting the crossing stones.

The report was accepted, and the order was passed.

WEIGHERS AND INSPECTORS OF LIGHTERS.

Alderman Sayward, from the Joint Special Committee to nominate candidates for Weighers and Inspectors of Ballast Lighters, made a report nominating for Inspector-in-Chief Edward Hatch, and for Assistant-Inspectors John Kenny, George Faulkner, Abijah R. Tewksbury.

The report was accepted, and the Board proceeded to an election, when Messrs. Hatch, Kenny and Faulkner were chosen by an unanimous vote. Mr. Tewksbury had 11, and P. J. McDermott 1 vote. The several nominees of the committee were declared to be elected.

DIRECTORS OF PUBLIC INSTITUTIONS.

Alderman Gaffield, from the Joint Special Committee appointed to nominate suitable candidates for Directors of Public Institutions to fill vacancies occurring on the first Monday in May next, made a report recommending the election of Bradley N. Cummings, Albert J. Wright and Moses W. Richardson.

Mr. Prescott of the committee dissented, and recommended the election of Samuel Little to fill one of the vacancies.

The Board proceeded to an election, with the following result:

Whole number of votes.....	12
Necessary to a choice.....	7
Bradley N. Cummings.....	11
J. Putnam Bradlee.....	9
Samuel Little.....	9
Albert J. Wright.....	4
Moses W. Richardson.....	3

Messrs. Cummings, Bradlee and Little were declared to be elected.

TRUSTEES OF PUBLIC LIBRARY.

Alderman Bigelow, from the Joint Special Committee, appointed to nominate suitable candidates for Trustees of the Public Library, to fill the vacancies occurring on the first Monday in May next, made a report recommending the election of Samuel A. Green and Daniel S. Curtis. The report was accepted, and the Board proceeded to an election, with the following result:

Whole number of votes.....	12
Necessary to a choice.....	7
Daniel S. Curtis.....	11
Samuel A. Green.....	7
C. Levi Woodbury.....	6

Messrs. Curtis and Green were declared to be elected.

ORDERS PASSED.

On motion of Alderman Clark—

Ordered, That his Honor the Mayor be authorized, with the approval of the Committee on Claims, to draw upon the Treasurer for the payment of all executions or judgments of court against the city, when properly certified as correct by the City Solicitor.

Ordered, That the Board establish the revised grades of Federal, Franklin and Channing streets and Leather square, as shown on a plan drawn by the City Surveyor, dated Feb. 21, 1873, and deposited in the office of said City Surveyor.

Ordered, That there be paid to the Baptist Mission and Union the sum of \$3845, for land taken and all damages occasioned by the widening of Bedford street, by a resolve and order of the Board of Street Commissioners, January 23, 1873, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to Caroline A. Sumner the sum of \$2306 for land taken in the name of Mrs. J. H. Sumner, and all damages occasioned by the widening of Stoughton street, by a resolve and order of the Street Commissioners, September 1, 1871, upon the usual conditions; to be charged to the appropriation for Widening Dudley and Other Streets.

Ordered, That there be paid to the heirs of John Osborn the sum of \$1974 40, for land taken and all damages occasioned by the widening and extension of Emerson street, by a resolve and order of the Street Commissioners, April 20, 1872, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to the heirs of Tasker H. Swett the sum of \$11,000, for land taken and all damages occasioned by the widening of Washington street, by a resolve and order of the Street Commissioners, December 16, 1872, upon the usual conditions; to be charged to the Burnt-District Loan.

Ordered, That there be paid to John B. S. Jackson the sum of \$2445, for land taken and all damages occasioned by the widening of Pond street, by a resolve and order of the Street Commissioners, Dec. 31, 1872, upon the usual conditions; to be charged to the appropriation for Widening Streets.

An order, giving notice to the heirs of Ann G. Frothingham, John Foster, Sidney B. Morse, the Massachusetts Charitable Meehanic Association, C. B. Wilson, J. T. Eldridge, the heirs of Joshua Bennett, heirs of Peter Renton, the Baptist Mission and Union, and Anthony S. Jones, and all others interested, to remove all obstructions over the proposed line of widening of Bedford street, on or before the 15th of April next ensuing.

On motion of Alderman Stebbins—

Ordered, That the sum of \$766 18 be and hereby is appropriated to pay for the repairing of a fire-reservoir on the corner of Warren and Washington streets in the Highland District; the same to be charged to the appropriation for the Fire Department.

Ordered, That the sum of \$1300 be and hereby is appropriated, in addition to the amount heretofore appropriated, for the Chief Engineer of the Fire Department, under the direction of the committee, to employ during the remainder of the financial year, such additional assistance in the department as may be deemed necessary; the same to be charged to the appropriation for the Fire Department.

ANNEXATION OF BROOKLINE.

Alderman Quincy offered the following order:

Ordered, That the Committee on Legislative Matters be instructed that in the opinion of the City Council no opposition or hindrance should be offered on the part of the City Government to petitions by inhabitants of the town of Brookline to the General Court in favor of annexation.

Alderman Quincy, in explanation of the above

order, stated that its design was to obtain a discussion for the purpose of ascertaining the attitude of the city in relation to the annexation of Brookline. Several days ago, when the question first came up before the legislative committee, as a member of the Committee on Legislative Matters he stated as the attitude of the city that no action should be taken until the report of the commissioners on the subject of the annexation of Charlestown and other places should be made, and as there was no exigency for action at the present time it would be better to have the matter go over.

This course had been viewed by some of the friends of annexation in Brookline as in the nature of opposition. The design of the order was to show that while not directly in favor, the city did not oppose the application of the citizens of Brookline, and that there should be no delay or hindrance by the action of the city. If the order should be passed, he would withdraw the objection made by him, and state the position of the city to be in accordance with the order not to hinder or oppose any action which may be taken.

Alderman Hulbert said he did not understand the purport of the order, that they represented the attitude of the city as set forth.

Alderman Power said he understood the committee represented the views and interests of the city in such matters. Before the annexation of Brookline should be favored by him, he wished to know the amount of the debt of the town, if any, for he was not in favor of annexing towns with large debts to be paid by the city. His impression, however, was that Brookline stood well pecuniarily, and he wished to be informed on that point by the committee.

Alderman Clark stated that he did not understand that the order committed the city one way or the other; but as the chairman of the committee did say before the legislative committee that the subject might perhaps as well be over to another year, and as the citizens of Brookline had obtained a hearing, they were astonished at the supposed position of the city. The committee of last year were in favor of annexation, that it was desirable for several reasons.

On the proposition of the city of Charlestown for annexation a commission had been appointed; Somerville had expressed favor for annexation and he had an impression that West Roxbury had also,—all of which was under consideration of the commission; but as the town of Brookline is before the Legislature, and if a majority of the voters declare in favor of annexation, it is desirable that the order should be passed, simply requesting the committee not to oppose it. He did not understand the committee were to advocate it, but at a proper time he should advocate it. Brookline had a valuation of \$29,000,000 or \$30,000,000, a debt of half a million and town property worth a million of dollars, and financially was all right. But that was not the question; and if the people of Brookline favor annexation the city should not oppose it.

Alderman Quincy amended the order to meet an objection of Alderman Hulbert, in adding the word "Government" after city, the word not being in the original draft. He wished only, he said, to withdraw his objection in relation to annexation so far as related to Brookline, and leave it to be acted upon its merits.

Alderman Stebbins believed the original position of the Alderman to be a correct one, for, as he understood it, the attitude of the city was that whenever any city or town wished for annexation a commission would investigate the subjects of debt and the reasons for annexation. The exigency of Brookline he understood to be the want of water, and if in the opinion of the City Engineer, we shall be obliged before many years to seek other sources of supply of water, it may be a question for consideration whether we can meet the supply required by annexation.

Alderman Clark stated as the position of the question that it looked as though the committee threw cold water on the subject, and opposed it, and the order was to set that right, by providing that no objection will be made if a satisfactory arrangement is brought about. In case the people of Brookline obtain a bill, of which they have hopes, then a commission would be appointed by the town to meet similar commissioners from the city, and make all necessary investigations.

The order was passed.

ORDERS READ ONCE.

On motion of Alderman Clark, orders to Sampaynel Stillman, trustee, \$19,805, for land taken to widen Washington street; to pay Edward Wigglesworth \$31,175, for land taken to extend Devonshire street; to pay Harriet E. Joyce \$1074, for land taken on Walnut avenue.

On motion of Alderman Power, authorizing the Committee on Printing to take charge of the unfinished business in relation to the abstract of the United States censuses relating to this city.

CITY PHYSICIAN AND HIS DUTIES.

On motion of Alderman Clark the order to establish the salary of the City Physician was taken from the table.

Alderman Stebbins submitted a communication from the Board of Health stating the duties of the City Physician, the communication being as follows: Boston, March 3, 1873.

S. B. Stebbins, Chairman of Committee on Salaries:
Dear Sir—Yours of the 25th ult., asking for a statement of what the duties of the City Physician will be the coming year, has been received.

I am directed by the board in reply to say that while it would be very difficult to state in detail all the duties which will be expected of this officer, yet a few may be stated, as follows: to render all professional services required at the City Prison, police stations and Jail, examine all applicants for the police, examine bad meats, etc., at the market, examine and report upon the causes of death of all persons dying without a physician in attendance, examine any vessel or suspected cargo at the wharves of the city, examine all contagious and dangerous diseases and the cause thereof, examine into the condition of tenement houses, and examine all nuisances which may be found in the city.

In general terms they would like to feel that the entire time of this officer is at the disposal of the Board of Health and that they may call upon him at any and all times to go where and do what the board will not find time for.

It will be impossible to have prompt action on the part of the City Physician unless he be in readiness at all times. Very respectfully, Your obedient servant,
CHARLES E. DAVIS, JR., Clerk.

Alderman Power stated that should the City Physician devote all his time to the office which was designed in the establishment of the Board of Health, no objection would be made to paying him a salary of \$3000 a year. It was designed in the organization of the Board of Health that the physician on the Board should perform the duties of City Physician. But as the duties had been lessened, and the office remained separate, he could not consent to the payment of an increased salary.

Alderman Gafield read from the ordinance establishing the Board of Health, so far as related to the duties of the City Physician.

Alderman Clark wished to know before fixing the salary whether the City Physician would be required to devote all his time to the city.

Alderman Sayward was surprised at the objections made, for it should be enough that the City Physician was under the direction of the Board of Health.

Alderman Stebbins believed the salary should be established, as proposed, as it was expected by the Board of Health that the City Physician would give his entire time in the future as in the past. The City Physician, whoever he may be, will cheerfully obey all orders of the Board of Health. He thought there was some mistake about sick persons being turned away by the City Physician; but had known of applications to him at unreasonable hours by those who should have gone somewhere else.

Alderman Power said he had heard that the City Physician had turned people away who came to him, as not having time to attend to them, but if he is to be paid as proposed he should devote all his time to the interests of the city.

Alderman Gibson wished to know what the City Physician would have to do. There had been a general vaccination by an army of physicians, enough to kill or cure all of the people; and as this was the principal business of the City Physician, which has been taken away, he would like to know why the salary was to be increased. It was said he was expected to examine tenement houses; but it was understood there were nine or ten inspectors, whose duty it is to look after such houses; and if it should be added that he should visit all the police stations and had work enough to make up the employment of his time, it might be some reason for the increase of salary.

Alderman Stebbins stated that the ordinance required the attendance of the City Physician upon the several station houses.

Alderman Power said it was the expectation of the committee who framed the ordinance that the Board of Health would inspect and look after the tenement houses, which was one of the objects of the establishment of the board. The Board of Health called for an expenditure of \$100,000, which would be a great surprise to the citizens who asked for its establishment, and should it go on in this way, there would be a call for its abolition. He would move a reference of the order to a special committee to report upon the duties of the City Physician.

Alderman Clark moved to amend by adding in connection with the salary, a provision that the City Physician shall devote his time to the service of the city.

Alderman Sayward read from section nineteen of the ordinance relating to the duties of the City Physician, in looking after all cases of disease or danger to the public health, and in giving his advice at all times, as sufficient to satisfy any reasonable man as to the amount of service required of him.

The motion of Alderman Power was lost—5 to 6.

The question recurred upon the amendment of Alderman Clark, that the City Physician shall not actively engage in any other business except such as is designated by the Board of Health or City Council.

Alderman Sayward objected that if the City Physician did not perform his duties, the Board of Health could at any moment remove him and nominate some other man. If it was aimed at the present City Physician, he could not say whether or not there was ground for it, but he would remind those who were in favor of the new Board of Health, that it was said no one would be willing to take a place on the Board of Health for \$4000 a year.

Alderman Clark framed his amendment to read "devote his time exclusively to the interests of the city."

Alderman Power inquired how they were to know that he gives his whole time to the city. A competent man and an honorable man would hold to an agreement if he made one, but he would like to see the agreement.

Alderman Sayward urged that if he wished the City Physician to give his whole time, why did not the gentleman say so when he framed the ordinance?

Alderman Power replied that he did not frame the whole ordinance, and some of the most important things were struck out, while others they could not agree upon. If he had had his way the duties would have been defined more clearly.

Alderman Gibson did not think the salary would be too much if the Physician had enough to do; but as the whole duties of the office had been done heretofore for \$1500 a year, he could not see how the salary should be double when there is nothing to do. If they could save \$1500 why should they double the salary?

Alderman Sayward said if it was their duty to save, then they should abolish the Board of Health.

Alderman Gibson believed they should do so, and by so doing they might save \$80,000. The business could be done well enough by the Board of Health, as formerly. The chairman of the board last year was at the head of more committees than he could shoulder, and consequently could not give the attention to health matters which was required. With less of such responsibilities on the chairman, he would guarantee that the business would be done well enough in the future by the Board of Aldermen.

Alderman Sayward referred to the argument in favor of the new Board of Health, that the people demanded it, and now it is objected to paying the necessary salaries.

Alderman Power did not think there was any question that the citizens demanded the establishment of a new Board of Health, nor did he doubt that it would be beneficial. Yet they might get up the expense to be so enormous that the citizens would demand that it be abolished. It was their duty to look closely after the economical management of the board. He would move a reconsideration of the vote rejecting his motion, believing that it would be best to have a committee report upon the subject.

Alderman Clark suggested that they should go into committee of the whole and have a conference with the Board of Health in relation to what they proposed to do. He did not believe that all of the members of this Board had interested themselves enough to know what the Board of Health are doing or propose to do. The Board of Health, he believed, would be a good thing, but it may be expensive.

Alderman Sayward could not understand how the people should demand a Board of Health, because the Board of Aldermen as a Board of Health did not know anything, yet they are expected to look after the Board of Health to see if they properly discharge their duties.

Alderman Power did not believe it to be strange that the people demanded the establishment of a Board of Health, and it was their duty to see that there should be no unnecessary expense attending it. He believed the question could be settled to the satisfaction of the Board of Health.

The question was stated to be on the amendment of Alderman Clark.

Alderman Sayward moved as an amendment that all the duties prescribed in the ordinance to be done by the City Physician be stricken out.

The Chair ruled the amendment to be not in order. Alderman Clark withdrew his amendment, and moved that the order be laid on the table, which was carried.

A further motion was made by him and carried, to hold an informal meeting with the Board of Health on Tuesday at one o'clock in relation to the election of the City Physician.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council, MARCH 13, 1873.

The regular weekly meeting of the Common Council was held this evening at 7 1/2 o'clock, E. O. Shepherd, the president, in the chair.

On motion of Mr. Caton of Ward 11, the roll was called, when a quorum of members appeared to be present, as follows:

Adams, Anderson, Barnes, Blackmar, Bleiler, Boardman, Bowles, Brackett, Brennan, Burditt, Burt, Caton, Collins, Cudworth, Darrow, Dean, T. H. Doherty, Edwards, Flatley, Flynn, Hall, Harrington, Hine, Holmes, Jones, Kelley, Kingsley, Lamb, Mahan, Martin, Martin, McCue, McKenney, Morse, Page, Pickering, Prescott, Risteen, Shaw, Thacher, Tower, Train, Upham, Warren, Wells, West, Weston, Whiston, Woods, Woodward.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of Benjamin Franklin, Sister Mary Elizabeth and another, and of W. L. Lathrop, were referred in concurrence. The remonstrance of Beals, Greene & Company was referred to the Committee on Streets.

The following orders were severally read once:

Order authorizing the mayor, with the approval of the Committee on Claims, to draw upon the treasurer for the payment of all executions or judgments of court against the city when properly certified by the City Solicitor.

Order that \$766 18 be appropriated to pay for repairing the fire reservoir on the corner of Warren and Washington streets, in the Highland District.

Order that an addition of \$4300 be appropriated for the employment of such additional assistants in the Fire Department as may be deemed necessary.

The following orders were passed, in concurrence:

Report and order requesting Committee on Legislative Matters to appear before the proper committee of the General Court, in favor of an act authorizing the City Council to expend not exceeding \$2000 annually for the relief of firemen disabled in the city service, and for the relief of the families of such firemen as may be killed in the performance of their duties.

Order that the order of the 12th of April last, making an allowance of \$400 for rent of armory occupied by Company A, Ninth Regiment, M. V. M., be rescinded; said allowance to cease on the 1st of March, 1873.

The report nominating for Weighers and Inspectors of Lighters and other vessels—Inspector-in-Chief—Edward Hatch; Assistant-Inspectors—John Kenney, George Faulkner and Abijah R. Tewkesbury—coming up—

Mr. Anderson of Ward 3 moved that the report be recommitted. In answer to a question of Mr. Perkins of Ward 6 for a reason for the motion, he stated that Mr. Tewkesbury desired an investigation, and he was in favor of giving it to him.

The motion was carried.

FIRST-ASSISTANT-ASSESSOR.

The certificate of the election of James Dennie as a First-Assistant-Assessor in place of A. R. Holden, chosen by this Council, was read, when the Council proceeded to a ballot, which resulted as follows:

Table with 2 columns: Description and Votes. Includes 'Whole number of votes' (59), 'Necessary to a choice' (30), and candidates: Artemas R. Holden (36), James Dennie (13), H. N. Holbrook (4), James K. Crowley (4), Theophilus Burr (2).

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

DIRECTORS OF PUBLIC INSTITUTIONS.

The report nominating as Directors for Public Institutions, Bradley N. Cummings, Albert J. Wright and Moses W. Richardson, with a minority report recommending the election of Samuel Little as one of said Directors, was accepted, in concurrence, and the certificate of election of J. Putnam Bradlee, Bradley N. Cummings and Samuel Little as such directors was read, when the Council proceeded to an election, under suspension of the rules. The result of the ballot was as follows:

Table with 2 columns: Description and Votes. Includes 'Whole number of votes' (61), 'Necessary to a choice' (31), and candidates: J. Putnam Bradlee (40), Bradley N. Cummings (33), Samuel Little (36), Albert J. Wright (35), Moses W. Richardson (3), Samuel Talbot, Jr. (14), H. D. Bradt (2), Benjamin James (2).

Table with 2 columns: Name and Votes. Includes James Dennie (1), George E. Learnard (1), Daniel S. Curtis (1), S. S. Rankin (1), Ezra H. Baker (1).

Messrs. Bradlee and Little were declared to be elected in concurrence, and Mr. Wright in non-concurrence.

SECOND-ASSISTANT-ASSESSORS.

The certificate of the election of John J. Gallivan, B. F. S. Bullard and George W. Conant, as Second-Assistant-Assessors, in place of Messrs. Hughes, Kelley and Hall, chosen by the Council, was read, when the Council proceeded to an election, the result of which was as follows:

Table with 2 columns: Description and Votes. Includes 'Whole number of votes' (60), 'Necessary to a choice' (31).

WARD FIVE.

Table with 2 columns: Name and Votes. Includes James J. Hughes (5), John J. Gallivan (44), E. A. Galbraith (5), John Donnelley (5).

WARD FIFTEEN.

Table with 2 columns: Name and Votes. Includes Edward Kelley (41), B. F. S. Bullard (18).

WARD SIXTEEN.

Table with 2 columns: Name and Votes. Includes Oliver Hall (22), George W. Conant (37).

Messrs. Gallivan and Conant were declared to be elected in concurrence, and Mr. Kelley in nonconcurrency.

TRUSTEES OF THE PUBLIC LIBRARY.

The report nominating Samuel A. Green and Daniel S. Curtis as Trustees of the Public Library was accepted in concurrence, and the certificate of the election of such persons as said trustees was read, when the Council proceeded to an election, under suspension of the rules, the result of which was as follows:

Table with 2 columns: Description and Votes. Includes 'Whole number of votes' (58), 'Necessary to a choice' (30), and candidates: Samuel A. Green (39), Daniel S. Curtis (35), Charles L. Woodbury (41), E. E. Hale (1).

Mr. Green was declared to be elected in concurrence, and Mr. Woodbury in non-concurrence.

The order that the Committee on Legislative Matters be instructed that, in the opinion of the City Council, no opposition should be offered on the part of the City Government to petitions by inhabitants of Brookline to the General Court for annexation, being under consideration, Mr. Loring of Ward 12 offered the following substitute:

Ordered, That the Committee on Legislative Matters be instructed that the City Council, while not directly in favor, does not deem it expedient to oppose or hinder the annexation of the town of Brookline to Boston.

Mr. Loring stated, in explanation, that under the statement of the chairman of the Committee on Legislative Business, an order of seven lines required much more language in making known the position of the city, and it was desirable to make the matter more explicit.

Mr. Shaw of Ward 5 spoke of the order as extraordinary in character, in instructing a committee what not to do, and in its assumption that the citizens of Brookline have no right to petition the Legislature in relation to annexation. Further he objected to the appearance of the Committee on Legislative Business before the committee of the Legislature without being instructed on the subject by the City Council. It should not be the position of a committee to appear before the Legislature to state what shall or shall not be the policy of the city on the subject. He was opposed to the order and preferred that of the gentleman from Ward 12.

Mr. Shaw made some further remarks on the subject, and until the commission on the subject of annexation made a report, he thought it ill became the city to take any action on the subject in instructing the committee of the Legislature in any particular, especially in the form of this order.

Mr. Perkins of Ward 6 replied, in explanation, that it was because of the action of the City Council in relation to the Commission on Annexation that the Committee on Legislative Business took a position against immediate action; yet, in consequence of the application from the town of Brookline, it was believed not to be desirable to make any opposition, and the order was accordingly offered to meet the case.

Mr. Flynn of Ward 7 stated as his understanding of the question, that the chairman of the Committee on Legislative Matters having stated that the city declined taking any action until the report of the Commission was made, he desired to relieve himself from the appearance of opposition to the annexation of Brookline.

Mr. Dean of Ward 12 said if it was true that the

chairman of the committee made any statement committing the city without authority to annexation, it would not be objectionable to make a correction of it, if not correct, yet he concurred with the gentleman from Ward 5 in his remarks, and unless instructed to go before the Legislature, as a member of the committee he should not go there.

Mr. Loring believed more definite action should be taken on the subject, for as the matter now stands, should the order go before the committee and the gentleman die before making an explanation, it would never be known what the reason for offering it was.

Mr. Dean, in another statement, said he believed the chairman of the committee had a right under the action in relation to the Commission, to appear before the committee of the Legislature.

The concurrence in the order was rejected, when, on motion of Mr. West of Ward 16, the order was indefinitely postponed.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Report and order to authorize plans and estimates for a new primary schoolhouse on city land in the Prescott and Chapman districts, East Boston.

Order that measures be taken to keep the streets on burnt district free from obstructions and safe for public travel.

Order authorizing an additional sum of \$1000 for clerk hire in Assessors' Department.

Order to pay Company A, Ninth Regiment, M. V. M., \$600 per annum, for rent of armory on corner of Causeway and Lowell streets.

Order authorizing not exceeding \$300 to be expended in repairing and furnishing the armory of said company.

Order that there be allowed an additional sum of \$70 70, for repairing and furnishing the armory of Company K, Ninth Regiment, M. V. M., on corner of Third and Dorchester streets.

Report and order for Inspector of Buildings to examine all buildings in which operatives are employed, to ascertain if they are provided with sufficient means of escape in case of fire, and to employ such temporary assistants as may be required in such examination.

PETITIONS PRESENTED AND REFERRED.

Stephen H. Tarbell, for an extension of time in which to build on land on Fourth street, purchased of the city. Referred to the Committee on Public Lands.

Mary Cogan, for compensation for injuries received by a fall on Chardon street. Referred to the Committee on Claims.

Walter Smith and others, for improvement in Independence square. Referred to Committee on Common and Public Squares.

An invitation was presented from H. Palmieri for the City Council to attend a trial of his swift connecting fire pipe, at two o'clock on Friday afternoon, at the store of the Oriental Tea Company. Accepted.

PAPERS FROM THE SCHOOL COMMITTEE.

Order that the City Council be requested to furnish tablets bearing the name of the Starr King Schoolhouse, and insert them in the walls of the building.

Order that the City Council be requested to furnish the rooms for the use of the Normal School.

Order that the City Council be requested to remove the water closets of the Harris Schoolhouse from their present location and rebuild them in a more suitable place in the school lot; also that a portion of the hall on the second floor of the schoolhouse be partitioned off so as to furnish a small room for the master's office.

Severally referred to the Committee on Public Instruction.

ADDITIONAL FUNDS FOR SCHOOL EXPENSES.

The following communication was also received from the School Committee:

To the Honorable City Council—The Committee on Accounts of the School Committee respectfully represent to the City Council, that, owing to the Board of School Committee having raised the salaries of the school instructors during the past year over \$81,000, and also introduced two new music books at a cost of some \$4000, a new text book on Nature at a cost of about \$2000, together with the fact that the Council allowed the expenditure of \$1000 for the entertainment of the National Convention of Teachers, for which there was no appropriation, and that we are short some \$4500 for books for indigent children and advertising; the committee feel obliged to ask the City Council for an additional appropriation of \$27,000 for Salaries of Instructors and School Expenses, in order to meet the just requirements of the schools and to enable them to close their accounts for the ensuing month.

The committee, since its organization, during the past seven years, have never before asked for an additional appropriation, and it is with regret that they feel the necessity of making this request.

For the Committee on Accounts, School Committee,

WILLIAM B. MERRILL, Chairman.

Referred to the Committee on Finance.

ADDITIONAL APPROPRIATION FOR WATER WORKS.

The following communication was laid before the Council from the Water Board:

COCHITUATE WATER BOARD OFFICE, (Boston, March 10, 1873.)

To the City Council—To meet the expenses of the current year, it becomes necessary to ask an additional appropriation of \$12,000.

In the month of November last, a bill of pipe, amounting to \$33,690 13-100, which had been contracted for Wards 13, 14, 15, 16, became due; but the special appropriation for those wards being insufficient to meet the bill, the amount was paid from the general appropriation; we are, therefore, obliged to make the above request.

The high service in South Boston being completed, the balance of the special appropriation for that object, amounting to \$3,167 50-100 will not be required.

CHARLES H. ALLEN,

President of Cochituate Water Board.

Referred to Committee on Finance.

REPORTS OF COMMITTEES.

Mr. Bart of Ward 16, from the Committee of the Common Council on Police, to whom was referred the order for the payment of certain bills for extra service performed by police officers, made a report that the order ought to pass.

It was stated in explanation, in answer to inquiries, that the services rendered were after the usual day's service, and the officers were entitled to pay for it.

The report was accepted, and the order was passed.

REPORTS OF COMMITTEES.

Mr. Blackmar of Ward 11, from the Committee on Claims, reported leave to withdraw severally on petitions of Catharine Barrett, to be compensated for personal injuries caused by an alleged defect in Chardon street; of James King, to be compensated for personal injuries caused by an alleged defect in Ruggles street; and of Robert Irwin, to be compensated for injuries sustained by his wife from an alleged defect in Tremont street. Severally accepted.

BURRILL CLAIM.

Mr. Blackmar, for the same committee, to whom was referred the petition of Charles Burrill, that his claim for services in procuring credits upon the quota of the City of Boston in 1864, may be left to three disinterested persons to determine what compensation is due to him, made a report as follows:

The character of this claim is so well known that it would be superfluous for the committee to do more than state, as briefly as possible, the circumstances under which it is presented at this time. All the details of the case may be obtained by reference to City Documents 98 of the year 1869 and 53 of 1872. The city authorities having refused to pay the full amount claimed under the contract, on the ground of non-fulfillment, Mr. Burrill entered a suit in the latter part of 1864 in the Supreme Court of the State. When the trial took place at Dedham, the evidence for the plaintiff was put in, and the Court (Gray, J.), on motion of the counsel for the city, took the case from the jury on questions of law. Before these questions could be passed upon by the full bench the plaintiff removed to another State and brought his case before the Circuit Court of the United States.

The claim was presented there both on the contract and for services rendered to the city. Judge Clifford, who presided at the trial, ruled that he was "not entitled to recover in any view of the case." Exceptions were taken to the ruling, but previous to the time for a hearing before the Supreme Court at Washington, the plaintiff withdrew his suit and petitioned the City Council for compensation. This was in 1869. In 1870 an order was passed by the City Council and approved by the Mayor for the payment of \$40,000 in full settlement of the claim. Upon this an injunction was applied for by the requisite number of taxpayers and obtained. In 1871 an act was passed by the Legislature, of which the following is a copy:

"The city of Boston is hereby authorized to pay to Charles Burrill of Brookline the sum of \$40,000, in satisfaction for all services rendered and money expended by him in procuring credits upon the quota of volunteers of said city during the War of the Rebellion, in conformity to the order passed by the City Council of said city, and approved September 12, 1870, and may raise the said sum by taxation or otherwise."

Following the passage of this act an order was presented to the City Council for an appropriation of the

sua named, but it failed to pass by the requisite two-thirds vote. It was presented again last year, and again failed to pass.

The petitioner now asks to have his claim referred without limitations or restrictions, to outside parties. In the opinion of a majority of the committee it would not be expedient to grant this request. The total amount of the claim, with interest up to the present date, is about a million of dollars. It is not necessary to inquire how the sum of \$40,000 was arrived at as proper compensation for the services of Mr. Burrill. That sum was fixed upon, Mr. Burrill signified his willingness to accept it in full satisfaction for all services rendered and money expended by him, and the action of the Legislature prevents the City Council from authorizing the payment of a larger amount. There is therefore nothing in this case which can probably be referred to arbitration, and the majority would respectfully recommend that the petitioner have leave to withdraw.

A minority report was presented, signed by Messrs. Brackett and Train of the Council, as follows:

The undersigned, members of the Committee on Claims, respectfully dissent from the recommendation of the majority of the committee, in the matter of the petition of Charles Burrill, and beg leave briefly to state their reasons therefor.

Although the subject of Mr. Burrill's claim has become somewhat familiar, we believe there are some points concerning it which have not been fully understood, and that this misunderstanding has tended to prejudice the claim. It is the general impression that the case has been "turned out of court," both in the State and United States courts, and that having pressed his legal remedy to the furthest possible extent and failed, the petitioner now asks the city to pay what both the State and United States courts have decided that he cannot recover by law; and from this it is argued that the city should pay nothing, because his claim is illegal. Accordingly it is important to state the position of the case when Mr. Burrill first presented his petition to the City Government.

The first trial of the case was before Judge Gray of the Supreme Court in April, 1865. Before the conclusion of the trial, questions of law as to the legality of the alleged contract were raised, and reserved for consideration by the full bench. The counsel for Mr. Burrill, however, preferred to become nonsuit for the purpose of transferring the case to the United States Court. The questions were not, therefore, submitted to the full bench of the Supreme Court, and no judgment was rendered by it upon the legality of the claim.

At the trial before the Circuit Court in September, 1866, after the plaintiff's case had been put in, the City Solicitor asked the court to instruct the jury that the evidence was not sufficient in law to warrant a verdict for the plaintiff on either of the counts of his declaration, and the court accordingly instructed them to render the following verdict:

"The jury find that the defendant did not promise in manner and form as the plaintiff hath alleged against it in either count in the said declaration."

To this ruling of the Circuit Court exceptions were taken, and the case carried to the Supreme Court of the United States. In 1869, before any hearing was had before the last named court, the suit was withdrawn by Mr. Burrill, and consequently the legality of the claim has never been decided by the Supreme Court of the United States, the tribunal to which the plaintiff had a right to take the case, and the decision of which would have been final. It seems to us, therefore, that it cannot fairly be said that the case has been thrown out of court. The question as to the legality of the claim was still pending in court. The decision of the Circuit Court was not final. The plaintiff had a right to have the question decided by the Supreme Court. He had taken steps to avail himself of that right by removing the question to that court.

At the time, therefore, when he voluntarily withdrew the suit the question was still an open one, and his act in withdrawing it could not make the claim illegal, when the question of its legality at the time of such withdrawal was still before the court. These reasons appear to us to justify the statement that the right of Mr. Burrill to recover by legal means for his services to the city has never been finally determined by the courts, but was abandoned by his own act, and therefore the argument against paying him anything because his claim is illegal is not a valid one.

Why did he withdraw the suit? Was it because he had any encouragement to believe that if he abandoned all efforts at law to maintain his claim on the contract, his claims for compensation for services would be favorably considered by the City Government? Upon this question the following facts are instructive. It appears from the records that on the 23d of February, 1869, Mr. Burrill presented a pe-

tion to the City Council for an adjustment of his claims, but the Board of Aldermen refused to entertain the petition while his suit was pending in the courts, as this would give him an undue advantage when his case came to be heard. Accordingly it was not until May 17, when the following paper was received from the City Solicitor, that the Board took any action upon the petition:

"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 his suit and the prosecution of the same. And he hereby personally and 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 by Charles Burrill, and by H. W. Paine and G. W. Tuxbury, counsel for Burrill.

By this act the minority say Mr. Burrill abandoned all power to obtain by legal means the fulfilment of his contract, and the courts had rendered no decision in the matter. They therefore are led to inquire whether this act of Mr. Burrill was in the nature of a compromise between him and the city. It is plain that he must have been actuated by some strong reason for this voluntary withdrawal of his suit. Why should he agree to anything of the kind unless there was some consideration for the agreement? Whether there was any real or implied understanding they do not know, but the attendant circumstances strongly favored the inference that such was the case; for immediately after the reading of the paper withdrawing the suit, his petition was taken from the table and referred to the Committee on Claims.

This prompt action of the Board of Aldermen and the concurrence of the Council they believe to be significant, and as the whole proceedings were with the cognizance of the City Solicitor, who acted subsequently in the hearings on the petition, it was clear and conclusive that the claim for compensation is legally and properly before the City Council. Otherwise why did the city go to the trouble and expense of making this long investigation, or at the expense of determining the amount which should be paid? For these reasons and from the fact that every committee which has investigated the claim has reported in favor of paying the petitioner something, they believe that he has a claim for a greater or less amount, and that amount should be promptly determined. It is clear that he has rendered the city some service, and for this service he should be paid.

The language of the majority report of last year is quoted to show an admission that Mr. Burrill performed valuable service as agent for the city at a critical period, and at a large expense to himself. With this view of the case, they came to the question whether it is expedient to refer the petition to arbitration. It is objected to such a course generally, but there are exceptional cases, and during the present year an order has been passed by the Board of Aldermen authorizing claims to be settled by arbitration.

In whatever light the claim is regarded, it should be definitely and finally disposed of, and not suffered to come before the Council year after year, to the delay and detriment of public business. Should an attempt be made by the Committee on Claims to fix upon the amount to be paid, it is not probable a decisive result would be reached. As evidence of this, reference is made to former reports, in 1869 the highest sum being \$125,000. If the committee could not come to a definite decision after a consideration of the question for half the year, it could not be expected that the Council could act understandingly after a few hours' discussion.

A large majority of the committee of 1870 were in favor of a reference and so reported, but the discussion showed such a diversity of opinion as to the whole matter, that no definite result was obtained, and judging from the reports of the committees in 1871 and 1872 and the action thereon, the same difficulty will continue in the future as in the past to prevent any satisfactory adjustment of this claim by the City Council. Another reason urged for arbitration is, that it appears to be the only means by which a final settlement can be effected. Nothing but a settlement satisfactory to Mr. Burrill can prevent his coming to the City Council again and again, "and they will be called upon to repeat our experience as we have that of our predecessors."

They conclude as follows:

In granting the petition of Mr. Burrill and referring his claim to the arbitration of three disinterested persons, we believe that the action of the City Council will be approved by the citizens generally. In the appendix marked "B," is given Mr. Burrill's petition and the indorsement of the same by a large number of prominent citizens, whose opinions are always respected in matters affecting the welfare and honor of the city, and who represent millions of its taxable

property. They may safely be taken as a good representation of the desires of the taxpayers, of whose interests we are so often reminded that we are the trustees, as to the disposition of this long pending claim. Strengthened by this consideration in their behalf that arbitration is the most judicious method of settling once and for all this long vexed question, as from this tribunal Mr. Burrill can have no appeal, it being his own proposed mode of settlement and he being bound by the result, the undersigned respectfully recommend the granting of his petition and the passage of the accompanying order:

Ordered, That the Joint Standing Committee on Claims of the present City Council be and they are hereby instructed to select three disinterested and impartial persons, subject to the approval of his Honor the Mayor, to whom shall be referred the claim of Charles Burrill against the City of Boston. The said arbitrators shall have power to decide whether anything, and if anything what, is justly and equitably due from the City of Boston to said Burrill upon his claim for services rendered and money expended in filling the quota of the city in 1864. The decision of a majority of the arbitrators shall be binding and final upon the parties. The printed testimony in City Document No. 98 of 1869 shall be laid before said arbitrators, and such other evidence in the case as either party may introduce. And his Honor the Mayor is hereby authorized to execute, in behalf of the city, jointly with said Burrill, all the proper and necessary instruments to render the award of said arbitrators conclusive and final.

The reports were laid on the table, and ordered to be printed.

Mr. Perkins of Ward 6, from the joint special committee appointed to nominate suitable candidates for the Board of Overseers of the Poor, made a report recommending the reelection of Frederic W. Lincoln, Joseph Buckley, Phineas W. Crane and Thomas F. Temple. Laid over.

ADDITIONAL APPROPRIATIONS FOR THE FIRE DEPARTMENT.

The Committee on the Fire Department respectfully request an additional appropriation of \$30,000, for the carrying on of the department for the balance of the present financial year.

The appropriation for the Fire Department for the present financial year having become exhausted by expenditures authorized on account of the numerous bills presented as contracted, on account of the large fires at the close of the municipal year and the extra expense to this department on account of the severity of the winter; heretofore this department were able to obtain extra horses for their keeping, but owing to the horse distemper we could not obtain them this winter, and have been obliged to hire at a large expense.

The force of the department has been nearly doubled in horses to meet the exigency of the winter, and this has required an extra force of men in the department.

The committee are under the necessity of making application for an additional sum to meet the requirements of the department for the remainder of this financial year.

In order to meet the bills and pay roll, there will be required, as before stated, a further sum of \$30,000 for the remainder of the present financial year.

The following is a statement of the expenditures made which were not contemplated, and which causes the deficiency in the appropriation since the amount last asked for:

For bills on account of the fires which came in after the extra appropriation was made up.....	\$11,477 00
For horse hire on account of the severity of the winter.....	1,044 00
For extra services, on account of the severity of the winter.....	1,973 00
Pumps and pump hire, on account of the severity of the winter.....	625 00
For hay and grain for extra horses.....	584 87
“ horse hose carriage at South Boston.....	1,000 00
“ chemical engine.....	500 00
“ repairing reservoirs, and salt for the same..	1,524 00
“ new horses.....	4,825 00
“ increase of supplies for the department.....	1,152 50
	\$21,405 37

Your committee would therefore respectfully ask for an additional appropriation of \$30,000.

For the committee, L. R. CUTTER, Chairman.

Referred to the Committee on Finance.

REPORT ON INCREASING THE EFFICIENCY OF THE FIRE DEPARTMENT.

The following report was submitted in print:

IN COMMON COUNCIL, March 13, 1873.

The Joint Standing Committee on the Fire Department, to whom were referred (1) so much of the Mayor's Address as relates to increasing the efficiency

of the Fire Department, and (2) the report of the Commissioners appointed to investigate the cause and management of the great fire in Boston, having carefully considered the subjects, beg leave to submit the following report:

The substantial recommendations of the Mayor and the Commissioners are—

1. That additional engines should be located in the business portions of the city—some of them larger than any now in use.

2. That larger water pipes should be laid in the burnt district, and in some other sections of the city.

3. That the Lowry hydrants should be more generally connected with the street mains in the city proper.

4. That the Committee on the Fire Department should have a wider jurisdiction over matters pertaining to the management of that department.

5. That the Chief and Assistant-Engineers should be appointed by the Mayor and confirmed by the City Council, instead of elected, as at present, by concurrent vote of the City Council.

6. That a corps should be organized under the direction of the Chief-Engineer to use explosives in cases of emergency.

7. That the general use of portable apparatus should be encouraged.

8. That proper sliding valves should be placed on the gas mains and distributing pipes.

9. That additional safeguards should be provided against the loss of life by fire in buildings used for public purposes and in tenement houses and manufactories.

Although the committee do not feel that they would be justified in making a critical examination of the finding of the commissioners as to the management of the fire, it is proper to state, before entering upon the considerations of the several recommendations, that a careful review of the testimony establishes the fact that the extent of the fire was owing mainly to the delay in giving the alarm, and to the insufficient supply of water, and not to mismanagement on the part of the Fire Department.

It appears from the returns (pp. 646, 647 of the Commissioners' Report) of the men having charge of the engines and the hose and hook and ladder carriages that there was no material delay in getting the apparatus to the fire on account of the lack of horses. In fact, the special measures taken by the Chief and Board of Engineers, in view of the prevalence of the horse disease, placed the department in a more efficient condition to meet a great emergency than it would have been had the department relied upon such horse power as was available at the time to draw the apparatus to the fire. There were a large number of extra men in service; and all the members arriving on the ground at the same time that the apparatus arrived were enabled to respond for duty without delay.

It should be stated that the frequent whistling of the engines, which was supposed by the spectators of the fire to be calls for fuel, was intended as much for signals to the hosemen in regard to the supply of water or the bursting of hose, as for a notice that the supply of fuel was running short. The extraordinary demand for a particular kind of coal, of which only a comparatively small quantity can be obtained in this market, could not be met readily; but there appears to have been no substantial loss of time or power in working the engines with the materials which were furnished.

Upon the first of the foregoing recommendations, namely, that additional apparatus should be provided for the department, the committee have already taken some action. It is proposed to purchase three additional engines at this time, one to be located in the burnt district, one in Ward 6, and one in Ward 11. The committee have inquired particularly in regard to the expediency of procuring larger engines than those now in use, but from all the evidence which they have been able to obtain upon this point, it would not appear desirable to make any change. Some of the builders state that they can furnish larger engines, but they do not believe they would be as effective as those now used. The agent of the Amoskeag Manufacturing Company, Hon. E. A. Straw, says—

“The first-class engines built by the Amoskeag Manufacturing Company, such as all the later engines furnished your city, I believe are the most powerful engines in use in any fire department within my knowledge. They have been placed in all the principal cities in this country, and put into successful competition with the engines of all other builders. They will, if well supplied with water, propel a stream a horizontal distance of 312 to 320 feet; a vertical distance of from 210 to 220 feet—about as far as it is possible to throw a body of water through the air. With a single stream and an ample supply of water, through the ordinary amount of leading hose,

they will maintain a working water pressure of about 260 pounds to the square inch, which is as much as any leading hose, light enough to be readily handled, can be made to sustain, and more than hosemen at the 'butt' can handle.

For the last ten years in building steam fire-engines the tendency has been to procure steamers of lighter weight; and the effort of manufacturers has been to produce light engines, and still maintain their efficiency and capacity to throw water. Most departments prefer engines of the second size rather than of the first, considering that the thousand pounds saved in the weight of the engines is worth more than the little difference in their capacity. My own opinion is, that but little would be gained by the use of steam fire engines of a larger size. No department should be without perhaps one or more very powerful engines, but the gain would be in the number of streams that could be thrown rather than in the distance or size of the streams. A fire engine like your fire boat, which you have recently put into service, illustrates this idea."

The success which has attended the trials of the Babcock chemical engines now in use has been such as to justify the organization of a special corps to operate one or more of these machines. It is also proposed to organize a new hook and ladder company, to be located in the vicinity of the burnt district, and a new hose company, to be located on Longwood avenue. When these additions are made, the apparatus of the department will consist of 29 engines, 13 hose carriages, 8 hook and ladder carriages, 1 steam fire boat, 3 fire-extinguisher wagons and 1 insurance wagon. Other apparatus will be purchased from time to time, as the wants of the city require. In this connection the committee would call the attention of the superintendents and managers of the railroads which terminate in this city to the propriety of furnishing better facilities for transporting heavy fire apparatus between the cities and towns in this vicinity. At present there is great delay in obtaining or furnishing assistance on account of the want of suitable means for loading and unloading engines. Some officer connected with the railroads should be authorized to make the needful arrangements upon the application of the Chief-Engineer.

Great improvements have been made during the past ten years in the means for the extinguishment of fires by portable apparatus; and the recent heavy losses by fire in all our large cities have stimulated invention in this direction to such an extent that undoubtedly still more important improvements will soon be made. In all large public buildings, manufactories, hotels and tenement houses, the owners should be required to furnish the most improved hand pumps and extinguishers, and see that some person connected with the premises is competent to use them properly when the occasion requires. The Board of Engineers are now making investigations in regard to the different kinds of fire escapes in use, with a view to the introduction of those which are found to afford the greatest security.

Measures have already been taken by the Committee on Legislative Matters to procure such additional legislation as may be needed to prevent loss of life from insufficient means of escape, or from improperly constructed walls in case of fire in buildings now erected. The laws of 1871 and 1872 were sufficient as to buildings to be erected, but they did not apply to what had been done previous to their passage except as regards certain matters relating to tenement houses.

Several changes are necessary in the organization of the Fire Department, in order to increase its efficiency. The most important, perhaps, is that which relates to the nomination and appointment of foremen of engine, hose, and hook and ladder companies. Under the ordinances now in force it is provided that "every engine, hose, and hook and ladder company shall have a foreman and clerk, and every hook and ladder company an assistant-foreman in addition; the foreman and assistant-foreman shall be nominated annually, or whenever a vacancy occurs, by the members of the respective companies, from among their own number, and a return of the same made to the Board of Engineers; and in case of rejection by them, the name of the person so rejected shall be returned to the company, and the members thereof shall select another person for approval; and whenever any person so nominated shall be approved by the Board of Engineers, his name shall be sent to the Board of Aldermen for approval or rejection, and in case of rejection another person shall be nominated, as aforesaid, before the next regular meeting of the Board of Aldermen, and the like proceedings had as before." (Sect. 30. Ordinance relating to the Fire Department.)

This method of proceeding, subversive of all discipline in the companies, is a legacy from the volun-

teer system, and the committee are unanimous in the opinion that it should be changed. In the absence of an engineer, the foreman directs the placing of the engines, and has the charge and direction of the hose and hosemen. It is of the highest importance that he should be thoroughly conversant with the duties of the position, and should have the most complete control over his subordinates. Where the choice is left to the company, inexperienced men are sometimes selected; and whoever is selected has a feeling of dependence upon the members which prevents him from acting with the energy and decision which are necessary in an emergency. As the foremen and assistant foremen are subject to the orders of the Engineers, they should be nominated by them and appointed by the Mayor and Aldermen. It has been suggested that the foremen of engine companies should be permanently employed, and that the city should be divided into as many fire districts as there are steam-engine companies, the foreman in each district to make an inspection from time to time of all the buildings located therein, and report weekly or oftener if necessary, to the Chief-Engineer. In this way the Engineers would be furnished with accurate information as to the condition of every building in the city; and such information is absolutely necessary in order to enable them to act intelligently in case of fire. The committee are not prepared to recommend the adoption of this suggestion at present, as they have not had time to consider it fully.

In order to give the Chief-Engineer the proper control at fires over his subordinates, the Assistant-Engineers should be nominated by him, and appointed by the Mayor and Aldermen.

The purchase of land for fire stations should be made by the Committee on the Fire Department instead of the Committee on Public Buildings, and the plans for the erection of new buildings for the department, and for the repair of old ones, should be subject in all cases to the approval of that committee.

Prompt and efficient measures are being taken by the Water Board to furnish an adequate supply of water hereafter for the use of the department. Larger pipes are to be laid in the principal streets in the burnt district, and the Lowry hydrants are to be connected with them and also with the large mains in other portions of the city proper.

To prevent danger in future from the escape of gas in buildings destroyed by fire, the Boston Gas Light Company are introducing valves in their street mains so as to enable them to shut off the gas in small sections, or districts, of the city without delay; and in furtherance of this scheme, an agreement has been entered into between the treasurer of the company and the Chief-Engineer, as follows:

1. The fire-alarm telegraphic wires shall be connected with the office of the Boston Gas Light Company in West street, and a suitable gong placed therein and kept in working order by the city of Boston.

2. The employes of the Boston Gas Light Company, wearing the company's fire caps, or such other badges as may be agreed on, shall be allowed to pass the lines of any fire in the city proper, with such a number of workmen as may be required by the emergency.

3. One or more of the employes of the Boston Gas Light Company shall report in person to the Chief-Engineer of the Fire Department, on the occurrence of every considerable fire within the limits of the city proper.

In regard to the expediency of using gunpowder or other explosives, to prevent the spread of fire, there is such a variety of opinions that the committee hesitate to recommend any special action at this time. The use of powder in connection with the late fire is condemned by nearly every officer in the department. In most instances in which it has been used in other cities it has failed to accomplish what was intended, and in some cases its use has been attended with the most disastrous results. With the powerful explosives which have recently been discovered, more satisfactory results may be obtained, and the committee would commend the subject to the careful consideration of the Board of Engineers.

In order to carry out the changes proposed in the organization of the department, the committee would recommend the passage of the accompanying order.

LEONARD R. CUTTER,
JOHN T. CLARK,
SOLOMON B. STEBBINS,
GEORGE L. BURT,
JAMES F. MARSTON,
WILLIAM H. JONES,
FREDERICK PEASE,
ELIJAH B. HINE,
Committee.

Ordered, That the Committee on Ordinances be requested to report amendments to the ordinances re-

lating to the Fire Department, providing that the Assistant-Engineers shall be nominated by the Chief-Engineer and appointed by the Mayor and Aldermen; that the Foremen and Assistant-Foremen of engine, hose, and hook and ladder companies shall be nominated by the Board of Engineers and appointed by the Mayor and Aldermen; and that the Committee on the Fire Department shall have jurisdiction of all violations of the ordinances or rules and regulations, committed by members of the department; also to report an amendment to the tenth section of the ordinance concerning public buildings, by which the Committee on Public Buildings will be relieved from the purchase of land for engine, hose and hook and ladder houses.

Laid on the table.

On motion of Mr. Hall of Ward 10, an order was passed for the appointment of a committee of conference in relation to the election of a Second-Assistant-Assessor in Ward 3.

Messrs. Hall of Ward 10, Wells of Ward 3, and Pease of Ward 1 were appointed the committee on the part of the Council.

SALARY BILL.

Mr. Blackmar of Ward 11 moved to take from the table the report and orders establishing the salaries of city officers for the year, beginning the first day of April next, with amendments of the Board of Aldermen thereto. (Printed City Doc. No. 27, 1873.)

Mr. Blackmar stated as his design, if the motion prevailed, to move to recommit the report, believing that they should be extremely careful in relation to the increase of salaries at the present time, and no increase should be made except for the best of reasons.

The motion to take up the report was carried, when it was recommitted.

The question then recurred upon the order referring sections 4, 5 and 7 of the Salary bill concerning the Foremen, Assistant-Foremen of the Fire Department, and members of the companies in Ward 16, to the Committee on the Fire Department.

Mr. Perkins of Ward 6 inquired if the whole Salary bill was not before the Council, the report as a whole having been made to the Council as well as to the Board of Aldermen, and the Council not having passed upon the merits of it as a whole?

Mr. Shaw of Ward 5 wished to know the state of the question.

The Chair stated the question to be on referring sections 4, 5 and 7 of the order relating to the Fire Department to the Committee on Fire Department.

Mr. Perkins was of opinion that the question was before them in two forms, as a part of the Salary bill and on a question of reference from the Board of Aldermen. He thought it would be best to non-concur in the reference.

Mr. Shaw wished a more explicit statement of the question that he might know how to vote. Portions of the orders were laid on the table in the other branch, and those could not be before the Council. This question of reference came before them in an irregular way.

The Chair explained that the orders were amended in the other branch by striking out the sections referred to, which were referred to the Committee on Fire Department, and the question now comes up on concurrence in the reference.

The motion to concur was lost.

Mr. Dacey of Ward 2 gave notice that he should, on Thursday evening next, call upon the committee on so much of the Mayor's address as relates to a home for the poor to make a report on that subject.

WIDENING OF WATER STREET.

On motion of Mr. Perkins of Ward 6, the following resolution was taken from the table:

Resolved, That it is expedient to lay out as a public way the land remaining between the proposed extension of Pearl street to Congress at Water street, Congress street widened to seventy feet upon the easterly side, and Milk street after the completion of the said contemplated improvements. Also to widen Water street between Devonshire and Congress streets on the northerly side, by taking certain estates of Edward A. White and others; and that the Street Commissioners be requested to report the necessary orders and estimates at the earliest practicable time.

Mr. Perkins stated that this was not a resolution from the Committee on Streets, which committee are

unanimously of opinion that there is no necessity for the widening of Water street, so far as the requirements of public travel are concerned. It was not presented as a street improvement, and the Committee on Streets had nothing to do with it. It had been iterated and reiterated that the United States would enlarge the Post Office if the city would do certain things in the widening of the streets in the vicinity of the Post Office to sixty feet. The text of the conditions was not fully known when the resolution was offered, but since then a despatch had been received from the Acting Secretary of the Treasury.

This despatch gives it as the opinion of the First Comptroller of the treasury that the widening is required on the burnt territory on Milk and Water streets, between Devonshire and Congress streets, and no further whatever. This would not cut off the Post building, but it would take twenty feet from the Simmons building, with the triangular space on Congress and Milk streets. The question then, was, whether it was worth while to make this improvement on Water street. If this cutting off is made, the question was whether a jog should be made, or the Post building cut off. Although they have not asked to cut that off, was it not their duty, in view of having the finest building in New England, which should cost \$3,000,000, to go to the expense of \$300,000?

In such an expenditure, he believed they would get it back in the increased value of the property in that vicinity. The Post Office must be the business centre for the next fifty years, and the property would be extremely valued for the very reason because the Post Office is there. Value was given to property in State street because of the locality of the Post Office there, and State street may be hurt by the removal, but having wide streets on three sides of the Post Office, increased value would be given to the property on those streets. If this requirement of the Government is not complied with, when an appropriation is asked for the harbor, it may be met with a refusal to grant it.

Should it be said that this was a measure of the Postmaster, it is believed that it is not so, on the authority of the Mayor. The committee of Congress urged as a reason that there would be a great deal of valuable property in this building, and it would not be safe nor would they be justified in the expenditure unless the streets were reasonably widened. It was not, then, the Postmaster's measure, although it might have originated with him. It was a question between the United States and this city, and not between the Postmaster and Boston.

If it should be said, the question could be passed over in the hope of better terms next year, it was a sufficient answer that all the land adjoining the Post Office would be built upon if not taken by the United States, for the owners would ask for their lines and we should grant permits to build, as they cannot afford to have their land lie idle. The question then came to this, if we want the enlarged Post Office and its contingent advantages, we must spend \$300,000 to secure it.

Mr. Flynn of Ward 7 said this was more important to taxpayers than anything which will come before the City Council this year. It should be referred to the Committee on Streets, and not to the Council, for consideration. It was not a question of \$300,000 merely, but as many believed, millions of dollars. The Committee on Streets should submit a detailed report as to the cost of the proposed widening before any action is taken, and he moved its reference to the committee.

Mr. Blackmar of Ward 11 inquired if the order of notice on the proposed widening was not returnable next week on Thursday. If so, nothing would be lost by delay of action at the present time.

Mr. Perkins stated that was so, yet nothing could be gained by referring this to the Committee on Streets, except to get an estimate of expense. It was not the question of expense, but of the Post Office extension which was in issue. It might be well, perhaps, to procure from the Street Commissioners an estimate of the expense. It was more desirable for the Council to express an opinion than to have the opinion of the Street Commissioners as to the expediency of the measure.

Mr. Pease of Ward 1 agreed with Mr. Flynn in relation to referring the resolution to the Committee on Streets, and the reference was carried.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

MARCH 17, 1873.

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

JURORS DRAWN.

Thirty-two traverse jurors were drawn for the first session Superior Court for civil business.

APPOINTMENTS MADE AND CONFIRMED.

Constables—James H. Morrow, Franklin T. Rose. Special Police Officers, without pay—Joseph Baker, Thomas Langdon, and Charles A. Currier, for the Society for the Prevention of Cruelty to Animals.

NOMINATIONS OF POLICE OFFICERS.

Charles H. Tighe, James Hathaway, Mark A. Winship.

Referred to Committee on Police.

PETITIONS PRESENTED AND REFERRED.

Michael M. Barry, for leave to occupy a wooden stable for one horse on Codman street, opposite Hutchings's factory.

Frederic S. Wright, for leave to occupy a brick and wooden stable for one horse on Sixth street, below P street.

Daniel Dewar, for leave to occupy a wooden stable for two horses rear of Ward street.

K. B. Wheelock, for leave to occupy a wooden stable for three horses on Linden street, near Dorchester avenue.

Henry Juengling, for leave to occupy a stable for two horses on Tremont street, corner of Gurney street.

Charles Hunt, for leave to occupy a wooden stable for three horses on Neponset avenue.

Severally referred to Committee on Health on the part of this Board.

A. Tacchella, for leave to exhibit to the City Government his model of a fire escape and fire extinguisher.

Henry W. Johnson and others, for leave to organize a company for an engine to be located in Ward 6.

H. W. Cushing and others, that a steam fire engine may be located in Washington square.

Severally referred to Committee on Fire Department.

Thomas W. Carter, for leave to erect two brick and pipe kilns on Hospital wharf, Albany street.

Referred to Committee on Steam Engines.

Company A, First Battalion of Infantry, for approval of armory at the corner of Washington and Springfield streets.

Lieutenant-Colonel Roberts, commanding First Battalion of Cavalry, for rooms for headquarters.

Severally referred to Committee on Armories.

Samuel Weld and others, for a release by the city to them of the right of drainage through land on Moreland street.

James Berry and others, for a sewer in Sawyer street.

Severally referred to Committee on Sewers.

P. Bergen, for leave to erect a wooden building above the legal limits in Coting and Wall streets.

J. J. McNutt, for leave to erect a wooden building in the rear of the factory in Wareham street, within the building limits.

James Fitton, for leave to build a wooden edifice at the corner of Brooks and Paris streets, beyond the legal limits.

Severally referred to Committee on Survey and Inspection of Buildings.

Smith & Walker, Malachi Clark, G. H. Moseley & Co., Michael Gormeley, P. W. Smith, Adoniram Curtis and Benjamin Jones, for leave to sprinkle certain streets in this city; Moseley & Tuttle, for leave to sprinkle certain streets in Dorchester; Cook & Handy, for leave to sprinkle certain streets in Roxbury; Philip Sowdon, Jr., for leave to sprinkle certain streets in South Boston; Augustus Stevens, for leave to sprinkle the streets of East Boston.

Boston Coöperative Building Company, that streets leading from 92 and 114 East Canton street may be called Bush and Thorn streets.

James Gilfether, to be paid for change of grade at 166 Fourth street.

Metropolitan Railroad Company, for a location in Columbus avenue from Berkeley street to Park square.

Matthew McCormack, that the portion of Devon-

shire street formerly Wilson's lane may be cleared of old materials.

Severally referred to Committee on Paving.

Treffle Garceau, for compensation for injuries received through a defect in the highway. Referred to Committee on Claims.

Charles F. Bradford, for abatement of Cliff-street betterments. Referred to Committee on Streets.

WIDENING AND EXTENSION OF ARCH STREET.

A resolve and order were received from the Street Commissioners for the widening of Arch street and the extension of the same to Milk street, via Morton place, at an estimated expense of \$334,600.

The several items of expense are as follows:

William Minot, Jr., trustee, 46 Summer street, 30 feet, \$30—total \$900. Charlotte E. Walcott, 48-50 Summer street, 1911 feet, \$30; damages \$720—\$58,050. Unknown owners, passage 81 feet. Mortimer C. Ferris, 1 Bussey place, 1280 feet, \$17; damages \$640—\$22,400. Unknown owners, Bussey place, 510 feet. President and Fellows of Harvard College, 1 and 5 Arch street, 1342 feet, \$15; damages \$720—\$20,850. Unknown owners, passage, 508 feet. E. A. White and others, trustees, 53-55 Franklin street, 1201 feet, \$23; damages \$827—\$28,450. Heirs of J. Bowdoin Bradlee, 57-59 Franklin street, 1016 feet, \$25; damages \$750—\$26,150. Alpheus Hardy and others, trustees, 52-62 Franklin street, 5222 feet, \$21; damages \$938—\$110,600. The same, Morton place, 7932 feet, \$1 50; damages \$3102—\$15,000. The same, 23-25 Morton place, 653 feet, \$9; damages \$523—\$6400. T. C. Amory, 19 Morton place, 457 feet, \$8; damages \$394—\$4050. Uriel Crocker, 15 Morton place, 232 feet, \$8; damages \$194—\$2050. Mary and Annie Wigglesworth, 13 Morton place, 213 feet, \$9; damages \$183—\$2100. Jacob Sleeper, corner of Milk street and Morton place, 1554 feet, \$18; damages \$928—\$28,900. Edward Dwight and others, trustees, corner of Milk street and Morton place, 346 feet, \$23; damages \$742—\$8700. Total 24,488 feet, \$323,939; damages \$10,661—\$334,600.

Alderman Clark asked for the passage of the resolve and order, the Committee on Streets having considered the subject, and were in favor of the passage.

Alderman Hulbert called for separate action on the two portions of the order, that of the widening of Arch street and the extension of the street.

The Chair stated that such a motion would not be in order, since the order must be acted upon as a whole, and as such must be concurred in or rejected.

Alderman Gibson inquired what was designed by the extension of Arch street.

Alderman Hulbert replied that the so-called extension was through Morton place, and as the two matters were distinct, and the expense separate, he should prefer to vote upon them separately.

Alderman Gaffield stated that there was but one order, and that could not be divided.

Alderman Clark stated that if objection was made to the passage of the whole order, the proper course to pursue would be to move to recommit. But he hoped such a motion would not prevail, for it was desirable to have action upon the passage of the order at the present time in order that the abutters might know what course to take.

Alderman Hulbert said his position was simply this: that he was in favor of one portion of the order and not in favor of the other, believing them to be two distinct questions. He was opposed to the extension through Morton place. The argument in favor was mainly for two reasons: that it could be done at no great expense, and that it would increase the value of the taxable property in the vicinity, being virtually an extension of Chauncy street. The argument failed to convince him that the supposed gain would be equivalent to the material loss by the destruction of so much taxable property. As for the termination of Chauncy street, it would be better to have that termination in the wide Franklin street than in the narrow Milk street. Franklin street would be a much better ending than Milk street can be, and he could see no occasion nor necessity for the proposed extension.

Should it be said the expense is not large, it is much the larger of the two measures, the widening being some \$156,000 and the extension \$177,800. There could in his view be no necessity for the extension, while it was objectionable on account of the loss of taxable property, and there was no exigency in public travel which can require incurring the expense.

Alderman Clark replied that the extension of Arch street would cost \$170,000, and a considerable portion of the expense would be returned in betterments. The property to be taken in Morton place was valued at \$8 or \$9 a foot, and it will bear a large betterment, for it will be worth as much as the property in Arch or in Franklin street. It was a very

important improvement being virtually an extension of Chancy street to Milk street, where the street will be sixty feet in width, but if delayed much longer, will be 100 feet wide. It will make almost a straight street from Milk street to Roxbury, and after the payment of betterments, the cost will not be more than from \$75,000 to \$100,000. As members of the Board might not be aware of its importance, he invited them to look at the plan of the extension.

After an examination of the plans by the members of the Board, Alderman Brown moved a recommitment of the order, with instructions to the Street Commissioners to report two separate orders with an estimate of the cost of each.

Alderman Clark hoped the motion would not prevail, for they could have little idea of the damage to owners of real estate by delay. Materials had been provided and the owners of real estate on Arch street were prepared to build at once, waiting only for the action of the City Government. He believed they were ready today to act upon the order, and hoped a straight vote would be taken. A recommitment would occasion a delay of two or three weeks, which would occasion a damage more than the cost of putting the street through.

He hoped the motion would not pass, for it was easy to estimate the expense of each measure. The cost of widening would be about \$168,000, and the balance was for the extension. The betterments would bring back so much that the whole expense would not exceed \$100,000. The opportunity was too good a one to let slip, and the project was as good as any which had been suggested the present year. It originated with the Street Commissioners, and it was a very wise measure.

The motion to recommit was lost, by a vote of 5 to 7, as follows:

Yeas—Brown, Cutler, Gibson, Hulbert, Quincy.

Nays—Bigelow, Clark, Emery, Gaffield, Power, Sayward, Stebbins.

The question recurring upon the passage of the resolve and order in concurrence, it was passed.

WIDENING OF HAWLEY STREET.

A resolve and order were received from the Street Commissioners for the widening of Hawley street to forty feet, by taking land of sundry persons therein named, at an expense of \$277,730.

The several items of cost in the proposed widening are as follows:

Proprietors of Trinity Church, 2530 feet, \$27—\$68,310; damages, \$990—total, 69,300. Alpheus Hardy and others, trustees, Nos. 67-65 Hawley street, 782 feet, \$12; damages, \$466—total, 9850. Heirs of Henry Sargent, 63-61 do., 501 feet, \$12; damages, 388—\$64 00. Patrick Donahoe, corner of Franklin street, 829 feet, \$26; damages, \$596—\$22,150. President and Fellows of Harvard College, corner of Franklin street, 1368 feet, \$23; damages, \$966—\$32,430. The same, a passageway, 328 feet, \$5; damages, \$1000—\$2640. The same, Nos. 29-25 Hawley street, 470 feet, \$14; damages, \$400—\$6980. Amasa Whiting, Nos. 21-19 do., 212 feet, \$12; damages, \$236—\$2780. James Parker, Nos. 15-13 do., 197 feet, \$12; damages, \$196—\$2560. C. F. Shimmie and A. L. Vanzandt, Nos. 11-9 do., 291 feet, \$12; damages, \$258—\$3750. Mary T. Goddard, corner of Milk street, 1397 feet, \$22; damages, \$716—\$31,450. W. P. Mason and C. H. Parker, executors, corner of Summer street, 755 feet, \$22; damages \$1040—\$17,650. Unknown owners, passageway, 77 feet, at no expense. E. A. White and others, trustees, corner of Franklin street, 492 feet, \$23; damages, \$734—\$12,050. George P. Upham, corner of Franklin street, 654 feet, \$23; damages, \$908—\$15,950. Unknown owners, Morton court, 100 feet, no expense. Mary and Anne Wigglesworth, Nos. 36-30 Hawley street, 253 feet, \$14; damages, \$368—\$3910. George N. March, Nos. 28-22 do., 212 feet, \$13; damages, \$324—\$3080. J. P. Dearborn and Seth Robinson, Nos. 20-16 do., 251 feet, \$14; damages, \$336—\$3850. Heirs of Theodore Bartlett, No. 12 do., 256 feet, \$15; damages, \$210—\$4050. Jacob Sleeper, corner of Milk street, 1193 feet, \$22; damages, \$654—\$26,900. Total, 13,148 feet of land, \$266,944; damages, \$10,786—\$277,730.

Alderman Clark stated that the Committee on Streets had considered this question, and they fully concurred in the action of the Street Commissioners.

The resolve and order was passed, in concurrence.

WIDENING OF WASHINGTON STREET.

A resolve and order were received from the Street Commissioners for the widening of Washington street, at the corner of Summer street, by taking land of John C. Gray, amounting to 577½ feet, at \$50 per foot, and damages of \$525, the aggregate cost being \$29,400.

Alderman Clark stated that the Committee on Streets had considered this order, and they believed

it inexpedient to pass it at the present time. They were hardly prepared to commence a widening which would require several years for its completion, at a cost of a million or more of dollars. They believed it advisable to allow parties to go on and build, the owners of the property protesting that it would be a material injury to them to require the building to be set back, and a good claim for damages would be made in consequence. It would also naturally effect other estates.

Should there be rebuilding beyond Avon street, and the owners be required to set back their buildings ten to fifteen feet, they would also have a good claim for damages. He knew something of such matters, for he had knowledge of suits which had been settled for such causes. Unless they were prepared to extend the widening to Essex street, or to Bedford street, it would be inexpedient to make a commencement. The Street Commissioners had sent the order here, deeming it important to have the opinion of the City Council on the subject. He hoped the question would be taken, so that the owners can have the lines upon which to build.

Alderman Power believed they ought to widen Washington street as far as they can at the present time—as far as the fire will allow it. There was not a member of the Board but believed it to be but a question of time when Washington street must be widened further south. It would be bad policy to allow valuable structures to be put up when the only expense now to be incurred for widening was for the land. There was nothing more important or desirable to be done than the carrying out of this improvement, and he was surprised that a gentleman should advocate the widening and extension of private streets and alleys and allow the principal thoroughfare not to be widened when such an opportunity was presented. He could not understand the policy, and believed it to be the poorest piece of judgment to act upon such a policy.

Alderman Gibson said he believed the chairman of the committee had good reason for his course. It would cost much more to cut off this land now and wait for further improvements to be made hereafter, than it would to allow the owner to build up and cut it off in the future. The city was now poor, and when it gets able, then it may require the owner to set back his line. If set back now, it will injure his rent, and the cost in interest and taxes will be twice as much as it will be when they get ready to put the street clear through. As a matter of economy, the cost will not amount to anything worth talking about, if delayed ten or fifteen years, as compared with the loss and damage by commencing the widening at the present time.

Alderman Power said he was astonished at the argument of the gentleman, for he generally considered him pretty sound in his views. On Washington street there would be a constant putting up of valuable buildings, and it would be a matter of economy to take advantage of the opportunities of rebuilding for the purpose of widening the street. As to damages in setting back estates, he guessed there would not be any. If Aldermen were preaching economy in such matters, let them go to some of the back streets they were widening, and which were costing hundreds of thousands of dollars, but could not be the thoroughfares which Washington street must continue to be. There was no more valuable improvement in which the citizens would more quietly acquiesce in, than in the widening of Washington street to Essex street. In the opportunity for widening below Summer street they did not wait, and this was one of the most important matters which would come before them.

Alderman Clark said he was prepared to advocate the extension of the widening of Washington street to Essex street, if thought advisable now, but not the widening of thirty-five feet of the distance. Suppose half a dozen of such buildings should be set back, there would be damages to pay in each case, as there was in a case in Kneeland street, where the owners were paid \$3000 or \$4000, and there could be no doubt there would be large claims for damages, amounting to \$150,000 or \$200,000 in ten years. Unless they were prepared to make the entire widening to Essex street, it would be cheaper to let the parties build, and nine-tenths of those above would petition against such widening of one building at a time. As it is, he did not doubt but Washington street was better for retail business than it would be if wider. If all the widening was to be at once, he would go for it. The owner of this building was decidedly opposed to the cutting off, as it would be a serious damage to him, and he should have a just claim for damages.

Alderman Power said he did not doubt every owner of a building would object to cutting off his estate. There was no reason why Mr. Gray's objec-

tion should have any more weight than that of any other person. If objection was made to this widening, he could not see why there was any widening of the street below. That widening would never have been done if it was not intended to widen the street above. The cost of the widening would never be so low as it is today. If the order is passed, then every person who rebuilds will know that he is to set back his building, without pressing the measure, until the whole is consummated. It should be done, for the street is blocked every day. He should be glad to see the street widened to sixty feet, and every one will be pleased when it is so widened. They should go on as far as the fire now, and he was astonished that the Committee on Streets should oppose it.

Alderman Gibson believed that Summer street was the natural terminus of the widening of Washington street. The widening, by leaving a jog, would make a stopping place for teams and an accumulation of rubbish, and he did not believe that the proposed widening to Essex street would be accomplished in twenty years. When other streets, as proposed, are widened, a large amount of travel will not go up Washington street. Tremont street will be widened by taking a strip of the Common, and that will take much of the travel. Down as far as the old State House the travel was much larger. In a money, sanitary and public point of view it would be better not to have such jogs in the widening of the street, and the street would be neater and cleaner. It would be a wrong step to widen in that way, and he would not do any such thing.

Alderman Power said he took it for granted that no one doubted that Washington street would be widened below the burnt district as fast as the buildings were torn down. He hoped no one thought Boston would stand still. Every year Washington street is shown more and more to be too narrow. It is the principal street and the fashionable street, and it should have been widened years ago. No amount of widening of other streets will change its character as the principal thoroughfare. They might figure up the interest as much as they would, and as a matter of economy no one doubts that the widening can be made less now than hereafter. It was only a question of time as to the widening, and it would be unwise not to make a commencement now.

Alderman Halbert said that, as a member of the Committee on Streets, he was convinced that they must stop somewhere in the expenditures for improvements. There were some things which they must do. He was opposed to this widening, for the determined widening below was finished as a complete whole. If more should be attempted now, it would be but an invitation to go beyond. He did not believe that the citizens would commend the proposed widening as in accordance with a good judgment, for it would leave a blemish on the looks of the street. It was an open question whether it would be completed in three, five or ten years, and the extra expense of cutting off buildings would be small in comparison with the consequences which would grow out of widening gradually. The city was not able or prepared at present to make the whole widening, and he would prefer to leave it as it is.

Alderman Gibson repeated that much of the travel would be kept back from Washington street by the widening of other streets. Heretofore with narrow streets, travel had been forced into Washington street, and he believed that now Washington street would have as much room as would be required. It was better to see things moving. The opening and widening of other avenues would be ample for the travel for ten or fifteen years, and with the retaining of taxable property with the interest which would be saved, he would guarantee the amount would pay the entire cost of cutting off buildings, when it should become necessary to widen Washington street.

Alderman Power said it did not make any difference how many avenues there were opened or widened, for there was no more reason to expect Washington street would be abandoned as a fashionable street than there was for ladies to wear bonnets that were worn twenty years ago. The travel will go there. He would not advocate the immediate widening of Washington street to Essex street, but as far as it is burned he would widen it, and he would make all beyond set their buildings back when changes were made, which could be done in a few years at little expense. By so doing, millions of dollars would be saved. Nothing would be more cheerfully acquiesced in by the citizens, and it was as desirable as anything has been or can be.

The question was taken on the order, which was non-concurred in by a vote of 2 to 10, as follows:

Yeas—Power, Sayward.

Nays—Bigelow, Brown, Clark, Cutter, Emery, Gaffield, Gibson, Huibert, Quincy, Stebbins.

COMMUNICATION FROM THE COMMISSIONERS UNDER THE LOAN ACT.

A communication was received from the Mayor, transmitting the report of the commissioners appointed under the "act to enable the city of Boston to issue its bonds for certain purposes," as follows:

To the City Council of Boston—The commissioners appointed by the Mayor, with the approval of the Board of Aldermen, by virtue of an act to enable the city of Boston to issue its bonds for certain purposes, respectfully report—

That they were duly qualified and gave bonds, in compliance with the act and with the order of the Board of Aldermen on the 26th day of December, 1872, and on the 28th day of the same month gave notice through the newspapers that they were ready to receive proposals in writing for the loan of money upon first mortgage to the owners of land, the buildings upon which were burned by the fire in this city on the 9th and 10th days of November last, and that they might be found at their office in City Hall, daily, from ten to eleven o'clock A. M.

In pursuance of the provisions of the act they appointed George P. Lovering clerk of the board on the 28th day of December last, and a record has been kept of their doings, which record has always been open to the inspection of the Committee on Finance and of the City Council.

In order to fix accurately and by proper evidence the limits of the burnt district, to which the act was restricted, the City Surveyor was requested to furnish to this board a map or plan of a portion of the city and to give the lines which would include the land the buildings upon which were burned by the fire. He was requested to mark upon the plan the changes made by the Street Commissioners in widening and straightening streets, and to place upon each lot of land the name of the owner at the time of the fire, the area in square feet, and the valuation of the land, exclusive of buildings, by the Assessors on the 1st day of May, 1872. With this plan before them the board had a distinct view of the premises covered by their commission.

At an early day the board decided that in the absence of special reasons the value of the land should be the limit to the amount to be loaned in each case, and that all papers and titles should be passed upon and approved by the City Solicitor, and that policies of insurance upon the buildings should be made payable to the city.

The commissioners have attended at their room in City Hall a portion of each day from Dec. 28, 1872, and the clerk of the board has been in constant attendance. Printed blanks were prepared to be filled up and signed by parties applying for loans in order to keep in permanent form the statements upon which action might be had.

Two millions of square feet of land, excluding all streets and passageways, were burned over by the fire. The average assessed value of these estates was fourteen dollars a square foot. About two hundred and sixty thousand square feet will be taken to widen and straighten streets, and the cost of rebuilding may be estimated at \$25,000,000. The value of the buildings burned did not exceed two-thirds of this sum, but the expense of building is much higher than formerly, and larger and more expensive structures will be erected in some portions of the district. Applications and inquiries have been made by many parties, but the delays necessarily incident to the state of the season and to fixing the lines of the streets, have been such that the commissioners cannot form any accurate estimate of the amount which would have been called for under this act.

One half of the estates on the burnt district, according to the Assessor's valuation, is owned by fifty-seven persons, trustees or corporations, the least valuation being \$100,000, and the greatest, \$899,000. The other estates are valued from \$3500, the lowest, to \$98,000 the highest, and are owned by a great number of parties. The commissioners have had conferences with the representatives of banking houses abroad, in reference to negotiating the loan authorized, but no arrangements, either to borrow the money on behalf of the city, or to make loans under the act had been completed, when the board was notified on the 7th February, 1873, that a petition to restrain the city from issuing bonds under the act had been filed in the Supreme Judicial Court. As the court upon that petition on the 14th day of March decided that the act was unconstitutional, this board has no authority to act.

The commissioners annex to this report one of the blank forms of applications adopted by them, and they submit herewith a statement of incidental expenses incurred, all of which were for advertising, blanks, books of records, stationery and postage stamps. The act provides that the compensation of the clerk of the board shall be fixed by the City

Council and paid by the city, and we respectfully refer this subject to the City Council.

We transmit to the City Council all the records and papers of the commissions. For ourselves we respectfully request that no action be taken by the City Council upon the clause of the act which provides that the commissioners shall receive such compensation for their services as shall be fixed by the City Council to be paid by the city, as we prefer that these services be not made a matter of pecuniary compensation.

(Signed by), William Gray, Otis Norcross and J. G. Abbott, as commissioners.

Boston, March 17, 1873.

Referred to Committee on Claims and sent down for concurrence.

REPORT OF THE COCHITUATE WATER BOARD, ON ADDITIONAL SUPPLY OF WATER.

A report was laid before the Board in print, of the Cochituate Water Board on an additional supply of water for this city.

The Committee of the Board on Additional Water Supply state that immediately after the acceptance of the Legislative act, authorizing the city of Boston to receive an additional supply of water from Sudbury River, the Cochituate Water Board gave such attention to the subject as would secure temporary advantages from this source.

This being accomplished, the engineer employed upon that work (our present efficient City Engineer) was authorized to make such surveys and estimates as would lead to an intelligent decision upon the most feasible route for the construction of a new and independent conduit, which will give us the permanent advantages which the Sudbury River is so abundantly able to furnish.

These surveys being made, the board sent for Mr. E. S. Chesbrough of Chicago (the accomplished engineer under whose direction our present works were constructed), to examine the proposed route, and pass his judgment upon the plans.

Mr. Chesbrough cheerfully responded to our invitation, and spent several days upon the work.

The extended report of the engineer, and the comments of Mr. Chesbrough, are submitted herewith.

The rapid growth of our city, and the certain prospects of unprecedented increase in the immediate future, render it unnecessary to make any arguments in favor of the object.

This board would ask the early attention of the City Council to the consideration of the subject, and suggest that an appropriation of \$500,000 be made, and the work commenced without delay.

The Engineers' preliminary report considers the question of the need of an additional supply, particularly from the experience gained during the dry season of 1871, the consumption having nearly equalled the supply to the lake as far back as 1850.

Taking into consideration the evaporation from water surfaces, it will be found that a yearly collection of twelve inches of rain upon the Cochituate water shed will furnish a daily supply of about 10,000,000 gallons, and to equalize the delivery to the conduit a storage capacity equal to at least five and a half feet in depth, above the flow-line of the conduit (taken at four feet above the bottom) would be required.

The actual storage capacity of the lake is equal to a depth of nine feet four inches above this flow-line, and, under the circumstances supposed, would admit of an increase of the consumption, from the accumulation of previous years, of about 2,000,000 gallons daily, giving a total daily supply of 12,000,000 gallons.

During 1871 the restrictions upon the use of water have been quite rigid, and a careful inspection has been maintained to prevent waste; yet the average daily consumption has been nearly 14,000,000 gallons, or two millions per day more than the source can be relied upon to yield in a year of light rainfall.

After an examination of a great number of sources of water supply, it was decided to ask for a charter granting the right to take water from the Charles or Sudbury River. Deducting three square miles for water surfaces, to offset the evaporation from the storage basins, the drainage area of the Sudbury River above the outlet of Farm Pond is seventy square miles, twelve inches in depth upon which would provide a supply of forty million gallons per day. Tables are given to show the rainfall for a number of years, and it is assumed that the storage must be increased to provide for a capacity equal to more than four hundred and sixty days' supply. Surveys have been made of seven storage basins, which are shown upon a plate. These, together with Farm Pond and Whitchall Pond (a reservoir built by the city in connection with the Cochituate works, to provide compensation water for the mills), give a total

storage of about six hundred and forty-eight million cubic feet. It is believed that with these reservoirs Sudbury River may be relied upon to furnish a daily supply of forty millions, and with the usual or average conditions of rainfall and absorption about fifty millions gallons per day.

From thorough examination of the water, the conclusions are drawn that usually the water of the Sudbury River is clear and pure, and well suited for a domestic supply; second, that although subject, like all rivers, to temporary impurity of a vegetable origin, that impurity may be reduced to a harmless and inappreciable quantity by exposure to the air in storage basins and the conduit.

A number of trial lines have been surveyed to ascertain the best line for the conduit. The best point and method for crossing Charles River is still a matter of doubt. In the length of 16½ miles there are 8100 lineal feet of tunnels, 7900 feet of siphons, and 1400 of conduit supported on arches.

The necessity of soon beginning the work of construction is urged, and it is said it will require, at best, three seasons, and more probably four, to build the new works. By the time they are completed the consumption in the city will have very materially increased, and from two causes; first, by removal of restrictions upon the use of water; second, by the natural increase in the number of water takers, and in the use for trade and manufacturing purposes. While all effective measures to prevent waste should be applied, it is evidently for the interest of all that restrictions upon the legitimate use of water should be removed as soon as a sufficient supply can be provided. The use of hand hose and the playing of fountains, under proper regulations, should be encouraged rather than prohibited, not only for the comfort and pleasure of the people, but also as conducing to their sanitary welfare.

For the past two years the consumption has been kept at its lowest limits by the enforcement of rigid measures, therefore from this time, even with a continuance of those measures, it must increase in about the same ratio as the number of water takers increases. If this ratio prove to be seven per cent. per year, as for the past two years (in 1870 it was fourteen per cent.,) or twenty-two per cent. in three years, it will tax the Cochituate conduit to its utmost capacity to maintain the supply till the new conduit can be ready for use, even if the work of construction can be at once begun. The increase in consumption during 1872 has been eight per cent.

The estimated cost of works as now designed, excluding interest upon money during construction, and water damages (for reckoning the value of which there seems to be no well-determined basis), is as follows:

Three storage basins, dams, etc.....	\$495,000 00
Wooden pipes connecting dams.....	70,200 00
Work at Farm Pond.....	8,500 00
Conduit, including gate chambers, waste weirs, culverts, siphons with one line of 48-inch pipes, inlet chambers, tunnels, etc..	3,497,300 00
Pipe in Bradlee Basin to connect the conduit with reservoir outlet chamber.....	72,318 00
Land damages, including mill property taken.	375,000 00
Superintendence.....	270,000 00
Total	\$4,788,318 00

The appendix to the report is substantially that made verbally to the Water Board, Feb. 13, 1872, and contains speculations upon the probable growth and future wants of the city. In their estimates, in 1920 Boston will contain a population of 860,000, and allowance must be made for a large increase through annexation. A supply should then be made for a population of 1,000,000 of people. An allowance of sixty gallons for each person requires a total supply of sixty million gallons daily, of which fully twelve million will be furnished from Lake Cochituate and about forty-eight million must be obtained from new sources.

The estimate of cost of the complete works required to secure this supply and convey it to the Chestnut Hill Reservoir is \$5,150,000.

The Sudbury water can be delivered to the reservoir by gravitation and no special operating expenses are required.

Interest upon \$5,150,000 at 6 per cent.....	\$309,000 00
Cost of delivering 14,600,000,000 gallons.....	309,000 00
Cost of delivering 1,000,000 gallons.....	21 17

The advantages of this source are: first, it will supply a water free from all dangerous impurities and liable only to such temporary impurity of vegetable origin as is found at times in the waters of all rivers flowing through farm lands; second, it has just sufficient elevation to furnish its supply by gravitation; third, the cost per million of gallons delivered from it is low.

The best point for taking water from the Charles River for the supply of Boston is between Newton

Ordered, That the time for erecting a building upon the lot of land on East Dedham street, as sold by the city in April, 1871, to Rand & Blake, be extended for two years from May 1, 1873, upon conditions that the sum of \$300 be paid to the Superintendent of Public Lands, within ten days from the passage of this order.

The report was accepted and the order was passed.

Alderman Quincy, from the Committee on the Public Library, made a report that a very valuable library is now offered for sale to the Board of Trustees of the library, which said board are desirous of purchasing, it being an opportunity not often occurring of securing rare works. The committee concur in the views of the board as to the importance of the purchase, and to effect it will require at this time a sum of \$15,000 in addition to the balance of appropriation in the hands of the Trustees unappropriated, and they, therefore, would recommend the passage of the accompanying order, which has received the approval of the Committee on Finance at a meeting held this day:

Ordered, That the Auditor of Accounts be, and he hereby is authorized to transfer from the unexpended balances of the present financial year 1872-73, a sum not exceeding \$15,000 to the appropriation for Public Library.

The report was accepted, and the order was passed.

ORDERS PASSED.

On motion of Alderman Sayward—

Ordered, That the Superintendents of Wagons and Hacks be directed to notify the owners of wagons and hacks having stands on Tremont street, between Winter street and Scollay square, that no licenses will be granted to them to stand with their wagons and hacks on that portion of Tremont street after July 1, 1873.

On motion of Alderman Power—

Ordered, That the Chief-of-Police be directed to close Hawley street adjacent to Trinity Church against public travel, during the removal of the walls of said church.

Ordered, that the Superintendent of Sewers be directed to construct a common sewer in Summer street, and report a schedule of the expense thereof to this Board.

On motion of Alderman Gihson—

Ordered, That the Superintendent of Faneuil Hall Market be authorized to employ one deputy, subject to the approval of the Mayor, to assist him in the discharge of the duties of his office.

On motion of Alderman Stebbins—

Ordered, That the Joint Special Committee on Suffolk-street District, be authorized to exercise all the powers with reference to the settlement of estates taken by the city under the provisions of chapter three hundred and eight of the acts of the year 1867, that were conferred upon the Joint Special Committees of the City Council on the Church-street District during the years 1868, 1869 and 1870.

On motion of Alderman Clark—

Ordered, That there be paid to Henry W. Dutton & Son the sum of \$25,295, for land taken and all damages occasioned by the widening of Washington street, by a resolve and order of the Street Commissioners,

Dec. 16, 1872, upon the usual conditions; to be charged to the Burnt-District Loan.

Ordered, That there be paid to the heirs of Ann G. Frothingham the sum of \$265, for land taken in the name of a person or persons unknown, a portion of Snffolk place, and any and all damages occasioned said heirs on account of said taking by the widening of Bedford street, by a resolve and order of the Street Commissioners, Jan. 23, 1873, upon the usual conditions; to be charged to the appropriations for Widening Streets.

Ordered, That there be paid to Caleb Stetson and Samuel Atherton the sum of \$81 for land taken, in the name of Eben B. Phillips, and all damages occasioned by said taking by the widening of Purchase street, by a resolve and order of the Street Commissioners December 23, 1872, upon the usual conditions, to be charged to the Burnt District Loan.

Whereas, In the opinion of the Board of Aldermen of the city of Boston, certain portions of a building owned by William S. Perry, and situated on the northeast corner of Congress and Lindall streets, in the city of Boston, are in such a condition as to be a public nuisance and to endanger life and limb; and, whereas, the said owner is without the State, and the agent is unknown; it is therefore hereby

Ordered, That the Inspector of Buildings be directed to serve a notice ordering the owner or agent to remove the dangerous portions of said building forthwith, said notice to be served by posting a copy of the same on said dangerous structure, and advertising in one or more public newspapers printed in the city of Boston; and in case the owner or agent refuses or neglects to comply with the order before twelve of the clock at noon of the 19th day of the present month, then said Inspector of Buildings is authorized to enter upon the said premises and remove the portions of said building which are dangerous; all the expenses incurred thereby to be paid by said owner.

ORDERS OF NOTICE.

On the proposed construction of a common sewer in Saratoga street, between Bremen and Swift streets. Hearing Monday next, four o'clock.

On petition of the Times Publishing Company for permission to erect and use a stationery engine in Nos. 12 and 14 School street. Hearing Monday, April 7, 4 P. M.

Alderman Stebbins offered an order, which was read once, providing for obtaining legislative authority to take land on Parker's Hill for reservoir purposes. The cost of the proposed measure he did not know, but he supposed it was a part of the plans of the Water Board for a further water supply.

The order was referred to the Committee on Water.

On motion of Alderman Stebbins, the order establishing the salary of the City Physician was taken from the table and recommitted to the Committee on Salaries, which has the whole subject of salaries under consideration.

On motion of Alderman Clark, it was ordered that when the Board adjourned it be to Thursday, at one o'clock.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

MARCH 20, 1873.

An adjourned meeting of the Board of Aldermen was held this afternoon, at one o'clock, Alderman Cutter, the chairman, presiding.

PETITIONS PRESENTED AND REFERRED.

Charles Cullis, for leave to occupy a wooden stable for one horse on Union avenue, Ward 16.

Mrs. Cecilia Lewis, for leave to occupy a wooden stable for three horses on Dunreath place.

Blanchard & Snow, for leave to add sixteen stalls to their stable on Endicott street, at the corner of Stillman street.

John S. Blair, for leave to occupy a brick and wood stable for six horses on Bristol street.

Severally referred to the Committee on Health on the part of this Board.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pay John Ward \$1305 90 for land taken in the name of Margaret Ward, and all damages occasioned by the widening and extending of Emerson street; to be charged to the appropriation for Widening Streets.

Order to pay Michael H. Gleeson \$16,000 for his estate at the corner of Summer and High streets, surrendered to the city, and taken for the widening of Summer street; to be charged to the Burnt District loan.

Order to pay Thomas E. Proctor \$14,095 for land taken and all damages occasioned by the widening of High street; to be charged to the Burnt District loan.

Order to pay Anna, wife of Patrick Coalman, \$387 50, for land taken and all damages occasioned by the widening of Blue Hill avenue; to be charged to the appropriation for Widening Streets.

Order to pay Timothy Remick and C. K. Richmond \$3275 for land taken and all damages occasioned by the widening of Purchase street; to be charged to the Burnt District Loan.

Order to pay Timothy Remick \$3248 for land taken and all damages occasioned by the widening of Purchase street; to be charged to the Burnt District Loan.

Ordered, That \$13 74 be abated from the assessment of Mary G. Pickering for a sewer in Otis place; also the same amount be abated from assessment of R. E. Apthorp for the same sewer; also that \$17 be abated from the assessment of Henry W. Gill, and the same amount of Ephraim H. Dennett for the sewer in Palmer street; also that the collection of the assessment of \$41 17 levied upon Michael Doherty for a sewer in Newman street be postponed till entry is made into the sewer; also that the sum of \$618 47 be abated from John R. Hall for a sewer on Eighth street, and \$506 48 be assessed upon William Somers, and \$111 99 be assessed upon Thomas M. Stevens.

Order on request of the School Committee, authorizing the Committee on Public Instruction to purchase as a site for a primary school three lots of land on Marlborough street, between Gloucester and Fairfield streets, owned by Harvey Jewell, and containing 8064 square feet of land; also two lots adjoining the same, owned by Frederick Pope, containing 5376 square feet, the expense of purchasing said lots not to exceed \$36,000; also an order authorizing the Treasurer to borrow the sum of \$36,000, to be applied for the purchase of said land for a primary school site in Ward 6.

Alderman Gaffield stated in explanation that there was no schoolhouse within a great distance of the locality, and many of the citizens there were desirous that there should be a public school in that neighborhood, which was supposed to be such that the people intended mainly to send their children to private schools. It was not designed to erect a schoolhouse the present year, but to secure the site and procure plans and estimates for a house.

The order was passed by a unanimous vote.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: Jubilee Singers, to give concerts at Tremont Temple and Music Hall March 19, 22 and 26; J. Hodgkinson, to deliver a course of lectures on Scripture subjects at Bumstead Hall, March 24-27; Anna Mehlig, to give concerts at Mechanics' Hall; Sidney Woollett, to give readings at Tremont Temple, March 20; James M.

Flynn, to give a dramatic entertainment at the St. James Theatre, March 20. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of petition of Frederick S. Wright for leave to occupy a brick and wooden stable for one horse on Sixth street below P street. Accepted.

On motion of Alderman Sayward, an order was passed that licenses to keep intelligence offices in this city heretofore granted to R. B. Chamberlain, 24 Tremont row, and to Ivory Goodwin & Co., 56 Washington street, were revoked for cause.

ADDITIONAL STREET-IMPROVEMENT LOAN.

Alderman Clark, from the Committee on Streets, made a report that in their judgment an additional loan of \$2,000,000 should be granted, to be added to the loan of \$3,000,000 already authorized for street improvements in the Burnt District. Orders have already passed the City Council for widening streets in the district, amounting to \$1,079,888 50.

The widening and extending of the following-named streets have passed the Board of Street Commissioners and the Board of Aldermen, and are now awaiting the action of the Common Council:

Federal street.....	\$341,869
Congress street.....	314,795
Milk street.....	297,462
Franklin street.....	314,892
Pearl street.....	170,300
Oliver street.....	131,220
Hawley street.....	277,730
Arch street.....	334,600

\$2,382,868

The total amount of these improvements already authorized and now before the City Council is \$3,462,756 56.

The remaining street improvements, as proposed within the burnt district, and immediately connected therewith, will, in the judgment of the committee, at this time require a further loan of \$2,000,000.

This, with the previous loans authorized, will make a total loan of \$5,000,000.

They would therefore recommend the passage of the accompanying order, making an additional loan of \$2,000,000.

Signed by Alderman Clark.

Ordered, That the Treasurer be and he hereby is authorized, under the direction of the Committee on Finance, to borrow the sum of \$2,000,000; the same to be added to the Burnt District Loan, making a total loan of \$5,000,000.

The report was accepted and the order was passed.

COMMISSIONER OF THE SINKING FUND.

Alderman Gibson, from the joint special committee appointed to nominate a candidate for Commissioner of the Sinking Fund, made a report recommending the reelection of Newton Talbot for two years.

The report was accepted, and the Board proceeded to a ballot, when Mr. Talbot was reelected by a unanimous vote.

ORDERS PASSED.

On motion of Alderman Gibson,

Ordered, That there be allowed and paid to Calvin P. Elliot, lieutenant of police, twenty-five cents per day for each and every day between the 9th of March and the 23d of December, 1872, on account of extra service while acting as lieutenant with the rank of sergeant.

On motion of Alderman Gaffield—

Ordered, That the sum of \$700 be, and the same hereby is abated from the betterment of \$1500 assessed upon the estate of Anna M. Amory on Lamartine street, by an order of this Board of November 20, 1871, on account of the laying out of said street; also by an order of this Board December 10, 1869, leaving the assessment now due upon the said estate at \$800, upon condition of the payment of said assessment now remaining upon said estate by the said Anna M. Amory to the city.

On motion of Alderman Clark—

Ordered, That the bill of Burditt & Williams for \$5 for material furnished in February, 1872, be paid, provided it is approved and allowed in the usual manner.

WIDENING OF WASHINGTON STREET.

Alderman Power moved a reconsideration of the rejection of the order of the Street Commissioners for the widening of Washington street, at the corner of Summer street, by taking land of John C. Gray.

In making the motion, he said he did not wish to debate the question, and should ask to have the matter laid on the table should the motion prevail.

Alderman Clark hoped the motion would not prevail, the Street Committee having fully considered the subject, and were opposed to it, and the Board having determined against the widening by a vote of 10 to 2. The citizens did not want nor demand it, nor expect an expenditure which would cost \$2,000,-

000 or \$3,000,000. Such an improvement would be better delayed a while, and before widening above, the widening of Washington street should be completed, down to Cornhill. He hoped, therefore, that the Board would adhere to its action already taken.

Alderman Power believed the matter had not been well considered, and he wished to have it laid on the table, that a fair chance be given for its consideration. As to the motion for a reconsideration when there is a large vote against any measure, it was no unusual thing, for he had known of such a motion when there was a vote of eleven in opposition, and those who were in the majority afterwards expressed an opinion against their votes. It would be no inconvenience to lay the matter on the table for a week, for no one could build at present as it would take over a week to take down the walls of the building.

Alderman Clark disagreed with the Alderman as to the matter of delay, for the parties were in a hurry, and a delay of a week or a fortnight would be a great inconvenience to the owner and the tenants in proceeding with the work of rebuilding. If the vote had been 6 and 6 there might be some reason for a reconsideration. The Alderman said he did not know, but it happened to him, as a member of the committee, that he did understand the subject thoroughly, and that the parties were in a hurry, and if delay was occasioned, there could be nothing done before the 1st of May.

Alderman Power said he would not say anything to reflect upon the judgment of the Board, but he believed some of them had not had sufficient time to consider the matter, and nothing would be lost by a delay till Monday. It was proper to say that he did not know anything about it until it was brought before the Board, and although the vote was nearly unanimous, in some other cases it proved, where there was so unanimous a vote, that they were wrong. Nobody was waiting and there could be no inconvenience in a delay of ten days. It was his object that members of the Board could see how the matter stands.

Alderman Sayward hoped the matter would be reconsidered, for in other cases there had been delays for months. Members of the Board sometimes change their minds, for in one case, where there was a vote of 11 to 1, on the next day the vote was 6 to 6. He voted in the minority and hoped the motion would prevail, for there could be no inconvenience in a delay till next Monday.

Alderman Clark said he had no other interest in the case than had other aldermen, but he had been assured by the architect that a delay would be of the greatest injury to the owner. He knew what he was talking about, and while it was true that Boards of Aldermen change from year to year, if there was any probability of a reconsideration, he would not oppose the motion. The parties wish to know what their lines will be, that they may be able to make their contracts. If it was desired to widen now from Dover street to Cornhill, he might be willing to go with them, at an expense of \$10,000,000 or \$15,000,000, but he did not consider it expedient to commence a widening which would require several years.

Alderman Gibson said he would like to allow the largest opportunity for considering the questions, and if any one was groping in the dark, he would not object to delay. No member of the board could be in want of information, and a delay must be for persons outside of themselves.

Alderman Power inquired if the Alderman knew how many old buildings there were on Washington street which would be taken down to be rebuilt?

Alderman Clark replied that there were several buildings put up last year which if cut off would subject the city to \$50,000 damages.

Alderman Power said the Aldermen could not know how many buildings might be rebuilt on the line the present year, and to allow rebuilding before widening was commenced might cost millions of dollars in the future. The widening could never be done at so low a price as it can be today, and if economy is the object they should do as the Street Commissioners wish to have them. For what purpose should such men be selected to consider street improvements if they were not to be heeded, employed for that very purpose, and it was understood they were unanimous in favor of it. He wished further time for himself and others to consider what the Commissioners ask them to do.

Alderman Clark stated that the Street Commissioners were not unanimous for the widening proposed. One of them was opposed, and another was about three-quarters against it. He did not believe there would be many new buildings put up on Washington street this year, for since the squelching of the right of the city to issue bonds, it would add five years to the rebuilding of the burnt district. The decision of the Supreme Court would prove to be a serious injury to building and to the business of Boston, and

there would not be many buildings put on the line of Washington street in the next five years.

Alderman Power wished to know how the report came here, if one Commissioner was opposed to the widening and another three-fourths against it in a board of three. In relation to the bond question, he did not intend to say anything, yet in that case the one minority proved to be right and the eleven wrong, and that was a reason why a motion for reconsideration should prevail in this case, that time might be given to look into the matter. Immediately after the fire there was such an excitement that many persons did not act from level heads, and in many cases had there been delay they would not have voted as they did. It was a common thing in such cases to be actuated by the judgment of the committee and not by that of individual members.

Alderman Gibson believed the cost of the proposed improvement would be seventy-five cents more on a dollar than it would be if delayed. It would be injustice to parties to delay in action on the subject, and if the buildings were required to be set back it would be injury in rents of \$1000 to \$1500 a year, while the widened places would be a stopping place for wagons and a nuisance. The amount of loss in this case would be \$27,000 in ten years. If, however, any one was groping in the dark, he would not object to enlightening him.

Alderman Gaffield said he did not believe he should change his opinion on the subject, but as a matter of courtesy he should not object to a delay until next Monday. There was no doubt a great deal of deference paid to the opinions of a committee in their reports, and as a member of the Committee on Streets, he wished to retain the good opinion of the members of the Board. He would then put the question on that ground in granting a delay as asked for until Monday next.

In committee, the members were nearly evenly divided on the subject, and if there had been four Commissioners there would probably have been two on each side. Neither the Commissioners nor the committee wished to take the responsibility on the subject. The committee stood four to three, and at one time he had a doubt himself on the subject, believing as the Alderman who made the motion, that the widening should be done now.

Alderman Clark further opposed the motion. He was not so egotistical as to believe that the Board voted as they did—10 to 2—simply on the report of the committee; or that they would be willing to subject the city to expenditures of from \$150,000 to \$600,000 or \$700,000. As for delay, he was opposed to it, believing there should be none when there was no occasion for it.

Alderman Emery said he believed every member of the Board was just as well prepared to vote now as he would be a week or a fortnight hence. The Street Commissioners and Committee on Streets believed it to be a very important matter, and in their judgment it was desired that it should receive the action of the City Council. There was not the slightest doubt that the action of the City Council in its rejection would satisfy the Street Commissioners.

Alderman Gibson said the real question was one as to the proposed change, and not one of choking off debate. The vote was a test, and it was a question whether it should be considered further. If not, and there was no probability of a change, it was unnecessary that there should be further delay.

Alderman Emery said it was not desirable that further time should be taken for consideration, in the expectation of a change, but if any gentleman wished to look further into it he would give him an opportunity. By delay he believed a gain would be made in the vote instead of losing, and it might be that the other Aldermen would come over and make the vote unanimous.

Alderman Power said in relation to voting, how much could the chairman of the Committee on Streets know about sewers, their necessity and cost? What were the members of the Board divided up for into committees except to investigate in particular cases, and not a gentleman is supposed to know until a committee reports. It was nothing against the judgment of a gentleman that he could not understand a case when he has but one day to consider it. This measure was one of the most important submitted to them for the whole year and the first time it came up was last Monday, when action was taken upon it. It was not just or fair to refuse postponement because but two voted against it.

Alderman Clark denied the charge that he was forcing the matter. There had been three days for consideration of the matter, and he argued against delay because there was no probability of any member changing his mind. He wished to have the matter settled, and it could be just as well settled now as next Monday.

Alderman Brown said he was willing to vote for a delay if it was needed, but as the Alderman said the architect was waiting to go on with his plans, it was not desirable. He had several times been up to look at the line of the proposed widening, and as there were a good many valuable buildings between Summer street and Hayward place, which would be required to be cut off at a cost of \$30,000 or \$40,000 in each case, he believed there would be a saving of the interest by a delay. As in the case of widening of Federal street, when action was taken because parties

wished for their lines, he thought there was a necessity to have the lines fixed in this case.

Alderman Quincy said he did not believe a single vote would be changed, but as a matter of courtesy he was willing to give the delay asked for.

The reconsideration was lost by a vote of 5 to 7, as follows:

Yeas—Emery, Gaffield, Power, Quincy, Sayward.

Nays—Bigelow, Brown, Clark, Cutter, Gibson, Hulbert, Stebbins.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,
MARCH 20, 1873.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, E. O. Shepard, the president, in the chair.

On motion of Mr. Page of Ward 9, the roll was called, when forty-one members answered to their names, as follows:

Adams, Anderson, Barnes, Boardman, Bowles, Brennan, Burt, Caton, Collins, Cudworth, Darrow, Davis, Dean, Edwards, Flatley, Hall, Harrington, Holmes, Jones, Kelley, Kingsley, Lamb, Loring, Madden, Marston, McKenney, Page, Perkins, Powers, Prescott, Risteen, Shaw, Thacher, Upham, Warren, Wells, West, Weston, Whiston, Wilbur, Woods.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of Trefle Garceau, Lieutenant-Colonel Roberts, First Battalion Cavalry, Co. A, First Battalion of Infantry, H. W. Cushing and others, Henry W. Johnson and others, A. Tachella, James Tilton, P. Bergen, and of J. J. McNutt, were severally referred, in concurrence.

The following references were concurred in:

Reference to the Committee on Water of the order relative to legislative authority to take land for reservoir purposes on Parker's Hill.

Reference to the Committee on Water of the report of the Cochituate Water Board, on an additional supply of water. (Printed City-Doc. No. 29, 1873.)

The reference to Committee on Claims of a message from the Mayor transmitting a report of the Commissioners on the Fire Loan was laid on the table and ordered to be printed.

The following orders were severally passed in concurrence:

Order authorizing the Committee on the Suffolk-street District to exercise the powers in reference to the settlement of the estates taken by the city, under the 308th chapter of the laws of 1867, that were conferred on the Committee on Church-street District.

Order authorizing the Committee on Printing to take charge of the unfinished business in relation to the publication of the Ninth United States Census.

Report and order extending the time for the erection of a house on certain land on Harrison avenue and Springfield street, sold in April, 1871, to Nathan S. Wilbur, on conditions set forth in said order.

Report and order extending the time for the erection of a building on certain land on East Dedham street, sold in April, 1871, to Rand & Blake, on conditions named in said order.

Report and order authorizing to be executed and delivered to the Trustees of the Museum of Fine Arts an instrument modifying the condition in the deed of the city to them of May 26, 1870, so that the time may be extended for the erection of a wing or section of the building to be erected on the land in said deed described.

Report and order for a transfer from unexpended balances of the present financial year, of not exceeding \$15,000, to the appropriation for the Public Library.

Report and order for a transfer from said balances, of not exceeding \$30,000, to the appropriation for the Fire Department; \$11,000 to that for Water Works; \$15,000 to that for expenses of the School Committee; and \$12,000 to that for School Instructors.

The resolve and order for the widening and extension of Arch street, at an adjudged expense of \$334,600 (Printed City Doc. No. 35, 1873), on motion of Mr. Flynn of Ward 7, was laid on the table, to be acted upon when the other orders for widening streets on the burnt district should be taken up.

The resolve and order for the widening of Hawley street, at an adjudged expense of \$277,730 (Printed City Doc. No. 31, 1873), was also laid on the table.

DIRECTORS FOR PUBLIC INSTITUTIONS.

The certificate of the election of Bradley N. Cummings as a Director for Public Institutions, in place of Albert J. Wright chosen by this Council, was read, when the Council voted to proceed to an election.

Mr. Dean, on leave, made some remarks in which he said it had been circulated among members of the Council that Colonel Wright had withdrawn his name as a candidate. It is true that he did write a letter asking to have his name withdrawn, but on the representations of his friends that letter had been withdrawn and he left the matter entirely with them.

The ground taken by Mr. Wright was that he did not wish to be in the position of a shuttlecock to be thrown back and forth and thus prevent an election of a Director for Public Institutions, but to this his friends urged that under the board as at present constituted no information could be obtained as to the probability of the removal of the public institutions from South Boston, whether there was room at Deer

Island or elsewhere for them, and they believed that it was due to fifty thousand inhabitants that there should be a representative in the board from South Boston.

That was the feeling among the citizens, that on a board of twelve persons, they should be represented as there would be among the citizens of East Boston, who knew best about the ferries; that they should have a representative on the board, and this would be but a mere pittance of one member of the board. He would appeal to the Council, that in all fairness they should have a member of the board, and they had presented for the office as good a man as can be found in the city.

The Council proceeded to ballot, which resulted as follows:

Whole number of votes.....	57
Necessary to a choice.....	29
Bradley N. Cummings.....	35
Albert J. Wright.....	21
H. D. Bradt.....	1

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

TRUSTEE OF THE PUBLIC LIBRARY.

The certificate of the election of Daniel S. Curtis, in place of C. Levi Woodbury, chosen by this Council as a trustee of the Public Library, was read, when the Council proceeded to an election, resulting as follows:

Whole number of votes.....	58
Necessary to a choice.....	30
Charles Levi Woodbury.....	29
Daniel S. Curtis.....	29

On a second ballot the result was as follows:

Whole number of votes.....	59
Necessary to a choice.....	30
Charles Levi Woodbury.....	32
Daniel S. Curtis.....	27

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

WEIGHERS AND INSPECTORS OF LIGHTERS.

The non-concurrence in the recommendation of the report nominating Weighers and Inspectors of Lighters, came up, when the Council receded from the recommendation and proceeded to an election, the result of which was as follows:

Whole number of votes.....	54
Necessary to a choice.....	28
Edward Hatch (Inspector-in-Chief).....	54
John Kenny.....	51
Abijah R. Tewksbury.....	37
George Faulkner.....	53
Patrick T. McDermott.....	18
Thomas Anderson.....	1

Messrs. Hatch, Kenny, Tewksbury and Faulkner were declared to be elected, in concurrence.

COMMISSIONER OF SINKING FUND.

The certificate of election of Newton Talbot as Commissioner of the Sinking Fund for two years was read, when the Council proceeded to an election, resulting in the choice of Mr. Talbot, in concurrence, by a vote of 39 to 1 for W. H. Jones.

The following orders were also passed, in concurrence.

Order to pay bill of Burditt & Williams for materials furnished in 1872.

Order to pay Sergeant Calvin P. Elliott for services as Lieutenant of Police.

The order for the purchase of land on Marlborough and Fairfield streets for a primary schoolhouse was read once.

The order authorizing an additional loan of \$2,000,000, to be added to the Burnt District Loan, was read once.

A remonstrance against the additional widening of streets in the vicinity of the Post Office, was referred to the Committee on Streets. The following is the remonstrance:

To the Board of Street Commissioners and the City Council of Boston.—The undersigned taxpayers of Boston respectfully, but earnestly, remonstrate against the proposition now before the city authorities to enlarge the area around the new Post Office building, involving, as it does, so large an outlay of money, and the practical destruction of so much valuable and taxable business property. We do not think the conveniences of public travel, the interests of the city, or any wishes on the part of the citizens require or would justify the carrying out of the proposed measure.

W. S. Dexter, trustee; John Amory Lowell, George B. Upton, Gardner Brewer, Fred H. Bradley, Charles W. Freeland, George C. Richardson, J. M. Beebe & Co., George Holden, Charles Haynes, D. N. Skillings, E. C. Drew, Page, Richardson & Co., Daniel Sargent Curtis, Benjamin F. Burgess, Franklin Haven, Marshall P. Wilder, Benjamin F. White, Joseph Sawyer, Nathan Matthews, Crocker & Brewster, Jonathan French, David W. Williams, Andrew T. Hall, J. B. Upham, Francis A. Hall, J. Thomas Stevenson, J. G. Cushing, John Collamore, N. J. Bradlee, P. C. Brooks, S. G. Rogers, Edward A. White, Dexter, Abbott & Co., William F. Weld, Patrick Donahoe, Isaac Fenno & Co.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order authorizing the Mayor, with the approval of the Committee on Claims, to draw upon the Treasurer for the payment of all executions or judgments of court against the city when properly certified by the City Solicitor.

Order that \$766 18 be appropriated to pay for repairing the fire reservoir on the corner of Warren and Washington streets, in the Highland District.

Order that an addition of \$1300 be appropriated for the employment of such additional assistants in the Fire Department as may be deemed necessary.

ELECTION OF OVERSEERS OF THE POOR.

The report nominating Frederic W. Lincoln, Joseph Buckley, Phineas M. Crane and Thomas F. Temple as Overseers of the Poor was accepted, when the Council proceeded to a ballot, resulting as follows:

Whole number of votes.....	55
Necessary to a choice.....	28
Frederic W. Lincoln.....	55
Joseph Buckley.....	55
Phineas M. Crane.....	52
Thomas F. Temple.....	54
George A. Shaw.....	2
C. D. Bickford, F. J. Hughes, one each.....	2

Messrs. Lincoln, Buckley, Crane and Temple were declared to be elected.

PETITIONS PRESENTED AND REFERRED.

John W. Collison, to be compensated for losses and damages sustained in consequence of the contemplated erection of a smallpox hospital at the North End.

Referred to Committee on Claims.

James A. Kent and others, citizens of South Boston, for removal of telegraph poles from the sidewalks on Dorchester avenue. Ordered to be sent up.

Daniel W. Bugbee and others, for compensation for damages to horse of said Bugbee. Referred to Committee on Claims.

Charles Cullis, for leave to erect a building beyond the legal limits. Referred to Committee on Survey and Inspection of Buildings.

Michael Kelly and others, for the laying out of Station street as a public street. Ordered to be sent up.

REPORTS OF COMMITTEES.

Mr. Wilbur of Ward 9, from the Committee on Claims, reported leave to withdraw on the petition of Charles J. McKay to be compensated for injuries received by his wife on account of an alleged defect in Tremont street; also on the petition of Robert Johnson to be compensated for personal injuries received while at work upon a sewer under direction of city officers. Severally accepted.

REPORT OF COMMITTEE ON THE AUDITOR'S ESTIMATES.

To the City Council—The Joint Special Committee of the City Council, to whom were referred the estimates of the Auditor of Accounts for the money requisite to defray the expenses of the city of Boston and county of Suffolk for the financial year commencing May 1, 1873, and terminating April 30, 1874, and pay the State tax for 1873, being City Document No. 34, would respectfully report that they have examined and considered the same, and are of the opinion that the estimates, as submitted by the Auditor of Accounts, should stand as presented by him without change.

They accordingly recommend the passage of the accompanying orders; one making the appropriations required for the financial year 1873-74, and the other levying a tax to meet said appropriations less the revenue to be received during the year, as set forth in the document of the Auditor above referred to.

For the Committee.

HENRY L. PIERCE, Chairman.

An order relating to the specific appropriations for the financial year 1873-74.

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, 1873, and end with the last day of April, 1874, and pay the State tax of 1873, 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 (City Document No. 34, 1873), and in the applications of the various committees and boards contained and printed in said 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 following 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—

Advertising.....	\$6,000 00
Annuities.....	512 00
Amories.....	22,000 00
Board of Health.....	86,274 00
Boston Harbor.....	10,000 00
Bridges.....	28,000 00
Cedar Grove Cemetery.....	3,000 00
Cemeteries.....	15,700 00
Charles-River and Warren Bridges.....	7,000 00
Chestnut-Hill Driveway.....	5,000 00
City Hospital.....	110,000 00
Common, Public Squares, etc.....	80,000 00
Contingent Funds, as follows.....	10,000 00
For the expenses of the Joint Standing and Special Committees of the City Council not having charge of any appropriations of money, incurred by said committees, while in the discharge of their official duties, the bills for the same to be audited and allowed for payment by the Auditor of Accounts, upon their first being approved by the Mayor, Chairman of the Board of Aldermen, and the President of Common Council.....	\$4,000 00
For Contingent Expenses of the Mayor, the bills for which the Auditor of Accounts is authorized to audit and allow for payment upon their being approved by the Mayor.....	1,500 00
For Contingent Expenses of the Board of Aldermen, to be expended in such manner as the Board of Aldermen shall order, and the Auditor of Accounts is authorized to audit and allow for payment all bills so ordered upon their being approved by the Mayor and the Chairman of the Board of Aldermen.....	1,500 00
For Contingent Expenses of the Common Council, to be expended in such manner as the Common Council shall order, and the Auditor of Accounts is authorized to audit and allow for payment all bills so ordered upon their being approved by the Mayor and the President of the Common Council.....	3,000 00
County of Suffolk.....	10,000 00
East Boston Ferries, viz.:	325,000 00
Ordinary expenses.....	\$220,000 00
New ferry boat.....	60,000 00
New wings to ferry houses, North Ferry.....	10,000 00
Engineer's Department.....	290,000 00
Fire alarms and bells and clocks, viz.:	24,000 00
Fire Alarm Department.....	\$46,890 00
Bells and clocks.....	4,050 00
Fire Department.....	50,940 00
Grammar schoolhouse, L street.....	551,316 00
Health Department.....	15,000 00
Inspection of buildings.....	383,550 00
Interest and premium.....	16,800 00
Incidental expenses.....	1,695,000 00
Lamps.....	87,000 00
Markets.....	390,000 00
Militia bounty.....	10,000 00
Mount Hope Cemetery.....	45,000 00
Overseers of the Poor.....	15,000 00
Old claims.....	73,400 00
Paving, grading and repairs of streets.....	1,500 00
Police.....	1,000,000 00
Printing and stationery.....	700,000 00
Public baths.....	35,000 00
Public buildings.....	40,000 00
Public institutions, viz.:	92,000 00
House of Industry.....	\$180,000 00
House of Correction.....	90,500 00
Lunatic Hospital.....	60,000 00
Pauper expenses.....	31,500 00
Steamboat H. Morrison.....	16,000 00
Office expenses.....	8,000 00
Public lands.....	386,000 00
Public Library.....	6,000 00
Quarantine Department.....	90,000 00
Registration of voters and election expenses.....	19,250 00
Reserved Fund.....	20,000 00
Salaries.....	300,000 00
Schools and schoolhouses, viz.:	166,000 00
School Instructors.....	\$1,024,875 00
School Expenses.....	86,750 00
Salaries Officers, School Committee.....	24,500 00
Schoolhouses, Public Buildings.....	255,000 00
Scalars of Weights and Measures.....	1,391,125 00
Sewers.....	7,000 00
Sinking Fund Commissioners.....	200,000 00
State Tax.....	2,800 00
Surveyor's Department, viz.:	736,480 00
City Office.....	\$29,000 00
Roxbury and Dorchester Branch Offices.....	11,000 00
Water Works.....	40,000 00
Water Works interest and premium.....	336,500 00
West Boston and Cragie's Bridges.....	653,000 00
Widening streets.....	54,000 00
	300,000 00
	\$10,932,147 00

Say ten million nine hundred and thirty-two thousand one hundred and forty-seven dollars.

STATEMENT BY THE AUDITOR OF ACCOUNTS.

From the amount appropriated by the preceding order, viz.....	\$10,932,147 00
Deduct amount of estimated income, as stated on page 28, City Document No. 34, 1873.....	2,545,650 00
We have the amount to be raised by taxation, viz.....	\$8,386,497 00
To raise this amount of \$8,386,497 will, in the opinion of the Auditor of Accounts, require a gross tax of.....	\$8,638,092 00
From which, deducting the amount which will not be paid into the Treasury within the financial year, say.....	251,595 00
We have the balance required, as above.....	\$8,386,497 00

IN COMMON COUNCIL, Thursday, March 20, 1873.

An order laying a specific tax to defray the expenses of the city of Boston and the county of Suffolk for the financial year 1873-74; also to pay the State Tax.

Ordered, that the sum of \$8,638,092 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, 1873, and end with the last day of April, 1874; also the tax assessed by the General Court of Massachusetts for the year 1873.

The orders were read once.

WIDENING OF WATER STREET.

Mr. Flynn of Ward 7 presented majority and minority reports from the Joint Standing Committee on Streets, to whom was referred the resolve in relation to the expediency of laying out the triangular parcel of land between Congress, Pearl and Water streets, and widening Water street, between Congress and Devonshire streets. The majority report that inasmuch as the expense of the proposed widening will not, according to the best information they are able to obtain by conference with the Street Commissioners and others, exceed the sum of \$400,000, they would recommend the passage of the resolve.

Signed by Alderman Clark for the committee.

The undersigned, members of the Committee on Streets, respectfully dissent from the recommendations of the majority, and beg leave to state, very briefly, their reasons therefor:

1. The public safety and convenience do not require the proposed changes.
2. The expense involved will far exceed any advantages which might be derived from the enlargement of the Post Office.
3. The estimate of expense, as furnished by the majority, is founded merely on the opinion of individuals, and has no basis on estimates in detail.

The undersigned would therefore recommend that the following order be passed, so that the City Council may have information on which to act understandingly.

JAMES J. FLYNN.

CYRUS A. PAGE.

Ordered, That the Street Commissioners be requested to furnish in tabular form a statement of the expense of taking and laying out the parcel of land between Congress street, Milk street and Bath street, and of laying out and widening Water street to sixty feet between Congress street and Devonshire street.

The report of the committee was considered.

Mr. Perkins of Ward 6 stated that the report of the majority was necessarily brief, the session of the committee being late in the afternoon, up to nearly the hour of the meeting of the Council. There was no reason, however, that it should be long, for the question had been pretty thoroughly considered during the past week. While they wished to give all the information possible, they did not give estimates of any particular estate, the particular damage being to the Post building, because it would give an opportunity to the parties in case of disagreement to go before a jury and claim that the committee admitted that the estate was worth so much, and they did not wish to make it any fuller by stating that certain land was worth so much, and others not so much, to allow the opponents of the report to pick it to pieces.

So far, however, as related to the expense, he would give the Assessors' valuation, that of Beals, Greene & Co., not including the building, being at \$35 per foot, and the Simmons estate at \$30, and the Lawrence estate a little under \$20. The committee believed that as this was a measure which the Street Commissioners regarded as of great importance and of great public interest, it was very desirable to have the expression of the Common Council, representing the wishes of the people. They also wished to have the matter thoroughly considered and a decision made tonight. Without going into an extended statement on the subject, he was ready to answer any

questions which might be asked in relation to the subject.

Mr. Page said the minority of the committee had no more time for their report than had the majority, and they did not think it necessary that it should be any fuller. Yet they believed the order should be referred to the proper tribunal to give a detailed estimate of expense. The Street Commissioners, it was true, had given a general idea of the expense, but they had never been down to look at the premises and did not know from personal observation the cost of the land or the damage to the Post building. Before taking any action, the same course should be taken as in other cases, in making estimates of improvements in the burnt district, which would be the proper course to be pursued, and save them from being placed in an unfortunate position, with the city pledged to an improvement which would cost much more than was expected. He moved to substitute the minority report for that of the majority.

Mr. Flynn of Ward 7 stated that the session of the committee was but brief, and it was but just that the Street Commissioners, who had had a hearing today, should be called upon to give a tabulated statement of the expense, they being supposed to know more about the expense than any other persons.

Mr. Barnes of Ward 11 moved to recommit to the committee for the purpose of obtaining a fuller report, as he understood from the statement made that but a short time was allowed in making up the report.

Mr. Perkins said the committee did not desire to have further time. On Friday last, at a meeting of the committee, it was agreed to consider the subject as soon as the resolution had passed the Board of Aldermen, and in accordance with that agreement a session of two hours was held this afternoon. The general ground of the committee was that if the city wished to have the Post Office extended they must accede to the terms of the General Government. The Street Commissioners wished to have the opinion of the City Council, and the members of the Council were as able to judge of the expediency of the measure as the Street Commissioners were, and if the question is determined in favor of the proposed widening the Commissioners will proceed to lay out the street as proposed, and give a detailed estimate of the expense.

It was not desirable, unless ordered to do so, to go into a detailed estimate of the expense, for the reasons already given, that it would give the parties an advantage in going before a jury and quoting the Commissioners as to what the land is worth. Should the action of the Council be against the measure, then there will be no necessity for making surveys and estimates. Interested parties might talk about millions of dollars, but they knew that the cost would be somewhere between \$300,000 and \$400,000. If that amount was too great an expense to secure an extension of the Post Office, then let the Council vote that the order ought not to pass. Otherwise if the improvement is believed to be of great value, then the City Council expresses the opinion that it is desirable if it will not cost more than the amount specified.

Mr. Flynn said it appeared to him that what was sauce for the goose was sauce for the gander. In all the improvements heretofore they had had a detailed estimate of the cost before taking any action, and there was no reason why the rule should not apply in this case.

Mr. Barnes stated that the committee had not given anything to show what would be the cost of the proposed improvement.

Mr. Shaw of Ward 5 said he was surprised that a member of the Council should come here and say that he had no time to make out a report, and object to giving a statement of reasons in favor of the report. He mistakes the feeling of the Council if he supposes they will pass an order without any reasons in favor of it, and throw away \$400,000 into this whirlpool which is sweeping away millions. It would be presuming upon the credulity of the Council to expect that the report would be accepted. Why should they not give a report as in other cases? It was objected to a detailed report, because it would be picked to pieces, and why should it not be to ascertain the cost? He was opposed to the report of the majority, and in favor of that of the minority. It was said they must accede to the terms of the General Government, but there was no must about it. He did not believe in the dictation of the General Government, that had not as yet determined to pay for an enlargement of the Post Office.

The city of Boston was competent to do her own business, and should not yield to the General Government as to the manner of widening and straightening her streets. With the great amount of taxation imposed upon the city, it was the duty of the Council to see that they were not overburdened with taxation. That was the reason why he was sent here, al-

though some gentlemen did not think that he belonged here. The Street Commissioners, no doubt, regarded the measure as of great interest, but the Council could not swallow the proposition at one bite, as coming from the committee.

After the statements of the gentlemen he hoped he would be consistent in his acts, for he had stated what the land was valued at, and at the last meeting of the Council had given it as his opinion that there was no necessity for the widening of Water street. It was not consistent with the honor or dignity of the city to expend large amounts of money at the demand of the General Government, when there was no public exigency requiring it, and he hoped the subject would be considered on its merits when an estimate of the cost should be given.

Mr. Perkins, in reply, said the Committee on Streets had not come here with detailed statements, for detailed statements came from the Street Commissioners when they determined to take lands. This was not such a case. When statements were reported by the Street Commissioners, parties were allowed to abandon their estates if they were not satisfied with the price; but in this case only the expediency of making the widening was to be acted upon. He could not see the necessity for making the additional burdens upon the Commissioners to report a detailed estimate, but they will readily make it if this order is passed. There were remonstrances, it was true, but he believed that the citizens generally will be in favor of the measure, and will regret it if not done. The simple question was whether the city wished to have the Post Office extended, and were willing to pay \$400,000 to secure it in the only way in which it can be done.

Mr. Flynn said that in the opinion of the majority of the committee the expense would be at least \$400,000. Before passing upon it they should have a statement in a tabular form to show whether the cost would be \$400,000 or \$600,000. All that the minority of the committee ask is that they should have the amount of the cost ascertained and laid before the Council before action, as in other cases.

Mr. Burditt of Ward 16 said he was one of the majority of the committee who favored the report, and he was opposed to the adoption of the substitute. A great argument in favor of action was that much complaint had been made against delay; and while the Government was ready to make an extension of the Post Office, the question was whether the city wished to have such a building as it was proposed to erect. The requirements of the Government he did not think at all unfair.

Mr. Page stated as the views of the minority that they wanted something tangible upon which they could act as to the expense, and should their order be adopted, the Street Commissioners could report to the Board of Aldermen on Monday next. There were but a few estates to make an estimate upon, and it would not take long to ascertain the estimated cost, causing but little delay from such action. He was opposed to recommitment, for he did not suppose the further consideration would change the views of a single man.

Mr. Barnes further advocated a recommitment as a means of relieving them from their difficulty.

Mr. Pease of Ward 1 said that what he desired was light, and what he wished to get at was to know what the proposed widening was going to cost. They were never called upon to vote except upon knowing the estimated cost, and he saw no reason to deviate from the rule marked out in such cases. They should refer it to the Street Commissioners to give in tabular form the expense of the widening.

Mr. Perkins said the gentleman was in an error as to the invariable practice of action upon detailed statements only in the widening of streets. The fact is that when an order is passed by the Street Commissioners for the taking of land, a detailed statement is given with the order for the taking. But in cases like this there was a good reason, as he had stated before, that no estimate should be fixed which would give an advantage to the owners of estates in assuming that such was an admission of its value should they go to a jury. If the gentleman wishes to have an estimate of the cost, let him vote for the majority report, which will not commit the Council fully to it, when the Street Commissioners will give a detailed statement of the cost. It was true that the vote would commit the Council to the policy if it did not exceed \$400,000, but if it was to cost too much, they could vote against it. But if they did not like the report of the majority they could vote it squarely down.

Mr. Barnes rose to a point of order, that the question was on recommitment, to which the gentleman was not speaking.

The Chair ruled that the point of order was not well taken, reminding the gentleman that he should adhere to the question as closely as possible.

Mr. Perkins replied that it was unnecessarily of-

fensive to endeavor to prevent a member of a committee from giving an explanation of a report upon which information was asked. The information sought, he repeated, could be had by voting down the report of the minority and voting squarely on that of the majority. There was a misapprehension, he said, in regard to the session of the committee today, which was of two hours' length, and what he said on the subject was that there was so little time after the close of the session that they could not give their reasons more at length in the report. The question in brief was, is it desirable to have the Post Office enlarged, and if so whether they will have it if it does not cost more than \$400,000? That is the question, nothing more, nothing less.

The motion to recommit was lost.

Mr. West of Ward 16 believed that the adoption of the majority report would partially commit the Council to the widening, while that of the minority would not, and he would prefer that they should get their figures before voting upon the widening.

Mr. Brackett of Ward 10 hoped the minority report would be substituted for that of the majority, for he wished more light on the subject. The majority had made a rough estimate, which was not the usual case in a street improvement. At the last meeting the gentleman from Ward 6 said the proposed widening was not a necessity, but simply a luxury. They should count the cost before they commit themselves, and not be so rash as to commit themselves until they know the cost.

The motion to adopt the minority report was carried.

The question being on the passage of the order, Mr. Perkins made some further remarks, in which he said the same result could have been obtained in the adoption of the majority report.

Mr. Barnes expressed himself as satisfied in the adoption of the minority report, by which he could obtain fuller information.

The order was passed.

Mr. Caton of Ward 11, from the Joint Special Committee on the Survey and Inspection of Buildings, made a report on the petition of John Lynch, recommending the passage of an order authorizing the Inspector of Buildings to issue a permit to John Lynch to make an addition to a building on Congress street, in accordance with an application on file in the office of the Inspector of Buildings.

The report was accepted, and the order was passed.

Mr. Dean of Ward 12 offered an ordinance in amendment of an ordinance in relation to the organization of the Board of Engineers of the Fire Department, and the election of the Secretary of the Board of Engineers, stating in explanation that as the election of Secretary is required to be within sixty days of the 1st of February, it was not likely to take place in that time the present year, and the change provides for the election within ninety days.

The ordinance was passed.

Mr. Dean offered an order authorizing the Chief-Engineer of the Fire Department to make his annual report on or before the 27th March, the ordinance requiring it to be made on the 1st January, and none had yet been made.

Mr. Jones of Ward 14 stated that it was understood the Chief-Engineer was hard at work upon his report, and as soon as it was made up they would get it.

Mr. Dean said he would omit the requirement to give in the report a statement of the amount of damages from the fires during the year.

The order was passed.

On motion of Mr. Perkins of Ward 6, an order was passed to exclude from the coat room of the Common Council all persons except members of the City Government or those officially connected with its proceedings.

Mr. Dacey of Ward 2 called for a report from the Committee on Public Institutions in relation to a Home for the Poor.

Mr. Prescott of Ward 9 stated that the committee had not united on any place for such a Home, and asked for further time in which to make a report, which request was granted.

On motion of Mr. Dacey, an order was passed that the Committee on Public Institutions be requested to report in one month on that part of the inaugural address of the Mayor which was referred to them, relating to a new Home for the Poor.

On motion of Mr. Flynn of Ward 7, the order authorizing the sale of a certain estate taken from C. M. Wheelwright, at the corner of Water and Broad streets, not required for the improvement of said streets, was taken from the table, amended to require the sale to be public and advertised in this city, and as amended was passed.

On motion of Mr. Brackett of Ward 10, the majority and minority reports on the claim of Charles Burrill were taken from the table and assigned for consideration on Thursday evening next, at 8½ o'clock.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

MARCH 24, 1873.

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

JURORS DRAWN.

Thirty-five traverse jurors were drawn for the Supreme Judicial Court, fifteen traverse jurors for the Superior Court, criminal session, and thirty-two traverse jurors for the Superior Court, second session for civil business.

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officer, without pay—Ai Q. Mitchell, for the vicinity of Williams Market.

Police Officers—Granville B. Stone, Amos C. Pung, Charles W. Hunt, John H. Laskey, Joseph T. Horton.

PETITIONS PRESENTED AND REFERRED.

James A. Kemp and others, for the removal of telegraph poles from the sidewalk in Dorchester avenue.

Henry A. Cooke and others, for the removal of the wooden bridge at the end of West Canton street.

Boston & Providence Railroad Company, that the city would construct a retaining wall on a portion of Berkeley street near their property.

Robert Strauss & Co. and others, that Court street from Bowdoin square to Sudbury street be paved with wood.

Daniel Allen and others, that Endicott street from Hanover to Causeway street may be repaved.

Severally referred to the Committee on Paving.

Lorenzo Valente, for leave to occupy a wooden stable for three horses in the rear of No. 52 Barton street.

Thomas Gogin, for leave to occupy a wooden stable for four horses on East Eighth street, between G and Old Harbor streets.

Frank Schoner, for leave to occupy a wooden stable for forty horses at 726 Broadway.

Severally referred to the Committee on Health on the part of the Board.

Hens of Reuben Winslow, for compensation for damages to their estate occasioned by the laying out and grading of Renfrew street; also, for abatement of betterment on estate occasioned by the extension of Harrison avenue. Severally referred to the Committee on Streets.

First Battalion of Infantry, for a room for headquarters.

Company C, Ninth Infantry, for certain repairs on their armory.

Severally referred to Committee on Armories.

A. F. Anderson, for increase of salary of officers of Municipal Court for Southern District. Referred to Committee on County Accounts.

John H. Currier, for compensation for the occupation of his house by a smallpox patient.

R. A. Upton & Son, to be paid for injury done to his wagon by contact with a tree in St. James avenue.

Severally referred to the Committee on Claims.

Edward F. Thayer, that the tax assessed upon Thayer & Brother in 1867 may be abated. Referred to Committee on Assessor's Department.

Herbert C. Locke, for the benefit of the Franklin Fund. Referred to Aldermen Hulbert and Gatfield.

The following communication was received from the Mayor:

BOSTON, March 24, 1873.

To the Board of Aldermen of the City of Boston: Gentlemen—The 375th chapter of the acts of the year 1872, approved December 18 of that year, being "An act to authorize the formation of insurance companies and for other purposes," requires of the mayor and aldermen of all the cities, and the selectmen of certain towns in the commonwealth the performance of duties specified in the eighteenth section of the act. I respectfully call your attention to the provisions of that section, and recommend such action by your body as will comply with the requirements of the law.

HENRY L. PIERCE, Mayor.

Referred to Committee on Assessor's Department.

ANNUAL REPORT OF SUPERINTENDENT OF HEALTH.

The fourth annual report of George W. Forristall as Superintendent of Health was submitted in print. The exhibit of the expenditures and income of this department for the year 1872, and the portion of this

financial year, 1872-73, embraced within the year 1872, is as follows:

The amount appropriated for the present financial year, 1872-73	\$365,000 00
Unexpended balance this financial year, Jan. 1, 1873	96,000 08

Amount expended during the financial year 1871-72, from Jan. 1 to May 1	\$90,416 22
Expended this financial year, 1872-73, from May 1, 1872, to Jan. 1, 1873	268,999 92

Total amount expended 1872	\$359,416 14
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The principal items of expenditure were as follows: For sweeping and cleaning the streets, cleaning cesspools, and the removal of snow and ice from public walks, streets, squares and yards, \$125,005 62; for the collection of house dirt and offal in city proper, South Boston and Boston Highlands, \$114,695 91; for hay, straw, meal, corn, oats and feed used at stables, south and west, and Boston Highlands, \$21,433 15; for foremen, feeders, blacksmiths, wheelwrights, painter, watchman, harness maker, drivers of prison carriage, \$19,961 53; purchase of new horses and exchange, \$14,140 00; services of physicians on public vaccination, \$12,563 60; salaries, \$8697 50; do. clerks, constables and inspectors, \$6649 66; collection and removal of ashes in East Boston, \$5817; stock and tools in blacksmith's shop, \$4936 25; abatement of nuisances, \$2367 72; stock and tools in harness shop, \$2352 31; incidental expenses, \$2145 85.

There have been deposited with the city treasurer during the year for collection bills to the amount of \$26,477 61. Paid into the Treasury—for the sale of ashes, \$19,376 36; offal, \$19,305; ashes from manufacturing establishments, \$1418 25; street dirt, \$1242 33; stable manure, \$1223 78, and other items, making a total of \$41,957 12. Of this amount there was paid during the present financial year, \$23,163 11.

Prison Vehicles. There have been conveyed from the several stations to City Lockup under the Court House, by a vehicle furnished by this department, and for which a charge of twenty-five cents per head is made, the following number of prisoners: Males, 11,795; females, 2843. Total, 11,795.

This department has also furnished a vehicle for the conveyance of prisoners, and from which no income is derived, as follows:

Prisoners conveyed from the Court House to steamer Henry Morrison, 5520; from Court House to Jail, and from Jail to Court House, 5143; from Court House to House of Correction, 513. Total number conveyed, 11,076.

Nuisances. There were served upon parties for maintaining nuisances on their premises, during the year 1872, 3228 notices, embracing twelve wards of the city, and 1300 in the Highland and Dorchester districts, said notices requiring an abatement of the nuisances existing, within a given time.

Parties failing to comply with the terms of notice, orders were passed by the Board of Aldermen, directing an abatement by the Superintendent.

During the year 34 orders, representing 292 estates, were passed, and those remaining unabated received immediate attention.

Thirty-seven tenants in the Highland District and nine in Dorchester were notified to quit tenements not deemed fit for human habitation by reason of the unhealthy condition of the premises.

Twenty-five of the Roxbury tenants left their premises without any resort to force on the part of the Health Department. The remaining twelve were allowed to remain, as the landlords in these cases at once complied with the requisitions of the Health Department. The nine Dorchester tenants vacated peaceably.

Eleven complaints have been made for violations of the Health laws, and conviction has been had in every case; subsequently the defendants complied with the laws, and the cases were placed on file upon payment of the costs of prosecution.

Ashes, Street Dirt, &c. There were collected during the year 1872, by city teams, 94,666 loads of ashes, 41,880 loads of street dirt, and 4910 loads of cesspool matter.

The Superintendent of Streets was furnished with ashes required for his department.

Corporations and private parties were also supplied.

In several instances the material collected was placed on territory most convenient for city teams, and without charge.

Cesspool matter, after being left at its place of deposit, was immediately covered with ashes, to prevent any effluvia arising therefrom.

The number of teams employed by this department in the above capacities are as follows: For collecting ashes and house dirt, 45; collecting street dirt, 34; collecting house offal, 28; collecting cesspool matter, 10; sweeping the streets, 1; conveying prisoners, 1; funigating, 2; conveying the sick, 3.

Tenement Houses. One of the greatest grievances of large cities is tenement houses, in which the poor are compelled to reside.

There are two classes of tenement houses which are unfit for habitation. The first consists of houses which were formerly private residences, and not intended for more than one family; consequently they are not susceptible of the changes necessary for light and ventilation, which their sanitary condition requires. The second, those which were first built. These were built without any knowledge of the wants of that class of people who were to occupy them; but the mercantile business is driving the population before it in these localities.

For the past three years there has been a decided improvement in buildings of this description; they are generally provided with sufficient light and ventilation.

I have observed that where the owners live in their houses, care is taken to keep them clean.

During the past year particular attention has been given to tenement buildings by the inspectors thereof, and owners or lessces have been promptly notified to repair them, and place them in a cleanly condition. With a few exceptions, parties have complied at once, and a marked improvement has been the result. In many of the tenement houses which are occupied by intemperate families, it is impossible to keep them in a cleanly condition; they may be thoroughly cleaned today, and tomorrow they will be found in a filthy condition.

Constant visits have been made to tenement houses, and we have made it our duty to impress upon the minds of all the inmates the necessity of cleanliness and proper ventilation.

Orders to vacate twelve tenement buildings, containing seventy-one families, were passed during the year, and with a single exception the orders were complied with. In this single instance the party owning the premises placed them in good repair.

The population of cellars as dwellings, in my estimation, will not exceed three hundred.

A table is given of the classification of tenement buildings in this city. This gives four tenements, containing 754 inhabitants; five, containing 417; six, 431; seven, 176; eight, 133; and the rest of 56 and under. These buildings are from two to six stories in height of brick, and from one and a half to five stories of wood. The total number of houses is 2165—1020 brick and 1145 wood—containing 39,353 rooms, 13,257 families, 33,688 adults, 20,762 children, and a total of 54,450.

Street Cleaning. The importance of cleanly streets can only be promoted by more than ordinary care of porters having charge of stores on main thoroughfares. If the habit of sweeping store dirt into the streets, without regard to placing the same in vessels for this purpose (the same to be removed by city teams), is persisted in, the fault does not lie with this department, but with those having control over employes; they should give directions in conformity with requirements of Ordinances relating to Health, section 55.

During the past year, the main streets have been swept every day, the others twice a week; but they have not been kept in as cleanly a condition, because storekeepers and porters remove the debris into the street instead of putting the same in vessels for the ash men to remove. If this custom could be stopped, our streets could be kept much cleaner, at less cost. However perfectly the streets may be cleaned during the day, the sweepings from buildings render them dirty and disagreeable.

Unaccepted Streets. The twenty-foot streets of South Boston are in a condition which requires immediate attention. Many of the structures on these streets are tenement buildings, with defective drains and cesspools, and at low grades; their condition would be greatly improved if the city would accept the streets, place them at a proper grade, with good sewerage, and cause the same to be paved; thereby insuring cleanliness, which is now sadly deficient for want of proper care from abutters.

The attention of the Government is also called to the importance of proper drainage and grading of what is known as the Fellows-street District, lying between Albany street and Harrison avenue. Also the territory on the westerly side of Tremont street, from Davenport street to Milford place.

A schedule of property shows 147 horses, with their harnesses, valued at \$300 each, \$44,100; 114 carts for ashes, etc., \$17,200; 48 one-horse wagons, for offal, \$9600; 14 one-horse wagons, for cesspools, \$1200; five water carts, \$1750; with various items of stock and material of the value of \$112,300. Of the horses, there have been purchased 32 during the year, 3 have been killed, 9 have died, 6 have been exchanged, and 7 have been sold.

EXTENSION OF QUINCY PLACE.

A resolve and order were received from the Street Commissioners, for the extension of Quincy place, at an expense of \$12,784.

A schedule of the expense gives the following items: Unknown owners, Quincy place, 3725 feet, at no expense. Timothy McCarthy, 12 Pearl place, 223 feet, \$8 per foot; damages, \$200—total, \$1984. Trustees of the Permanent Peace Fund, 13 Pearl place, 1142 feet, \$8; damages, \$314—\$9450. Heirs of James Carbrej, 14 Pearl place, 146 feet, \$8; damages, \$182—\$1350. Total, 5236 feet, \$12,088; damages, \$696—\$12,784.

Referred to Joint Committee on Streets.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice on the proposed construction of a sewer in Saratoga street, between Bremen and Swift streets, and on petition of the Howard Watch Company, for leave to locate a steam engine and boiler on Eustis street, at the corner of Prescott street, were severally taken up. No person appearing in either case, the reports were recommended.

The hearing on petition of N. C. Munson, for leave to cross a portion of Yarmouth street with a rail track, was also taken up. A remonstrance was presented against the same from Matthias Rich and others, who asked for a hearing on the subject.

Sidney A. Stetson appeared for remonstrants, and stated that a similar petition was presented at the close of the last year by the Boston & Providence Railroad Company, which, being objected to, was withdrawn. This application they believed to be more objectionable than the other, the object being to make a depot for the sale of sand, gravel and other materials. There is a street in the rear of Yarmouth street, which has not been accepted, but which is proposed to be used, and it is objected to the running of cars all night with the noise of such trains and of carts. Many of the residents made their residence there hoping to get away from the noise, and it would be injurious to that property and to the land yet to be built upon.

Mr. Stetson suggested that if there must be a place for the deposit of gravel in that vicinity, it should be on the heater piece some fifty or sixty rods from that point, which has been given up to such uses, and will equally answer the purposes designed by such a tract. In answer to Alderman Power, he said he should object to such a track if only for temporary purposes, and it would be more objectionable during the summer than in the winter, the residents not being of the class who leave the city in the summer, and they would be much annoyed by the travel and the dust.

W. A. Heyer stated that he had fifteen lots of land on Dartmouth street, which he should consider would be injured by the location of a railroad track in the vicinity.

Hiram Ames owned a house which was but a hundred feet from the projected line of railroad track, and he would be injured by the track. No objection would be made to a track if it was simply for the purpose of filling land for the removal of a nuisance, but this was not of that character.

N. C. Bonnell, owner of two houses, believed they would be injured by the location of the track in the vicinity, and should not expect to be able to sell his houses.

U. H. Coffin also objected to the proposed track as an injury to all the property in the neighborhood.

The report was recommitted.

UNFINISHED BUSINESS.

The order to pay Benjamin B. Converse \$269, for land damages on Cottage street, was read a second time and passed.

PAPERS FROM THE COMMON COUNCIL.

The petitions of Michael Kelley and others, John W. Collison, Charles Cullis, and of N. C. A. Preble and others, and the remonstrance of W. S. Dexter, and others, were severally referred, in concurrence.

The following reports were accepted, in concurrence:

Report (leave to withdraw) on petition of Robert Johnson to be paid for injuries caused by a fall into a sewer trench.

Report (leave to withdraw) on petition of Charles J. McKay to be paid for injuries done to his wife by a fall in Tremont street.

The order for the Committee on Public Institutions to report within one month on the subject of a Home for the Poor was, on motion of Alderman Hulbert, laid on the table.

The resolve requesting the Chief-Engineer of the Fire Department to make his annual report before

March 27 was, on motion of Alderman Clark, laid on the table.

The report and order to allow John Lynch to make a wooden addition to his building on Foundry street was passed.

The order authorizing the sale, by public auction, of a certain estate taken from C. M. Wheelwright, at the corner of Water and Broad streets, not required for the improvement of said streets, was amended by providing that the sale shall not be less than a minimum price fixed by Committee on Streets, and, as amended, was passed, in concurrence.

The following ordinance was passed, in concurrence:

Ordinance to amend the ordinance in relation to the Fire Department, so that the election of Chief-Engineer shall take place within ninety days after the first Monday in February, and the organization of the Board of Engineers shall occur on first Monday in May; and the election of secretary shall take place within thirty days thereafter.

The majority and minority reports of the Joint Committee on Streets on the subject of enlarging the area of the streets around the new Post Office coming up, the acceptance of the minority report with order for Street Commissioners "to report a statement of the expense of taking and laying out the parcel of land between Congress street, Milk street, and Bath street; and laying out and widening Water street to sixty feet between Congress and Devonshire streets," was concurred in.

OVERSEERS OF THE POOR.

The report nominating Frederic W. Lincoln, Joseph Buckley, Phineas Crane and Thomas F. Temple as Overseers of the Poor was accepted, when the Board proceeded to an election, resulting as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
Frederic W. Lincoln.....	12
Joseph Buckley.....	12
Phineas Crane.....	12
Thomas F. Temple.....	12

The several persons named were declared to be unanimously re-elected, in concurrence.

TRUSTEE OF THE PUBLIC LIBRARY.

The election of C. Levi Woodbury as a Trustee of the Public Library, in place of Daniel S. Curtis, chosen by this Board, came up, when the Board proceeded to a ballot, resulting as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
Daniel S. Curtis.....	9
C. Levi Woodbury.....	3

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

REPORTS OF COMMITTEES.

Alderman Gibson, from the Committee on Police, made a report, recommending the confirmation of the nominations of Charles H. Tighe and James Hathaway as police officers.

Accepted.

Alderman Sayward, from the Committee on Health, reported in favor of the petition of J. B. Wheelock, for leave to occupy a wooden stable for three horses on Linden street, near Dorchester avenue. Accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of the petition of Benjamin Randall, for leave to place a steam engine and boiler on lot 13 on Chelsea street. Accepted.

Alderman Power, from the Committee on Steam Engines, to whom was referred the petition of Thomas W. Carter for leave to erect two brick and pipe kilns on Hospital wharf, so called, near Albany street, made a report recommending the passage of the accompanying order:

Ordered, That a license be granted to Thomas W. Carter to erect two brick and pipe kilns in the building on Hospital wharf near Albany street, on condition that said Carter will agree to remove said kilns without expense to the city whenever notified so to do by a majority of the Board of Trustees of the City Hospital.

The order was read once.

Alderman Gibson, from the Committee on Fire Alarms, to whom was referred the petition of F. H. Underwood and others for a clock upon the new schoolhouse in Ward 12, made a report, that after a careful consideration of the subject, they are of the unanimous opinion that the prayer of the petitioners ought to be granted, and recommend the passage of the accompanying order:

Ordered, That the Superintendent of Fire Alarms, under the direction of the committee on that department, shall be authorized to place a clock in the tower of the new schoolhouse at City Point, at an expense not exceeding \$1000; the same to be charged to the appropriation for Fire Alarms, Bells and Clocks.

The report was accepted, and the order was passed.

Alderman Gibson, from the Joint Standing Committee on the Survey and Inspection of Buildings, to whom was referred the petition of Edward Bryant for leave to erect a wooden building exceeding the legal dimensions on Franklin court, near Norfolk avenue, Ward 16, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Edward Bryant to erect a wooden building on Franklin court, Ward 16, in accordance with an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted and the order was passed.

Alderman Gibson, from the same committee, to whom was referred the petition of James Pitton for leave to erect a wooden building exceeding the legal dimensions, on Brooks and Paris streets, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to James Pitton to erect a wooden building on Brooks and Paris streets, Ward 1, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted and the order was passed.

Alderman Gibson, from the same committee, to whom was referred the petition of J. J. McNutt for leave to erect a wooden building in the rear of his factory on Wareham street, made a report recommending the reference to the Committee on Public Lands. Accepted.

Alderman Gibson, from the same committee, reported leave to withdraw on petition of P. Bergen for leave to erect a wooden building exceeding the legal limits, on Cotting and Wall streets, the proposed building exceeding the dimensions allowed by statutes relating to buildings in Boston; also on petition of Benjamin Franklin for leave to erect a wooden building exceeding the legal dimensions, on Palmer street, Ward 13. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses as follows: James W. Cheney to give a concert at John A. Andrew Hall, March 26; Ernst Perabo to give concerts at Wesleyan Hall March 28 and April 11; Julius A. Jones as an auctioneer; to sixteen newsboys; also to sundry persons for hack and carriage stands, hack license, wagon licenses, as victuallers, dealers in second-hand articles, intelligence offices. Severally accepted.

The same committee reported leave to withdraw on petition of Michael Keenan for a license as a victualler. Accepted.

Alderman Stebbins, from the Joint Standing Committee on the Water Department, to whom was referred the report of the Cochituate Water Board (City Document No. 29) in relation to the necessity for an additional supply of pure water from Sudbury River, 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 \$500,000, to be expended under the direction of the Cochituate Water Board in furnishing an additional supply of pure water from Sudbury River.

The order was read once.

Alderman Stebbins, from the Joint Standing Committee on the Water Department, to whom was referred the order requesting the Mayor to petition the Legislature for authority to take land for a reservoir on Parker Hill, Ward 15, made a report that the proposed reservoir is required to regulate the high-service supply for Beacon Hill, Boston Highlands and a portion of Dorchester. The passage of the order is respectfully recommended. The order was as follows:

Ordered, That his Honor the Mayor be requested to petition the General Court now in session for the passage of an act authorizing the city of Boston to purchase, or otherwise take, lands on Parker Hill, so-called, in Ward 15, for the purpose of establishing a reservoir thereon to supply the citizens of Boston with pure water, and also authorizing the purchase or taking of such other lands as may be necessary to convey water to and from said reservoir.

The question being upon giving the order a second reading—

Alderman Clark said he did not understand how the matter stood, and expressed a fear that the measure was but an entering wedge of the expenditure of \$15,000,000 or \$20,000,000. If the expenditure was to be in that direction, he should oppose it with all the strength in his power, and he hoped the Mayor would make no such insane request of the Legislature. It would be a virtual abandonment of the sys-

tem of standpipes, which he had supposed were all that is necessary in the supply of water.

Alderman Brown inquired what would be the proposed expense, for it appeared to be entirely unnecessary to go to an expenditure of from ten to twenty millions of dollars, and uncalled for at the present time, when the standpipes supplied all the water that was necessary.

Alderman Stebbins stated that this order had no connection with the other which had been reported, and as the City Engineer was present, he would like to call upon him to explain the object of the proposed reservoir.

The City Engineer was requested to explain the necessity for the reservoir.

Mr. Davis, City Engineer, to a question of Alderman Clark, replied that the reservoir was not necessary for the supply of the city with water, and in reply to various questions, stated the advantages and necessities of the measure, as follows: The advantage of the reservoir was for the supply of the high-service portions of the city in cases of fire—the Highlands, Beacon Hill, Telegraph Hill, and portions of Dorchester. The reservoir was recommended looking to its future use in those portions of the city.

Parker's Hill was from 200 to 210 feet above tide water, and would supply water at a rate which cannot be relied upon by the standpipes. The engines connected with the standpipes are now required, between 10 and 12 o'clock every day, to make revolutions half as fast additional to the usual speed, and one day in a month twice as fast. The same engines would pump water into the reservoir, and the reservoir would be a source to draw from in cases of fire. In reply to Alderman Stebbins, he said that the Beacon-Hill Reservoir would not on certain days be able to supply engines in cases of fire.

To Alderman Gibson he said both of the engines could not be kept in operation all the time, and one of them must be relied upon for use in case of repairs of the other. The expense of an additional engine would be \$150,000, and the expense of the reservoir \$200,000. The reservoir would require four acres of ground, and its capacity would be 6,000,000 gallons. The cost of the standpipe at the Highlands, he supposed, was \$35,000 to 40,000. The water, of its own level, would come to within about a hundred feet of the top the hill.

The population to be supplied under the high service was, he supposed, more than double what it was two years ago. Beacon Hill and South Boston could be supplied under the low service, but the standpipes were of no service whatever for a supply for fires. To Alderman Brown he said there had been no dearth of water since the great fire. To Alderman Gibson he replied that the standpipes could supply 2,000,000 to 2,500,000 gallons in 24 hours, and with a new main 4,000,000 gallons. The capacity of Beacon-Hill Reservoir he supposed was some 3,000,000 gallons.

Alderman Clark said it was evident they did not sufficiently understand the matter to act upon it at this time, and information could better be obtained in a more familiar manner by conversation with the City Engineer. Under such circumstances he thought it would be better to let it lie over. It would appear that the expense would be less than \$600,000, and not \$5,000,000 or \$6,000,000, as intimated by the chairman of the committee last week.

Alderman Gibson believed they had covered almost all the parts of the question, and by further inquiries might be able to cover the others. It would appear that Telegraph Hill would be ample for the supply of South Boston, and the standpipes for the Highlands.

Alderman Brown inquired if the Beacon-Hill Reservoir was not sufficient for the supply of water to West Boston.

Mr. Davis replied that it was a poor means, but could be used. To Alderman Brown he replied that there was no lack of water when the reservoir was full enough for use.

Alderman Brown stated that he had been often troubled for water in the vicinity of the reservoir, and was informed that it was for lack of attachments, which would be provided in the spring.

Mr. Davis said the reservoir was now three-fourths full.

Alderman Gibson made some statements about a pump which he saw on the Connecticut River last fall, which ran itself without expense for fuel, and had been run four years without getting out of order.

Alderman Power hoped the motion to lie over would prevail. He had a plan which he would like to mature and he wished further time in which to consider this matter. The remarks of the Aldermen showed clearly that they were not competent at this time to act upon the subject.

The motion for the order to take its second reading at this time was lost, and the order was laid over.

Alderman Gaffield, from the Committee on Public Instruction, to whom was referred the request of the School Committee that the City Council would make certain alterations in the Harris Schoolhouse, made a report recommending the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be authorized to furnish a master's office on the second floor of the Harris Schoolhouse, and make such changes in the location of the privies connected with said house as they deem expedient; the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

The report was accepted, and the order was passed.

Alderman Gaffield, from the same committee, to whom was referred the request of the School Committee that the City Council would furnish tablets bearing the name of the Starr King Schoolhouse, and insert them in the walls of the building, made a report recommending the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be authorized to procure suitable tablets bearing the name of the "Starr King Schoolhouse," and insert the same in the walls of said house; the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

The report was accepted, and the order was passed.

FIRST-ASSISTANT-ASSESSORS.

Alderman Brown, from the committee of the Board of Aldermen appointed to confer with a committee of the Common Council on the matter of difference between the two branches concerning the election of a First-Assistant-Assessor, made a report that the two committees, having conferred together, are unable to agree upon a candidate for the office.

The report was accepted, when the Board proceeded to a ballot, resulting as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
James Dennie.....	10
Theophilus Burr.....	2

Mr. Dennie was declared to be again elected, in non-currence.

TRUSTEES OF MOUNT HOPE CEMETERY.

Alderman Emery, from the joint special committee appointed to nominate suitable candidates for Trustees of Mount Hope Cemetery, for two years, from the citizens at large, made a report, recommending the election of Joseph P. Paine and Samuel B. Hopkins. The report was accepted, when the Board proceeded to a ballot, resulting in the unanimous election of Messrs. Paine and Hopkins.

REPORT OF COMMITTEE ON SALARIES.

The Joint Standing Committee on Salaries, to whom were recommended the orders establishing the salaries of the several city officers for the year beginning on the first day of April next, having carefully considered the subject, would respectfully recommend the passage of the orders in a new draft. The changes proposed in the salaries as first reported are as follows:

A reduction of two hundred dollars in the salary of the City Surveyor, so as to make the increase on the present salary three hundred dollars instead of five hundred.

An increase of three hundred dollars each per annum in the salaries of the Superintendent of Sewers, the Superintendent of Printing, the Superintendent of the Public Library, the Clerk of the Board of Street Commissioners and the Clerk of Committees.

An increase of thirteen hundred dollars per annum in the allowance for the care and superintendence of Federal-street Bridge, on account of the additional draw in the new bridge.

An increase in the pay of the Dorchester firemen to an amount equal to that paid in other sections of the city. It appears from the records of the Fire Department that the members of companies in Ward 16 are called upon for duty more frequently than those in Roxbury or East Boston.

The total increase over the amounts at present paid for salaries and clerk hire is \$15,560, namely: For heads of departments and assistants, \$6050; clerk hire, \$4,860; Dorchester firemen, \$4650.

The committee believe that the proposed increase is fully justified by the additional duties which the several departments will be called upon to perform during the ensuing year on account of the great fire, and also on account of the natural growth of the city.

Respectfully submitted.

Signed by Aldermen Stebbins and Gaffield, and Messrs. Wilbur, Loring and Risteen of the Council.

The Salary bill was considered, and the several sections were adopted until section one of the second order was reached, when Alderman Gibson inquired

why so large an increase was made to the salary of the City Engineer.

It was replied that the salary was the same which was paid last year.

Alderman Power said the office of City Engineer was about as important as any in the city, and it had been shown to be very important. Mistakes might be made which would cost the city many thousands of dollars, and a neglect to devote the whole time and attention to the city would prove to be very injurious to the city's interests. It happened that he knew something about this matter, for last year, when Mr. Davis, the Engineer, was a candidate for the office, his competitor was Mr. Wilson, and they were both well qualified for the office. The salary was none too much, should it be filled by a man who was worthy and fully competent to fill the office.

Alderman Gibson inquired if it was necessary that the City Engineer should have the use of a horse and vehicle which could cost not less than \$600 a year for the care of them?

Alderman Clark replied that others had the use of a horse and vehicle who had no more use for them, and the services of the engineer were well worth all that was paid for them. The city allowed the most competent engineer to leave here, and he was now having a salary of \$10,000 a year. In the case of the present engineer, he did not seek the office, but the office sought him.

The salary of the City Surveyor [being under consideration, Alderman Gibson said as this was the first proposed increase, he should oppose any change from the salaries of last year, for if one was to be increased all others must be increased in the same proportion. The people do not expect it, and he was prepared to oppose any increase, for should there be increase in one of the heads of departments there must be in the others, and all the way down to the lowest-paid person in the employment of the city.

Alderman Clark replied that the salary of the City Surveyor was not increased, an allowance having been made for his services in past years for work on the Fort-Hill District. Now he is required to act as Secretary of the Committee on Streets, without any additional compensation. Mr. Davis was a very competent man, and the salary was not more than he was entitled to, and he believed he could get much better pay elsewhere.

Alderman Sayward objected to any cutting down of salaries, and if the gentleman believed that any heads of departments with which he was connected did not receive salary enough, he should move an amendment. He believed that officers should be paid enough to be able to lay up something, and not be turned out when they become old.

Alderman Gibson replied that it appeared that there was an increase of the salary, for there was an outside arrangement for the payment for extra services. If there was to be an increase of salaries, he could not see how they could stop short of increasing the pay of all persons connected with the City Government, for the laborer was entitled to pay enough to enable him to live as well as others.

Alderman Clark further stated that no compensation was to be made for extra services by the City Surveyor, so that his salary would amount to just what it did last year.

Alderman Gibson replied that although it was said they were done paying him for services on Fort Hill, he did not see why they might not pay him for services on the Suffolk-street District or somewhere else. We are now sending over to England to borrow money, and we are poor and not rich, for we have lost \$18,000,000 worth of property, and are not flush. We should not increase salaries, but consult the interests of the taxpayers; for we have taken a contract to carry on the Government economically.

Alderman Gaffield stated that the officer was at the head of a department with which he was connected, and he believed he could get a much larger salary by leaving the City Hall, where he had been for twenty years. Instead of having but six men, as had been stated, the Surveyor had forty men under him. In looking over the proposed increase on the whole bill, it appeared to be but an increase of one-seventh of one per cent. That was but a small increase in the proportion of the increase of valuation of the city. He would propose that the Salary bill should be passed as a whole.

Alderman Brown moved as a compromise to make the salary \$3500, believing that there should not be an increase of salaries to any extent, when the rate of taxation goes up from \$11 50 to \$14.

Alderman Clark denied that the city was poor, for although the city wished to borrow \$5,000,000, it would be gladly taken up. He believed the future of the city would be such as it never was, and in five years we should rejoice that we had had a fire. The

Alderman from Ward 1 had hardly been touched by the fire, and it might be a Godsend to him in the increased value of some materials. The city was not ruined and would not go to destruction, for the disaster was not half so bad as was that of 1837 or of 1857. The rate of taxation was not a great increase from \$11 50 to 14, and he believed it would be less than \$14 for 1000.

Alderman Power said he could see no reason in the objection that it would be an injustice if some salaries were raised and not others. Several gentlemen had been in office many years, and the city could not afford to lose their services. Allusion had been made to pay of sea captains. A plenty of captains could be found at \$50 per month, but some captains would be worth \$200 while others, equally as good seamen, would not be worth more than \$50, because they could not make money. Some of the heads of departments had been here many years, at moderate salaries, and there were plenty of merchants who are paying \$8000 to \$10,000 in salaries to persons in their employment because it pays well to keep them.

There was a great difference between a captain and a common sailor, and good servants often made but poor masters. It should be the policy to encourage and keep those who are competent to fill offices. No doubt thousands of men could be found who would be willing to take the offices at lower salaries, but the affairs of the city have been conducted by honest men and not thieves, and they should have as much as they can command in other positions. Why they do not leave is well known, because those who were brought up here don't wish to start off and break up old associations, not knowing where they may go, even if they can do better.

It was not for the interest of the city to let faithful officers go. He did not believe either in the poverty of the city, and had no fear of taxation. The labor of the City Surveyor would now be greater than ever before, and a mistake by an incompetent person might easily be made which would cost \$50,000 to \$100,000. He did not feel ashamed to defend raising the salaries of some of the heads of departments, and would be willing to go before the people on the subject.

Alderman Gibson remarked upon the labors of the Chairman of the Board, and of other Aldermen, and of the responsibility which they incur, without compensation. Whereas if the heads of departments make mistakes, the taxpayers have to pay the bills, and they were here to help take the responsibility. The Board were required to act upon their best judgment just as the heads of departments do. He had seen a great many mistakes, mistakes made in paying, which cost the city thousands of dollars.

Alderman Power remarked that much greater mistakes would be made by fools in not knowing their business.

Alderman Gibson responded that all persons were liable to make mistakes.

Alderman Sayward said the Aldermen seemed to think they knew as much as the heads of departments do, yet they were very much dependent on their good judgment. When they had such experienced men they ought not to lose them.

Alderman Gaffield explained as the policy of the committee to add \$300 to each of several heads of departments for the purpose of equalizing salaries.

Alderman Brown wished to know if it was first supposed the City Surveyor was worth \$3800, why reduce his salary by this bill?

Alderman Gaffield replied that the committee at first asked for an increase of \$500, but they did not wish to lose its passage and made a reduction. The changes proposed equalize the whole thing, making the whole happily equalized and compromised.

Alderman Brown said the committee should have stood to their guns if they believed a larger increase was demanded.

Alderman Gaffield remarked that it was better sometimes to stoop lower in order to jump higher the next time.

Alderman Power did not understand that any salaries were to be raised except those of officers well tried. He did not believe with the Alderman that the old ship was going to be a wreck, but if so he and the Alderman, who had had some experience in such matters, would be there to secure her.

Alderman Gibson did not believe they were in a condition to raise all salaries, for if so they would not get through before the 1st May.

Alderman Hulbert said he came into the Board as a new member, and he never was so agreeably disappointed as in finding the heads of departments men of such good habits and capacity. Their system, regularity, and laboring habits were remarkable, and it seemed to him that the increase of salaries as a whole

was judicious. The committee considered the matter fully, and the total increase of salaries of heads of departments amounted to but the small sum of \$6000, besides which there was \$4800 for additional clerk hire, and \$1600 increase on pay of firemen.

It was perfectly right and proper that they should discriminate between brain and muscle, for it would be a misfortune to lose some of the heads of departments. He was surprised that they could retain the services of some of these officers, many of whom had sums of from half a million to a million of dollars largely under their supervision, with a moderate compensation. As near as he could understand, not a breath of suspicion was entertained in relation to their capacity, experience and fitness, their integrity and good habits. It was not unreasonable that such men should be well paid, when those who are paid by the day should not have an increase, for of that class there are multitudes of applicants fully as competent as those now employed by the city. To keep such responsible men in their places, he believed it to be the best thing.

Alderman Gibson said the remarks might be very well, and no doubt the increase might be equitable and just, but as a general principle if an increase was to be made, the Chief of Police was as good an officer as any of them, and should also have an increase of his salary. So also should the Superintendent of Fire Alarms and Inspector of Buildings and the Superintendent of Ferries, whose duties were arduous and long continued. They could not expect to increase all the salaries pro rata. He did not doubt that should a vacancy occur in these offices of heads of departments, a hundred applicants would be made in a day, and one thousand in a week, and they would soon become familiar with the duties.

The motion of Alderman Brown was lost.

Alderman Gaffield moved the adoption of the Salary bill as a whole.

Alderman Brown inquired if the question was not on the adoption of the section relating to the salary of the City Surveyor.

The question was taken on the adoption of that question, which was carried by a vote of 8 to 4, as follows:

Yeas—Bigelow, Clark, Gaffield, Hulbert, Power, Quincy, Sayward, Stebbins.

Nays—Brown, Cutter, Emery, Gibson.

Alderman Gaffield renewed his motion for the adoption of the bill as a whole.

Alderman Brown suggested that the Superintendent of Lamps should have an addition of \$300 to his salary.

Alderman Clark inquired if it was necessary that the Dorchester firemen should be paid as high as other firemen in the city, for it might induce hard or ill feeling, and be a cause of complaint, if others get no more than they do.

Alderman Gaffield stated that it appeared the Dorchester firemen were called out oftener than were the firemen in East Boston or Roxbury, and the committee believed that it would be better as a whole that they should receive the same pay.

Alderman Sayward said it was hardly to be expected that objection would be made to this increase, and there could be no ill-feeling among firemen in relation to the matter.

Alderman Quincy said he had but to repeat the remarks he made on a former occasion, that it was necessary that there should be a uniform system of payment to secure efficiency, and while some might not have so hard a duty as others, as in the case of police officers, there was but little difference in the labor required of the different firemen, and they should be paid the same.

Alderman Gibson moved to add \$300 to the salary of the Chief of Police.

Alderman Gaffield stated that the changes proposed in heads of departments were to increase those of \$3300 to \$3600; the increase to the Chief-of-Police would be above that sum. He believed they should pass it as it is, that it may pass the Council. He would suggest as an amendment to make it \$3600.

The question was taken on increasing the salary to \$3800, which was lost—2 to 10—as follows:

Yeas—Brown, Gibson.

Nays—Bigelow, Clark, Cutter, Emery, Gaffield, Hulbert, Power, Quincy, Sayward, Stebbins.

Alderman Hulbert moved to fix the salary at \$3600, the same as others which were raised. The motion was carried by a vote of 8 to 4, as follows:

Yeas—Bigelow, Brown, Clark, Gaffield, Hulbert, Power, Sayward, Stebbins.

Nays—Cutter, Emery, Gibson, Quincy.

Alderman Brown moved to amend section two, page eighteen, to make the pay of First Assistant-Assessors \$8 a day, stating that their services were very important, and of more consequence than the salaries of many others which were raised.

Alderman Clark believed they paid the Assessors all they ought to, and it would be an unnecessary expenditure when there were so many applicants for the places. If it was the salaries of the Permanent Assessors, it might be another thing.

The amendment was lost—1 to 11—Alderman Brown alone voting for it.

Alderman Clark moved to increase the salary of the Chief-Engineer of the Fire Department from \$3300 to \$3600, stating that no city had a more faithful man at the head of its Fire Department, and they would always have, and such responsible labors should be well paid.

Alderman Gaffield regretted the opening of the doors to a further increase of salaries, which would lead to others. The Committee on Salaries considered this very question, and they concluded that it was not important that it should be raised, and the Chief Engineer did not request it. No one did more to elect Mr. Damrell to his present office than he; and while there was an honest difference of opinion in the community in relation to his position, it would not be well in the face of that opinion to raise the salary.

Alderman Brown said the question in relation to the Chief-Engineer was not to ask for an increase of salary, but with him it was whether he should be retained in office or not. He should oppose any increase of salary, but did not object to its standing where it did. He should be surprised at the Chief's asking for an increase of salary.

Alderman Gibson said the increase had been commenced, and it was a question where it should stop. The salary of the Chief-Engineer of the Fire Department should be larger than others, for it was an office of great responsibility, and he saved property that it might be taxed to pay other expenses. A man who goes into the service in that position would grow old in fifteen years. The office was worth \$10,000 a year.

Alderman Sayward said he agreed that the Chief-Engineer should have an increase of salary, but it would be better at this time not to have the salary raised. If not able to lay up money in the office, he should be allowed an annuity to give him enough to live on the rest of his life.

Alderman Gibson further remarked upon the importance of an increase in this salary, for if other salaries were raised, it would be a stigma on those not raised, as to their competency. They should raise them all and serve them all alike.

Alderman Brown moved an adjournment, that they might confer with their constituents in relation to the increase of salaries.

Alderman Clark opposed adjournment, for there was much business to put in.

Alderman Brown moved to lay the Salary bill on the table.

Alderman Stebbins objected, because it was necessary to finish the Salary bill, which takes effect 1st of April.

The motion was lost—1 to 7.

Alderman Clark said he would not press this matter of the salary of the Chief-Engineer, and this was not the time for the discussion of the merits of that officer. The office when well filled should command a salary of \$5000. In his opinion the duties of the office were most arduous, and for its responsibilities the services were not well paid. It was not the question who should be the officer, but what should be paid for the services. If not the best officer, when the subject comes up as to the capabilities of the present Chief-Engineer, he should be ready to show his hand.

Alderman Brown wished to know whether the fixing of the salary was not for the present incumbent of the office.

Alderman Clark replied that he had no right to ask the question. The present incumbent had been vilely slandered and traduced, and it was his opinion that he should have a salary of \$5000 and be furnished with a club for use upon his traducers.

Alderman Gaffield said this was his fourth year in the City Government, and he had always voted for Mr. Damrell, yet if he was called upon to vote for an increase of salary he should say no, for Mr. Damrell had not asked for it.

Alderman Clark believed this office was as important as that of the Chief-of-Police, and should be as well paid.

Alderman Gibson believed it would be doing great injustice not to increase this salary when others were increased. It would seem as if the Government believed in the statements of his traducers. Without fear of contradiction, he contended that the office was as important as that of the Mayor or any other, and it was worth \$10,000 to take charge of such a fire as that of November last. He supposed he might make mistakes, but he was active and energetic in the discharge of his duties.

Alderman Quincy said it might be construed as a vote of confidence to increase the salary. This was not the moment to increase the salary, and it appeared that it was not the wish of the Chief to have it increased. It was not the time under the circumstances to increase the salary.

Alderman Emery believed the duties of the office were worth as much as the city pays to others, and he could not see why they should not pay him as much.

The question was taken on Alderman Clark's motion, which was lost, by a vote of 2 to 10, Alderman Clark and Gibson alone voting for the amendment.

Alderman Clark moved to make the salary \$3500. This he said was but due to that officer, taking into consideration the fact that the city never had any better and never would have. There had been a great outside pressure to put him down in the estimation of the public, and a certain person who seemed to have no other office than at the City Hall, and possessed but a small amount of brains, had been engaged in circulating a petition derogatory to the character and efficiency of the Chief Engineer.

Statements had been made to certain members of this Board by this person, who had heretofore made a good deal of trouble, and was now vilely slandering and traducing the Chief Engineer. He had given as a reason why he was in favor of him that he might get the votes of the Fire Department. He was in favor of the Chief Engineer, but did not favor the increase of the pay of the firemen a penny. So that the position where he stood was that he might get the vote of the engineer, and lose that of 400 or 500 firemen.

No city in the world had a better Chief Engineer than this city had, and no clearer record could be found than that of this officer in the city of Boston. No city was better protected from fires, and the department had always been managed with the best skill and judgment. It was because of the villifications of irresponsible persons that he believed the salary should be increased. As the city increases in size there must every year be an increase in engines, men and other means of putting out fires, but there never can be any better Chief Engineer of the department.

Alderman Gaffield repeated that he had always been a firm friend of Mr. Damrell, but he feared he might ask to be saved from his friends if much more was said by the Alderman. In this case he might remind the Alderman of what he said the other day, that ten Aldermen would not be likely to change their votes, and he believed they had better vote for the bill as a whole.

Alderman Power hoped the motion would not be pressed, because if refused it might be taken as an indication of wrong. There was no indication of feeling as to the fitness or competency of the present Chief Engineer, but in the public mind there was a great deal of feeling in regard to the late fire, and until that was settled it would be better to let the salary stand as it is. There were some who would oppose an increase on principle, but this may be taken as against him. It had better be left as it is. Any gentleman who is fit for the office should have a larger salary than the paltry sum which \$200 additional would give.

Alderman Gibson believed the salary should be levelled up, and it will be an injury to the feelings of the Chief-Engineer not to have the salary in-

creased. The opening of the question by increasing of salaries, as he told them, would require an increase clear down to the street sweeper, who earned his money honestly.

Alderman Power said this would not alter his opinion or feeling. He proposed to vote for Mr. Damrell if he could not find a better man, but he had not seen that man. The occasion which had caused this controversy would probably never occur again, but he should vote against the increase of the salary.

Alderman Clark said it was the salary of the Chief Engineer and not Mr. Damrell which was before them, for he might not be a candidate for the office. The remarks he made were with reference to the petition which was circulated against him. The salary, he understood, must be fixed for this year, and could not be altered.

Alderman Brown said he was committed to no man, and supposed from the remarks made that the salary was fixed for the present Chief-Engineer.

The question was taken on Alderman Clark's motion to make the salary \$3500, which was lost, 2 to 10, Alderman Clark and Gibson voting yea, as before.

The question then recurred again upon the motion of Alderman Gaffield, to vote upon the bill as a whole.

Alderman Clark believed they should act upon each section separately and carefully.

Alderman Gibson moved to increase the salary of the Superintendent of Dover-street bridge to \$1600, and gave as reason that he was obliged to employ extra help.

The motion was lost, 2 to 10, Aldermen Gibson and Hulbert voting yea.

Alderman Gaffield urged the taking of the question.

Alderman Power said there were one or two things he could not vote for in the bill, and what they do should be done in a proper manner.

Alderman Brown expressed sorrow to see the matter pressed, for each section should be considered.

Alderman Gaffield did not consider the matter to be unprecedented. The report was in the nature of a compromise, and such propositions were not unjust when other means fail in carrying out a measure.

Alderman Clark believed it would be unjust to pass the bill now unless they reconsidered the changes which had been made. Otherwise, it would be a reflection upon the Chief-Engineer of the Fire Department. He would move a reconsideration of the vote increasing the salary of the Chief of Police.

The motion was carried, when the question recurred upon the motion of Mr. Gaffield, to pass the order as a whole.

Alderman Brown moved to take up the bill and act upon it section by section. Lost.

The motion of Alderman Gaffield was carried, by a vote of 7 yeas to 5 nays, as follows:

Yeas—Bigelow, Clark, Gaffield, Hulbert, Quincy, Sayward, Stebbins.

Nays—Brown, Cutter, Emery, Gibson, Power.

ORDERS OF NOTICE.

On petition of Cyrus Wakfield, for leave to locate and use a steam engine and boiler at the corner of Friend and Market streets. Hearing Monday, April 14, at 4 P. M.

On petition of the Metropolitan Railroad Company for a location on Columbus avenue, from Berkeley street to Park square. Hearing Monday, April 14, 4 P. M.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

MARCH 27, 1873.

A special meeting of the Board of Aldermen was held this afternoon, at one o'clock, called by the mayor, to act upon the subject of street widenings, and in relation to a reservoir on Parker's Hill, Alderman Cutter, the chairman, presiding.

PETITIONS PRESENTED AND REFERRED.

E. S. Johnson, that edgestones be set on Brook avenue.

Orsamus Nute, for leave to sprinkle certain streets in this city, on the Back Bay and South End.

Severally referred to the Committee on Paving.

Lynn & Boston Railroad Company, to be paid for injury to their horses on account of a defect in Warren Bridge.

Everett National Bank, to be compensated for loss of property caused by action of the agents of the city at the recent fire.

Stephen Meek, to be compensated for injuries received on account of an alleged defect in Devonshire street.

Severally referred to the Committee on Claims.

S. Hall & Co., for leave to erect a wooden stable for eight horses on Hall's wharf, Border street, East Boston.

H. P. Oakman, for leave to occupy a wooden stable for one horse, on Oakman place, Ward 16.

J. B. Carpenter, for leave to occupy a wooden stable for four horses, at 539 First street.

Severally referred to the Committee on Health on the part of this Board.

George F. Meacham and others, for the reissue of the permit to occupy a part of the sidewalk on School street. Referred to the Committee on Police.

ORDER OF NOTICE.

On petition of Dennison & Company, for leave to locate and use a steam boiler and engine at 18 Norfolk place. Hearing Monday, April 14, 4 P. M.

A requisition from the sheriff of Suffolk, on account of the jail, for \$2131 80, was approved of.

WIDENING OF DEVONSHIRE STREET.

A resolve and order was received from the Street Commissioners for the widening of Devonshire street, at and near the corner of Franklin street, by taking 401 feet of land owned by Gardner Brewer, at an estimated cost of \$20 per foot—\$8080; 272 feet of land owned by George C. Richardson, at a cost of \$5440, and 86 feet of land owned by James H. Beal, at a cost of \$1720—total, \$15,180.

On motion of Alderman Clark, the resolve and order was referred to the Committee on Streets.

WIDENING OF CONGRESS AND WATER STREETS.

The following communication was received from the Street Commissioners:

BOSTON, March 27, 1873.

To the Honorable the City Council—Upon the honorable Council's order of March 24, 1873, requesting estimates of laying out the parcel of land between Congress street, Milk street, etc., and of widening Water street opposite the site of the new Post Office, the commissioners present the following:

In the matter of laying out the parcel of land between Congress street, Milk street and Bath street: Land of James Leeds, 734 feet, \$33 per foot, \$5000 damages, \$24,722 total; of James Lawrence, 3901 feet, \$21 per foot, \$1660 damages, \$83,581 total; of Ellen Stearns, 154 feet, \$23 per foot, \$165 damages, \$3707 total. Amount of land taken, 4789 feet; total cost and damages, \$112,010.

And in that of widening Water street to sixty feet, between Congress street and Devonshire street:—Land of E. A. White and others, trustees, 2630 feet, \$35 per foot, \$1200 damages, \$93,250 total; of Beals, Greene & Co., 965 feet, \$45 per foot, damages \$75,000, total \$118,425. Total—Land, \$3595; damages, \$76,200; damages and costs, \$211,675.

Referred to Committee on Streets.

WIDENING OF CONGRESS STREET.

A resolve and order was received from the Street Commissioners for the widening of Congress street, between Water and State streets, at an estimated cost of \$557,356.

The several items of estimates are as follows:

G. D. Howe and others, trustees, No. 50 Congress street, 680 feet of land, \$38; damages, \$500; total, \$26,340. Francis M. Johnson, Nos. 48-42 do., 1401 feet, \$35; damages, \$665—\$49,700. H. L. Hallett,

trustee, No. 40, 703 feet, \$42; damages, \$524—\$30,050. William S. Perry, Nos. 34-30 do., 1044 feet, \$45; damages, \$1000—\$47,980. Unknown owners, passageway 87 feet. Heirs of H. Meredith, Nos. 26-24, 630 feet, \$32; damages, \$1000—\$21,160. John L. Gardner, Nos. 22-20, 813 feet, \$37; damages, \$19,500—\$38,481. Unknown owners, passageway 255 feet. New England Mutual Life Insurance Company, Nos. 6-2, corner of State street, 3583 feet, \$65; damages, \$105,750—\$338,645. Tremont National Bank, 41 State street; damages, \$5000. Total 8896 feet of land, \$423,417; damages to buildings, \$133,939—\$557,356.

PARKER HILL RESERVOIR.

The following communication was received from the Water Board:

CITY OF BOSTON, CITY HALL,
COCHITUATE WATER BOARD OFFICE.
March 26, 1873.

To the City Council—In view of the consumption of water in that section of the city known as the High-Service District, this board has been led to consider the ability and capacity of our present facilities to answer the present and probable future requirements.

The High-Service District includes Beacon Hill, Telegraph Hill (South Boston), and the more elevated lands in the Highlands and Ward 16.

There is a growing demand for water in all these localities, but more especially in Wards 14, 15 and 16; and the records at the pumping works show an increase of about fifty per cent. within the last twelve months.

The question of capacity and the consideration of the present and probable future wants have been submitted to the City Engineer, with a request that the subject receive his careful attention.

With this communication we submit the engineer's report, covering the whole subject, and to which we ask your consideration.

From the facts therein stated, it is evident that our facilities must be increased without delay, and to accomplish this, two plans are submitted—first, to add more engines and boilers; second, to establish a reservoir on Parker's Hill, Highland District.

After considering these plans, this board is of the opinion that the latter-named plan is the most desirable, and we recommend the building of a reservoir with a capacity of at least six million gallons.

The figures relating to the estimated cost of the undertaking (about \$234,000) may be found in the engineer's report.

Legislative action will be necessary to enable the city to take the land required, and we suggest that immediate application be made to the Legislature now in session for such authority. The precautionary measures suggested in the engineer's report (see page eight) have been adopted by this board.

Respectfully submitted,

CHARLES H. ALLEN,

President of Cochituate Water Board.

The communication of the City Engineer says—

The districts included within the limits marked on the map for the high-service distributing system constitute more than one-third of the present area of the city.

They are, Beacon Hill in Boston proper, Telegraph Hill in South Boston, Parker's Hill, Fort Hill, Tommy's Rock and the Scaver-Hill territory in Roxbury, and the range of high lands which forms the greater portion of Dorchester; making in all an area of about thirty-five hundred acres.

A part of this area is not now supplied with water, and future annexations will greatly increase this area and it is said it is therefore evident that the high-service works will in a few years form one of the most important divisions of the entire system of water supply, and it is particularly desirable that their general character and outline shall be determined upon at as early a day as the necessary data for this purpose can be obtained, that whatever extensions are made in the existing system may, if possible, be so made that they will form parts of, or be available for, the system of the future. * * *

The water must be raised by machinery to an elevation that will give the requisite head upon the distributing pipes, and it is of great importance that at the point where this machinery is located there shall be a large store of water, that no interruption may occur to the supply in case the aqueduct or pipe which furnishes the water to the pumps is temporarily thrown out of use for examination, or repairs, or by accident to it.

This condition requires the eventual abandonment of the location of the engines which now supply the high service, for a new one either at the Chestnut Hill or the Brookline reservoir, or at some new reservoir that may be built, specially for the purpose, at a more favorable point. * * *

The existing high-service works were designed to supply a limited area only, and were not constructed upon a scale to meet the requirements of the large territory even now depending upon them, much less to provide for further extensions, due to annexation.

The pumping machinery consists of two engines, each of a capacity to pump 3,400,000 gallons in twenty-four hours, when making thirty-five revolutions per minute. These engines are supplied from a single line of pipes, sixteen inches in diameter, under a head which gives about thirty-three pounds of pressure upon the pump piston; and to enable the latter to work at the guaranteed speed, it was found necessary to connect the supply line with a large air chamber. The pump force mains, immediately after leaving the engine building, are united by a Y branch into a single line of pipes, sixteen inches in diameter, which leads to the stand-tower on Fort Hill, and is about 2500 feet long. On account of the connection of the engines, through the supply and force pipes, they are found to react one upon the other when working together, and it is not considered safe to thus use them at a speed which will give a much greater discharge of water than will one engine alone run at its safe maximum velocity.

The capacity of one of the engines is less than that of four steam fire engines, and larger ones for the diameter that has been proposed for the new pumps, to replace the old ones, is sixteen inches, which gives a capacity of sixty-two gallons per revolution, or 130,000 gallons per hour, when the engine is running at its guaranteed speed of thirty-five revolutions per minute.

The average maximum hourly consumption of each day, during the coming season, will not fall short of half of this amount, or say 65,000 gallons, and will much exceed it in the following years. If, in addition to this consumption, there be required a supply for six steam fire engines (which number the Chief Engineer of the Fire Department says should be provided for), each throwing 450 gallons per minute (the average amount), the delivery must be at the rate of 227,000 gallons per hour.

If the engine be erected, it should have a capacity to pump about five million gallons per day, that when in use it alone may furnish all the water required, both for extinguishing fires and for domestic supply. Owing to the comparatively small draught at night, such an engine would be larger than can now be conveniently used for keeping up the daily supply; but for the present it can be kept in readiness for service in emergencies, and, as the consumption increases, can be gradually brought into more constant use.

There are now two boilers in service, each rated at one hundred horse power, or of sufficient capacity to drive the new engine; nevertheless, a third boiler of somewhat greater power should be provided.

The arrangement proposed is, then, two small engines (the existing ones), each of a maximum capacity of about two and a half million gallons per day, and a new engine and boiler having a capacity of about five million gallons, and supply and force mains twenty-four inches in diameter.

The two small engines, when run together, or the large engine alone, will furnish any supply that is likely to be required from them within the next few years.

The chief objection to this plan is, that a large expenditure will be necessary for machinery, buildings, mains, etc., which probably will be thrown out of use at the end of a few years.

A reservoir can be built on Parker's Hill, at an elevation that will give sufficient head on the high service pipes, or with a water surface about two hundred feet above tide marsh level.

If this reservoir be connected with the stand tower on Fort Hill, it will be put in good communication with the high service distributing system, and will instantly respond to any demand for a sudden increase of supply.

The ratio between the average and maximum quantities of water pumped in an hour, during each month, has varied in the past year from 100-143 to 100-255, as shown in an accompanying table.

In the remarks made, it is said it follows that the building of a reservoir, besides insuring an ample supply of water for the extinguishment of fires, would, by virtually doubling the pumping capacity, be equivalent to the addition of a new engine having twice the power of each of the existing ones.

The office of such works in future will be to regulate the supply to Beacon Hill, Roxbury Highlands, and a portion of Dorchester.

Estimates are hereinafter given, first, for a new engine with its buildings and supply and force mains; second, for a new reservoir, designed to serve a temporary purpose, and having a capacity of 4,500,000 gallons; third, for a new reservoir, designed to form

a part of the future high-service system, and having a capacity of about 6,000,000 gallons.

It will be noticed that the land damages are the most important items of the last two estimates, but it should be borne in mind that the value of this land is increasing from year to year, and that if not now taken for the purpose proposed it probably will be eventually.

In conclusion I would recommend that a new reservoir, having a capacity of at least six millions of gallons, be built on Parker's Hill, and connected with the stand tower by a twenty-four inch line of pipes, and would suggest that, until this work is completed, the following precautionary measures be taken:

First, to make such connections at the Beacon Hill and South Boston reservoirs as will permit of quickly putting them in communication with the high-service pipe mains.

Second, to keep these reservoirs well filled with water.

Third, to employ men familiar with the location of the gates and street mains, whose duty it shall be to attend every alarm of fire in the high-service districts, and who shall be given proper instructions, in reference to opening communication with the reservoirs, and to shutting off portions of the high-service area when the exigency of the case requires.

The following are the approximate preliminary estimates of cost:

<i>First Estimate.</i>	
Engine and boiler; capacity five millions of gallons in twenty-four hours.....	\$60,000
Engine buildings and foundations.....	22,000
Supply main, twenty-four inches diameter.....	6,150
Force main, " " " ".....	30,500
Land damages.....	11,000
	\$129,650
Add ten per cent.....	12,965
Total.....	\$142,615

<i>Second Estimate.</i>	
Reservoir on Parker's Hill; capacity about 4,500,000 gallons.....	\$53,000
Line of twenty-four inch pipe to stand tower.....	31,000
Land damages.....	75,000
	\$159,000
Add ten per cent.....	15,900
Total.....	\$174,900

<i>Third Estimate.</i>	
Reservoir on Parker's Hill; capacity about 6,000,000 gallons.....	\$73,500
Line of twenty-four inch pipe to stand tower.....	39,500
Land damages.....	100,000
	\$213,000
Add ten per cent.....	21,300
Total.....	\$234,300

Respectfully submitted,

JOSEPH P. DAVIS,
City Engineer.

Referred to Committee on Water.

On motion of Alderman Stebbins, the report of committee and order for the Mayor to petition the Legislature for authority to purchase or otherwise take land for a reservoir on Parker's Hill, and authorizing the purchase or taking of such other lands as may be necessary to convey water to and from said reservoir, was taken up.

On motion of Alderman Clark, F. O. Prince, attorney for the owners of estates on Parker Hill, was permitted to make a statement in relation to the matter.

Mr. Prince made some remarks in which he stated that the heir presumptive had but a recent notice of this proposed taking of land, and requested him to appear in relation to it, but having little knowledge of it he wished the indulgence of the Board, by postponing its consideration.

On motion of Alderman Clark, the subject was referred to Monday next, at 4½ o'clock.

REPORTS OF COMMITTEES.

Alderman Stebbins, from the Committee on Licenses, reported in favor of licenses, as follows: Winthrop Miller, to give dramatic exhibitions at Lyceum Hall, Ward 16, April 1. Accepted.

ORDERS PASSED.

On motion of Alderman Clark—

Ordered, That the Auditor of Accounts be and hereby is authorized to transfer from the appropriation for Atlantic Avenue the sum of \$50,000 to the appropriation for the Extension of South Market Street.

Orders to quit were passed, requiring Nancy Shove, George Crowninshield, Catharine H. Fancee and other persons to remove all obstructions over the line of Washington street, as widened by order of the Board of Street Commissioners, June 10, 1872, on or before 1st May next; requiring also the Metro-

politan Railroad Company to remove all obstructions over the line of widening of Pyncheon street, on or before 1st May next.

Alderman Gaffield offered the following order:

Ordered, That the Board of Street Commissioners be and they are hereby requested to present to this Board for its action resolves and orders for the laying out as a public street, or way, the lot of land on the northerly side of Milk street, belonging to James Lawrence and others; also for the widening of Water street to sixty feet, between Congress and Devonshire streets, by taking land on the northerly side.

Alderman Gaffield moved that the order take its second reading, and urged as a reason that the question should be brought at once before the Common Council, so that the widening on this as well as on other large estates in the burnt district should be disposed of.

Alderman Clark said he was not prepared to act upon the subject now, for an estimate of the Street Commissioners had just been referred to the Committee on Streets. The matter had not been discussed, and it was not yet known whether the members of the Board were in favor of the measure or not. If he were a member of the Council he should vote against it without further consideration, and he hoped the question would not be pressed.

Alderman Gaffield said he had no disposition to press this question, yet it had been quite fully considered in the Committee on Streets, who stood in the matter six to two. When the subject was under consideration in the Council they were not willing to vote for the proposed widening of Water street, under the proposed estimate of cost, and the estimate of the Street Commissioners was now much less, being but \$300,000. The only object he had in view was to help the matter a little. When it was first proposed it was hoped the Government would allow the streets to remain as now, for it was desirable, if possible, to save \$300,000 or \$400,000, and hoped also that the taking of the triangle of land on Congress and Milk streets would be sufficient.

It was the design of the Government to alter and finish the Post Office to make it the finest building in this country, and it was asked that the streets around it should be widened to sixty feet. The Mayor urged before the committee of Congress that Water street should remain as it is, but the committee reported against us. The question was had the Government asked too much? The Government had seen its property destroyed by fire in Portland and Chicago, and the flames were seen to lap over from the Simmons estate to the Post Office, causing considerable damage to it.

The question then was whether, with the prospect of the expenditure of \$3,000,000 or \$4,000,000 for the finest building in the country, the city is willing to widen Water street from forty to sixty feet. This he thought was not asking too much, for it is estimated that it will cost \$100,000 to repair the injuries on the Post Office. In the measures to be adopted they should provide against any future calamity of a similar character.

It has been objected to that this measure has been

dictated by Congress, and if so it may be a question whether the city shall dictate to Congress, or yield to it as the greater body. If not acted upon now it must be laid over to December when Congress comes together again, and the question may be settled as in a similar case in another city, where the conditions were not fulfilled, and the Government is putting up a brick building. If we do not wish to be dictated to, neither should we dictate, and it would be better for us to yield, since it will not cost more than \$300,000.

The proposed improvement, it was urged, was no more than the citizens would authorize, in the future, if not at the present time. As it is, the Post Office building is but half a building, and it was designed at some future time to make an enlargement. It is necessary that it should be done that it may be an ornament to the city, and that the Post Office may be contained on one floor instead of two. He would not, however, press the question now, for the purpose of forcing it upon the Council, for he had too much respect for that branch to do so.

Alderman Brown inquired if it was understood that in the contemplated widening of Water street, the Post estate could be considered as in the burnt district, and could be taken without the passage of the order by a two-thirds vote.

Alderman Gaffield replied that the whole of the proposed widening was covered by the loan, as in connection with the burnt district, including widening, paving, etc. If the Simmons estate alone should be taken, it would involve payment of greater damages for that estate than the increased damages by the taking of the adjoining estate.

Alderman Power said if it was proposed to withdraw the motion for a second reading he had nothing to say at present, but if it was to be considered now he should oppose it.

Alderman Gaffield said he designed to withdraw the motion, and did so, when the order was laid over.

Alderman Quincy, from the Committee on County Accounts, to whom was referred the petition of A. F. Anderson for increase of salary of officers of the Municipal Court for the Southern District of Boston, made a report, recommending the passage of the accompanying order:

Ordered, That the salaries of the officers designated to attend the sittings of the Justices of the Municipal Court for the Southern District to serve such processes, precepts and orders as may be committed to them, be fixed at the rate of \$1500 per annum, said salaries to be charged to the appropriation for County Accounts.

Some discussion ensued as to whether the order had been in the hands of the Committee on Salaries, whether it was to go to the Council, and as to the present pay of the officers, etc.

Alderman Quincy stated that the labors of the officers was as great as those in the principal Municipal Court, and it was further stated that this Board had entire jurisdiction in the matter, chargeable to county accounts.

The order was passed.
Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

MARCH 27, 1873.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, E. O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of Stephen Meek, Everett National Bank, Lynn & Boston Railroad Company, N. B. Shurtleff and others, Beacon-Hill Base Ball Club, Edward F. Thayer, R. A. Upton & Son, John H. Currier, First Battalion of Infantry, Company C, Ninth Infantry, were severally referred, in concurrence.

The annual report of the Superintendent of Health was ordered to be placed on file.

The following reference and reports were concurred in:

Reference to the Committee on Streets of a resolve and order, from the Street Commissioners, for the laying out and extension of Quincy place to Pearl place, at an adjudged expense of \$12,784. (Printed City Doc. No. 49, 1873.)

Reports of leave to withdraw on the petitions—1. Of Benjamin Franklin, for leave to erect a building on Palmer street, beyond the legal limits; 2. Of P. Bergen, for leave to erect a wooden building beyond the legal limits on Cotting and Wall streets.

Report referring to the Committee on Public Lands the petition of J. J. McNutt, for leave to erect a wooden building in rear of factory on Wareham street.

The following reports and orders were severally passed, in concurrence:

Reports and orders authorizing permits to be issued: 1. To James Pitton, to erect a wooden building on Brooks and Paris streets.

2. To Edward Bryant, for leave to erect a wooden building on Franklin court.

The following orders were severally read once: Report and order to authorize suitable tablets bearing the name of the "Starr King Schoolhouse" to be inserted in the walls of said house.

Report and order to authorize the placing of a clock in the tower of the new schoolhouse at City Point at an expense of not more than \$1000.

Report and order to authorize the furnishing of the master's room on the second floor of the Harris Schoolhouse, and the making of such changes as may be expedient in the privies of said house.

The communication from the Street Commissioners, giving an estimate of the cost of widening Water street to sixty feet, was referred to the Committee on Streets, in concurrence.

The resolve and order from the Street Commissioners for the widening of Congress street from Water to State street, was referred to the Committee on Streets, in concurrence.

The resolve and order from the Street Commissioners for the widening of Devonshire street, near Franklin street, was referred to the Committee on Streets, in concurrence.

The order for the transfer of \$50,000 from the appropriation for Atlantic avenue to the extension of South Market street was referred to the Committee on Streets, in concurrence.

TRUSTEES OF MOUNT-HOPE CEMETERY.

The report nominating Joseph P. Paine and Samuel B. Hopkins as Trustees of Mount Hope Cemetery was accepted, and the certificate of their election was read, when the Council proceeded to a ballot, resulting as follows:

Whole number of votes.....	52
Necessary to a choice.....	27
Joseph P. Paine.....	49
Samuel B. Hopkins.....	49
E. B. Vannevar.....	1
James Dennie.....	1
T. Anderson.....	1

Messrs. Paine and Hopkins were declared to be elected, in concurrence.

TRUSTEES OF THE PUBLIC LIBRARY.

The certificate of the election of Daniel S. Curtis as Trustee of the Public Library, in place of C. Levi Woodbury, chosen by this Council, was read, when the Council proceeded to a ballot, resulting as follows:

Whole number of votes.....	53
Necessary to a choice.....	27
Daniel S. Curtis.....	31
C. Levi Woodbury.....	22

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

FIRST-ASSISTANT-ASSESSOR.

The certificate of the election of James Dennie as First-Assistant-Assessor, in place of A. R. Holden, was read.

Mr. Hall of Ward 10, from the Committee of the Common Council, appointed to confer with a committee of the Board of Aldermen, on the matter of difference between the two branches concerning the election of a First-Assistant-Assessor, made a report that they were unable to agree upon a candidate for the office. Accepted.

Mr. Pease of Ward 1 stated that inasmuch as there was no probability of making any choice in this case, instead of passing the matter to and from the several boards, he would move to lay the election on the table.

The motion was carried.

The amendment to the order authorizing the sale by auction of a certain estate taken from C. M. Wheelwright, at the corner of Water and Broad streets, by adding to said order the words, "at not less than a minimum price therefor, to be previously fixed by Committee on Streets," was concurred in.

SALARY BILL.

The second report and orders on salaries of city officers for the year beginning April 1, 1873, (Printed City Doc. No. 48, 1873), were considered, and the several orders were read once.

Mr. Wilbur of Ward 9 moved that the rules be suspended, for the passage of the several orders.

Mr. Flynn of Ward 7 stated that there appeared to be several changes in salaries, and unless good reasons were given he hoped the matter would lie over to give time for the examination of the Salary bill.

The motion for suspension of the rules was lost, and the orders were laid over.

UNFINISHED BUSINESS.

The following order was read a second time and passed:

Order authorizing the Committee on the Suffolk-street District to exercise the powers in reference to the settlement of the estates taken by the city, under the 308th chapter of the laws of 1867, that were conferred on the Committee on the Church-street District.

The following order was considered:

Order for the purchase, as a site for a primary schoolhouse, three lots of land on Marlborough street, containing 8064 square feet, and two lots adjoining the same, containing 5376 square feet, more or less, at not exceeding thirty-six thousand dollars; also an order for a loan of that sum, to be applied to the purchase of said site.

A remonstrance was presented from S. G. Palmer and others against the location of the schoolhouse as proposed, and for the reason that when a lot is selected it shall be for a grammar schoolhouse as well as for a primary schoolhouse.

Mr. Pickering of Ward 6 stated, as the views of the remonstrants, that the lot selected was not only not eligible, but was objectionable as being between a block but 112 feet in depth, and if set back twenty feet, would be too shallow; and would be lighted only from the front and back. Very near this location a corner lot can be had at nearly the same price, with light and air on three sides and with a passageway on the fourth. So much opposition was made to this lot that it was desirable that the order should be recommitted with instructions to make further investigation that a more available lot may be secured.

Mr. West of Ward 16 hoped the report would not be recommitted, for the Committee on Public Instruction gave a patient and careful attention to the subject, and were almost unanimous in their report that this lot was the most available one which could be had. The opposition apparently was not so much as to the necessity, which was admitted, as from other reasons. It was not that it was not available. The committee were aware of the other lot which was referred to, but they found this to be better for the purpose.

Mr. Perkins of Ward 6 said he knew nothing of the matter but what was told him. He had been informed by the Alderman living in that ward, this morning, that it was desirable to have the report recommitted. He shared in the views of his colleague, that if the lot did not suit the people in that vicinity it had better not be adopted, and if offensive to the neighborhood it would be better to wait until they want a schoolhouse.

Mr. Holmes of Ward 6, of the committee, said he knew of no location more available. Last year the Committee on Public Instruction selected this lot for a schoolhouse, and nothing was done in relation to it. He had been over every foot of land in that sec-

tion and was satisfied this was the most available lot. The other lot on the corner would be better, but could not be had to advantage without paying a much higher price for it. The people object to the location of a schoolhouse near them because it will cut off the light from their back yards, but if as urged in opposition, that a lot should be selected for a grammar schoolhouse, there would be much mere objection.

The schoolhouse is wanted for small children, and the objection is much of it from misapprehension that a large house is to be erected on the lot. It will be less obstruction to the light of their houses than is apprehended, designed to be but 60 by 80 feet. The corner lot is worth from \$4 to \$5 a foot, while the lot selected is but \$2 62½, and if the offer is not taken up it will be lost. There will be nothing lost by making the purchase, even should it not be used for the purpose, for it may be sold at a profit of from \$1000 to \$2000.

It would be more expensive and uncertain to buy the corner lot than it would this one. At first, objection was made to having a schoolhouse by those in the immediate vicinity, who wished it somewhere else, but wherever it may be located, the same objection would be made. They all want a schoolhouse, but not too near them. In the purchase of the corner lot, which belongs to the State, there may be bidding against the city, for it must be sold by auction, and there is no certainty of getting the second lot. As to the objection that there is but a depth of one hundred and twelve feet, that applies to all the lots on the Back Bay. Those are the reasons against the purchase of the corner lot. The lot selected may not be the best, but they cannot get any better, except at an advanced price.

Mr. Blackmar of Ward 11 wished to know if the schoolhouse was needed, and whether there was any crying necessity for it, for if not, as a member of the Committee on Finance, he knew they had no money to expend except from absolute necessity.

Mr. West replied, as to the necessity, that there were thirty-six children in one street, and accommodations were wanted for sixty in that vicinity. Some of the children were obliged to go two miles to school, and he should think there was an urgent necessity for a school.

Mr. Flynn of Ward 7 said there was such a diversity of opinion in relation to the location among the members from Ward 6, that if he was compelled to vote now, he should vote against the order. He hoped, therefore, that the order would be recommit-
ted.

Mr. Pickering said he wished to say as to the doubt about the corner lot being had, should it be sold auction it can be purchased, but he had no objection to the order being laid over, if desired.

Mr. Holmes did not doubt the lot on the corner could be bought, but in the purchase of two lots, if either should be purchased by any one else, it would kill the project. The Commissioner of Public Lands states that he cannot sell it in any other way than as two lots. If so, the corner lot may go at a great price, probably not less than \$4, for a lot on the other side had been sold at nearly \$5 a foot.

Mr. West stated that inasmuch as the refusal expires tonight, the purchase should be made, and there could be no loss. They should not lose the chance to purchase, for it would readily sell for \$3 a foot.

Mr. Wells of Ward 3 did not believe it would make a great deal of difference whether they purchased this lot or not, for land enough could be purchased at any time. His experience was that there should be as much light and air as there can be, and he hoped the report would be recommitted.

Mr. Shaw of Ward 5, as a member of the committee, urged immediate action, the refusal of the lot expiring today. Yesterday some of the remonstrants were heard, and it would be folly to recommit and lose the refusal of the purchase. If lost, it was problematical whether they could obtain it except at an advance of thirty to forty per cent.

The gentleman from Ward 6 on the committee ought to know which was the most available lot, for he had spent much time in investigating the subject. A large number of scholars are obliged to go from one to two miles to school, and the committee were unanimously of the opinion that it was the best to secure this lot. There would be much risk in buying the corner lot, for it may be run up to \$6 or \$8. As it was, the committee had done well to get the refusal of the selected lot at so low a price. Two or three meetings of the committee were held, and after they had passed upon it so unanimously it would be boys' play and foolish to send it back again. All the people in that vicinity want a schoolhouse, but somewhere else than near them, and wherever it may be located some one will object. It was the duty of the

Council, under the circumstances, to act at once, and hold on to the proposition, for the lot may be sold at a profit tomorrow.

Mr. Perkins said he had been informed by a member of the Committee on Schoolhouses that they were opposed to this purchase, and wished to get a lot large enough for a grammar schoolhouse. If the Commissioner on Public Lands is unwilling to sell a lot large enough for a schoolhouse, he did not doubt that a bill could be got through the Legislature for such a sale; and if he makes any unnecessary difficulties, the Legislature would override him. He did not think the Legislature would be so foolish as to refuse such a request.

Mr. Pickering said he had no personal interest in the matter, the lot not being near him, and he had no children going to school. As to land, they have been making it all the time, and speculation was not so active but what the city could make a purchase, and should keep out of speculation. A lot should be selected further towards Tremont street.

Mr. Holmes said there was no doubt there was land enough, but it was not in the right place. Near the railroad, where plans were matured for filling, they were asking \$3 per foot. If the gentleman would guaranty a bill to go through the Legislature, well and good, but the City Solicitor was of opinion that since the city held lands once for a schoolhouse on the Back Bay and sold them, no favor could be expected from the Legislature. So also the Berkeley-street difficulty would be in the way. The city was not a speculator, but, should this lot be purchased and not wanted, it would of necessity get back the price with interest, for Mr. Jewell had been offered \$3 a foot. That would make a difference of \$2000. There were no other lands so cheap in the neighborhood.

Mr. West further urged the passage of the order; for if not availed of now the offer could not be renewed short of a great advance.

Mr. Pickering stated that one of the remonstrants was one of the most urgent citizens in favor of a schoolhouse in that section.

Mr. Holmes believed this to be the best that could be done under the circumstances. There were sixty children to be provided for, and there was not a room to be had in the whole Back Bay for a school. Some of the children travel as far as Somerset street, and they cannot go but once a day.

The motion to recommit was carried.

THE BURRILL CLAIM.

The majority and minority reports on the Burrill Claim (printed City Doc. No. 46, 1873) came up by special assignment.

Mr. Brackett of Ward 10 moved to substitute the minority report for that of the majority.

In support of the motion he said he supposed that although the subject had been so thoroughly discussed, there were some who did not understand it, as it was the case with himself before he examined it. He then proceeded to state the circumstances attending the contract with Mr. Burrill for the purpose of filling the quota of the city of Boston, and in this he did it by obtaining naval credits, laboring and paying the expenses in securing the names of those who claimed to belong to Boston. He then went to Washington with a letter to the Provost-Marshal-General, but it was necessary to have an act passed to allow the credits. The dispute about the two lists were referred to, resulting in the allowance of the list of Mr. Burrill. As to the objection on account of public policy, the objection was not a good one, and if these men, as were said, belonged to Boston, it was necessary to prove that they did belong to this city, and if Mr. Burrill had not secured the proof a draft would have ensued. In the matter of alleged failure to secure the claim by courts, the suit was withdrawn voluntarily before the final decision, and this did not invalidate the claim. He believed there was an implied agreement should the suit be withdrawn, that a fair payment for services should be made.

But whether there was an agreement or not, the city should not refuse the payment of a just claim. The town of Brookline paid Mr. Burrill for credits secured to that town, in a similar manner, and there was no reason why this city should not be as just. As to the method of determining the question what should be paid to Mr. Burrill, the minority believed that its decision by a reference would be the most satisfactory one, because there had been no agreement arrived at through the Committee on Claims in the past, and there was no probability of doing so in future. Should, however, a report be accepted through the committee, Mr. Burrill would not be obliged to accept the award.

It may be, in the future, that a City Council will be willing to pay a very large sum, but under a reference

Mr. Burrill will be required to accept their decision, even though the decision should be not to give him anything. There can be no difficulty in trusting to the selections of three well-known citizens of respectability and standing, any more than in trusting a committee to make an award. If it should be said we cannot now afford to pay this claim, it is an answer that the city cannot afford to be other than just in paying all honorable claims. It is a stain upon the character of the city that this claim had been so long neglected, and this should no longer be suffered to remain upon us as a stigma.

Referring to the recent declination of money from abroad, in taking care of those who were sufferers by the fire, he believed it was equally incumbent upon us to pay this honest claim. This he believed to be a fair and just way of settling this claim, and, with that object in view, he hoped the report of the minority of the committee would be substituted for that of the majority.

Mr. Pickering of Ward 6 said he agreed with the gentleman that there was a just and equitable claim, yet in view of the many reports on the subject he objected to going over the same ground again. As a result of the several reports, it had been simmered down to a sum of \$40,000, as being a just amount to be paid.

Mr. Train of Ward 13 said he was a signer of the minority report, and although he did not wish to go over the ground which had been so fully discussed, there were some points which should be considered. The list of men was taken to Washington, brought back again, and in consequence of its being accepted the draft was stopped. Up to this time Mr. Burrill had been considered an honest man. To neglect longer to pay this claim, he deemed a dishonor to the city. As to the manner of arriving at the sum of \$40,000, it was a mere matter of chance, and it would be a fairer and more just way to submit the matters to referees. He could not see how \$40,000 had been arrived at, and he was not sure that so large an amount would be awarded as justly due for his services.

Mr. Boardman of Ward 14 said the question was simply between the acceptance of the majority and minority reports, and it was for the Council to decide which it should be. As it stands now, the Council is the Supreme Court, and the question is whether the Council should refer to others what they should themselves decide. There was no way in which an intelligible amount could be arrived at, but as he believed it to be a just claim, he did not think they should refer to others what they should decide themselves. He therefore opposed the substitution of the report of the minority for that of the majority.

Mr. Blackmar, speaking for the majority of the committee, said the case was submitted to them for decision, not whether they should report in favor of paying Mr. Burrill something, but whether they should accede to his petition to have the matter referred to arbitration. It was a serious question whether they had a right to delegate their authority in sending this to arbitration. As to the matter of services, it was a question whether it was in order to refer to them, here, the question being of a different character, whether they should refer to arbitration, or sit as a Committee of Claims in the settlement of it.

Mr. Holmes of Ward 6 asked if it was considered whether there would be any limitation in the sum if submitted to arbitration.

Mr. Blackmar replied that the question was considered fully and one of the committee stated that he would have signed the minority report provided the sum to be awarded was limited to \$40,000.

Mr. Train said the claim of Mr. Burrill was thrown overboard in the consideration of the question, it being simply one which would best secure the object in making a settlement. He did not believe that the referees would consider the previous awards as having any weight with them, and he was not sure that so large a sum would be awarded by them.

Mr. Dacey of Ward 2 said he indressed much of what was said in relation to Mr. Burrill's having a good claim for payment for services, yet he could not agree to the taking of a new step for its settlement, without making some limit. He would move as an amendment, to add at the end of the report, a proviso that the sum awarded shall not exceed the amount of \$40,000.

Mr. Brackett raised a question of order, whether the amendment could be entertained.

The Chair ruled the amendment to be in order.

Mr. Flynn of Ward 7 believed the amendment to be an improper one and a subterfuge, defeating the whole object of the report of the minority; for if a sum was to be fixed as a limit, he could not see any reason for submitting the question to arbitrators.

Mr. Dacey denied that there was any subterfuge, his object being to limit the amount to \$40,000, yet if

it should be found that nothing was due Mr. Burrill, the report would not require any payment.

Mr. Perkins raised the question whether they were not to determine the award in accordance with the act of the Legislature and the decision of the court.

Mr. Brackett replied that a reference would not confine the arbitrators to any specific amount. Should they believe that there was not a just claim for more than 10,000, then that amount would be awarded, but should it be \$60,000, then there was no reason why that sum should not be paid. To fix a sum in the report, would make it certain that such a sum should be awarded. He believed arbitration to be the only fair way of settling the question.

Mr. Blackmar said Mr. Burrill did not ask this City Government to pay him anything, but to have his claim referred, and so long as he did not make a request for payment there was nothing to act upon except to vote to accede or deny his request. The City Council sit as arbitrators on claims, and they could not delegate that authority.

Mr. West stated that the City Council had determined heretofore that Mr. Burrill was entitled to \$40,000. He hoped that the minority report would not be adopted.

The amendment was rejected, when the question was taken on the substitution of the report of the minority for that of the majority, which was lost.

Mr. Flynn of Ward 7 moved to lay the report on the table, which was refused.

The question recurring upon the acceptance of the report leave to withdraw—

Mr. Harrington of Ward 8 said it was generally conceded that Mr. Burrill had a just claim, and he would propose as an amendment the adoption of an order to pay to Henry W. Paine, assignee of Charles Burrill, the sum of \$40,000 in settlement of the claim.

Mr. Pickering of Ward 6 suggested as an amendment that the amount to be paid be taken from the Reserved Fund.

Mr. Flynn inquired whether there was anything left of the Reserved Fund.

Mr. West of Ward 16 replied that there was no money left of the Reserved Fund.

To a similar inquiry, it was replied that there was nothing left of the appropriation for Incidental Expenses.

Mr. Flynn said the statements made were reasons enough why the subject should be postponed to another week.

Mr. Blackmar remarked that the matter should be carefully considered, under instructions of the City Solicitor, to investigate the provisions of every name and nature, and he moved that the report be referred again to the Committee on Claims.

Mr. Harrington said he had no objection to the course proposed. The order offered by him was worded something after the order of last year which he found in the journal of the Council, and he hoped it would be referred.

Mr. Brackett did not object to the motion, and the report was recommitted.

The report of the Committee on Streets requesting an additional loan of \$2,000,000 for street improvements in the burned district (City Doc. No. 52) was considered.

Mr. Shaw of Ward 5 made an inquiry as to the character of the report, it being signed merely by members of the Committee on Streets of the Board of Aldermen. He had never before seen anything so regardless entirely of the views of the committee on the part of this branch, and he would like to understand why it came here in this form.

Mr. Flynn of Ward 7 stated that the question of the rights of the committee on the part of this branch had been submitted to the City Solicitor for his opinion. The subject had, however, been before the Joint Committee, and he believed it should pass. The course of the committee had been in accordance with usage, but it had not been settled whether it was right.

Mr. West of Ward 16 stated that the report had been considered by the Committee on Finance, who believed it would be for the interest of the city to have it pass, and that the whole loan should be made at once.

Mr. Shaw said he did not object to the loan, or to making it. It had appeared, however, that he had struck an important matter, which had been considered as affecting the rights of the committee on the part of this branch. Such a report should receive the consideration of members of this branch as well as of the other. In old times, when there was no joint committee on streets, then the report from the Board of Aldermen was well enough. His attention was called to it as a singular production.

The report and order were passed.

The report of the Joint Special Committee on the Auditor's Estimates (printed City Doc. No. 45,

1873), was considered. The several items of appropriation were passed upon, and adopted, without amendment, and the orders appended to the report were passed, as follows:

An Order Relating to the Specific Appropriations for the Financial Year 1873-74.

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, 1873, and ending with the last day of April, 1874, and pay the State tax of 1873, 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 (City Document No. 34, 1873), and in the applications of the various committees and boards contained and printed in said 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 following 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.

[The several items of appropriation are omitted, having been already published.]

An order laying a specific tax to defray the expenses of the city of Boston and the county of Suffolk for the financial year 1873-74; also to pay the State tax.

Ordered, That the sum of eight million six hundred and thirty-eight thousand and ninety-two 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, 1873, and end with the last day of April, 1874; also the tax assessed by the General Court of Massachusetts for the year 1873.

COMMUNICATION FROM THE MAYOR.

The following communication was laid before the Council:

EXECUTIVE DEPARTMENT, CITY HALL, ()
Boston, March 27, 1873.

To the Honorable the City Council: Gentlemen—I desire to call your attention to the necessity of furnishing additional assistance for the transaction of business in the Law Department of the Government, and the propriety of increasing the compensation of those now employed there.

At the present time there are three hundred and sixty cases before the courts to which the city is a party, and their number is likely to be considerably increased during the ensuing year. The questions submitted to the Solicitor by the two branches of the City Council, the various committees, the individual members and the heads of departments, average a considerable number daily; and many of them require an investigation of the facts as well as the law. A great deal of time is required in attendance upon committees and in consultation with city officers and parties having claims against the city.

The number of deeds, contracts and other documents drawn in the office is about one thousand yearly. The titles to all lands purchased by the city, and of all lands taken for laying out and widening streets, or which are affected by changes of grade, have to be examined.

During the session of the Legislature the whole time of one person connected with this department is required in preparing and explaining bills for which the city is a petitioner and in opposing adverse legislation.

Without entering more fully into the details of the work which devolves upon this department, it is evident that the present force is entirely inadequate to meet the demands made upon it, and I respectfully suggest that measures be taken as early as practicable to enlarge the force, and also to provide a more liberal compensation for the very valuable services rendered by the present head of the department and his assistants.

HENRY L. PIERCE,
Mayor.

Referred to the Committee on Ordinances.

PETITIONS PRESENTED AND REFERRED.

John S. Dunlap, for extension of time on which to build on land on East Dedham street.

Ivory Bean, for extension of time on which to build on East Dedham street.

Severally referred to the Committee on Public Lands.

Frank B. Brown of Hose Company No. 2 and others, members of the Fire Department, for an increase of pay. Ordered to be sent up.

A communication was presented by Mr. Mahan of Ward 5, from the Postmaster of this city, with reference to the widening of streets in the vicinity of the Post Office.

Mr. Mahan, in presenting the communication, moved that its reading be dispensed with, and that it be referred to the Committee on Streets, with authority to print.

Mr. Shaw of Ward 5, wished to know the nature of the communication.

Mr. Mahan replied that the nature of it was an answer to the statements made in the public prints as to the expediency of purchasing the triangular piece of land on Congress and Milk streets, and the widening of Water street. It was not proper now to discuss the merits of the question, but as the Committee on Streets had the subject before them, it was proper that this communication of the postmaster should be referred to them, as every member of the committee had heard the other side.

Mr. Harrington of Ward 8 moved that it be laid on the table and be printed.

Mr. Dean of Ward 12 called for a reading of the communication, and a portion of it was read, when on motion of the same gentleman, the reading was suspended, and it was ordered to be printed.

Mr. Blackmar of Ward 11, from the Committee on Claims, to whom was referred the petition of N. C. A. Preble and others, that compensation be allowed to Daniel W. Bugbee for injuries to his property from an alleged defect in Dorchester avenue, made a report recommending that the petitioners have leave to withdraw.

Mr. Blackmar stated that a report on a petition for a similar purpose had once been made and accepted, and there was no reason for a change in the matter.

The report was accepted.

The Chair presented a report of the Committee on Public Instruction, to whom was referred the request of the School Committee that the City Council would furnish the unoccupied room in the primary schoolhouse on Appleton street, for the use of the Normal School, recommending the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be authorized to furnish the unoccupied room in the primary schoolhouse on Appleton street for the use of the Normal School; the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

The order was read once.

ORDER PASSED.

On motion of Mr. Pickering of Ward 6, an order was passed to pay bills of certain persons connected directly or indirectly with the City Government for services rendered.

Adjourned to Friday, April 4, at 7½ o'clock.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

MARCH 31, 1873.

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

JURORS DRAWN.

Thirty-six traverse jurors were drawn for the Superior Court, criminal business.

APPOINTMENTS MADE AND CONFIRMED.

Weigher of Coal—Donald S. Campbell.

Undertaker—Simon Berry.

Police Officers—Sammel Leavitt, Patrick Doherty.

Special Police Officers without pay—John H. Terry and Amos Dodge at Faneuil Hall Market; Peter Hobart, Jr., at Harvard place and Province court; John Retz and George E. Hasler at Pemberton square; John L. Page at Albany street and vicinity; George H. Hosea at East Boston branch library; Charles F. Velases, Bernard Harvey, John Coleman and Thomas Harvey for the National Tube Works, East Boston; Henry McCoy at South Baptist Church, corner of Broadway and F street; H. W. Eaton at Washington Village and vicinity; Nathan N. Nicholson and Simon Loomer in Oliver street; William Finneran for Tremont and Dover streets; Jacob Todd for Columbia street and vicinity; J. S. Hendricks, Chelsea street, East Boston.

Members of Fire Department—Henry M. Hawkins as engineer, Theodore Hutchins, Jr., as fireman, to take effect April 1. Walter Stevens, John W. Rankin, and William H. Gardner, as members of Fire Department, &c.

The nomination of Edward M. Grant as driver, coming up—

Alderman Power moved that it be referred back, the nomination being an act of injustice, the person being a new member not in the department more than ten days, while the driver in charge since the old driver died was as good a man as there was in the department. The nomination was the greatest proof of the bad system of appointments, made by the Engineer of the Fire Department, and he hoped it would be referred back.

The Chair stated that the motion was not in order, the question being on confirmation.

On motion of Alderman Power, the nomination was laid over one week.

PETITIONS PRESENTED AND REFERRED.

Eclley Brothers, for the grade of Dorchester street near Dorchester avenue.

Old Colony Railroad Company, for approval of relocation at Harrison square.

Thomas H. Carbrey, to be paid for grade damages at No. 22 Athens street.

James Carbrey's heirs and others, to be paid for grade damages at No. 20 Athens street.

A. D. Hodges and others, that St. James street be graded and sidewalks laid from Danforth place to Regent street.

A. P. Peck and others, for a sidewalk on Chandler street, from Berkeley street to Tremont street.

Charles Davenport and others, that the obstructions to travel on the extension of Devonshire street may be removed.

Michael Enwright, to be paid for grade damages on Third street.

Harriet Lewis and others, for compensation for damages caused by lowering the grade of P street.

Margaret Foley, for grade damages to estate on Cabot street.

Holbrook & Harlow, that H street be graded between Second and Third streets.

Highland Street Railway, for extension of location in Dudley street, between Warren street and Mount Pleasant avenue.

Severally referred to the Committee on Paving.

Lieutenant J. P. Haney, Company E, Ninth Regiment M. V. M., for appropriation for repairs on armory. Referred to the Committee on Armories.

Owen Nawn, for leave to construct an addition to his building on Parker street beyond the legal dimensions.

Conrad Decher, for leave to erect a wooden building on Marginal street, exceeding the legal limits.

Thomas Keys, for leave to erect a wooden building on Broadway, near A street.

Severally referred to the Committee on Survey and Inspection of Buildings.

D. E. Poland & Co., for leave to occupy fourteen feet of Andover street for building purposes. Referred to Committee on Police.

Edward G. Morse and others, for further compensation for duties as vaccinators at Boston Highlands.

Stephen Connelly, for leave to build a stable in rear of Athens street.

Joseph Frye, for leave to occupy a wooden stable for two horses on the corner of Dorchester and Ellery streets.

Severally referred to Committee on Health on the part of this board.

James O. Young, respecting his contract for removal of offal from East Boston. Referred to Committee on Health.

Sidney Fisher, for abatement of tax of 1872. Referred to Committee on Assessors' Department.

Jarvis D. Braman and others, for abatement of assessment for a sewer in Beacon street, near the railroad crossing.

Hugh Carey and others, for a sewer in St. James street.

Severally referred to the Committee on Sewers.

Ann E. Chessman, to be paid for expenses sustained in Lexington street. Referred to the Committee on Claims.

Andrew T. Hall and others, against the proposed use of the Common by the Beacon Base Ball Club. Referred to the Committee on Common.

COMMUNICATION FROM THE STREET COMMISSIONERS.

BOSTON, March 31, 1873.

To the Honorable City Council—Referring to the communication from the Board of March 27, the Street Commissioners desire to substitute for that part of the estimate therein contained, which relates to the cost of laying out as a street the triangular piece of land bounded by the proposed widening of Congress street, and extension of Pearl street and Milk street the following estimates of the probable expense to the city of all the property surrendered bounded by Bath, Congress and Milk streets, as their lines now exist, that being the intent as this board is informed by your Joint Committee on Streets, of the order from your honorable body requesting the communication furnished you on the 7th instant.

Large portions of the greater part of the estates upon which estimates are made below are already before the committee, awaiting its final action, in orders for the widening of Congress street and the extension of Pearl street.

F. H. Stimpson, 1498 feet of land, \$33—\$49,434; damages, \$916; total, \$50,350. James Parker, 2285 feet, \$28—\$63,980; damages, \$1020; total, \$65,000. James Leeds, 3370 feet, \$33—\$111,210; damages, \$1512; total, \$112,722. James Lawrence, 5686 feet, \$20 37—\$115,836; damages, \$2195; total, \$118,031. Ellen Stearns, 2207 feet, \$23—\$50,761; damages, \$1045; total, \$51,806. James Lawrence and others, trustees, 3043 feet, \$13—\$39,559; damages, \$891; total, \$40,450. Heirs of James Vila, 2787 feet, \$13—\$36,261; damages, \$891; total, \$37,122. Passageway, 1203 feet, no expense. Total, 22,079 feet, \$467,011; damages, \$8470; total, \$475,481.

(Signed by the Street Commissioners.)

Alderman Clark, in answer to an inquiry, said the communication related to so much of the triangular piece of land between Congress, Milk and Bath streets as was left after the taking proposed by the Street Commissioners. It was called for at the request of a member of the Committee on Streets, who he supposed was not in favor of taking it.

Ordered to be sent down.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Order to pay Henry Lec \$8070, for Lincoln-street land damages.

Order to pay Josiah and Edmund Quincy, executors, etc., \$55,200, for land taken in the name of the said Quineys, of unknown owners and of proprietors of T wharf, and all damages occasioned by the extension of South Market street.

Order to pay Josiah and Edmund Quincy, executors, etc., \$3549, for land taken in the name of unknown owners and all damages in the construction of Atlantic avenue.

Order to pay Joseph G. Russell \$39,500, for Congress-street land damages; \$32,500 to be charged to the appropriation for Widening Congress Street, and \$7000 to appropriation for Widening Streets.

Order to pay Jeffrey Richardson and heirs of E. M. Holbrook \$13,425, for High-street land damages.

Order to pay the Highland Street Railway Company \$379 50, for land damages on Blue-Hill avenue.

Order to pay Edward Bangs \$11,125, for Summer-street land damages.

Order to pay the heirs of Andrew Newman \$5761 50, for Warren-street land damages.

Order to pay John P. Turpin \$310 30, for Cottage-street land damages.

Order to designate certain streets leading from 92 and 114 East Canton street as "Bush" and "Thorn."

Order to allow Thomas W. Carter to erect two brick and pipe kilns on City Hospital wharf, on certain conditions.

Orders to allow David E. Mayo \$24 37, and John H. Wilkinson \$50 62, as interest on awards heretofore made to them for land damages in Chelsea.

Report and order for a loan of \$500,000 with which to meet the estimated expense of the necessary additional water supply.

Order to pay Azel Bowditch \$150, for land damages on Blue-Hill avenue.

Order to pay Hugh Nawn \$1203 25, for land damages on Walnut avenue.

The order to request the Board of Street Commissioners to present the necessary resolves and orders to lay out as portions of the public highway the Lawrence lot on Milk street, and to widen Water street on the northerly side to a width of sixty feet, coming up—

Alderman Gaffield moved that it be laid on the table, to await action on the report of the Committee on Streets on the subject.

The motion was carried.

PAPERS FROM THE COMMON COUNCIL.

The petitions of Ivory Bean, John S. Dunlap, and of permanent members of the Fire Department were severally referred, in concurrence.

The message from the Mayor, recommending an increase of salary for the City Solicitor, and an addition to the number of assistant-solicitors, was referred to the Committee on Ordinances, in concurrence.

The report (leave to withdraw) on petition of N. C. A. Preble and others, that compensation be allowed to Daniel W. Bugbee for injury to his wagon on Dorchester avenue, was accepted, in concurrence.

The order for the purchase, as a site for a primary schoolhouse, of three lots of land on Marlborough street, containing 8064 square feet, and two lots adjoining the same, containing 5376 square feet, more or less, at not exceeding thirty-six thousand dollars, also an order for a loan of that sum to be applied to the purchase of said site, was recommitted to Committee on Public Instruction, in concurrence, for the procurement of a more suitable site.

The order to pay bills for extra duty of certain police officers, amounting to \$197, was passed, in concurrence.

The report of the Joint Special Committee on the Auditor's Estimates for 1873-74 (printed City Doc. No. 45, 1873), establishing the appropriations for said year, and the order to lay a tax of \$8,638,092 on persons and property in this city, were passed, in concurrence.

THE BURRILL CLAIM.

The majority and minority reports on the Burrill claim (printed City Doc. No. 46, 1873) coming up, which were recommitted to Committee on Claims.

Alderman Gaffield moved that the Board non-concur and that the majority report of the committee be accepted, giving leave to the petitioner to withdraw.

In support of the motion, he said, the only question before the committee was that of referring the claim of Mr. Burrill to arbitration, with no reference whatever as to the amount to which he was entitled, and that was the only question properly to be acted upon.

The recommitment was non-concurred in, and the report of the majority was accepted.

PARKER HILL FOR A RESERVOIR.

The special assignment was taken up, the report of committee and order for the Mayor to petition the Legislature for authority to purchase or otherwise take land for a reservoir on Parker's Hill, and authorizing the purchase or taking of such other lands as may be necessary to convey water to and from said reservoir.

No objection being made thereto, the order was passed.

REPORTS OF COMMITTEES.

Alderman Power, from the Committee on Steam Engines, reported in favor of the petition of the Howard Watch Company, for leave to locate a steam engine and boiler on Enstis street, at the corner of Prescott street. Accepted.

Alderman Gibson, from the Committee on the Market, reported in favor of granting the petition of Ira Hilland to transfer lease of stalls 97-99, and cellar 18, Fanenil Hall Market, to Smith, Avery & Maynard. Accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables, as follows: Thomas Gogins, to occupy a wooden stable for four horses on

East Eighth street, between G and Old Harbor streets; S. Hall & Co., to erect a wooden stable for eight horses on Hall's wharf, Border street, East Boston; Charles Cullis, to occupy a wooden stable for one horse on Union avenue; John S. Blair, to occupy a brick and wooden stable for six horses on Bristol street. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses as follows: William C. Fay to give dramatic entertainments at the St. James Theatre, April 3; James F. Wheeler to give a dramatic performance at Washington Hall, April 5; Charles Erskine to exhibit a panorama at Tremont Temple, for five weeks, from April 3; W. W. Bery to hold a fair at Nassan Hall, April 10, and subsequent evenings; also licenses to forty-six news boys, and to sundry persons as victuallers, innholders, for hack stands, wagon licenses, billiard license, dealer in second-hand articles, pawnbroker, transfer of wagon license. Severally accepted.

The same committee reported leave to withdraw on petitions of Bridget Brothers, for a license as victualer at 192 Fourth street, and of Lawrence Jacobs, 123 Friend street. Accepted.

Alderman Cutter, from the Committee on Paving, to whom was recommitteed the petition of N. C. Munson for leave to lay a railroad track across Yarmouth street, together with the remonstrance of Matthias Rich and others against the same, made a report recommending that the petitioner have leave to withdraw. Accepted.

Alderman Cutter, from the Committee on Paving, to whom was referred the petition of E. S. Johnson, that edgestones be set on Brook avenue, made a report, recommending that the prayer of the petitioner be granted, in accordance with the order passed by the Board of Aldermen October 11, 1872. Accepted.

DIRECTORS OF EAST BOSTON FERRIES.

Alderman Hulbert, from the joint special committee appointed to nominate suitable candidates for directors of the East Boston ferries, made a report recommending the election of Daniel D. Kelly and Charles Stanwood as directors at large for the term of two years from the first Monday of May next.

The report was accepted, and the Board proceeded to a ballot, resulting as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
Charles Stanwood.....	11
William F. Brooks.....	7
Daniel D. Kelley.....	6

Messrs. Stanwood and Brooks were declared to be elected.

Alderman Clark, from the Committee on Streets, reported leave to withdraw severally on the petitions of James Teevan, to be compensated for damages caused by discontinuance of Church street; George Atkinson and Moses Williams, Jr., trustees, for increase of damages on Washington street; D. W. Foster, for removal of obstructions over lines of Purchase street and Shawmut avenue; Mary S. T. Macomber, to be paid for land taken on Second and Athens streets, also for land taken on Athens street; Nathaniel Brewer, administrator, for additional compensation for land taken on Fort Hill; Maurice O'Connell, for compensation for the use of his estate, corner of Oliver and Sturgis streets, and Luther Blodgett, in behalf of heirs of Mary Boylston, for abatement of assessment on widening Boylston street; Hannah T. Hathaway, to be paid for grade damages on Ontario street, and of Margaret Bradley, for abatement of her Hamilton-street betterment. Severally accepted.

Alderman Clark, from the Joint Standing Committee on Streets, to whom was referred the order authorizing a transfer of \$50,000 from the appropriation for Atlantic avenue to the appropriation for the extension of South Market street, made a report recommending the passage of the order, as follows:

Ordered, That the Auditor of Accounts be and he hereby is authorized to transfer from the appropriation for Atlantic avenue the sum of \$50,000 to the appropriation for the extension of South Market street.

The report was accepted, and the order was passed.

WIDENING OF CONGRESS STREET.

Alderman Clark, from the Joint Standing Committee on Streets, to whom were referred the resolve and order passed by the Board of Street Commissioners, March 27, 1873, for the widening of Congress street on the easterly side, between Water street and State street, made a report that the City Council ought not to concur.

The question being upon the passage of the order, the Board unanimously non-concurred with the Street Commissioners.

WIDENING OF DEVONSHIRE STREET.

Alderman Clark, from the same committee, to whom were referred the resolve and order of the

Board of Street Commissioners for the widening of Devonshire street on the easterly side, between Franklin street and Milk street, at an estimated expense of \$15,180, made a report recommending the passage of the resolve and order.

The report was accepted and the resolve and order were passed, in concurrence with the Board of Street Commissioners.

WIDENING OF WATER STREET.

Alderman Clark, from the Joint Standing Committee on Streets, to whom were referred the estimates of the Board of Street Commissioners in relation to the expense for laying out the parcel of land between Congress street, Milk street and Pearl street extended, and widening Water street, between Congress street and Devonshire street, made a report recommending the passage of the following order:

Ordered, That the Board of Street Commissioners be and they are hereby requested to present to the City Council for its action resolves and orders for the laying out, as a public street or way, the lot of land on the northerly side of Milk street, between Congress street and Pearl street extended, also for the widening of Water street to sixty feet, between Congress and Devonshire street, by taking land on the northerly side.

JOHN T. CLARK,

For a majority of the committee.

The undersigned, members of the Committee on Streets, respectfully dissent from the foregoing recommendation of the majority.

In taking lands for laying out and widening streets, it must be made to appear that the public safety and convenience require the proposed alterations. In this case the Board of Street Commissioners have twice decided that the public safety and convenience did not require the widening of Water street, or the removal of the triangular parcel of land between Congress street and Pearl street extended.

The present Committee of the City Council on Streets were unanimous in the opinion that Congress street, east of the Post Office, should not be widened more than seventy feet. The action of the United States Government has not changed the responsibility of the City Council in any degree. If the public safety and convenience did not require the alterations before Congress acted in the matter, it certainly cannot be claimed that they are required now, and the City Government would only be stultifying itself by adopting the recommendation of the majority.

In the estimates of the expense for making these alterations, as submitted by the Board of Street Commissioners, March 27, the parcel of land between Bath street and Pearl street extended was entirely omitted, although covered by the order of the City Council calling for the estimates. This land should be included in order to show the whole expense of the proposed alterations.

The estimates for all damages to the Boston Post estate are placed at \$118,000, but if the widening is made the proprietors will surrender the whole estate, involving an expense to the city of \$400,000.

The land taken from the Simmons estate is estimated at \$35 per square foot, but the trustees value the portion taken at \$60 per square foot. The land taken from the Lawrence estate is valued at \$21 per square foot by the commissioners, but the owners value it at \$40, and the land taken from James Leeds on a valuation of \$33 per square foot, is valued by the owners at \$66 per square foot.

Taking these figures as a basis, we have a total expense of \$765,991, for the alteration, exclusive of the cost of removing the parcel of land between Bath street and Pearl street.

For these reasons and others which the undersigned have not time to enumerate, they are of opinion that the order submitted by the majority ought not to pass.

For the minority.

JAMES J. FLYNN.
CYRUS A. PAGE.

The question being on suspending the rules for the second reading of the order—

Alderman Power expressed the hope that the rules would not be suspended, and that the order ought not to pass at all. As stated in the report of the minority of the committee, the public convenience and necessity did not require the widening of Water street, and as to the question of expense, if passed, the truth of the matter would make the expense nearly \$1,000,000. Everybody must be aware that the owners of the property to be taken will not accept any such sum as is given in the report of the Street Commissioners. The design of the widening is simply to show off the Post Office building, and he could not see how any one could vote for such an

order when they had opposed the extension of Washington street.

They had no more right to vote money to lay out a square to show off the Post Office building than they had to vote to lay out the ground around any other magnificent building which has been or might be put up to show off such building. If the United States Government considered the building to be of so much importance in preserving it from fire, he did not know of any other way than for it to go to the expense itself of protecting it. If so much money was to be expended for the protection of buildings, they should first protect our own buildings from fire. Let them spend the money for the removal of the Niles Block to protect the City Hall. Such an expenditure would be much more acceptable to the taxpayers of Boston than to spend so much money for the benefit of a Government building. Gentlemen had advocated economy in the refusal to widen streets to the extent of the burnt district, and he could not understand why this expenditure should be made, which the public necessity did not call for.

It must be apparent that the estimates of the Commissioners would not half cover the expense, and it would occasion the necessity of widening Devonshire street on the westerly side, between Water and Milk streets. Further, if the United States are sincere in wishing for more room for the Post Office, let them do it themselves, as they should do if they wish to show off the building. The city had no more right to spend money to show off this building than it had to show off other buildings. He hoped, then, that the rules would not be suspended.

Alderman Clark said the estimates made by the Street Commissioners for this matter were about \$325,000; that was the estimate made by men whose duty it was to understand the value of property and make up their minds as to what property was worth, while the estimates which had been made by the minority of the committee were wholly fictitious. He then addressed the board as follows:

Mr. Chairman—The subject which claims our attention at the present time, and upon which we are called to express our approval or disapproval is one of no ordinary importance. It has been the source of more anxiety and has received more carefully the attention of the committee whose duty it has been to consider it, than everything else which has come before them in connection with the new order of streets in the burnt district. The committee have endeavored to do, and I believe have done, what they believed to be their duty, unbiased and without prejudice, looking only to the best interests of the city, present and future; for whatever may have answered for the Boston of the past, or even of the present, will not answer for the Boston of the future. The committee do not expect that their action will meet with the entire approval of the community—most likely not with the entire approval of the City Council.

It cannot be expected that in a project of such magnitude, where there exists such a diversity of interests—where private property must be taken, and a large expenditure incurred by the city—that all will be of the same opinion. But I do believe that the great majority of the community will approve and sustain the action of the committee and will be sadly disappointed if the City Council does not give the opportunity of securing this great improvement. I for one, sir, should have been most happy could we have seen our way clear to have recommended the saving of this additional expenditure to the city and left untouched the property of those citizens who so earnestly desire it, and for whom I entertain sentiments of the highest respect; for, sir, I am well aware that it is a matter of no small consequence to one of the parties, at least, one who must be disturbed if the order is adopted. Having but recently completed their building, built expressly for their business at great cost—centrally located, perfect in all its parts for the printing and distribution of one of the best business newspapers of the city, and the best Democratic political newspaper of the country, it is not surprising that they should take strong grounds in opposition to a measure which will so seriously interfere with them, and for which they honestly believe there is no immediate necessity. If we, however, differ with them, and believe that they should yield to a great public improvement, we should deal with them liberally for the damages which we force upon them.

I have had serious doubt in regard to this matter. I have been disposed to believe that the same end would be attained whether we were to widen Water street or not; that if the United States required the room they would carry the Post Office to Congress street, if we refused to accede to their requirements. But, sir, I am informed upon good authority that there is no possible chance of any change in the con-

ditions of the appropriations, and that if we wish to improve the opportunity of having built for us the most magnificent post office in the country, one that will be an ornament to the city and commensurate with the growth and increase of its business, we must be ready to make that small contribution as our part of the expenditure. I presume, sir, that if we were to erect a new city hall or a new court house we should not be willing to erect it upon streets not more than forty feet wide. It would not be good policy for reasons too numerous to mention. We should not entertain the idea for a moment, and we cannot expect the United States Government to do what we as a municipal government would consider bad policy.

I am, therefore, fully convinced that it is our duty to comply with the requirements of the Government, and in so doing make sure of having built for us the finest post office of any city in the Union; large enough for the present, but which I hope we shall all live long enough to see wholly inadequate to the business of Boston; for, sir, the business of Boston is so rapidly increasing that I expect to see it double within the next five years. Our commerce is increasing more rapidly than the most sanguine could anticipate. I have predicted that if the railroads would give us sufficient elevator facilities that we would have a steamer a day leave for Europe within ten years, but it seems now that we may expect this to take place possibly within the present year. Should the British Provinces be annexed, and as I most earnestly desire, we will see within twenty years from this date Boston with a population of a million inhabitants and the most flourishing city in America, for Boston above all other cities in the Union is the one which will reap the greatest benefit from annexation.

Let us, then, as we legislate for the present, not be unmindful of the requirements of the future, and so govern our actions in the administration of the affairs of the city that we shall take pride in remembering that we had the privilege of helping forward this improvement which will be an honor not only to Boston, but to all New England. It is one of the most important measures which has come before us this year. It is one which the whole city is interested in today, and which the whole city for years to come will take a deep and abiding interest in. It is the only condition upon which we can make sure to procure this magnificent building to the city. I think the showing that has been made by the postmaster is a fair one. It is unanswerable. There is no doubt that his statements are correct or else they would be denied. Now, if the business of the Post Office has increased as represented by him, the Post Office at the time it is completed will be too small, even now for the present requirements. And if, as I said before, we desire to have this great improvement carried out, this is the only way in which we can obtain it.

It may be possible that the Commissioners have made their estimate too low, it may be that it may cost \$50,000 or perhaps \$75,000 above the estimate. But suppose it cost half a million; it is nothing to be compared with what New York has contributed for their Post Office built for the city of New York. They have got land there worth two millions, and have given up part of one of the principal parks of the city. St. Louis has done the same; so has Chicago. We cannot expect the United States Government to do what we ourselves would refuse to do. If we were to build a new city hall we would not build it upon streets forty feet wide. The Alderman says it is our duty to remove the buildings from close proximity to City Hall. I agree with him. It is our duty and it is under contemplation to remove those buildings below and widen School street, and in that way perhaps save this building from a serious conflagration. I trust the order will pass, and receive our sanction this afternoon, and that we shall show to the citizens that this government are bound to do everything in their power to promote the present and future growth of the city.

Alderman Power said he had hoped to hear some fair reason for this large expenditure, but the argument of the Alderman had very little argument about it. He did not know anything about the probability of the annexation of the British provinces or of Ireland or any other country in connection with this matter, but if the United States Government wishes for more room for its business, they should do as the city does for its business or any other party does. If the business of the Government is large, it should furnish proper facilities to do it. They could well afford to give Boston a fine building, for very little of its money had been spent here. As to a comparison between Boston and New York, it is fortunate that New York had some funds to put to a good use, for very little of it had been disposed of in that way.

But that had nothing to do with the question which they were discussing, which was as to the public necessity or convenience. It was not either as to cutting off of the Boston Post building, or whether that was a good Democratic paper or not. He did not care whether the Boston Post was a good or poor paper, for it was the public interest we were to consider. As to any necessity he failed to see it, and there were plenty of wants for the money which the widening would cost. The widening of Washington street was much more desirable than this measure, and there was no reason in the world why they should expend money for embellishing or beautifying the Government buildings or for laying out parks for embellishment of any one's property than their own. If we have anything to spare, we should use it for our own first.

Alderman Gaffield said the reasons in favor of the report had been so well given by the chairman of the committee that there was no need of his saying much. The gentleman who had just spoken speaks of the estimates of the minority of the committee, which, as stated by the chairman, were entirely fictitious. They had three competent men as Street Commissioners, who know how to make estimates, and he believed the cost would not exceed their estimates by a great amount. He would ask, if they were supposed to take estimates of experienced men, like the Commissioners, or those of the owners of estates. As an instance in point, he would cite a case where parties estimated their land, which was taken, to be worth \$40,000, but instead of getting that sum, they left it to a jury, and got but \$18,000. If they applied the same rule in this case, and the owners asked too much, the sum might be reduced to less than the estimate of the Commissioners.

It was a matter of regret that they were obliged to interfere with the property of private individuals. He had great respect for the parties interested in this case, especially for the senior editor of the Post, whom he had known from his boyhood. Yet public improvements must be made, and the property of individuals interfered with, but when they did take such property a liberal price was always paid for land taken for street widenings. That he could test from his own experience. Owners of land always ask a high price for land taken, for that was the nation of Yankees, to ask more than they expect to get. If they do not get enough, they can have their grievances heard and, as a last resort, get more in another place. The widening of this street was not to show off the Post Office, as had been stated, but had been put in an unanswerable way by the Postmaster. If asked why not have had this done years ago, he had asked the same question, and the answer was that we had not had the experience which the great fires in Portland, Chicago and Boston had since given them, that streets of forty feet were not wide enough.

If we have made a mistake heretofore, shall we make it again? The street should be sixty feet in width for protection against fire, and after the Mayor had been before the committee of Congress to get the best terms, they voted unanimously in favor of the conditions for the widening of all the streets to sixty feet in the vicinity of the Post office. The question then was whether the Government should yield to us or we should yield to the Government, and it would be to their shame and everlasting sorrow if they did not vote to carry out the request of the General Government. It was not a matter of showing off the building, but one of safety. If asked why we did not widen on Devonshire street, it was our answer that it was a mistake that it was not widened when it could have been, and some time the Government may remedy it, and the building on that side may be moved back.

It was urged also that the Government should pay the expense of this widening, and he had no doubt they would do so. When School street shall be widened, as it must before many years, we have the assurance that the Government will pay for the removal of the buildings between Water street and Spring lane. The United States will stand a high betterment, and the Government will do liberal things for us if we do liberal things for them. He hoped, therefore, that the order would pass by a large vote, if not unanimously.

Alderman Power said it was all very well to say what the Government might or should do, but there could be no doubt what they will do if the city stands firm. It was objected that the owners of property have poor judgments as to the value of what is their own, but who should know the value of property better than the owners? If a piece of property rented for \$10,000, it ought to be worth \$100,000. The Post proprietors had a claim against the city when the building was put up which could have been settled for

\$1500, but it was not, and it was left out, and an award was recently made at \$10,000 or \$11,000. The judgment of that committee, at least, was not very correct. The estimates of the owners are to be taken, for at the estimates of the Commissioners of \$20 or \$30 a foot, a lot of 5000 or 6000 feet of land alone cannot be bought. The estimates of the members of the committee are therefore much nearer correct than those of the Commissioners. The cost would be nearly a million of dollars, and he could not see how any gentleman could advocate it.

Alderman Clark said the estimates of the minority of the committee contemplated the abandonment of the entire Post estate, at a cost of \$400,000. If there should be such an abandonment, the city would take what they wanted and would have the rest to sell, which would much reduce the estimated cost. In regard to the question whether the United States Government would carry out the work of extending the Post Office as it should be, whether the city widened Water street, or removed the triangular piece of land between Congress and Milk streets, it was very doubtful whether it would be done. Unless this order was passed, who would buy this land for the extension or take care of it? It would be utterly impossible to get the extension in any other way. In looking at the Post Office as it is injured by the fire, it is not right to complete it with streets but forty feet wide. It would be a great mistake not to widen the street. The City Council had passed the resolve and order to widen Milk street to sixty feet, voluntarily, and to widen Congress street opposite the Post Office to seventy feet, thus recognizing the fact that there should be wide streets around the Post Office. It was not contemplated widening Water street, because in a few years the triangular piece of land between Water street and Spring lane would be removed. Congress had thought differently, and he was not satisfied that it was not for the best. When it was removed, they have the assurance that something would be paid towards it—how much he did not know, but if not the whole the Government would pay liberally toward it.

Alderman Gaffield referred to the estimates of the Commissioners, not \$20 or \$30 as stated, but \$35 or \$40, which it was assessed for, and remarked upon these prices as liberal, for whenever the city takes land, they are always told that the price estimated is twenty-five or fifty per cent. more than it is taxed for.

Alderman Gibson said he had never supposed he should have anything to say upon the subject, for he had been looking over the amount of money which had been expended for street improvements and thought it was enough. He had, however, been down several times to look this matter over, and had been importuned on both sides, but he could come to no other conclusion than that Water street should be widened, and that in no other way would they ever get a better value for the money expended than in this way. No one regretted more than he did the expenditure of so much money, but an expenditure of \$4,000,000 would be of great advantage to the city, a help to mechanics and to everybody. Congress street was to be a great line of travel, and this place about the Post Office would virtually be the exchange for New England, if the increase should be in future but half as fast as in the past.

As the great loading place for merchants and mechanics its wide streets would be sought after. Court street was now so crowded with mechanics that it is almost impossible to get through it, but in two years the entire Exchange would be near the Post Office, for Water street would be kept clear of teams. Nine out of ten business men would come to the same conclusion that this widening should take place. We are suffering for the acts of our ancestors to the amount of millions of dollars for their defects, and we should learn from this, that the same hereafter shall not be said of us. Forty feet for the width of the street was in many respects a disadvantage, the snow remaining on the ground until carted off, on account of the high buildings which prevent the sun from melting it. He should be happy to vote for the order, but did not believe at first that he should.

Alderman Power said the Alderman who had just spoken was the last man he should have supposed would dare favor this measure. If those for whom he was providing, fifty years hence, were to pay the

taxes for this expenditure, there might be some justice in his argument, but if they were to build up the city for fifty years to come and pay the taxes, the great increase of debt and taxes would drive many more to Nahant. When the widening of Washington street was up, a few days since, it was urged by that alderman that it would not be done in twenty years, and he could not see how he could now go for this piece of extravagance. He could not see why Congress should expect us to build a Post Office, for it is the interest of the Government to get a suitable place for a Post Office and see that it is protected from fire. He believed the Government would do so if we stand by our rights. If Congress would but take example from Boston, it would be better for the country, and if we stand up for our rights we shall get them.

Alderman Gibson said he would like to have the matter of widening Water street run for three years, or until such time as may be required, to complete the Post Office building; so that it would not be necessary to cut of the Boston Post building short of that time.

Alderman Power said he did not know or care about the Post or anybody connected with it. He did not care and had little regard for what was said about the paper. The question was as to the public interest or necessity for the widening, and not whether the Post or any other paper was affected by the widening. The widening was not so much demanded as in some other localities, and there was nobody particularly interested in it as a public necessity.

Alderman Gibson repeated that he would not require the widening if it could be kept until the Post Office was finished.

Alderman Gaffield stated that they were obliged to take in two years all lands laid out for widening streets. He had no doubt the Commissioners would allow all the leniency possible in this case.

The motion for the suspension of the rules was carried, and the second reading was ordered.

The order was passed by a vote of 9 to 3, as follows:

Yeas—Bigelow, Clark, Emery, Gaffield, Gibson, Hulbert, Quincy, Sayward, Stebbins.

Nays—Brown, Cutler, Power.

ORDERS PASSED.

On motion of Alderman Sayward—

Ordered, That the Committee on County Buildings be and they are hereby authorized to cause such repairs to be made and to supply such furniture as may be needed for the Court House and Probate Building, also to complete the fitting and furnishing for the new addition to the Probate Building, provided such repairs, fitting and furnishing shall not exceed the sum of \$10,000 during the municipal year; said expenditure to be charged to the appropriation for the County of Suffolk.

On motion of Alderman Clark, an order was passed for the apportionment of the betterments assessed for the widening and extension of Cliff street, upon Betsey D. Rich, Bridget Maloney, Arletta H. Bixby, Samuel Hitchcock, Christian Brown, George W. Stevens, J. H. Ryan and McNamara, J. H. Ryan, Mary J. Johnson, and heirs of Ellen M. Marston.

ORDERS READ ONCE.

On motion of Alderman Power, orders for the construction of a sewer in Franklin street, between Federal and Congress streets, for the construction of a sewer in Saratoga street, and the extension of a sewer on Robbins's wharf, also for the change of certain sewer assessments.

ORDERS OF NOTICE.

On the proposed construction of a sewer in Third street, between Emerson and H streets. Hearing Monday next, April 7, four o'clock.

On the proposed construction of a sewer in Sawyer street, near Lenox street. Hearing Monday next, April 7, four o'clock.

On the proposed construction of a sewer in Chapman street, between Albion and Tremont streets, across Tremont street, and in Appleton street, between Tremont and Berkeley streets. Hearing Monday, April 7, four o'clock.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

APRIL 4, 1873.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, E. O. Shepard, the President, in the chair.

A call of the roll showed a quorum of members present, as follows:

Abbott, Adams, Blackmar, Bleiler, Burditt, Burt, Caton, Collins, Cudworth, Dacey, Darrow, Davis, Dean, T. H. Doherty, Edwards, Flynn, Harrington, Hine, Holmes, Jones, Lamb, McCue, McKenney, Page, Perkins, Pickering, Powers, Prescott, Shaw, Thacher, Train, Upham, Warren, West, Weston, Wilbur, Woods, Woodward.

PAPERS FROM THE BOARD OF ALDERMEN.

The petition of Ann E. Chessman, Sidney Fisher, Lieutenant J. P. Haney, James O. Young, Edward G. Morse and others, Thomas Keyes, Conrad Decher, Owen Nawn, and the remonstrance of Andrew T. Hall and others, were severally referred, in concurrence.

The communication from the Water Board in regard to high-service district (City Document No. 38, 1873) was ordered to be placed on file.

The communication from Street Commissioners substituting for that part of the estimate which relates to cost of laying out as a street the triangular piece of land bounded by the proposed widening of Congress street, and extension of Pearl street and Milk street, an estimate of the probable expense of all the property surrendered by Bath, Congress and Milk streets, as the lines now exist, coming up—

Mr. Perkins of Ward 6 moved that it be placed on file.

Mr. Flynn of Ward 7 moved that it be referred to the Committee on Streets.

Mr. Perkins of Ward 6 said he never understood that it was proposed to take this piece of land, and the Committee on Streets had by their action concluded that it was not necessary or desirable to take the land.

Mr. Flynn of Ward 7 said he was not to blame that the Street Commissioners had not considered the matter, but he wanted it thoroughly understood why this lot was proposed to be taken, and why no estimates had been made.

Mr. Perkins of Ward 6 said that the reason why the Street Commissioners did not send in an estimate was that it was a part of the extension of Pearl street. If this is for the purpose of delaying the action in the matter he was opposed to it.

Mr. Flynn stated that the committee did not know when this estimate was made that this small piece of land was omitted from that estimate. The order was passed by both branches and the Street Commissioners, and the majority of the Committee on Streets failed to see the purport of the order offered by the minority.

Mr. Perkins was not opposed to the reference to the committee, but he wished to have it made clear whether or not it was actually required for street widening.

Mr. Shaw of Ward 5 thought it a matter of some importance as a principle, at least, and could not see why any gentleman should oppose its reference.

Mr. Burt of Ward 16, speaking as a member of the committee, stated that they did not consider it a matter of very great importance at the time they had it under consideration.

After some further debate the matter was referred to the Committee on Streets.

The following orders were severally read once:

Order authorizing such repairs and supplies of furniture as may be needed for the Court House and Probate Building; and the fitting and furnishing of the new addition to said building, at a cost not exceeding \$10,000.

Report from Committee on Streets, recommending the passage of the resolve and order for widening Devonshire street, between Franklin and Milk streets, at an estimated cost of \$15,180.

Report and order authorizing a loan of \$500,000, to be expended in furnishing a supply of pure water from Sudbury River.

Order to pay Azel Bowditch \$150, for additional land damages on Blue-Hill avenue.

Order to pay Josiah and Edmund Quincy, executors, etc., \$55,200, for land damages caused by the extension of South Market street.

Order to pay Josiah and Edmund Quincy, executors, etc., \$3549, for Atlantic-avenue land damages.

Order to pay Joseph G. Russell \$39,500, for Congress-street damages.

DIRECTORS OF EAST BOSTON FERRIES.

The report nominating Daniel D. Kelly and Charles Stanwood as Directors at Large of the East Boston Ferries was accepted, and the certificate of election of Charles Stanwood and William F. Brooks as directors was read.

Mr. Wilbur of Ward 9 moved a suspension of the rules, for an election at this time.

Mr. Pease of Ward 1 opposed the motion, stating that it was desirable to have men of experience and ability on that board, and it was believed that the services of Mr. Kelly could not be dispensed with, he being one of the best they had ever had. By postponement they will have further time for reconsideration, with a better result.

Mr. Wilbur withdrew the motion, which was renewed by Mr. Flynn of Ward 7. In doing so he said he did not desire to go into a discussion of the merits of the candidates, which he could do if necessary.

Mr. Pease said he had no wish to go into the merits of the candidates, but desired to state that it was the unanimous opinion of the committee that Messrs. Kelly and Stanwood should be elected.

The Chair stated that they were liable to establish a wrong precedent in the action proposed.

Mr. Flynn withdrew his motion, stating that the people of South Boston could as rightly claim the election of Directors of Public Institutions as could the people of East Boston all the Directors of the Ferries.

The following reports were accepted and orders were passed, in concurrence:

Report in favor of passage of the order authorizing a transfer of \$50,000 from the appropriation for Atlantic Avenue to the appropriation for Extension of South Market Street, and passage of said order.

Report recommending the passage of the order requesting the Mayor to petition for authority for the city to purchase or take lands on Parker Hill for a water reservoir, and such other lands as may be necessary to convey water to and from the same, and passage of said order.

The non-concurrence in the recommitment of the majority report on the Burrill Claim (City Doc. No. 46), with instructions to report an order for payment of said claim coming up—

Mr. Blackmar of Ward 11 moved that the Council recede from its action and concur with the Board of Aldermen in the acceptance of the report, when Mr. Burrill could present a petition for a payment of his claim, which would properly come up for action.

The Council receded and concurred with the Board of Aldermen, in giving to the petitioner leave to withdraw.

WIDENING OF WATER STREET.

Report and order requesting Street Commissioners to present resolves and order for laying out as a street the lot of land on the northerly side of Milk street, between Congress street and Pearl street extended; also for widening Water street to sixty feet between Congress and Devonshire streets, and a minority report dissenting therefrom, and expressing the opinion that said order ought not to pass, came up for consideration.

Pending the passage of the order, Mr. Perkins of Ward 6 remarked that the majority of the committee stood just where they did at the time of the last meeting, and thought this measure should be adopted. They believed that the public interest demanded that the Post Office should be extended, and for that purpose they were willing to recommend the passage of an order for widening the streets opposite the Post Office, and it was their opinion that it would not cost more than the commissioners had estimated. The reasons for the recommendations were the same that had been urged before, and the whole subject had been so thoroughly gone over in the communication of the Postmaster that he did not think it necessary to take up time in discussing it. There was one or two points in the report of the minority on which he wished to say a few words. The minority said that "in taking lands for laying out and widening streets it must be made to appear that the public safety and convenience required the proposed alterations. In this case the Board of Street Commissioners have twice decided that the public safety and convenience did not require the widening of Water street or the removal of the triangular parcel of land between Congress street and Pearl street extended." He was authorized by the chairman of the Board of Street Commissioners to say that this statement of the minority was not in accordance with the facts of the

case. They had never decided any such thing. What they had done was to say to the Inspector of Buildings that, so far as they were concerned, they should not suggest any improvements, and that he might give parties their lines to build upon. With respect to the action of the City Council, he said that during the existence of the last City Government no action was taken on the widening of Water street. He had looked over the record of the Committee on Streets, and could not find that the committee had ever passed upon the matter. He had seen an article in the newspapers that the Street Commissioners had given notice to the Inspector of Buildings that the lines might be given, but an order was introduced into the Council, which was passed, directing him not to give any lines on Water street until authorized by the City Council or by the Joint Standing Committee on Streets.

At that time, in January, no action had been taken by the United States Government in reference to the extension of the Post Office, so that the matter had not been considered. As far as these bugbears of the adjudication by the Street Commissioners or of the City Council or the Committee on Streets were concerned there was nothing which interfered with what they wanted to do. In point of fact he did not know but that they might adjudicate fifty times that the public safety and convenience did not require it, and then change their minds. Adjudication was nothing but an opinion put in legal form, and for one he was ready, if it were necessary, to adjudicate at the present time that the safety and convenience of the inhabitants did require that Water street should be widened between Devonshire and Congress streets opposite the Post Office. He thought, moreover, that they made a little mistake in not considering that the United States Government here in Boston, which own so much property and do so much business, that what is the public convenience was not the convenience of the United States Government.

He thought it would be very injudicious in Boston to cast out of consideration the convenience of that powerful part of the public which is now ready to lavish its millions on its building between Congress and Devonshire streets. For one, he was willing to say that the convenience of the United States was a part of the public convenience; and in such case they had the full right to adjudicate for such an important interest. The next statement of the minority of the committee is that the estimates of the Street Commissioners are wrong. Well, they supposed that they would say so, for it was necessary to make out their case.

They say, "The estimates for all damages to the Boston Post estate are placed at \$118,000, but if the widening is made the proprietors will surrender the whole estate, involving an expense to the city of \$400,000." In other words, that the Post proprietors think their whole property of seventy feet on Devonshire street is worth \$400,000, and if they surrender their estate, as they undoubtedly have the right to do, and as they have already notified the City Government they intend to do if the widening is carried out, then the Government would have to sell the remainder after the widening, and not get anything for it. He thought a great many people would be willing to say that the Post estate on this wide street close to the Post Office, as it would be extended over the whole space, would be nearly as valuable as before. So out of the \$765,991 which the minority put down as the cost of the improvement, there might be a very liberal deduction made.

Those were the only points that he wished to notice in that report. He did not know where they could get better estimates than from the Street Commissioners. He would rather have the estimates from them than from the interested parties who owned the property. He thought that when it was all over they would find that the Commissioners were about right in their estimates. It had been said that this was wholly the dictation of Mr. Burt. He had no doubt that Mr. Burt originally suggested the idea, but he thought it was a very good idea. He thought, with Alderman Clark, that they should not be willing to build any building of their own with such a narrow street; and even if it were dictation, they had it from the communication that it was no more than had been practised against many other cities in the Union.

He did not think it was safe, under the circumstances, for the United States Government to go ahead without having it in the agreement. They had seen the effect of such action in the case of Devonshire street in 1869, when one of the owners of the property was a member of the Committee on Streets, and all agreements failed. In the light of past experience it was only common sense for them to insist upon this agreement before they went any further. He thought the city of Boston had been in the past

very much to blame, and would like for one to set her right again.

A remonstrance from the trustees of the Simmons estate, protesting against the project, was presented. The communication, after a vindication of the motives of the remonstrants, went on to state that the proposed widening would be an infringement of private rights, and characterizing the project as an act tending to destroy confidence in the security of private property, and claiming that it was the duty of the United States Government, instead of requiring the city of Boston to assume the expense of this improvement to take the whole cost from the National Treasury, closing as follows:

"It is in view of these facts, and not of the mistatements and perversions by the Postmaster, that his attack upon the memory of John Simmons and upon his trustees is to be judged. It is the clear duty of the trustees to defend, if possible, this fine estate on Water street from being mutilated. Every foot of it is devoted for all time to aid thousands of Boston girls struggling to gain an independent livelihood. It is devoted to a purpose quite as important to the public as the showing off of an imaginary Post-Office building. We are bound to protect this property to the last point possible, and we shall not be deterred by any aspersions or personal abuse."

The reading of the communication was commenced by the Chair, when Mr. Mahan of Ward 5 rose to a point of order, that the communication ought not to be read, inasmuch as it did not come before them at the proper time, but the President decided that the reading was in order, and it was continued.

Subsequently Mr. Flynn of Ward 7 moved that the further reading of the communication be dispensed with, and the subject specially assigned for next Thursday evening at 8:30.

Mr. Powers moved that the communication be printed.

Discussion ensued, a division of the original question was called for by Mr. Shaw, and after the passage of the motion dispensing with the further reading of the communication, Mr. Flynn withdrew the motion to specially assign.

Mr. Dean of Ward 12 then spoke as follows: I don't propose to occupy the attention of the Council for a great length of time, but will rather call to notice what the real question before this body is. I think that after the very able, and, in my judgment, interesting letter from the Postmaster, General Burt. It is well for us to look at the question, the narrow question that is presented to us for our action. There are in that communication a great many matters that have no special significance, however interesting they may be. They have no relation to the action of the members of this board. Of course the fact that large post offices are found necessary in the large cities of the Union requires the United States Government to build post offices sufficient to enable the Government to carry on its business, and the carrying on of its business is the duty of the Government.

It is not the duty of any city to contribute of its money to enable the Federal Government to carry on its business. That is the duty of the Federal Government, and it is a matter with which we have nothing to do. Of course in the approaches to any great Government building, so far as the public convenience and necessity of the people are concerned, so far as that convenience and facility are made necessary to the people, it remains for the city to lay out its streets in such a manner as to promote the interests of the people of the city. But when you go beyond that, that very moment you go beyond your duty—that is, beyond any municipal duty of the city of Boston. Therefore the size of the various post offices elsewhere, although they would tend to show that the Government has done comparatively little here, so far as the size of its buildings is concerned, to what it has done elsewhere, because in other cities where they have very much less business according to the communication of the postmaster, the post offices are in some instances four and in other instances three times as large. But the great question is, what is the city of Boston to do?

Now in the city of Boston today the revenue of the Post Office amounts to a million more than its expenses; therefore it is a source of great income to the Government, and therefore the Government can well afford—and whether it could afford it or not from its revenue it is its duty to provide the requisite means for carrying on its own business. Now, then, there is another consideration, and that is that it seems to have been admitted from the beginning—admitted by the Committee on Streets and the Street Commissioners, that the public convenience and necessity do not require that we should widen Water street. It has been stated by the Chairman of the Committee on Streets in this Board, on the 13th of March—I will read from the report. Mr.

Perkins said these words in reference to this matter: "It is the unanimous opinion of the Committee on Streets that there is no necessity for the widening of Water street so far as public convenience and travel are concerned."

It was not presented as a street improvement, and the Committee on Streets had nothing to do with it." So that it seems to have been decided, so far as the Committee on Streets are concerned, and so far as the Street Commissioners were concerned, that public convenience and the requirements of the public for the use of this place as a street is concerned—so far as anything is concerned which will justify the laying out of this land as a street, and so far as we have the power and authority to take private property—I say it seems to have been admitted, not only by the Commissioners but by the Committee on Streets, that it was entirely unnecessary that this street should be widened.

Now, there is one other consideration—as this matter will undoubtedly go over to another meeting of the Council—to which I desire to call the attention of the Council. Because specimens as is the letter of the Postmaster, he does state one fact with great distinctness, and that is that it was originally the purpose of the Government to take this entire square for the Post Office. That is, the Federal Government determined that the necessities of the Post-Office Department required it, and they had their plans made for the purpose, and sent them here with the photographs of the various elevations, showing that it was the intention of the Government to take the whole of this square for the Post Office.

Now, then, what was the position of the square that the Government proposed to take to itself? It was a square surrounded by narrow streets. Every street about it was narrow, without the slightest expectation—save that there may have been some idea with regard to this matter of Devonshire street—certainly with no other expectation that has been presented to us here—it was the intention of the Government to take that square and build the Post Office between these narrow streets. So that so far as the Government was concerned it had determined that that was a suitable place, and that those streets were suitable streets. So far as they were concerned, the streets were wide enough for the erection of a Post Office, and for the purposes to which they proposed to devote the building. Now, then, that was determined. It turned out, Mr. President, that there was a great fire.

Then our narrow streets could be widened at a much less expense than before, and it does seem to me, and I think it will come home to every member of this board, that the city of Boston nobly responded to the wishes of the Federal Government, and to every possible requirement of common convenience and necessity. Why, Mr. President, millions of money have been expended in widening these approaches to this Post-Office building, and in widening its surroundings. As much, and I suppose more than the entire cost of this Post-Office building, has been spent in widening the approaches to this building and the streets about it.

Now, there is only one question presented here, because so far as I am concerned, certainly I trust so far as the majority of the board is concerned, there will be no question but that the public necessity and convenience will be subserved by taking all this property excepting that necessary for the widening of Water street. But Water street presents itself to us in a very different phase from the rest, because you cannot widen any part of Water street without taking down a valuable building, which was occupied at the time the Post Office was built, and stood in exactly the same place in which it stands now.

Not only was this the case, but when this subject has been before the Committee on Streets, they have been unanimously of the opinion that so far as the public convenience and necessity of the people were concerned, it was not necessary that this should be widened. Then what have we? Why, we have the Post-Office building on one side belonging to one corporation—the United States Government—and the Post Building, belonging to citizens, on the other side, and when they are in that position their rights are just exactly the rights of any two citizens, or of two corporations. The United States Government is permitted to take property for its building in just the same way that a railroad corporation is permitted to take property for its purposes.

But when it is obtained, when that authority has been exercised and has been completed, then so far as the city of Boston is concerned, they as a municipal corporation have no right to take the property of the citizen merely for the benefit of another citizen or any other corporation, however great that corporation may be. It is admitted by the Committee on Streets that there was no pretence that the public conven-

ience or necessity required it, but that it is simply a question of whether we shall get the extension of the Post Office.

Mr. Perkins—The report does not say that I said so.

Mr. Dean—I don't think the gentleman will dispute that the report says that "the committee are unanimously of the opinion that there is no necessity for the widening of Water street," and a unanimous opinion, of course, includes each member of the committee. Of course there is no adjudication that can prevent you from changing your mind and adjudicate the other way. But when you come to contest the question whether this is a public necessity and convenience which comes within our legitimate function, or whether, not being an improvement of convenience and necessity, we propose today to take away the property of one citizen because another corporation insists upon it, I say, then, it becomes a pertinent question to decide how we shall act.

When a gentleman says that he will vote that public necessity requires it because the Post Office requires it, he simply disregards the oath he has taken before this Council. The only authority we have is a law which allows us to act when the public necessity and convenience require it. We have no right to do for the benefit of the Post Office or the Federal Government any thing that does not come under that law. That as a municipal corporation we have no right to do. If it were for the public necessity and convenience we might do this thing, and it might turn out to be a benefit to the Government. Now they say that the city of Boston must do a certain thing. It turns out that we cannot take this property under the law of safety and convenience, and until that time the property of a private citizen is sacred, and we have no right to take it.

Now, then, shall we lose the Post Office? Why how strange it is for any one to say that the Post Office will not be extended in the face and eyes of the admission of the representatives of the Government, that with these streets extremely narrow they bought this piece of property and erected the part of the Post Office on it with the intention of completing it over the whole of this area, and when the city of Boston has improved the streets to the existing width around it wherever the opportunity has presented itself, without doing injustice to private individuals whose property stands today just where it does now in its proximity to the Post Office while the Federal Government decided to build, it is impossible that any such result should follow. I know that we are all desirous of doing everything to subserve the interests of the Federal Government if it is consistent with our duty.

There are other considerations which might be alluded to, but as this matter will go over, I don't propose to say any more, my intention being rather to present the views I have taken of this question in such a shape that if the Council do not see fit, after reflection and discussion, to widen Water street, the reason why the street is not widened by the City Government shall appear upon the face of the action of the Government itself, and when presented at Washington, it will so appear; because I believe, Mr. President, that if we do pass an order stating the exact truth as it exists in the minds of the Committee on Streets, it would be within the power of the Supreme Court to enjoin us. Say, for instance, that the Committee on Streets should pass an order in exact accord with the remarks of the chairman of that Committee, and say that "whereas, the safety and convenience of the inhabitants do not require that Water street—yet because requested, or required so to do by the Federal Government, they have concluded to do it," and that was the only reason, the city could be enjoined from widening the street. In view of these facts, I wish to present the following substitute:

Whereas, The United States has made an appropriation for the extension of the new Post Office, conditioned, in addition to other things, upon the widening of Water street, upon which the Post Office was erected, without previously requesting that the street be widened, and without setting the building back from the line thereof, thus determining that the width of the street is sufficient for the use of said building for the purpose for which it is intended; and whereas the city of Boston is expending millions of dollars for widening other streets leading to and about said Government building, to facilitate the public in the approaches to the same, thereby complying in all other respects with the wishes of the United States, and this without any liability of the United States to contribute of its own land, or by the payments of betterments or otherwise, thus making the expense thereof unequal and unjust to our own citizens; and, whereas the United States, in the matter of laying out and widening our streets,

stands in the same position of other corporations and private citizens; and the wishes and requests of neither furnishing a legal and sufficient reason for the taking of the property of other corporations or of citizens, the city having no right or authority to take private property for streets without adjudicating that "common convenience and necessity" require it; and, whereas "the common convenience and necessity" do not require the widening of Water street, and whereas it was so held by the Street Commissioners prior to said appropriation: therefore

Resolved, That though the city of Boston is desirous of doing all in its power to meet the wishes of the United States, it is, for the reasons above expressed, inexpedient for the Commissioners on Streets and the City Council to take further action in the premises.

The substitute was read by the president of the Council.

Mr. Perkins said that while the gentleman was speaking he was reminded of the old saying, 'O that mine enemy had written a book.' He might as well admit, he supposed, that he had changed his mind on the matter of this street widening. He certainly thought that sixty feet was none too wide for the requirements of the business of the new Post Office, and as a citizen he should say the same thing. He thought, with a certain Alderman, that the streets about this Post Office were to be the great 'Change of Boston, and virtually of New England. They wanted wide streets for people to stand on the sidewalks without blocking up the streets. They had done precisely the same thing asked for here, on Milk street, on the recommendation of the Committee on Streets that Milk street should be sixty feet opposite the Post Office and only forty feet elsewhere. He certainly believed that Water street should be of the same width opposite the same building, and forty or fifty feet from Congress to Broad.

He could not see how the gentleman who spoke last could make up his mind to pay for the triangular piece in Congress street, and still oppose this widening of Water street. To him it was more difficult for him to see the reason for that than for the improvement of Water street. They had already in the Common Council an order on the table for the putting of Arch street through Morton place, as a sort of extension of Harrison avenue, and then that would be continued into Sewall place, and eventually put through to Spring lane, and the next thing would be the removal of the island between Spring lane and Water street, making that part of Water street as wide as it was proposed to make it opposite the Post Office.

Then School street would undoubtedly be widened on the northerly side, and Water will be a continuation of School street, and there would be a wide street tapering down to forty feet opposite the Post Office. He was glad that the gentleman from Ward 12 was willing to take the triangular piece, for that was half the battle. But suppose they did n't widen Water street, then he didn't know that the Post Office would go there. It was very certain that these lots of land on Congress street could not be bought by any existing act of Congress, and the whole thing would have to be put over till next winter, and meanwhile what were the owners of those estates going to do? Possibly the Merchants' Exchange Company, which was on the verge of bankruptcy, might wait; but it was their bounden duty to give the owners of that property their lines tomorrow, provided there was any recommendation. He would like to know who had the power to keep these people waiting. The Commissioners appointed by the Secretary of the Treasury had no power to do it. He had heard dark hints about this power behind the throne, and about this Cape-Ann granite ring, and about Ben Butler. He did n't believe Ben Butler was behind everywhere, pulling every wire. He had made up his mind that the world runs itself without Ben Butler to any great extent. He did n't believe this land was going to be taken by Ben Butler, or by any other man of the sort; but he did n't believe that the Government would cover that space, at least for a long time to come, unless this improvement were made.

Believing that the building would be a very valuable one, and that it will be an ornament that they would like to look at, he certainly wanted to do all in his power to bring it about; and if by voting practically three or four hundred thousand dollars for the purpose he could bring it about, it seemed to him entirely idle to say that public convenience would not require it. To be sure if the Post Office was not to be there they would not need it, and he would much prefer to see the estates on Congress street covered with buildings than laid out into a trotting park.

But if the improvements were to be made they should go together. He thought the gentleman from Ward 12 as a designer of street improvements, was

not much improvement upon the Committee on Streets.

Mr. Page of Ward 9 moved that in order that the substitute of Mr. Dean and its connection with the whole subject might be fully considered, the further consideration of the matter be especially assigned to half-past eight on Thursday next. The motion was carried by a vote of 39 to 1.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Report and order to authorize suitable tablets bearing the name of the "Starr King Schoolhouse," to be inserted in the walls of said house.

Report and order to authorize the placing of a clock in the tower of the new schoolhouse at City Point, at an expense of not more than \$1000

Report and order to authorize the furnishing of the master's room on the second floor of the Harris Schoolhouse, and the making of such changes as may be expedient in the privies of said house.

Report and order authorizing the unoccupied rooms in the Appleton-street Primary Schoolhouse to be furnished for the use of the Normal School.

THE SALARY BILL.

The second report and orders on salaries of city officers for the year beginning April 1, 1873 (City Doc. No. 48, 1873), was considered.

The bill was taken up and considered by sections.

Mr. Flynn of Ward 9 moved that the salary of the Assistant-Clerk of Committees be increased from \$1250 to \$1500. Lost.

On motion of Mr. Dean of Ward 12, the section relating to the salary of City Solicitor, Assistant City-Solicitor and Clerk, were stricken from the bill.

Mr. Caton of Ward 11 moved that the salary of Inspector of Buildings be increased from \$3000 to \$3600. Lost.

Mr. West of Ward 16 moved that the salary of the Superintendent of Printing be fixed at \$2500 instead of \$2800 as in the bill. Carried.

The report as amended was passed.

PETITIONS PRESENTED AND REFERRED.

Ann Young, to be compensated for personal injuries on account of a defect in Brattle street.

Adeline F. Phillips to be paid for personal injuries caused by a fall in Beacon street.

Jane Masters, to be compensated for injuries received from an alleged defect in the sidewalk in Revere street.

John Burns, to be compensated for injuries received by reason of defective sidewalk.

Severally referred to the Committee on Claims.

E. T. Loring, president of the National Dock and Warehouse Company, for leave to erect a warehouse on Lewis street, East Boston, of one story, of brick, corrugated iron and wood, to be covered with composition.

Referred to the Committee on Survey and Inspection or Buildings.

Peter C. Brooks and others, that Congress street be widened on the easterly side. Referred to Committee on streets.

William Minot and others, against the parade ground on the Common being used as a ball ground. Referred to Committee on Common.

CITY HOSPITAL MONTHLY REPORT.

The monthly report of the Superintendent of the City Hospital gives the number of patients treated for March as follows:

	Surgical.	Medical.	Ophthalmic.	Total.
In hospital Feb. 28,	137	116	6	259
Admitted dur'g month, 112	152	7		271
Whole number treated, 249	268	13	530	
Discharged,	141	127	10	278
Died,	9	24	0	33
Remaining March 31,	99	117	3	219

The number of outdoor patients treated was as follows: Surgical, 434; medical, 331; ophthalmic, 696; aurial, 146; cutaneous, 180. Total, 1787.

Ordered to be sent up.

REPORTS OF COMMITTEES.

The Committee on Finance made a report that, having negotiated with the Messrs. Baring Brothers of London for the purchase of the Burnt District Loans, they ask for the passage of the accompanying order, consolidating said loans into a sterling loan of \$1,000,000:

Ordered, That the loans authorized by the City Council for the improvement of the streets of the Burnt District, of December 28, 1872, for \$1,000,000; of February 7, 1873, for \$2,000,000, and of March 29,

1873, for \$2,000,000—in the total \$5,000,000—be and the same hereby are consolidated into a sterling loan of £1,000,000, to be denominated the Burnt District Loan.

The report was accepted and the order was passed.

Mr. Bicknell of Ward 4, from the Joint Standing Committee on Public Buildings, to whom was referred the application of the Hartford Steam Boiler Inspection and Insurance Company for leave to inspect the boilers in the public buildings belonging to the city, reported inexpedient.

The report was accepted.

The following communication was received from the Water Board, read and ordered to be sent up:

BOSTON, April 2, 1873.

To the City Council—The petition of N. Berry in relation to supplying East Boston with water from Flax Pond in Lynn has been duly considered, and a hearing granted to the petitioner. In the opinion of this Board it is inexpedient to supply any portion of the city with water from the source named.

Respectfully yours,

CHARLES H. ALLEN,
President of Cochituate Water Board.

ORDERS PASSED.

Mr. Burt of Ward 16 offered the following order, which was read twice and passed:

Ordered, That the sum of \$820 50 be and hereby is appropriated to pay for six hundred feet of hose for the city of Chelsea, to replace that which was lost by the Chelsea Department at the fire of Nov. 9, 1872; the same to be charged to the appropriation for the Fire Department.

Mr. Perkins of Ward 6 offered 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 authorizing the City of Boston to require the owners of lands in the territory lying between Northampton, Eustis, Albany and Washington streets, the surface of which is below the grade of fourteen feet above mean low water, to raise the grade of said lands, and of all private streets, courts and ways thereon, with reference to

the complete drainage thereof; and in case the owners fail to do so within a reasonable time, the city shall be authorized to enter upon and raise said lands to a suitable grade, the expense incurred thereby to constitute a lien upon said land.

Mr. Perkins explained that the meaning of the order was to place the territory on the same footing as the Church-street territory had been.

Mr. Shaw of Ward 5 said that as the matter had not been acted upon here he would like to have it printed, so that he could examine it at his leisure and understand it more fully. It seemed to him that it might be an invasion of private rights. If it is passed in both branches it goes to the Legislature as the voice of the City Council. In a matter of that kind he wanted more time to consider it and wanted to see it in print.

Mr. Perkins made further explanation, and Mr. Shaw again objected. The order was read a second time and passed.

On motion of Mr. Page of Ward 9, the following order was read twice and passed:

Ordered, That the allowance of six hundred dollars per annum for rent of armory occupied by Company A, First Battalion of Infantry, M. V. M., on the corner of Washington and Union park streets, be discontinued on the first day of April, 1873, and that said sum be allowed and paid to said company on and after said date, until otherwise ordered, for rent of armory in Minot Hall, at the corner of Washington and Springfield streets.

On motion of Mr. Burt of Ward 16—

Ordered, That there be allowed and paid to William Gilchrist one thousand dollars for Engine No. 12, furnished as per order of the Committee on Fire Department of 1872; said sum to be charged to the appropriation for said Department.

TAKEN FROM THE TABLE.

The report and order on increasing the efficiency of the Fire Department and the message of the Mayor transmitting the report of the Commissioners on the Fire Loan, was taken from the table. The first-named was referred to the Committee on Ordinances, and the latter to the Committee on Claims.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

APRIL 7, 1873.

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

JURORS DRAWN.

Eight traverse jurors were drawn for the first session Superior Court, and six traverse jurors for the second session Superior Court.

APPOINTMENTS MADE AND CONFIRMED.

Inspector of Provisions (without pay)—Amos Dodge.

Weigher and Inspector of Bundle Hay—George A. Soule.

Special Police Officers (without pay)—Silas Jaquith, for Washington-street Methodist-Episcopal Church; Charles H. Wright for Marlborough street and its vicinity; John Kenny, for duty at the wharves; Edgar D. Wood, for Dorchester avenue, Foundry street and its vicinity; Wm. W. Hatch, for Boston, Hartford & Erie Railroad station; Dennis P. Donovan, same district; John E. Nash, for Gate of Heaven Church, 1 and Seventh streets; A. H. Michener and A. G. Spence, for Union Park and Albany streets; George D. Brown, for Boylston street and its vicinity; James Lavery for Cunard and Grand Junction wharves and its vicinity; Wm. E. Noonan for Washington square, Broad street and its vicinity; Thomas Houghton, for Fort Hill district. E. W. Turner, for Court and Hanover streets; William B. Joy, for Ward 16; Joseph King, for Walworth Manufacturing Company, 126 Union street; George Spiller, same locality; Charles Wagner, for Beacon street, from Arlington to Clarendon street; Joseph K. Allen, for Washington Village and its vicinity; Elbridge Bradshaw, for the Public Library; James P. Bush, for Beacon street and its vicinity; James Morrissey, for the south side of Commonwealth avenue and its vicinity; John Graham, at the Boston Theatre; William Cummings, for Hanover street, from 153 to 203 and the vicinity; George Dodge, for Four Corners and its vicinity; Robert Pierce, for Blackstone and North Centre streets.

Assistant City-Messenger (by the Messenger)—Foster M. Spurr.

PETITIONS PRESENTED AND REFERRED.

Jacob Diekey, for leave to occupy a wooden stable for one cow and one horse on Heath avenue, Ward 15.

Michael McGrath, for leave to occupy a wooden stable for two horses on Franklin court, Ward 16.

Metropolitan Railroad Company, for leave to occupy a wooden stable for fifty horses on Guild estate, Highlands.

Michael Murphy, for leave to occupy a brick or stone stable for forty horses on Athens street, between A and B streets.

E. and G. W. Reynolds, for leave to occupy a wooden stable for four additional horses, on Warren street, rear No. 115.

George O. Merriam, for leave to occupy a wooden stable for one horse on Bowdoin avenue, Ward 16.

W. Eliot Woodward, for leave to occupy a stable for one horse on Langdon street, of wood.

W. F. Porter, for leave to occupy a wooden stable for one horse on Clarence street, Ward 16.

D. W. Lewis & Co., for leave to occupy a wooden stable for one horse on Ward street, foot of Bumstead lane.

John L. Tewksbury, for leave to occupy a wooden stable for one horse on Entwae court.

Clarence Sumner, for leave to occupy a wooden stable for two horses on Stoughton street, near Upham's Corner.

Severally referred to the Committee on Health on the part of this Board.

Charles E. Thayer, for position as keeper of Bath House No. 10. Referred to the Committee on Bathing.

W. H. Kilby and others, that edgestones be set in Woodbine street.

Faxon Brothers, for leave to construct a pipe under Otis street, through which to carry shafting.

Timothy McCarthy, for the grade of Tremont street, between the Boston & Providence Railroad and Phillips street.

Thomas Harahan and others, that the roadway and sidewalks of Genesee street may be paved.

South Cove Company, that Troy street may be graded and edgestones set.

Thomas Lane, for grade damages on Paris street. James Wight and others, that Beverly street be graded with granite blocks.

William H. Reed and others, that Bainbridge street be graded.

William Maekay and others, that Putnam street, between White and Eagle streets, be put in order.

Severally referred to the Committee on Paving.

Heirs of Lewis Clapp, for increase of award of damages for land taken on Cottage street. Referred to Committee on Streets.

Boston & Albany Railroad Company, for leave to hire the land under Broadway Bridge. Referred to Joint Committee on Streets.

Amanda M. Thompson and others, for a sewer in Alpine street. Referred to Committee on Sewers.

Thomas P. Gleason, for removal of a fruit stand near No. 1 Green street.

Barnum's Museum, etc., for leave to exhibit one week at Coliseum ground and at South and East Boston.

Andrew L. Johnson, for leave to run an omnibus from Brookline to the State House.

J. C. Smith, for a wagon stand near the Old State House.

Severally referred to Committee on Licenses.

J. Munsell, for assistance in publishing a volume of Boston epitaphs remaining in the graveyards of the old city limits. Referred to Committee on Cemeteries.

AUDITOR'S MONTHLY EXHIBIT.

The monthly exhibit of the Auditor was presented in print, it being an exhibit of the general and special appropriations for the present financial year of 1872-73, as shown in the books in his office, April 1, 1873, including the April draft, being twelve months' payments of the financial year,—exhibiting the original appropriations, the amount expended, and the balance of each unexpended at that date. A recapitulation gives the following result:

	Appropriations, Revenues, etc.	Expended.	Unexpended.
General.....	\$ 9,913,131 76	\$ 9,319,633 02	\$ 593,498 74
Special.....	12,410,554 63	4,518,387 57	7,892,167 06
	\$22,323,686 39	\$13,838,020 59	\$8,485 665 80

Ordered to be sent down.

QUARTERLY REPORT OF WEIGHERS AND INSPECTORS OF LIGHTERS.

The quarterly report of the Weighers and Inspectors of Lighters gives as the receipts for the quarter ending March 31, for inspecting the lines and marks of 145 vessels, with cargoes amounting to 8748 tons, the sum of \$559 90. Deducting expenses of \$18 60, there remained \$541 30, which was divided among the incumbents of the office.

Ordered to be sent down.

QUARTERLY REPORT OF PAYMASTER OF STATE AID.

The quarterly report of the Paymaster of the Soldiers' Relief Committee gives the receipts and expenditures for the quarter ending March, as follows:

Balance on hand January 1..... \$315
 Received from the Treasurer of the city of Boston at various times during the quarter..... 20,000

\$20,315
 The disbursements during the quarter amounted to..... \$19,685

Balance April 1..... \$630

The number of applicants during the several months and the aggregate payments to persons in the several wards were as follows:

Applicants.

Wards.	January.	February.	March.	Aggregate.
1.....	88	74	80	\$1,345
2.....	120	105	110	1,824
3.....	77	62	71	1,380
4.....	37	40	45	861
5.....	110	96	110	1,743
6.....	43	33	33	570
7.....	173	155	159	2,612
8.....	76	59	75	1,120
9.....	49	37	49	651
10.....	60	48	58	936
11.....	73	54	66	1,040
12.....	63	52	59	987
13, 14, 15.....	161	127	161	2,609
16.....	47	34	45	647
Out of State	36	30	36	622
U. S. Navy..	55	50	54	883
Total..	1,285	1,056	1,211	\$19,685

Ordered to be sent down.

QUARTERLY REPORT OF THE CHIEF OF POLICE.

The quarterly report of the Chief of Police contains the following statistics;

Arrests, 5997—males 4785, females 1212; Americans, 1986; foreigners, 4011; non-residents, 1293; minors, 1107; commitments, 4217.

Lodgers, 16,633—males 15,416, females 1217; Americans, 6757; foreigners, 9876; non-residents, 13,940; minors, 2395.

Amount of property taken from prisoners and lodgers and restored to them, \$14,002 44; amount of property reported stolen in the city, \$26,371; amount recovered stolen in and out of the city, \$18,910 30; aggregate amount of fines imposed by the courts, \$15,358; amount of imprisonment imposed by the courts, 381½ years; number of days spent in courts, 3700; witness fees earned, \$4267 01; larcenies reported in the city, 683; arrests for the same, 508; received for dog licenses, \$78.

The principal causes for arrests were as follows: Assault and battery, 401; felonious assault, 40; breaking and entering, 11; common drunkards, 86; disturbing the peace, 50; disorderly 1240; drunkenness, 2328; gaming on the Lord's Day, 27; house breaking, 19; idle and disorderly, 69; insane, 32; simple larceny, 377; felonious larceny, 71; malicious mischief, 72; night walking, 40; robbery, 34; shop breaking, 43; suspicion of larceny, 78; suspicious persons, 317; truancy, 38; vagrancy, 49; violation of city ordinances, 175; violation of Sunday law, 48; witnesses, 95; murder, 12.

Miscellaneous—Accidents reported, 234; arrested on warrants, 511; buildings found open and secured, 514; cases investigated, 1826; dangerous buildings reported, 11; do. chimneys, 10; dead bodies found, 21; defective drains and vaults reported, 87; do. fire alarms and clocks, 38; do. gas pipes, 11; do. hydrants 9; defective lamps, 2154; do. streets and sidewalks, 777; do. water pipes, 48; disturbances suppressed, 2859; extra duties done by officers, 456; fire alarms given, 80; fires extinguished without alarm, 48; intoxicated persons assisted home, 425; lost children restored, 96; rescued from drowning, 1; sick and injured persons assisted, 87; smallpox cases reported, 648; stray teams put up, 119; street obstructions removed, 4346; vessels boarded, 19; water running to waste reported, 81.

The expenditures of the department for the quarter were as follows: Pay roll of officers, \$145,791 74; care of stations, \$1192; fuel, \$1678 11; gas, \$1971 79; water \$237 32; medical attendance on sick and injured persons, \$434; furniture and carpets, \$1705 89; printing and stationery, \$727 15; police telegraph expenses, etc., \$143 50; carting prisoners for year 1872, \$4482; sundries, \$4883 83—total, \$163,247 33. Balance of appropriation of \$670,000 remaining in treasury \$29,532 38.

Ordered to be placed on file.

REPORT ON SUPPLY OF SOUP FOR THE POOR.

The following report was received from the Chief of Police:

Boston, April 7, 1873.

To His Honor the Mayor and the City Council of Boston: Gentlemen—In conformity with your order, passed Dec. 31, 1872, "that the Chief of Police be authorized to make such arrangements at the several police stations or elsewhere, for serving out soup to the poor during the months of January, February and March, as they may deem expedient, the expenses thereof to be charged to the appropriation for Incidental Expenses," arrangements were made at police stations Nos. 1, 3, 4, 5, 6, 7, 8, 9 and 10.

The distribution was commenced Jan. 4 and continued to March 29, including a period of eighty-five days. No pains have been spared to secure the best material and to make the soup palatable and wholesome.

The following table shows the number of gallons of soup made, the number of families fed and the total number of meals distributed at each station house, the average cost of each meal being about five cents.

Station.	Gallons.	Families Fed.	Meals Issued.
1.....	4,010	2,303	14,463
3.....	1,523	1,261	5,586
4.....	2,242	1,531	8,204
5.....	1,508	1,002	5,222
6.....	2,461	2,077	11,350
7.....	3,340	2,231	10,753
8.....	3,208	3,344	15,195
9.....	2,033	1,537	6,891
10.....	1,849	2,103	10,877
Total.....	22,174	17,389	88,511

[The details of expenses incurred are given, for meats, vegetables, fish and other materials and for labor, making an aggregate cost of \$4708 20.]

A very large portion of the soup has been delivered to families living in the several districts, who sent for it daily to the station houses, each family being registered in a book kept for the purpose, and the

circumstances of each being ascertained by the officers on the several routes, thus making sure that the soup was issued only to that class of needy persons whom the City Government designed to aid. In a very few cases it was found that the applicants kept boarders, but such did not call a second time.

After supplying all needy families who applied each day, if any soup was left, it was given to persons who applied at the station houses for lodging, who if less worthy, were equally grateful for a cup of soup and a shelter for the night.

Respectfully submitted,

E. H. SAVAGE,

Chief of Police.

Ordered to be sent down.

ANNUAL REPORT OF INSPECTOR OF MILK.

The annual report of the Inspector of Milk gives the following statistics in regard to the milk trade, wholesale dealers being classed as those who distribute to families, stores, etc., from carriages, and those who keep more than one cow, in the city proper, in the Sixteenth Ward (Dorchester), Boston Highlands, South and East Boston:

Retail dealers are those who sell in small quantities from market places, stores, shops and cellars.

Number of cows kept within the limits of the city of Boston, 1319; viz., number in the city proper, 30; number in the Sixteenth Ward, Dorchester, 608; number at the Boston Highlands, 423; number at South Boston, 100; number at East Boston, 158; number of persons who keep but one cow, 307. There have been recorded the names and places of business of wholesale dealers in milk, since last report, 46; whole number of wholesale dealers registered, 1327; whole number of wholesale dealers now in the business, 527; whole number of wholesale dealers now selling from carriages, 276; whole number of small wholesale dealers who keep more than one cow and sell to the neighborhood, 251; number of retailers of milk recorded since last report, 75; whole number of retail dealers in milk recorded to date, 3122; number of samples of milk inspected since last report, 1975; number not adulterated, 1463; number more or less adulterated, 512; number of cases analyzed by chemist, 23; average amount of adulteration in the cases analyzed, 25.76; largest amount of adulteration (water intentionally added in 100 parts) in the cases analyzed, 42.18; least amount of adulteration (added water) in the cases analyzed, 10.14; number of samples analyzed, including above, and not adulterated, 00.00; whole number of samples of milk analyzed to date, 305; number of cases pending in the courts at the date of last report, 1; settled during the year, 0; number of complaints in the Municipal Court, 10; number convicted in the Municipal Court, 10; number of complaints by the Grand Jury, 8; number of bills of indictment by the Grand Jury, 8; number convicted in the Superior Court, 8; whole number of complaints in court to date, 240; whole number convicted to date, 172; whole number not convicted, 67; number of cases now pending in the courts, 1; number of gallons of daily supply of milk for the city of Boston, 25,282; daily cost to consumers, \$8,090 24; number of gallons for supply one year, 9,227,930; cost to consumers one year, \$2,952,937 60.

The expenses of this office have been as follows, viz.: For the analyses of milk, \$200; stationery, record books, advertising, printing, etc., \$170 39; Inspector's small bills for assistance, lactometers, and other milk instruments, \$23 52—\$393 91. For violations of the Milk law there have been paid in the Municipal and Superior courts, fines and costs amounting to \$827 39; one half of the fines have been paid to the complainant, viz., \$340.

The Inspector states that during the year fifteen hundred stores and shops have been visited and the milk examined. Some of these places have required frequent attention. Nearly one hundred private families have requested the services of the Inspector in regard to their milk. To prevent the distribution of adulterated milk in the city, the railroad milk stations have often been visited, and also the stables of milkmen in Charlestown, Cambridge and Somerville, besides those within the limits of this city; and not a little is received at this office for inspection from the neighboring cities and towns, the same as from our own citizens.

It has become more generally known than formerly, that no fees or presents, of any name or nature, are now or ever were received for any services rendered by this office, the grand object being to keep in check the adulteration of milk.

In some of the country towns, as well as in this city, during the fall of 1871 and the winter of 1872, frequent meetings were held by different associations interested in the milk trade; the object of which was to consider the price of milk, its transportation to market, and the existing evil of adulteration.

Reference is made to the several statutes to prevent the adulteration of milk and to the difficulty of reaching those who commit the offences of adulteration; and the information usually given in regard to the size of milk cans is repeated. A record is also given of the weather of the several months, with its effect upon the supply of milk. Notices of the Milkmen's Association, the Contractors' Association, Milk Producers' Association and others are also given.

In regard to the operations of the Milk Consumers' Protective Association, the Inspector says—

"Notwithstanding the many discouraging difficulties they had to encounter, the Inspector can only say that his services were but seldom required, and but few samples of their milk were brought to his office for inspection; and, furthermore, the milk furnished by them in stores and shops, with few exceptions, was found to be good. It was said, however, that during the season, many families ceased taking their milk, and that frequent complaints were made at the office of the association in regard to its quality.

The establishment of milk depots in the different wards of the city, for the sale of milk, to be carried away, and also sold over the counter by the glass, was quite a new feature in the milk trade of Boston. This milk was obtained from the Consumers' Protective Association, so called, but though under their name, it was not carried on by persons in their employ; rather by men on their own account, who were peculiarly interested to obtain of them, and to sell, a good article of milk. It was said that, during the hot season, some of these milk depots sold from one to two hundred gallons of milk per day."

Ordered to be sent down.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the proposed construction of sewers in Sawyer street, Third street, Chapman and Appleton streets, were severally taken up. No person appearing in relation thereto, the reports were recommended.

The hearing on petition of the Times Publishing Company for leave to place a steam engine and boiler at Nos. 12-14 School street, was taken up. No person appearing in relation thereto, the report was recommended.

UNFINISHED BUSINESS.

The following orders were severally read a second time, and passed:

*Order to pay Catherine Riddle \$387 10, for land damages on Cottage street.

Order to abate certain sewer assessments in Eustis, West Eagle and other streets.

Order to construct a sewer in Saratoga street, between Bremen and Swift streets.

Order to construct a sewer to Robbins's wharf.

Order to release to Samuel Weld and others a right of drainage held by the city through their land on Moreland street.

Order to construct a sewer in Franklin street.

PAPERS FROM THE COMMON COUNCIL.

The petitions of Ann Young, John Burns, National Dock & Warehouse Company, Jane Masters, Stephen L. Burkitt, Adeline F. Phillips, Peter C. Brooks and others, and the remonstrances of George A. Bethune and others, and William Minot and others, were severally referred, in concurrence.

The petition of Charles Burrill to be allowed compensation for filling the quota of Boston during the recent war was referred to the Committee on Claims, in concurrence.

The monthly report of the City Hospital was ordered to be placed on file.

The report and order authorizing the unoccupied rooms in the Appleton-street Primary Schoolhouse to be furnished for the use of the Normal School coming up, on motion of Alderman Sayward, was laid on the table.

The report of the Committee on Water, that it is inexpedient to obtain a supply of water from Flax Pond for East Boston, was accepted, in concurrence.

The report, inexpedient to allow the Hartford Steam Boiler Company to inspect the boilers used in public buildings, was accepted, in concurrence.

The report and order on increasing the efficiency of the Fire Department (printed City Doc. No. 43, 1873), was referred to the Committee on Ordinances, in concurrence.

The communication from Street Commissioners, embracing an estimate of the probable expense of all the property surrendered by Bath, Congress and Milk streets, as the lines now exist, was referred to Joint Committee on Streets, in concurrence.

The second report and orders on salaries of city officers for the year beginning April 1, 1873 (printed City Doc. No. 48, 1873), passed with two amendments, viz.: 1. Strike out the section relating to the salaries of the City Solicitor and assistants. 2. Reduce the

salary of the Superintendent of Printing from \$2800 to \$2500—was considered.

Alderman Gaffield moved to concur in the first, but not in the second amendment, stating that the Superintendent of Printing was classed with other salaries which were raised \$300, and as he had faithfully and honestly discharged his duties, there ought to be no reduction in the increase as reported by the committee.

The motion was carried.

The order to purchase for \$820 50, six hundred feet of hose, to replace a like amount belonging to the City of Chelsea, and injured or destroyed at the great fire, was referred to the Committee on Fire Department.

The order was subsequently passed, under a reconsideration of the reference.

The following orders were severally passed, in concurrence:

Order to refer the salaries of the City Solicitor and assistants to the Committee on Ordinances.

Order to pay William Gilchrist \$1000, for a new carriage for Rose Company, No. 12.

Order for Mayor to apply to the Legislature for authority to take the land in the Northampton-street district, so called, and to raise the same to a proper grade, for the purpose of abating a nuisance.

Report and order to consolidate the several burnt-district loans into one loan, to be negotiated abroad for £1,000,000 sterling.

Order to allow Company A, First Battalion of Infantry, \$600, for armory in Minot Hall.

REPORTS OF COMMITTEES.

Alderman Gibson, from the Committee on the Fire Department, reported in favor of a license to Samuel Walker & Co. to store petroleum, etc., at 33 India street. Accepted.

Alderman Gibson, from the Committee on the Market, reported in favor of approval of transfer of leases as follows: Winsor Gleason to S. W. Gleason, transfer of lease of cellar No. 13 Fanueil Hall Market; Avery & Maynard, to transfer to Winsor Gleason cellar No. 12 Fanueil Hall Market. Severally accepted.

Alderman Gaffield, from the Committee on Claims, reported leave to withdraw on the petition of Sisters of St. Joseph's Home to be paid for injury to a horse caused by an alleged defect in Albany street; also on petition of John Floyd, to be compensated for personal injuries caused by an alleged defect in Federal-street Bridge. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables, as follows: Daniel Dewar, to occupy a wooden stable for two horses rear of Ward street; Michael M. Barry, to occupy a wooden stable for one horse on Codman street, opposite Hutchings's factory; Patrick Fallon, to occupy a wooden stable for two horses on River street, Ward 16; Joseph Frye, to occupy a wooden stable for two horses corner of Dorchester and Ellery streets; J. B. Carpenter, to occupy a wooden stable for four horses at 539 First street; H. P. Oakman, to occupy a wooden stable for one horse on Oakman place, Ward 16. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: Joseph F. Farrell to give a public ball at Lyceum Hall, April 14; J. W. Turner, to give a concert at Union Chapel, East Boston, April 10; W. M. Fairbanks and others, to give a dramatic entertainment at John A. Andrew Hall, April 11; A. P. Peck to give concerts in Music Hall, April 9; A. Rubenstein and Theodore Thomas to give two concerts at Music Hall; to Thomas C. Kennedy as an auctioneer; to forty-seven news-boys and four bootblacks; also licenses to sundry persons as victuallers; for a hack stand, transfer of hack licenses; wagon licenses, transfer of wagon licenses, and of license of an intelligence office. Severally accepted.

The same committee reported leave to withdraw on petitions for licenses as victuallers, as follows: Jonathan F. Young, 96 Union street; M. J. Kane, 8 Merriam and 111 Friend street; R. H. Fisher, 105 Northampton street; William B. Perrin, 25 Albany street; E. F. Ramsell, 59 Shawmut avenue; also, on petition of John Coffee for license as a junk dealer at No. 50 Lincoln street; and an order revoking the license of Jacob Brown to keep an intelligence office at No. 593 Washington street. Severally accepted.

Alderman Gibson, from the joint special committee appointed to nominate suitable candidates for a Chief-Engineer and fourteen Assistant-Engineers of the Boston Fire Department, made a report recommending the election of the following-named persons:

Chief-Engineer—John S. Damrell.

Assistant-Engineers—Joseph Dunbar, Zenas E. Smith, William A. Green, George Brown, John W. Regan, John S. Jacobs, Phineas D. Allen, Rufus B.

Farrar, James Monroe, John Colligan, Joseph Barnes, Sylvester H. Hebard, Levi W. Shaw, George W. Clark.

The report was accepted, when the Board proceeded to an election of Chief-Engineer of the Fire Department, resulting as follows:

Whole number of votes.....	11
John S. Damrell.....	10
Blank.....	1

Mr. Damrell was declared to be elected.

It was voted also to proceed to an election of Assistant-Engineers, when each of the nominees, of the present Board, was reflected by an unanimous vote, as follows:

Joseph Dunbar, Zenas E. Smith, William A. Green, George Brown, John W. Regan, John S. Jacobs, Phineas D. Allen, Rufus B. Farrar, James Monroe, John Colligan, Joseph Barnes, Sylvester H. Hebard, Levi W. Shaw, George W. Clark.

Alderman Emery, from the Joint Standing Committee on Public Lands, to whom was referred the petition of Ivory Bean for an extension of time in which to build upon four lots of land situated on East Dedham street, made a report recommending the passage of the accompanying order:

Ordered, That the time for building upon four lots of land on East Dedham street, as sold by the city to Ivory Bean, May 1, 1871, be extended to May 1, 1874, upon condition that he pays to the Superintendent of Public Lands the sum of \$300 within ten days from the passage of this order.

The report was accepted and the order was passed.

Alderman Emery, from the same committee, to whom was referred the petition of J. S. Dunlap for an extension of time in which to build upon four lots of land on East Dedham street, made a report recommending the passage of the accompanying order:

Ordered, That the time for building upon four lots of land on East Dedham street, as sold by the city to J. S. Dunlap, May 1, 1871, be extended to May 1, 1874, upon condition that he pays to the Superintendent of Public Lands the sum of \$300 within ten days from the passage of this order.

The report was accepted and the order was passed.

Alderman Emery, from the same committee, to whom was referred the petition of Stephen H. Tarbell for extension of time in which to build on his lot of land on Fourth street, made a report recommending the passage of the accompanying order:

Ordered, That the time for erecting a dwelling house upon the lot of land on Fourth street, as sold by the city in February, 1871, to Stephen H. Tarbell be extended to May 1, 1874, upon condition that he pays to the Superintendent of Public Lands the sum of \$100 within ten days from the passage of this order.

The report was accepted, and the order was passed.

Alderman Emery, from the same committee, to whom was referred the petition of John J. McNutt for leave to erect a wooden building in rear of his factory on Wareham street, together with the report of the Committee on the Survey and Inspection of Buildings, to whom said petition had been previously referred, made a report that they find that the land was sold by the city to John J. McNutt in May, 1866, upon the express condition that the exterior walls of all buildings erected thereon should be of brick, stone or iron. They therefore recommend that the petitioner have leave to withdraw. Accepted.

Alderman Quincy, from the Committee on Armories, made a report on the petition of Austin C. Wellington, for approval of an armory, recommending the passage of the accompanying order:

Ordered, That the armory occupied by Company A, 1st Battalion of Infantry, M. V. M., at the corner of Washington and Springfield streets, be and the same is hereby approved as a suitable place for the deposit of arms and equipments.

The report was accepted, and the order was passed.

Alderman Clark, from the Committee on Streets, reported leave to withdraw severally on petitions of W. E. Woodward, William O'Brien, A. P. Newman and Patrick Malvey, for abatement of Harrison-avenue betterments, and of Charles F. Bradford for abatement of Cliff-street betterment. Severally accepted.

ORDERS PASSED.

On motion of Alderman Gibson—

Ordered, That three members of this Board be appointed to inspect the prisons and houses of detention within the County of Suffolk and make the examinations and reports required by the statutes of the Commonwealth.

Aldermen Gibson, Emery and Bigelow were appointed under the order.

On motion of Alderman Gibson—

Ordered, That the papers relating to the assessment made by the Commonwealth upon the city of Boston for compensation on account of tide water

displaced by the construction of Atlantic avenue, and the filling of the same, be taken from the files of the City Clerk and referred to the Committee on the Harbor.

On motion of Alderman Sayward—

Ordered, That the Committee on Public Buildings be authorized to separate by partition a portion of the room in the City Hall now occupied by the Superintendent of Lamps, and adapt the same for the uses of the Sealers of Weights and Measures; also to fit up the room vacated by said Sealers of Weights and Measures for the clerks and employes of the Board of Health; the expense therefor to be charged to the appropriation for Public Buildings.

On motion of Alderman Power—

Ordered, That notice be and hereby is given to the owners and occupants on Devonshire street, between State and Washington streets, to remove within six days all obstructions, of whatsoever kind, placed by them on said street, and in default thereof the Superintendent of Streets is hereby directed to remove said obstructions at the expense of the owners thereof.

On motion of Alderman Clark—

Ordered, That there be paid to C. B. Wilson and J. T. Eldredge the sum of \$2620, for land taken and all damages occasioned by the widening of Bedford street, by a resolve and order of the Board of Street Commissioners, Jan. 23, 1873, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That the Chief-Engineer of the Fire Department, under the direction of the Joint Standing Committee, be and he hereby is authorized to purchase a self-acting fire engine at an expense not to exceed the sum of \$2000; the same to be charged to the appropriation for the Fire Department.

Alderman Gibson inquired as to what the self-action of the engine consisted.

Alderman Clark replied that it was not in its motion in the streets, but in its working at fires, and as it had been in operation in this city at most of the fires since the fire in November, it had paid for itself half a dozen times. It was left here by the maker to be taken and paid for if it proved to be satisfactory.

Ordered, That the Inspector of Buildings be and he is hereby directed not to grant permits to build on the westerly side of Kingston street, between Bedford and Summer streets, until authorized so to do by the City Council or the Joint Standing Committee on Streets; and ordered, further, that all permits hitherto granted, where the buildings have not been completed, be hereby revoked.

ORDERS OF NOTICE.

On petition of H. Blunt, for leave to locate and use a steam engine and boiler at No. 715 Tremont street. Hearing Monday, April 28, 4 P. M.

On petition of the Higbland Street Railroad Company, for an additional location, on Dudley street, between Warren street and Mount Pleasant avenue. Hearing Monday, April 28, 4 P. M.

NORMAL SCHOOL ACCOMMODATIONS.

On motion of Alderman Gaffield, the report and order authorizing the unoccupied rooms in the Appleton-street Primary Schoolhouse to be furnished for the use of the Normal School, were taken from the table.

In making the motion, he said he wished to hear the reasons why the report and order were laid on the table, and the objections to the proposed use of the rooms in question.

Alderman Sayward, in reply, said there was no necessity for the change proposed. There was all the room in the Girls' High and Normal Schoolhouse that was necessary, and if the rooms were taken as proposed, they cannot be occupied probably more than a year, when they will be wanted for primary school uses. Besides, there would be an expense of \$700 to \$1000, which was unnecessary.

Alderman Gaffield said he would give a statement of the necessity of the measure as coming from the School Committee. When the school was established, it was chiefly as a normal school, for the purpose of educating those who were to become teachers. In course of time it was shown that many pupils attended the school who did not design to become teachers, and it had become mainly a high school, when the two were separated. At the request of the several committees interested in the schools, the petition was made for the use of the two unoccupied rooms in the Appleton-street Primary Schoolhouse. As at present located, pupils who wish to get practice in teaching must go to some other school, away from the schoolhouse, as in former years they went out two or three days towards the close of their term to get such practice in teaching.

The advantages of occupying the proposed rooms are in being opposite a large grammar schoolhouse,

and in connection with a primary schoolhouse where these pupils will be on the spot to go into the necessary practice as teachers. That is the object which is desired. The gentleman objected that not all the parties interested were heard on the subject. At another hearing, at which he was not present, all parties were heard, and it was agreed that by the facilities which this would give, facilities for teaching which would make the school the best of the kind in the Commonwealth, the only real normal school, having all the means of learning to teach under one roof.

The object was set forth with great eloquence before the committee, and if carried out it was believed it would enable us to have able teachers. Even should the rooms be occupied by this school but one year, it would accomplish much good. The only expense would be the furnishing or providing forty or fifty chairs, desks being already in the room. With so little expense and so much good, there should be no opposition to the passage of the order.

Alderman Sayward replied that he was absent at the last hearing on the subject. Last year, however, there was a clashing in relation to the separation of the high and normal schools. Why not continue to take lessons in teaching in the basement of the schoolhouse as heretofore? As to the desks in the Appleton-street Schoolhouse, those belong to the drawing school, the committee of which wish to have them remain untouched. He could not see why they should go to the expense of \$1000 when there was plenty of room in the present schoolhouse.

Alderman Gaffield could not believe it to be possible that the expense would be \$1000, when the desks were already in the room. In the high schoolhouse they could not get the practice which was needed, where there were young ladies to be taught, and not children, and as to the clashing of committees, they were all harmonized in relation to this matter.

Alderman Sayward wished to know if there was not a primary school in the basement of the schoolhouse in former years for the practice of teaching by the pupils of the normal school?

Alderman Gaffield replied that the pupils were only educated in their practical duties in teaching, by being sent round to schools for a few days, in which they were often received quite coolly. What they needed was instruction day by day on the premises, instead of being sent to South Boston or East Boston for two or three days. Here were two rooms, with desks, and in the occupation of them they could go out at any hour of the day into some school, which they could not now do by reason of the plan of the schools as now carried on.

Alderman Sayward wished to know if there were not now some classes of small children in the basement of the high schoolhouse?

Alderman Gaffield replied that he was not aware of it.

Alderman Sayward said it was so.

Alderman Gaffield, in reply to an inquiry, said that when the rooms in question were wanted they would be given up.

Alderman Gibson believed that if they once get there the city may be obliged to build another schoolhouse. They become real estate, and can never be got out. He believed they had better retain the rooms, as they are now safe.

Alderman Gaffield said that he would guarantee that the school should become movable property.

Alderman Sayward wished to know what object there could be in occupying rooms six months or a year if they were to be given up? Besides, the rooms were already occupied as a drawing school.

Alderman Clark inquired whether the high schoolhouse was not sufficiently large last year? The house was enormously large, and was built for the purpose of a normal schoolhouse and nothing else.

He hoped there would be no change, for when parties get possession they can never be got out.

Alderman Gaffield was quite positive that when needed the rooms would be given up. A change was made in the separation of the schools to give an opportunity to teach in primary schools, and gentlemen could see the necessity of having for practice a whole school rather than two classes. It was believed to be a good educational plan.

Alderman Sayward, with reference to an allusion of abolishing schools, stated that there were several buildings which would be brought here on the question of their abolition as schoolhouses, for which they were not needed.

Alderman Gaffield, in answer to a question of Alderman Gibson, repeated what he had before said as to the advantages which the proposed location in the vicinity of many schools would have over one class in the basement of the high schoolhouse. He was told, besides, by a teacher, that the house was filling up with high school pupils, and soon every inch of room in it would be needed by the girls there. Ten or twenty classes which might be subjects for teaching would be much better than two classes. But he would assure them that occupation of these rooms would be given up when necessary.

Alderman Clark inquired how many pupils there were in the normal school.

Alderman Gaffield replied that there were forty or fifty who designed to become teachers. There were many of the present teachers who were attending instruction in branches of drawing, by going every Wednesday and Saturday to learn. If these young ladies now in the normal school obtain that kind of instruction it will not be necessary in another generation to have special teachers in drawing.

Alderman Sayward said it looked to him as though the teachers in the high schoolhouse did not wish to have classes of small children in that house.

Alderman Gibson said it was the general complaint in his ward that all the teachers came from country places. He failed to see why teachers should at once enter into full pay without experience.

Alderman Gaffield replied that such was not the case, there being several grades of pay dependent on years of service.

After some further remarks by Aldermen Gibson and Gaffield, the question was taken on the order, which was passed, in concurrence, by a vote of 7 to 5, as follows:

Yeas—Bigelow, Clark, Gaffield, Gibson, Hulbert, Quincy, Stebbins.

Nays—Brown, Cutter, Emery, Power, Sayward.

Alderman Power moved to take from the table the nomination of Edward M. Grant as a driver in the Fire Department, which was carried.

Alderman Power said his object in laying the nomination on the table was that the system which admitted of such appointments was all wrong, and he still thought so. A system which could promote a man but ten days in the department over old members was all wrong. Nevertheless, as he understood all the members of the engine company No. 15, were unanimous in favor of the nominee, and should he be rejected, they would again favor the appointment and as he was the choice of the engineers of that district, under the circumstances he would withdraw his objections, but thought the sooner the system was changed the better. The nomination was confirmed.

On motion of Alderman Stebbins, the order for Chief Engineer of the Fire Department to present his annual report on March 27 was taken from the table.

Alderman Stebbins stated that the report of the Chief-Engineer had gone to the printer and would be made in print in a few days.

The order was passed, in concurrence.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

APRIL 10, 1873.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, E. O. Shepard, the President, in the chair.

A call of the roll showed forty-four members present, as follows:

Abbott, Bicknell, Blackmar, Bleiler, Boardman, Bowles, Brennan, Burditt, Burt, Caton, Cudworth, Darrow, Dean, T. H. Doherty, Edwards, Flatley, Hall, Harrington, Hine, Holmes, Jones, Kelley, Kingsley, Loring, Madden, Mahan, Marston, McCue, McKeeney, Page, Pease, Perkins, Pickering, Prescott, Shaw, Thacher, Train, Upham, Warren, West, Weston, Whiston, Wilbur, Woods, Woodward.

PAPERS FROM THE BOARD OF ALDERMEN.

The Auditor's monthly exhibit, and the quarterly reports of the Weighers and Inspectors of Lighters, Paymaster of State Aid, and report of Chief of Police on providing soup for the poor, were severally ordered to be placed on file.

The petitions of the Boston & Albany Railroad Company and Charles E. Thayer were severally referred, in concurrence.

Reports were accepted (leave to withdraw on the petitions), as follows: Of St. Joseph's Home, to be paid for injuries to a horse caused by an alleged defect in Albany street; of J. J. McNutt, to erect a certain wooden building on Warcham street; of John Lloyd, to be paid for injuries from alleged insecure condition of Federal-street Bridge.

The order authorizing the purchase of a self-acting fire engine, at not exceeding \$2000, was read once.

The following reports and orders were passed, in concurrence:

Order authorizing the Mayor to execute a deed of release to Samuel Weld and others for a right of drainage between Moreland and Winthrop streets.

Order taking from the files and referring to the Committee on the Harbor, the papers relating to the Commonwealth's assessment for compensation for tide water displaced by the construction of Atlantic avenue, etc.

Report and order for an extension of time to May 1, 1874, for Ivory Beam to build on four certain lots of land on East Dedham street, on the conditions set forth in said order.

Report and order for an extension of time to May 1, 1874, for John S. Duulap to build on four certain lots of land on East Dedham street, on the conditions in said order set forth.

Report and order for an extension of time to May 1, 1874, for Stephen H. Tarbell to erect a dwelling house on certain land on Fourth street, on the conditions named in said order.

The order directing the Inspector of Buildings not to grant permits, and to revoke those already granted to build on the westerly side of Kingston street, between Bedford and Summer streets, being under consideration—

Mr. Shaw of Ward 5 wished for information on the subject.

Mr. Perkins of Ward 6 stated, in reply, that the order was offered by Alderman Clark in consequence of the abutters on the westerly side having begun to build on the old lines. The Committee on Streets of the last City Council, as an expression of their opinion, passed an order on the 24th of December, which was referred to the Street Commissioners, that Kingston street should be fifty feet wide, but this was never acted upon by the Street Commissioners. The Street Commissioners did not wish to initiate the widening, and no action had been taken by the Committee on Streets the present year.

There are two swell-front houses about to be cut off, and if built upon the old lines, it will leave the street but forty feet wide, while the portion in the burnt district is fifty feet, and the portion below Bedford street is also fifty feet, and Otis street is widened to forty-five feet. That buildings may not be put up before the question of widening the street is determined upon, the order was introduced.

Mr. Shaw said he was glad to hear the explanation, since this territory was within his district. He had not before heard of this matter, and wished for information on the subject. But the order not only provides that permits shall not be granted, but reaches those already granted. He was not ready to

revoke permits given to parties in good faith, and while he did not wish to criticise, he believed such an order ought not to be passed, affecting individual rights, without allowing the parties a hearing.

Mr. Perkins replied that it was understood the Inspector was not to give permits until the subject had been acted upon. An order was passed, as he believed, prohibiting the Inspector from granting permits in the whole burnt district, until permission was given by the City Council to do so. A plan was proposed, but no action had yet been taken in relation to Kingston street. As to revoking permits, it was not an unusual thing, as in the case of Lincoln street, after the work of rebuilding had commenced, when it was concluded to widen on both sides. The cases were precisely the same. The passage of this order would, however, cause no delay, for the Committee on Streets were to have a meeting tomorrow, and if they come to a conclusion that the widening is not desirable, they can make a report at once or notify the Inspector.

Mr. Shaw regarded the permits as having been given and received in good faith, and if so, should not be revoked without giving the parties a hearing. It involved individual rights, as the parties acted in good faith under the permits, as they had a right to do. It was true, the City Council were competent to do anything, but he hardly knew what motion to make, and hoped the order would be laid over.

Mr. Perkins said the City Council had never authorized the granting of permits, and no steps had yet been taken toward rebuilding except to tear down the front walls. Yet if no action was taken they will go on to rebuild.

Mr. Shaw said he regretted to be obliged to say anything further, but he wished to know if the Inspector has authority to grant permits without authority. If so, it was time that the City Council should know it. His idea was that the order should lie on the table, and he moved that it be laid on the table.

The motion to lay on the table was lost, when the order was passed.

A communication from the City Messenger reappointing Foster M. Spurr as Assistant City Messenger was received, and the appointment was approved.

The report nominating John S. Damrell as Chief-Engineer of the Fire Department, and the following-named persons as Assistant-Engineers, viz., Joseph Dunbar, Zeas E. Smith, William A. Green, George Brown, John W. Regan, John S. Jacobs, Phineas D. Allen, Rufus B. Farrar, James Mouroe, John Colligan, Joseph Barnes, Sylvester H. Hebard, Levi W. Shaw, and George W. Clark, was accepted, in concurrence, and the certificate of the election of the persons named was read.

Mr. Jones of Ward 14 moved that the rules be suspended, and the election be concurred in this evening.

Mr. Dean of Ward 12, thought the matter of too great importance to be hurried through with such unseemly haste as would be manifested by a suspension of the rules. The ordinance provides that the Chief-Engineer shall make his report annually in the month of January, and we are now in the month of April, and there is no report. When we have ordinances they ought to be regarded somewhat. He supposed that the ordinance was especially meant to provide that this report should be made and sent in before the election. The rule is a wise one that provides that the election shall lay over for one week, and only in cases of great emergency should that rule be suspended.

Mr. Jones said that he presumed the minds of members had already been made up for some time. In regard to the report of the Chief-Engineer, it was required that the report be made up to September, and for the last three or four years it has always been ready at about this time. It is now in the hands of the printer, and it will be some three or four weeks before it is ready.

Mr. Dean thought that if the minds of members were already made up, the matter might lie over for one week without any injury to anybody, and if it has been the practice to disregard the ordinance it is time such practice was stopped.

Mr. Wells of Ward 3 stated that the gentleman from Ward 12 labored under a mistake, as the report was not due until the 1st of May.

Mr. Dean then read from section eight of the ordinances in relation to the government of the Fire Department. Now it seems that an ordinance solemnly enacted for the government of the Fire Department has been habitually disregarded. He had no doubt that this report which was in the hands of the printer could be finished up in the course of a week if necessary; and it will be time enough to have this election take place at any time during the present month.

The motion to suspend the rules was lost—28 in favor, 21 against—not one-third.

The non-concurrence of the Board of Aldermen in amendment to Salary bill respecting the salary of the Superintendent of Printing, coming up,

Mr. West of Ward 16 moved that the Council adhere to its amendment, which was carried.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order authorizing such repairs and supplies of furniture as may be needed for the Court House and Probate building, and the fitting and furnishing of the new addition to said building, at a cost not exceeding \$10,000.

Report and order authorizing a loan of \$500,000, to be expended in furnishing a supply of pure water from Sudbury River.

Order to pay Azel Bowditch \$150 additional damages, for land taken for widening Blue-Hill avenue.

Order to pay Josiah and Edmund Quincy, executors, etc., \$55,200, for land damages caused by the extension of South Market street.

Order to pay Josiah and Edmund Quincy, executors, etc., \$3549, for Atlantic-avenue land damages.

Order to pay Josiah G. Russell \$39,500, for Congress-street land damages of 1872.

Resolve and order for widening Devonshire street between Franklin and Milk streets, at an estimated cost of \$15,180.

DIRECTORS OF EAST BOSTON FERRIES.

The report nominating Daniel D. Kelly and Charles Stanwood as directors at large of the East Boston Ferries was accepted, in concurrence, and the certificate of the election of Charles Stanwood and William F. Brooks as such directors was read.

The Council proceeded to an election, with the following result:

Whole number of votes.....	58
Necessary to a choice.....	30
Charles Stanwood.....	42
Daniel D. Kelly.....	39
William F. Brooks.....	33

Messrs. Stanwood and Kelly were declared to be elected, the last named in non-concurrence.

REPORT ON THE ARCHED ENTRANCES TO THE LOWELL RAILROAD DEPOT.

OFFICE OF CITY ENGINEER, }
BOSTON, April 9, 1873. }

To the Honorable City Council—In compliance with your orders, approved March 4, instructing the City Engineer "to inspect the arched entrances for the towers of the new depot of the Boston & Lowell Railroad, and report whether, in his opinion, they are properly constructed with regard to the public safety," I have examined the plans from which the towers have been built, and have inspected the structures themselves from time to time, and now respectfully report—

The load carried by the arches referred to is the weight of the masonry above them in one story only. The front and rear walls of the other stories are carried on iron girders at the level of the second floor, supported at their ends in a manner that leaves a space beneath them of a great length, somewhat greater than the span of the arches.

The drawings show a system of iron ties, built and concealed within the masonry, intended for the purpose of resisting the tendency of the arch to spread and settle. These ties having sufficient dimensions to prevent the overturning of the abutments, there appears but two ways in which the arch can be destroyed—first, by the giving way of the foundations; and, second, by the crushing of the material.

A careful examination of the base courses of the towers showed no indications of any settlement or motion of the foundations; and from such information as I have obtained, of the number of piles used and the resistance they offered to driving, I am of opinion that the foundations are safe.

The ties, being of iron, stretch when a strain is applied to them. Although any elongation in them due to the thrust of the arch must be exceedingly slight, yet it may be sufficient to permit a movement of the masonry that would cause an unequal distribution of the load upon the abutments. As the inside face of one of the abutments shows signs of being overloaded, it is probable such a movement has taken place.

The masonry at this point is cracked, but not to an extent that renders it liable to be destroyed by crushing. I am informed that it is the intention of the officers in charge of the construction of the building to relieve the arches and abutments by iron girders and columns as soon as the weather and condition of the ground will permit.

I can see no way in which the arches or the abutments with the load now upon them and secured as they now are, can yield to an extent that would render the towers unsafe, and am therefore of the opinion that the public safety is not endangered by their construction.

JOSEPH P. DAVIS,
City Engineer.

Ordered to be sent up.

ADDITIONAL APPROPRIATIONS FOR THE POOR.

A communication was received from the Overseers of the Poor, in which they request that an additional sum for the current year of \$5000 be appropriated from the City Treasury for disbursements made and to be made in their department of the public service.

The cause for the requirement of this additional sum is the increased amount paid for burial of foreign poor, principally owing to the prevalence of the smallpox, and also for the support of the poor belonging to other cities and towns residing in Boston. This sum will be refunded by the Commonwealth and cities and towns, and returned on settlement to the City Treasury, amounting to about \$4000. The further sum of \$1000 will be required for our own poor residing in other cities and towns, the expenses of whose support is greater than originally estimated; thus making the total amount for the balance of the present financial year \$5000.

In behalf of the Board of Overseers of the Poor,
F. W. LINCOLN, Chairman.

Referred to Committee on Finance.

An invitation was received from J. S. Macdonald, in behalf of the Executive Committee of the Carney Hospital, requesting the City Council to attend the fair in aid of said hospital to be held at the Music Hall.

Ordered to be sent up.

WIDENING OF WATER STREET.

Mr. Page of Ward 9 called for the special assignment, the report and order requesting Street Commissioners to present resolves and order for laying out as a street the lot of land on the northerly side of Milk street, between Congress street and Pearl street extended; also for widening Water street to sixty feet between Congress and Devonshire streets,—a minority report dissenting therefrom, and expressing the opinion that said order ought not to pass; and an amendment proposed to said order by Mr. Dean.

The Chair read the original order and the substitute offered by Mr. Dean, the question being upon adopting the substitute as an amendment.

Mr. Pickering of Ward 6 asked the gentleman from Ward 12 whether the substitute was intended to be incorporated in the order, or to be substituted for the whole.

Mr. Dean of Ward 12 replied that it was intended as a substitute for that part of the order which relates to the widening of Water street. He was clearly of the opinion that the triangular piece of land should be taken.

Mr. Blackmar of Ward 11 hoped the substitute would not prevail. It seemed to him that the order for which the substitute was proposed was the right thing for the action of the City Council. The question is simply this—is it for the safety and convenience of the citizens of Boston that Water street should be widened as proposed in the order? There can be no question as to the convenience, as it is perfectly plain to every one that it will be more convenient to have wide streets, especially in this section of the city, after the Post Office is occupied.

It does seem as though that part of the subject was simplified down to the question of safety. It can hardly fail to appear to any one a matter of safety. We have just had a terrible experience in the fire of last November which we have been obliged to allude to so often in this discussion. Our contracted avenues and narrow streets, occupied by high buildings, prevented our firemen from doing the valiant service they were able and willing to do, and cost the loss of many lives and \$50,000,000 worth of property to the city of Boston. It seems, then, that this proposed improvement is a necessity, as well as a convenience, and must sometime be adopted. The effort to delay this work is grounded upon the statement that we are doing it for the General Government.

Now, how do we benefit the General Government? The United States can do its business in the Post Office if it is somewhat contracted, and however narrow the streets surrounding it may be; but our citizens cannot transact their business as well, and their property will not be as safe in narrow streets as in wide ones; and it is apparent, it seems, that the measure will be for the convenience of our citizens more than of the United States. It was said here at the last meeting that

the Committee on Streets were unanimous against the widening, at one time, and it is argued that that should be binding upon us—certainly this was the gist of the argument of one gentleman, and is given as a reason why we should not vote for the improvement—because at one stage of the proceedings the committee did not deem the work advisable, but afterwards recommended the passage of the order when other reasons were brought to bear upon them. It is not for us to go into the committee room to investigate their deliberations. It is to the credit of the committee that after giving the matter a thorough consideration, under the altered circumstances of the case which the offer of the Federal Government brought about, it is to their credit that they did change their minds. But if they had reported back to the Council against the widening, still that action does not bind the Council. It is our experience every evening to refer back to the committees reports which have been handed in by them. It is the members of the Council who are the judges of matters which are brought up for their consideration.

The committee have never reported against it, and even if they did it would not bind us. The only report we have had is in favor of the widening; but it is proposed to send the argument that the committee were opposed to the matter, to Washington, false as it is, to lay before the Government in answer to its generous offer to improve and beautify this section of our city.

It seems that the chief fault the opposition have found with the measure is that in the communication which the postmaster sent in to the Council it is admitted that the General Government at one time contemplated taking the whole square, surrounded as it was by these narrow streets, and plans were drawn and photographs of the elevations sent on to this city.

But that in no way injures the general character of that letter, for this reason: Those plans were drawn before the fire; before the experience which cost us so dearly, and which the General Government proposes to profit by if we do not. They did intend to take the whole square, and would had they not seen in the fire a practical warning of the danger of placing so costly a building in such a position. Now they say, we will not put up this building unless the streets are wide enough to render it safe to do so.

Another argument against the improvement is that it is made a condition of the General Government before they will extend the Post Office. This should not deter us. If we have been slow to recognize the lessons of the fire we ought not to disregard the lessons of the General Government, because they were acute enough and wise enough to detect the danger, and tried to prevent us from building a monument to our own folly by continuing these narrow streets and avenues.

Then there is the old bugbear of the injunction from the Supreme Court, which was darkly hinted at here at the last meeting. It was the first time it had been brought in here this year. The last time before this that the bugbear was brought in was when the question of opening the Public Library on Sunday was under discussion. We were then threatened with injunctions from the Supreme Court, but in the face of it we passed the order and we have not yet seen the injunction and never shall. And in this case no injunction will ever be granted if we pass the order. If we say it is a work of necessity the Supreme Court will never interfere with us. It is a matter of broad and liberal policy, and there can be no doubt of its validity and no danger of its being called in question, for if we pass the order we are the judges of its necessity.

It is sad to interfere as we must with the vested rights of individuals. It is sad to be obliged to take from the Simmons estate, a property which is held in trust for the benefit of a certain class of our citizens who stand greatly in need of those benefits. It is sad to take from the Boston Post, one of the best of our leading newspapers, the quarters which have been so conveniently fitted up for its different departments. But it is so in every street widening. We must overlook everything for the public good, and we are not to serve private interests to the detriment of the general welfare. But we allow a fair price for every foot of land we take. And the law gives to all dissatisfied with our awards the right of trial by jury, with double or treble the amount of damages, if it can be made to appear that justice demands it. The argument that we are doing a private wrong to obtain a public good does not hold. It is our duty to secure the public good at all proper expense. It can hardly fail that in all great public improvements like this, private interests must be subservient to the public welfare.

The proposed substitute, it seems, would place us in a very peculiar light in Washington, inasmuch as it contains several false statements. The language of the substitute is as follows:

"Whereas, The United States has made an appropriation for the extension of the new Post Office, conditioned, in addition to other things, upon the widening of Water street, upon which the Post Office was erected, without requesting that the street be widened and without setting the building back from the line thereof, thus determining that the width of the street is sufficient for the use of said building for the purpose for which it was intended."

Now does that show that the United States Government agrees that the street is wide enough? It does show that they did not think much about the widening originally. It shows by their action and by the conditional appropriation, that since the fire they do not consider it wide enough for safety. And further, it says, "And whereas the city of Boston is expending millions of dollars for the widening of other streets leading to and about said Government building to facilitate the public approaches to the same."

Now it seems as though this was something new. Are we spending millions of dollars in widening the approaches to the Post Office? It is not and cannot truthfully be said that we are spending those millions in widening the approaches to the Post Office. The streets would have been widened just the same if the Post Office had been at the South End or on the Back Bay.

We have never had any report from the committee that they opposed the project, and the statement that it was opposed in the committee room is nothing to us. What they recommended in their report may be binding to them, but is not binding on us.

In regard to the question whether we shall have the Post Office in case we refuse to comply with the conditions made by the United States Government, the Government have made this an alternative, and it is fair to presume that they will keep their word. It has been asserted, upon the authority of persons who have been on to Washington in relation to this very matter,—the Mayor of Boston and other gentlemen—that unless the conditions are complied with, the extension will not be made; and now for us to still claim that we can get it without does not seem reasonable. No different appropriation could pass Congress until September, and we could not give the lines for rebuilding, and thus our citizens would suffer in both ways from delay. Now is the time for us to improve on the blunders of the past. We have not built large enough in the past. We need not go out of the present hall we now occupy for a proof of this. When this building was erected many objected to the size, and now we are seeking through the city for apartments for the use of the city officers. When the Beacon-Hill Reservoir was built there was also the same objection made that it was too large, and now its capacity is but as a thimbleful in comparison with the increased wants of the city.

We build too small. We must provide for an immense municipal increase, and when we have such an opportunity forced upon us as the fire gave us, we ought to lay out our streets on a more liberal scale and straighten them. It does seem that the necessity of adopting such a progressive and liberal policy must be plain to us all. Of the convenience which would result from the adoption of this improvement there can be no doubt, and we can see from our experience of the great fire that it is necessary for safety. It is to be hoped that this order will pass, and there can be no better monument to the City Government than the carrying out of this great improvement.

Mr. Dean of Ward 12, in reply, stated that he entirely agreed with the gentleman in his statements in regard to the law. If the City Council passes this order he did not see how the Supreme Court could issue an injunction, and the gentleman from Ward 11 must have misunderstood his remarks the other evening in regard to this matter, but the point on which he claimed that an injunction could be issued was that the true intent of the widening did not appear in the order. If it should appear that Water street was widened for the convenience of the General Government an injunction could be obtained against the city, as no such improvement could be made by law unless the public convenience and necessity required it.

Referring again to the record that the Committee on Streets had once concluded that the widening of Water street was unnecessary, and also to the action of the Street Commissioners, Mr. Dean said that the matter was undoubtedly a matter of opinion, and he thought that they were called upon to decide whether it was necessary, in the light of what had

been done, and what needed to be completed. He should think the Committee on Appropriations, if they opposed this order, had read Artemus Ward, his book, wherein he describes his visit to Boston, when every one asked him if he had seen the great organ. He did not know but that they had some of that sort of vanity left and wanted a great post office. He would like to see the Post Office, and would be glad to do anything that would aid the project that it was in his power to do. But this land could not be given to the General Government any better than they could give it to the Adams Express Company.

While they did want wide thoroughfares, it was absolutely necessary to cut their garment according to the cloth, and also remember that the private parties who had remonstrated against this matter were gentlemen who were liable to pay part of the taxes, and it was their right to caution them in their action, and their advice should be respectfully received. They had already a string of widenings for other streets to be paid for, and he did not think he would be the first to urge extreme parsimony on the part of the city, but he did not want to blot out the city of Boston entirely. As to the extension or completion of the Post Office, he submitted that no sane man believed that it would not be done whether Water street was widened or not. On a portion of Water street it was all built, and on Devonshire the whole front was already up.

Besides that, General Burt had said that he must have more room than was now to be had in the new building, inasmuch as it was not as large as the area of the Old South property which he now occupies. There could be no valid reason given why the city should impose this additional tax of \$20,000 annually on the people who would soon have an interest account of three millions. To those gentlemen who could not see why he should be in favor of taking the triangular piece of land in Congress street, he thought it was very plain that it was for the public good that it should be done. If it were not taken they would have another Seollay's Building plan, for which he would never vote.

As for the dark insinuations against Ben Butler, Cape Ann Granite rings, and so forth, he knew nothing about it. He thought, for one, that the city of Boston was very largely indebted to that person known as Ben Butler, for certain proceedings in relation to insurance companies. General Burt's ambition for the good of the public was not a thing that should be despised, and the Cape Ann Granite ring probably managed its affairs well. It was no prejudice from this quarter that affected his mind. It was simply a matter of public necessity and convenience, and nothing else, and he did not think it should be passed in the face of the decision of the Supreme Court, that the city has no right to give aid to private parties, even though well secured, and on that point he would not sell his birthright. In the whole thing there was the voice of Jacob and the hand of Esau. As a branch of the City Government, they should discharge their duty like men, and utterly disregard whatever did not refer to the public convenience and necessity. He hoped the substitute would be accepted.

Mr. Train of Ward 13 proposed to come back to the subject of the widening of Water street, after going all round the country. There is no doubt that this improvement is of great importance, and as is usual there is much opposition. There are many arguments against it, but in his opinion there were more in favor of it, and that we should avail ourselves of this opportunity. When the Post Office was finished and occupied Water street would become a great business centre, and the outlet to the streets converging towards this centre, and it would be absolutely necessary to have wide streets in this locality.

Mr. Boardman of Ward 14 said it might seem almost superfluous to add anything to what has already been said upon this subject. It has been claimed that our jurisdiction does not allow us to do this work. He thought that this was a mistake. The proposed action was based on the fact that the public convenience and safety require it. The fact that the Boston Post will be damaged—while we may personally regret it—should not interfere with our consideration of the public welfare. The matter is strictly one of private interest which we are not to consider here. The public convenience and necessity is the prime law and rises above all private interests. Every man who owns property in a municipality holds it under the condition that his rights are subject to the municipal law, provided that law is exercised within the proper scope of its authority. While many are made rich under the workings of the law in regard to street improvements, scarcely any fail to receive a proper remuneration.

And in case the property holder is dissatisfied he has his remedy in the courts, where private individ-

uals generally have an advantage over corporations. Although having no extravagant admiration for General Burt, who was not his ideal of a hero in war or in peace, it must be admitted that he has shown a persistent energy in this matter of providing us with proper postal facilities, which demands our respectful consideration on this question of meeting the demands of the General Government. His statement of the case has never been successfully answered.

It is to be regretted that anything of a personal nature has been brought into this discussion. The matter should be decided solely on its merits. The objection has been made and urged with a great deal of ingenuity by the gentleman from Ward 12, that there has already been an adjudication by the Street Committee on this question. But here is the report, which speaks for itself; and if we allow outside considerations to influence us in our decision, we are not acting in accordance with our oaths to regard only the public good.

There is nothing more common than for individuals to change their minds, and it is fair to presume that a change of opinion made from experience gained is the best. In law the latest decision is always considered the best. There is a story told of a judge who was told that his ruling was different from what it was two hours before. His answer was that two hours ago he was wrong, but that now he knew he was right.

Assuming that there had been a former adjudication on the part of the committee, the report they give now is entitled to all the more weight, and for this reason. There would have been in their minds a judicial bias in favor of the position they had before taken, and it requires very forcible reasons to overcome that strong prejudice and bias which it is natural for every person to entertain in behalf of his old opinion.

The General Government has been appealed to by our Postmaster to give additional postal facilities for the city of Boston. They in answer to our request do not dictate to us what to do, do not command us to widen Water street for the benefit of the Post Office, but simply say that this appropriation shall not be paid until the widening is made. Now there is no dictation about that; there is no command about it; it does not ignore the question that this improvement may be for the convenience of our citizens, and there was no ground for the assertion that Water street was to be widened simply for the benefit of the Post Office. Under the circumstances this is greatly advantageous to the city for two reasons. It has not been shown here tonight that on the merits of the question Water street should not be widened. Other streets have been widened at an expense with which the cost of this improvement in comparison would be a mere bagatelle. The sole condition made by the General Government is that we shall expend the amount in that way, but they do not demand it.

The second reason why this measure should pass is that there is no question at all but that the erection of a spacious Post Office would be greatly to the convenience of this community. If the *sine qua non* is the widening of Water street, then by that widening we not only secure a good thing in itself, which it is admitted is desirable, but we secure another great benefit in an enlarged and spacious Post-Office building.

In regard to the condition, having been attached at the suggestion of General Burt or General Butler, or some one who it is claimed is interested in furnishing the granite for the building; now, assuming that such is the case that is nothing we have anything to do with, but if it should weigh at all in the minds of any one it seems that the answer to it would be, that in case these gentlemen who were trying to push the matter through were interested in furnishing the material, they would not have had any condition attached to the appropriation, because the only way in which they would make their money is in the erection of the building. This theory is an improbable one. They would be working contrary to their own interest. It is admitted that if we widen Water street we should secure a post office costing \$4,000,000. If the improvement should not be carried out, then the General Government could carry on its business in more contracted quarters, and the revenue would probably be about the same to the United States, and we should be the greatest sufferers from the inconvenience.

This is where the matter stands. The General Government is apparently not at all anxious to build this Post Office. We apply to the Government for better postal arrangements, and they reply by making this proposition. If we do not do it, no man here can say that we are going to have the Post Office. The conditions imposed are nearly the same as those imposed upon every large city in the country, the only difference, perhaps, being that in the case of other cities the conditions have been more severe.

Those who believe the Post Office will be built if we refuse to meet the wishes of the General Government are referred to the case of New York, where the old Post Office stood for years, until that city was glad to accept a new one on almost any terms. The matter has received the sanction of the Committee on Streets and the Board of Aldermen, and the gentleman hoped it would also receive the sanction of the Common Council.

Mr. Pickering of Ward 6 agreed that the only question was as to the paramount necessity of the widening of Water street, though a large portion of the arguments had been devoted to doubts as to the extension of the Post Office unless the widening was made. Mr. Pickering then read from General Burt's letter, as follows:

"But it is objected that the Government did not originally intend to have the Post Office larger than the ground the present building covers. Why is this plan now changed? This is entirely a mistake. It has been the intention from the beginning to secure the whole square, and the Government would not have purchased what they did except with this view. Designs and plans for the building were prepared in 1868, and I send photographic copies of the new fronts for both Water and Milk streets, made at that time. They cover the entire block bounded by Devonshire, Milk, Congress and Water streets. The opportunity, it was expected, would come for purchasing the rest of the site, as the buildings should be taken down to rebuild, and this has only been hastened, but not prematurely, by the destruction of the remainder of the block by fire. The best evidence of the original intention of the Government is found in the construction of the building itself. Why are the two huge porches or pavilions built upon the extreme lower portion of the building? They are the central entrances, as shown upon the original designs for Water and Milk streets, and in any other view are an architectural monstrosity. This all can see and appreciate."

This, he claimed, was strong proof enough of what the original intention of the Government was, and fully answered many of the objections which had been made to the passage of the order.

Mr. Perkins of Ward 6 said he was unwilling to have this question go to a vote without referring to one remark of the gentleman from Ward 12, and that was in regard to what the Street Committee said about it some weeks ago. He thought if the Post Office was to be extended, it was absolutely necessary for the public necessity that Water street should be widened, and he was free to say that if it was not to be enlarged he would not vote to widen Water street. He believed if we did not comply with the request of the Government that the Post Office would not be enlarged, and therefore he would not agree to take the flat-iron piece of land referred to, and he would therefore vote against the substitute offered by the gentleman from Ward 12.

Mr. Flynn of Ward 7 remarked that the minority of the committee, who so earnestly opposed the project, would be obliged to vote against the resolve offered by Mr. Dean because they would be stultifying themselves, having once reported that the public safety and convenience do not require either the widening of Water street or the taking of the triangular parcel of land on Congress street, did they vote for one and against the other.

Mr. Page of Ward 9 regretted that the gentleman from Ward 12 did not introduce his resolve so that it should apply as a substitute for the order of the majority of the committee; if he had done so I should be willing to vote for it, but as I have twice reported that I did not consider it necessary to take the triangular piece for a street, and his substitute favors it, I shall be obliged to vote against it.

It is argued that the triangle will make another Scollay's building, which I do not think will be the case as it will be surrounded by streets fifty and seventy feet wide, which will make it a very valuable piece of property, from which the city will be able to collect a large amount in taxes.

The motion to adopt the substitute was lost.

The question then recurred upon the second reading of the order, which was ordered, and the order was passed, in concurrence, by a vote of 31 yeas to 25 nays, as follows:

Yeas—Adams, Blackmar, Bleiler, Boardman, Brennan, Burditt, Burt, Collins, Cudworth, Darrow, N. Doherty, T. H. Doherty, Edwards, Hall, Harrington, Hine, Holmes, Lamb, Madden, Mahan, McCue, Morse, Pease, Perkins, Prescott, Risteen, Tower, Train, Upham, Whiston, Woodward.

Nays—Abbott, Anderson, Bicknell, Bowles, Brackett, Caton, Dacey, Dean, Flatley, Flynn, Hughes, Jones, Kelley, Kingsley, Loring, Marston, Martin, McKenney, Page, Shaw, Shepard, Thacher, Warren, Wells, Woods.

Mr. Perkins of Ward 6 moved a reconsideration of the vote passing the order, for the purpose of settling this question at once.

Mr. Flynn of Ward 7 moved an assignment of the reconsideration to the next meeting of the Council, at 8 o'clock, which was lost, by a vote of 23 to 27.

Mr. Shaw of Ward 5 said he had not intended to speak on this subject tonight, and would not have done so but for the disposition to force the question when there were many members absent. The wholesale widening of streets unnecessarily, reminded him of a Goffstown muster, years ago, when some old people who lodged in a burial ground on their way to muster, starting up early, were told to go back, as it was not a general resurrection but a Goffstown muster. So there was no call for a general reconstruction of streets, and when the location of the Post Office was determined upon, the Postmaster did not ask for the widening of Water street. The Postmaster then supposed that School street would some time be widened, and that the Carter Block, between Water street and Spring lane, would be removed to give a good view of the Post Office; and so far as related to the extension of the Post Office, he had heard him say before a legislative committee that it would be extended in any event, whether the streets were widened or not. The gentleman from Ward 6 charged a member of a former Board of Aldermen with preventing the widening of Devonshire street; but, without using personalities, there were other sons-in-law who opposed street widenings which affected the property of fathers-in-law. For these reasons he opposed the taking the vote on the question tonight.

Mr. Dean of Ward 12 raised a question of order, whether under the rules, the passage of this order did not require a two-thirds vote.

Mr. Dean proceeded to explain his point of order, by reading the order as of anomalous character, it being an order requesting the Street Commissioners to present resolves and orders.

Mr. Perkins rose to a question of order, that the gentleman was not stating his point of order, but making a harangue in relation to a vote already passed.

Mr. Dean replied that he was making the explanation for the purpose of stating the point of order, and giving reasons why he believed the order had not passed.

The Chair being called upon to rule, decided that the gentleman appeared to be making a statement of his point of order, and hoped he would be as brief as possible.

Mr. Dean, in further explanation, stated that under the law in relation to street widenings a two-thirds vote was required.

The Chair ruled that the order was not in the nature of a street widening, but only an expression of opinion, which the Street Commissioners might obey or not; they may or may not report upon it, and neither the Commissioners nor the Council would be bound by it.

Mr. Wells of Ward 3 rose for information, as to whether there was any appropriation for the laying out of the street, for if not it must pass by a two-thirds vote. There had been no loan made as yet for the purpose.

Mr. Perkins stated that this was but a request, and no money was called for, and accordingly the question raised was premature.

Mr. Mahan of Ward 5 moved the previous question.

Mr. Flynn of Ward 7 moved an adjournment, which was lost—22 to 26.

On motion of Mr. Flynn, the yeas and nays were ordered on the main question, and the previous question was ordered, by a vote of 30 to 22, as follows:

Yeas—Adams, Blackmar, Bleiler, Boardman, Brennan, Burditt, Burt, Collins, Cudworth, Darrow, N. Doherty, T. H. Doherty, Edwards, Hall, Harrington, Hine, Holmes, Lamb, Madden, Mahan, McCue, Pease, Perkins, Prescott, Tower, Train, Upham, Weston, Whiston, Woodward.

Nays—Abbott, Anderson, Bicknell, Brackett, Caton, Dacey, Dean, Flatley, Flynn, Hughes, Jones, Kelley, Kingsley, Loring, Marston, Martin, McKenney, Page, Shaw, Warren, Wells, Woods.

On the question of reconsideration, on motion of Mr. Page, the yeas and nays were ordered, and the reconsideration was lost, by a vote of 25 yeas to 28 nays, as follows:

Yeas—Abbott, Anderson, Bicknell, Brackett, Caton, Dacey, Dean, T. H. Doherty, Flatley, Flynn, Hughes, Jones, Kelley, Kingsley, Loring, Marston, Martin, McKenney, Page, Shaw, Shepard, Warren, Wells, Woods.

Nays—Adams, Blackmar, Bleiler, Boardman, Brennan, Burditt, Burt, Collins, Cudworth, Darrow, N. Doherty, Edwards, Hall, Harrington, Hine, Holmes, Lamb, Madden, Mahan, McCue, Pease, Perkins, Prescott, Tower, Train, Upham, Whiston, Woodward.

PETITIONS PRESENTED AND REFERRED.

S. C. Field & Co., for leave to erect a wooden addition to a building on Ninth street, near Old Harbor street. Referred to the Committee on Survey and Inspection of Buildings.

William Holliday, to be compensated for damages done to land on Huntingdon avenue, overflowed by act of the city of Boston. Referred to Committee on Claims.

A. Folsom and others, that the curb stones be laid and gutters paved in Longwood avenue.

John McGreevy and others, for the laying of curb stones and grading of gutters in Prentiss street.

Severally ordered to be sent up.

REPORTS OF COMMITTEES.

Mr. Page of Ward 9, from the Joint Standing Committees on Armories, to whom was referred the petition of Captain M. J. Dunn, Company B, Ninth Regiment M. V. M., for an increase in the allowance for rent of armory of said company, made a report recommending that the petitioner have leave to withdraw. Accepted.

Mr. Blackmar of Ward 11, from the Committee on Claims, reported leave to withdraw, severally, on petitions of the Everett National Bank to be compensated for the destruction of personal property by gunpowder during the fire of the 9th November last; of Josephine Leary, to be compensated for personal injuries caused by an alleged defect in Washington street; of W. L. Lothrop, to be compensated for loss of property in the fire of November 9th, on account of the action of police officers in preventing the removal of said property; of R. A. Upton & Sons, to be compensated for injuries to their property by an alleged defect in St. James street; of John H. Currier, to be compensated for damages caused by the alleged neglect of the city to remove from his house a person sick with smallpox. Severally accepted.

The same committee, to whom was referred the report of the Commissioners appointed under the "act to enable the city of Boston to make and issue its bonds for certain purposes," made a report, recommending the passage of the accompanying order:

Ordered, That the expenses incurred under the provisions of chapter 364 of the acts of the year 1872, entitled "An act to enable the city of Boston to make and issue its bonds for certain purposes," and

also the expenses incurred in defending the suit of Lowell and others, petitioners against the city of Boston, be allowed and paid upon the approval of the Committee on Claims; the whole amount of said expenses, not to exceed the sum of \$4362 69, to be charged to the appropriation for Incidentals.

The order was read twice and passed.

ORDERS.

Mr. Page, from the Committee on Armories, offered an order that the Committee on Armories be authorized to expend a sum not exceeding \$300 for furnishing a gun rack and for repairs on the armory of Co. A, Ninth Regiment, M. V. M.; said sum to be charged to the appropriation for Armories. Read once.

Many of the members being absent in the anteroom, on motion of Mr. Wells, the roll was called, and forty-two members were shown to be present.

Mr. Wells offered an order providing for the appointment of a committee of one from each ward, with such as the Board of Aldermen may join, to make arrangements for the celebration of the Fourth of July, at an expense not exceeding \$21,000, the same to be charged to Incidental Expenses. Read once.

Mr. Jones of Ward 14 offered an order that the Committee on Ordinances be instructed to amend section eight of the ordinance governing the Fire Department, by striking out the word "January," and inserting the words "before the 1st of March," as the time for making the report of the Chief-Engineer of the Fire Department. In explanation, he said that when the ordinance was framed the report was required to be made up to September. Read twice and passed.

On motion of Mr. Perkins of Ward 6—

An order was read once, that there be allowed and paid to John Galvin the sum of \$500, for expenses incurred as Superintendent of the Common and Public Squares, under approval of the Committee on Common, etc.; said amount to be charged to the appropriation for Common, etc.

Before the business of the Council was concluded, Mr. Wells raised an objection to parties smoking at the door of the anteroom causing the smoke to enter the Council Chamber, whereupon the President ordered the door to be closed.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

APRIL 14, 1873.

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

APPOINTMENTS MADE AND CONFIRMED.

Constable—Joseph V. Dudley.

Undertaker—Timothy Daley.

Weigher of Coal—Samuel Hosea, Jr.

Special Police Officers, without pay—William M. Jenks for Union and Blackstone streets, Haymarket square and its vicinity; Edward McDonnell for St. Mary's Catholic Church, South Boston; George W. Randall for Temple place and West street; George Spiller for North street and its vicinity; George R. Richards at Freeman's National Bank; William H. Howe for Charles street and its vicinity; John Cotton for Hanover square; George E. Hicks for Pemberton square and its vicinity; Charles A. Dodge for Franklin and Chauncy streets; F. Haskins and J. P. Taylor, Tremont Market; Michael Killion Alleghany street and its vicinity; Samuel Tarbox, Grand Junction wharves; Lewis F. Rogers, Beacon, Marlborough, Fairfield and Gloucester streets.

Richard Sisson, James Gilfeather, James McEwen, Michael Cronin, Reuben P. Charters, Christopher Sweeney, Loring Gardner, William K. Dole, at the Old Colony Railroad Station.

H. A. McGlennen, William Riley, Andrew Willeutt, at Boston Theatre; Isaac D. Dane, Foster's Wharf and its vicinity; Patrick Falvey, National Dock and Warehouse and its vicinity; Charles Greenfield, same district; James Shandon, at Liverpool wharf; Gardner S. Cheeney, Onion street and its vicinity; Chauncy W. Littlefield, Union Freight Railroad; George H. Merguire, Longwood park; W. W. Hatch, Boston, Hartford & Erie Railroad Depot; Chester R. Merrill, Sears Building; W. P. Jarvis, Chauncy street and its vicinity.

PETITIONS PRESENTED AND REFERRED.

Arthur Deady, for leave to occupy a wooden stable for one horse on Buttonwood street, near Mount Vernon street, Ward 16.

Hannah Barnes, for leave to occupy a wooden stable for three horses on Mount Vernon street, near Boston street, Ward 16.

Eliza J. Ellington, for leave to occupy a wooden stable for one horse on Codman park, near Townsend street, Ward 14.

James Connaughton, for leave to occupy a wooden stable for one horse on Dorchester avenue, near Savin-Hill avenue.

Ebenezer C. Gordon, for leave to occupy a wooden stable for one horse on the corner of Thornton street and place.

Charles H. Easte, for leave to occupy a wooden stable for one horse on Fifth street, rear No. 278.

Joseph Hill, for leave to occupy a wooden stable for one horse on Bennington street, rear No. 180.

Lucy E. Farrington and others, against the proposed erection of a stable on Warren street.

S. K. Williams, Jonathan Mason and others, against the erection of a stable on B street, near Athens street.

Severally referred to the Committee on Heath, on the part of this Board.

Thomas F. Temple and others, for a sewer in Walnut street, Ward 16.

F. J. Humphrey and others, for the extension of the common sewer in Adams street as far as Park street.

Thomas Gogin for a sewer in Eighth street from Old Harbor to G street.

Severally referred to the Committee on Sewers.

A. Folsom and others, that Longwood avenue be put in order.

John McGreevy and others, that Prentiss street be paved, etc.

Piatt & Wentworth and others, that Pyncheon street be paved, from Heath street to Tremont street.

E. W. Ridgway and others, that Prospect street be repaved with wood.

James Lee, Jr., and others, that Commonwealth avenue, between Clarendon and Dartmouth streets, be put in order.

Directors of the East Boston Ferry, that the East-ern avenue may be put in order.

Severally referred to the Committee on Paving.

John Roessle, for additional compensation for land and buildings taken for widening Pyncheon street. Referred to the Joint Committee on Streets.

A. L. White and some seventy firms and others, that the opening of the extension of Washington street may be extended one year. Referred to Committee on Streets.

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

The Massachusetts Horticultural Society respectfully petitions to be allowed to hold one or more exhibitions of plants and flowers during the coming summer, upon such portion of the Common or Public Garden as may be suitable.

W. C. Story, President, H. Hollis Hunnewell, Henry Winthrop Sargent, Francis Parkman, Edward S. Rand, Jr., Charles S. Sargent, William Gray, Jr., committee.

Referred to Committee on Common and Public Grounds.

REPORT ON THE FRANKLIN FUND.

The report of F. U. Tracy, Treasurer of the Franklin Fund, showed the condition of the fund to be as follows:

Balance as per account rendered to Jan. 1, 1872. \$160,911 15
Interest accrued..... 10,404 65

\$171,315 80

This amount is invested as follows:

Deposited in Mass. Hospital Life Company.....	\$169,717 04
" " Suffolk Savings Bank.....	547 55
" " Provident Institution for Savings.....	241 21
Wm. Evans's bond.....	240 00
Jos. T. Paget's bond.....	270 00
Geo. W. Harrison's bond.....	300 00

\$171,315 80

Referred to Aldermen Hulbert and Gaffield.

WIDENING OF LINCOLN STREET.

A resolve and order were received from the Street Commissioners for the widening of Lincoln street, on its westerly side, near Summer street, by taking land belonging to Henry Lee, amounting to 114 square feet, more or less, at an expense of \$1300.

Read twice and passed, in concurrence.

WIDENING OF PEARL, CONGRESS AND MILK STREETS.

A communication was received from the Street Commissioners, with a resolve and order for the taking of a parcel of land situated between the proposed extension of Pearl street, Congress street and Milk street, at an estimated expense of \$112,010.

The resolve and order were read once, and were subsequently passed, and a motion to reconsider rejected.

The several items of expense are as follows: James Leeds, No. 74 Milk street, 734 square feet of land, \$33, \$24,222; damages, \$500—\$24,722. James Lawrence, Nos. 82 to 76 Milk street, 3901 feet, \$21, \$81,921; damages, \$1660—\$83,581. Ellen Stearns, No. 84 do., 154 feet, \$23, \$3542; damages, \$165—\$3707. Total, 4789 feet of land, \$109,685; damages, \$2325—\$112,010.

WIDENING OF WATER STREET.

A resolve and order were received from the Street Commissioners for the widening of Water street, accompanying which was a communication in which the Commissioners state that they have to inform the Council that Messrs. Beals, Greene & Co. elect to surrender their estate from which land is taken for this widening, as by law is provided that they may.

The estimates of damages, as before given, are as follows:

Beals, Greene & Co., Nos. 28-36 Water street, 965 feet of land, \$45, \$43,425; damages to buildings, \$75,000—total, \$118,425. E. A. White and others, trustees, Nos. 38-50 do., 2630 feet of land, \$35, \$92,050; damages \$1200—\$93,250. Total number of feet, 3595, at a cost of \$135,475; damages \$76,200—\$211,675.

Alderman Clark called for a second reading of the resolve and order.

Alderman Power hoped the motion would not pass, although he did not wish again to go over the objections to the measure. Much had been said of late about passing important matters without proper consideration. It had got to be a common thing to have such orders read twice every time, and it was a cause of comment all over the city. This was a case of the greatest importance, and should only be passed with the utmost deliberation. He believed there was a cause to retrench a little in such matters.

Alderman Clark characterized objections at this time as simply a talk against time. The subject had been before the City Council for the last four weeks, and had been voted and acted upon, and now the passage of this order from the Street Commissioners was a mere matter of form. The objection was but a mere pretence, for the subject had been considered in a complete, thorough and satisfactory manner. There was no danger of hurrying, and if the Alderman thought so he deceived himself. The question

before them was simply whether they should concur or not in the report of the Street Commissioners.

No person could be unmindful of the importance of having the streets laid out immediately, for the assessors would soon be engaged in their duties, and it was of great consequence whether taxes were to be assessed upon wide or narrow streets. There could be no haste in the matter, for the question had been up three or four times, and it had passed the Board by a vote of 9 to 3. To vote again would be but a mere form. It was desirable that it should go to the Council to be acted upon at a special meeting, and only this was needed to complete the improvements on the entire territory.

Alderman Power inquired if it would not be necessary to pass this by a two-thirds vote, no appropriation having been made for the widening.

Alderman Clark said he was happy to inform the Alderman that it would not. This was a part of the territory for which an appropriation has been made. The question raised was a mere pretext. If it was supposed that the Post building was not in the burnt district, it was in answer that the building was on fire, and was a part of the burnt territory. Money had also been paid in a similar case for the widening at the corner of Washington and Summer streets, on a building which was not burned so much as the Post building.

Alderman Power said he was not aware that the Post building was on fire at all, while the money appropriated was solely for the burnt district.

Alderman Clark replied that Mudge's store, on the corner of Washington and Summer streets, was not burnt at all, but the Post building was, and had been repaired, and was a part and parcel of the burnt territory.

Alderman Power called for the yeas and nays, and the resolve and order passed to a second reading by a vote of 9 to 3, as follows:

Yeas—Bigelow, Clark, Emery, Gaffield, Gibson, Hulbert, Quincy, Sayward, Stebbins.

Nays—Brown, Cutter, Power.

The resolve and order were read a second time, and passed, by a vote of 9 to 3, the same as before.

Alderman Gaffield moved a reconsideration, for the purpose of settling the question and to bring the question for action at the next meeting of the Council.

The yeas and nays were ordered, on motion of Alderman Brown, and the reconsideration was lost by a vote of 3 to 9, as follows:

Yeas—Brown, Cutter, Power.

Nays—Bigelow, Clark, Emery, Gaffield, Gibson, Hulbert, Quincy, Sayward, Stebbins.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice on petitions of Denison & Co. for leave to locate and use a steam boiler and engine at No. 18 Norfolk place, and of Cyrus Wakefield for leave to locate and use a steam engine and boiler at the corner of Friend and Market streets, were severally taken up. No person objecting, the reports were recommitted.

The hearing on order of notice on petition of the Metropolitan Railroad Company for a location on Columbus avenue from Berkeley street to Park square, was taken up. Harvey Jewell explained as the call for the extension to meet the demand occasioned by the removal back of the Providence Railroad Depot, to which the cars have been running at Park square, and the extension asked for was to the new building, to connect also with their track on Berkeley street. The report was recommitted.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pay Edmund J. Baker and others, trustees, \$6775, for land taken to widen Summer street.

Order for Superintendent of Streets to grade the extension of Devonshire street and to lay sidewalks thereon, at an expense of \$5000.

Ordered, That there be a reduction made of \$150 from the assessment for betterment on account of the extension of Harrison avenue, from Enstis to Warren street, of \$650 upon the estate of Samuel McIntosh, leaving the amount of said McIntosh's assessment at \$400.

Ordered, That the betterment on account of the extension of Harrison avenue from Enstis to Warren street, assessed upon the estate of Joseph Nickerson & Co., by an order of this Board, of Nov. 5, 1872, and amounting to \$175, be and the same hereby is reassessed upon the rightful owners of said estate, John Ryan and W. E. Woodward, in the proportion of \$60 upon the estate of John Ryan and \$80 upon the estate of W. E. Woodward, of 2700 square feet, and \$35 upon another estate of W. E. Woodward adjoining the foregoing estate,—all of said property being

on the southeasterly side of said Harrison avenue, near the Hunneman estate.

PAPERS FROM THE COMMON COUNCIL.

The petitions of S. C. Field & Co. and of William Holliday were severally referred, in concurrence.

The invitation of the Executive Committee of the Carney Hospital to attend the fair in aid of said hospital was accepted.

The report by the City Engineer on the safety of the arched entrances of the depot of the Boston & Lowell Railroad was ordered to be placed on file.

The following reports were severally accepted, in concurrence:

Reports (leave to withdraw) on the petitions of—
1. Company B, Ninth Infantry, for additional rent of armory.

2. Everett National Bank, to be paid for damages sustained at the great fire.

3. W. L. Lathrop, to be paid for damages sustained at the great fire.

4. R. A. Upton, to be paid for injuries caused by an alleged defect in St. James street.

5. Josephine Leary, to be paid for injuries caused by an alleged defect in Washington street.

6. John H. Carrier, to be paid for damages sustained by refusal to move a case of smallpox from his house.

The request of Overseers of Poor for an additional appropriation of \$500 was referred to Committee on Finance, in concurrence.

The following orders were passed, in concurrence:
Report and order to appropriate \$4632 69, to meet expenses of Fire Loan Commission.

Order proposing a change in the ordinance so that the report of the Chief-Engineer of the Fire Department shall be made before March 1, instead of "in January."

The non-concurrence of the Common Council in amendment to Salary bill, respecting the salary of the Superintendent of Printing, coming up, the Board receded from its amendment, and concurred with the Common Council.

DIRECTOR OF THE EAST BOSTON FERRIES.

The election of Daniel D. Kelly as a director of the East Boston Ferries, in place of William F. Brooks, chosen by the Board, came up, when the Board proceeded to a ballot, resulting as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
Daniel D. Kelly.....	6
William F. Brooks.....	6

A second ballot resulted as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
Daniel D. Kelly.....	7
William F. Brooks.....	5

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

Alderman Sayward moved to reconsider the vote whereby the Board adopted the report and order authorizing the unoccupied rooms in the Appleton-street Primary Schoolhouse to be furnished for the use of the Normal School.

In making the motion, he said should it prevail, he would move to lay the order on the table.

Alderman Gaffield said he should make no objections, on the ground of courtesy, being assured that when considered again, it would be passed by a larger vote. Meantime he would invite the members of the Board to visit the Normal School, to ascertain for themselves its wants.

The motion to reconsider prevailed, and the order was laid on the table.

REPORTS OF COMMITTEES.

To the City Council—The Committee on Finance, to whom was referred the communication of the Board of Overseers of the Poor asking for an additional appropriation of \$5000 for the present financial year, would respectfully report that the amount be granted from the unexpended balances of the present financial year, terminating April 30 next, and as the Auditor of Accounts has been granted authority to make transfers for closing the year, no further action is necessary at this time.

HENRY L. PIERCE, Chairman.

Read and accepted.

Alderman Power, from the Committee on Sewers, reported no action necessary on petition of James Berry and others, for a sewer in Sawyer street. Accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of the petition of the Times Publishing Company for leave to place a steam engine and boiler at Nos. 12-14 School street. Accepted.

Alderman Gibson, from the Joint Standing Committee on the Survey and Inspection of Buildings, to whom was referred the petition of Thomas Keyes for leave to erect a wooden building on Broadway, near A street, of a size exceeding the limits allowed by the ordinance relating to buildings, without constructing any brick walls on the sides or ends thereof, made a report, recommending that the petitioner have leave to withdraw. Accepted.

Alderman Gibson, from the same committee, to whom was referred the petition of Charles Cullis for leave to erect a building on the corner of Washington street and Blue-Hill avenue, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Charles Cullis, to erect a building on the corner of Washington street and Blue-Hill avenue, provided that the said building be separated from any adjoining building by an open space or by brick walls, as may be approved by said Inspector.

Read twice and passed.

Alderman Power, from the Committee on Paving, reported leave to withdraw on petition of Edward Holbrook to be paid for damages to his estate Nos. 51 and 52 Long wharf, caused by change of grade in Atlantic avenue; of Harriet Lewis and others for damages caused by lowering the grade of P street, and Dennis Conway to be paid for grade damages at 158 and 160 Fourth street; and inexpedient to take action on petition of Patrick H. Rogers, that Sixth street, between P and Q street, be graded. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: Samuel Jones, to give a musical entertainment at Glover's Corner; Warren Lincoln, to exhibit exhibition of spiritual manifestations at Wait's Hall, April 18; Daniel E. Connor, to give a concert at Lyceum Hall, April 18; Barnum's Museum, to exhibit one week at Coliseum grounds, and at South and East Boston; W. H. Amsder, to give a concert at Phillips Church, South Boston, April 17; W. J. Sullivan, to give an entertainment at Wait's Hall, April 21. Severally accepted.

The same committee reported in favor of the petition of Andrew L. Johnson, for leave to run an omnibus from Brookline to the State House; to John K. Abbott and W. J. S. Glover as auctioneers; to forty-two newsboys, and to sundry persons as victuallers, as dealers in second-hand articles, to keep intelligence offices, pawnbrokers, wagon licenses, transfer of wagon licenses. Severally accepted.

The same committee reported leave to withdraw on the several petitions for licenses as victuallers, as follows:

Michael F. Day, 22 Province street; William Hawley, 124 Beach street; William Ryan, 92 Kneeland street; Timothy McCarthy, 359 Hanover street; Rafael Cohen, 129 Cambridge street; John W. Hutchinson, 115 Broadway; Sigivant Anderson, 98 Richmond street. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables, as follows: Frank Schoner, to occupy a wooden stable for forty horses at 226 Broadway; Michael McGrath, to occupy a wooden stable for two horses on Franklin court, Ward 16; Clarence Sumner, to occupy a wooden stable for two horses on Stoughton street, near Upham's Corner; D. W. Lewis & Co., to occupy a wooden stable for one horse on Ward street, foot of Bumstead lane; W. F. Porter, to occupy a wooden stable for one horse on Clarence street, Ward 16; George O. Merriam, to occupy a wooden stable for one horse on Bowdoin avenue, Ward 14; W. Eliot Woodward, to occupy a stable for one horse on Langdon street. Severally accepted.

Alderman Gaffield, 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 in the rear of the Minot Schoolhouse in Ward 16, for certain accommodations required by that school, made a report recommending the passage of the accompanying order:

Ordered, That the Committee on Public Instruction be authorized to purchase six thousand square feet, more or less, of marsh and upland owned by the heirs of John Wright and the heirs of Woodman, in the rear of the Minot Schoolhouse, in Ward 16, at an expense not exceeding \$1900.

Alderman Gaffield, in reply to a question of Alderman Gibson, stated that the additional land was much needed, the present lot being but small, and the cost of the land to be added would be but thirty cents per foot.

The order was read twice and passed.

Alderman Clark, from the Committee on Streets, reported leave to withdraw on petitions of Leverett Saltonstall at his own request, Samuel A. Coolidge,

A. B. Doggett, heirs of E. L. Eliot, and Micah Cutler, severally for abatement of assessments for Shawmut-avenue betterments; George N. Comer and others, for a modification of assessments for Shawmut-avenue betterments; Luther Gilbert, for repayment of amount of betterment paid for widening Tremont street; Edwin M. Bigelow, to be heard on Shawmut-avenue betterments; David W. Foster, for removal of certain projections over line of Shawmut avenue, etc.; and of Sarah C. Edmunds and Sarah M. Deering, for abatement of assessments for betterments on Harrison avenue. Severally accepted.

Alderman Power, from the Committee on Paving, to whom was referred the petition of the Hinkley Locomotive Works for leave to change the location of their tracks on Albany street, made a report recommending the passage of the accompanying order:

Ordered, That permission be granted to the Hinkley Locomotive Works to construct a curve track from the tracks of the Albany Freight Railway into their premises on Albany street, provided that all expenses which may be occasioned by the construction of said tracks in repairing any portion of said Albany street, and building new cesspools, etc., shall be borne by said Hinkley Locomotive Works, and provided said Works shall give to the city an agreement in writing satisfactory to the City Solicitor holding the city harmless for all damages which may be occasioned to persons or property by the construction, use and maintenance of said track.

Read twice and passed.

Alderman Power, from the Committee on Paving, reported on the several petitions to be allowed to sprinkle streets, as follows: Adoniram Curtis, Michael Gormley, Benjamin Jones, P. W. Smith, Smith & Walker, Malachi Clark, G. H. Moseley & Co., Augustus Stevens, Philip Sowdon, Jr., Cook & Hardy, Moseley & Tuttle, Orsamus Nute, severally, granting them licenses to sprinkle certain streets in this city, as therein set forth. Accepted.

TRUSTEES OF CITY HOSPITAL.

Alderman Clark, from the joint special committee to nominate suitable candidates for trustees of the City Hospital, made a report recommending the election of John Goldthwait and Elbridge G. Knights to fill the vacancies occurring on the first Monday in May next.

The report was accepted and the Board proceeded to an election.

The result of the balloting was as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
John Goldthwait.....	12
Elbridge G. Knights.....	6
Thomas L. Jenks.....	6

Mr. Goldthwait was declared to be elected.

The second ballot was as follows:

Whole number of votes.....	12
Necessary to a choice.....	7
Thomas L. Jenks.....	7
Elbridge G. Knights.....	5

Mr. Jenks was declared to be elected.

ORDERS PASSED.

On motion of Alderman Gibson—

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$23,000, to be applied to the rebuilding of the Chelsea-street Bridge.

Ordered, That the Joint Standing Committee on the Survey and Inspection of Buildings be authorized to employ such clerical assistance as may be needed in the office of that department, at an expense not exceeding \$1000; to be charged to the appropriation for that department.

On motion of Alderman Clark—

Ordered, That the Committee on Common and Public Grounds be authorized to expend a sum not exceeding \$15,000 in hiring laborers and keeping in good order and condition the Common, Public Garden, and other public grounds in the city; said sum to be charged to the appropriation for Common and Public Grounds.

Ordered, That the betterment of \$1100 on the estate of William Sheafe, No. 69 Shawmut avenue and corner of Dover street, for the extension of said Shawmut avenue, be and the same hereby is, on account of an error in the original assessment thereof, reduced by the sum of \$200, leaving the assessment still due upon said estate of said Sheafe at \$900.

Ordered, That there be and that there hereby is abated from the assessment of \$1500 betterment upon the estate of James T. Eldredge for the extension of Shawmut avenue the sum of \$300, leaving the amount of betterment upon said Eldredge's estate at \$1200, the said abatement being on account of an error in the supposed quantity of land in the said estate at the time of the assessment.

On motion of Alderman Stebbins—

Ordered, That the Board of Directors of the East Boston Ferries be and they hereby are authorized to contract for the building of a new ferry boat at a cost not exceeding \$60,000; also for new wings to the ferry houses, North Ferry, at a cost not exceeding \$10,000; said amounts to be charged to the special appropriations for these objects, as provided in the order relating to the specific appropriation for the financial year 1873-4, approved April 1, 1873.

On motion of Alderman Power—

Ordered, That the Superintendent of Streets be directed to pave the street east of the Custom House with small granite blocks, at the estimated cost of \$3000.

Ordered, That the Superintendent of Streets be directed to grade Troy street, between Harrison avenue and Albany street, according to the established grade, and to set the edgestones, pave the gutters and macadamize the roadway of said street, at an estimated cost of \$3500.

Ordered, That there be paid to Eliza Barr the sum of \$1200, in full compensation for all damages caused to her estates, Nos. 129, 139, 141, 143 and 145 Fourth street, by the raising of the grade of said street, as ordered by the Board of Aldermen, October 1, 1872, upon the usual conditions, including damages to those holding leases under her; the same to be charged to the appropriation for Paving.

Ordered, That there be paid to Maria McNamara the sum of \$100, in full compensation for all damages caused to her estate No. 172 Fourth street by the raising of the grade of said street, by order of the Board of Aldermen, October 11, 1872, upon the usual conditions; to be charged to the appropriation for Paving.

Ordered, That there be paid to Isabella V. Smith, wife of Charles O. Smith, the sum of \$650, in full compensation for all damages caused to her estate, Nos. 147 to 149 Fourth street, by raising the grade of said street, by order of the Board of Aldermen, October 1, 1872, upon the usual conditions; to be charged to the appropriation for Paving.

Ordered, That there be paid to Ann Welch the sum of \$100, in full compensation for all damages caused to her estate, No. 135 Fourth street, by raising the grade of said street, upon the usual conditions; to be charged to the appropriation for Paving.

Ordered, That there be paid to Felix Meegan the sum of \$500, in full compensation for all damages caused to his estate, No. 178 Bennington street, by the raising of the grade of said street, as ordered by the Board of Aldermen, September 12, 1871, upon the usual conditions; to be charged to the appropriation for Paving.

Ordered, That there be paid to Loucena M. Gerish the sum of \$500, in full compensation for all damages caused to her estate, No. 180 Bennington street, by the raising of the grade of said street, upon the usual conditions; to be charged to the appropriation for Paving.

Ordered, That the sum of \$29 56, assessed upon Ann A. Maliff for a sewer in Newman street, remain uncollected until entrance is made into the sewer; that the sum of \$154 08 be abated from the assessment of Manning, Sears & Scott, for a sewer in Seventh street; that the sum of \$7 78 be abated from the assessment of James M. Blaney, for a sewer in South street.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Chapman and Appleton streets, and to report a schedule of the expense to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Sawyer street, and report a schedule of the expense to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Third street, between Emerson and H streets, and report a schedule of the expense to this Board.

On motion of Alderman Quincy—

Ordered, That the Committee on Legislative Matters be instructed to present and urge such an amendment to the pending Militia bill as shall provide for a reimbursement to cities and towns of rents paid for regimental or battalion headquarters.

Alderman Quincy stated that expenditures of this kind had been made in past years in the expectation that they would be allowed, but they had not been, and as the Militia bill was now pending in the Legislature, it was believed that this would be a favorable opportunity to make a provision for the payment of rent for said headquarters.

Alderman Brown offered an order in favor of allowing Joseph H. Billings and another, administrators, \$169 65, the amount being taxes overpaid by mistake, which was referred to the Committee on Assessors' Department.

On motion of Alderman Sayward, it was ordered that a committee be appointed to nominate candidates for the offices of Field Drivers and Fence Viewers.

Aldermen Sayward, Emery and Gibson were appointed the committee.

ORDERS OF NOTICE.

On the proposed construction of a sewer in Halleck street, between Prentiss and Ruggles streets. Hearing Monday next, April 21, 4 P. M.

On the proposed construction of a sewer in George street, easterly end. Hearing Monday next, April 21, 4 P. M.

On the proposed construction of a sewer in St. James street. Hearing Monday next, April 21, 4 P. M.

On the proposed construction of a sewer in Stoughton street, near Brook avenue, in Brook avenue, in West Cottage street, and in North avenue. Hearing Monday next, April 21, 4 P. M.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

APRIL 17, 1873.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, E. O. Shepard, the President, in the chair.

A call of the roll showed a quorum of members to be present, as follows:

Barnes, Blackmar, Bleiler, Boardman, Bowles, Brennan, Burditt, Burt, Caton, Collins, Dacey, Darrow, Davis, Denny, T. H. Doherty, Edwards, Flynn, Hall, Harrington, Hine, Holmes, Hughes, Jones, Kelley, Lamb, McCue, Page, Pease, Perkins, Pickering, Powers, Prescott, Risteen, Shaw, Thacher, Tower, Upham, Warren, Wells, West, Weston, Whiston, Wilbur, Woods, Woodward.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of Company F, First Infantry, Brennan H. Billings and others, administrators, the Massachusetts Horticultural Society, and of John Roessle, were severally referred, in concurrence.

The report leave to withdraw on petition of Thomas Keyes for leave to erect a wooden building on Broadway, near A street, was accepted, in concurrence.

Report and order authorizing Charles Cullis to erect a building on the corner of Washington street and Blue-Hill avenue, on the conditions therein named.

Order instructing Committee on Legislative Matters to urge such an amendment to the Militia bill as shall provide for reimbursement to cities and towns of rents for regimental or battalion headquarters.

The following orders were severally passed, in concurrence:

Order authorizing 6000 square feet of marsh and upland to be purchased in rear of Minot Schoolhouse, at not exceeding \$1900.

Order that a contract be made for a new ferry boat, at a cost not exceeding \$60,000; and also for new wings to the ferry houses, at not exceeding \$10,000.

The following orders were severally read once:

Order authorizing not exceeding \$15,000 to be expended for laborers, and for keeping in good condition the Common, Public Garden and other public grounds.

Order authorizing the Committee on Survey and Inspection of Buildings to employ such clerical assistance as may be needed in that department, at an expense not exceeding \$1000.

Order authorizing a loan to be made of \$23,000, to be applied to the rebuilding of the Chelsea-street Bridge.

The report that no further action is required on the order granting the additional appropriation of \$5000 asked for by the Overseers of the Poor was accepted.

TRUSTEES OF THE CITY HOSPITAL.

The report nominating John Goldthwait and Elbridge G. Knights to fill vacancies occurring on the first Monday in May next, in the Board of Trustees of the City Hospital, was accepted, and the certificate of the election of John Goldthwait and Thomas L. Jenks as such trustees was read, when on motion of Mr. Wells of Ward 3, it was voted to proceed to an election.

Mr. Page of Ward 9 withdrew the name of Mr. Knights as a candidate.

The result of the ballot was as follows:

Whole number of votes.....	56
Necessary to a choice.....	29
John Goldthwait.....	54
Thomas L. Jenks.....	54
E. G. Knights.....	4
A. J. Hall.....	2

Messrs. Goldthwait and Jenks were declared to be elected, in concurrence.

Resolve and order for widening Lincoln street on westerly side, near Summer street, at an adjudged expense of \$1300, was read once, and passed to a second reading.

WIDENING OF STREETS ABOUT THE POST OFFICE.

The resolve and order for the laying out as a public street the parcel of land situated between the proposed extension of Pearl street, Congress street and Milk street, at an adjudged expense of \$112,010, (City Doc. No. 47,) were read once and ordered to a second reading.

Mr. Perkins of Ward 6 said if these orders for the widening of streets around the Post Office could be

passed now, by the yielding of the minority in the suspension of the rules, then the other orders on the table can be taken up and passed. The Mayor will retain the several orders ten days, as he has a right to, so that all of them may be passed at once, and there was no reason why they may not settle the question now, so far as relates to these streets around the Post Office.

If such members of the minority of the Council as were unable at the last meeting to prevent favorable action will allow the rules to be suspended, there was no reason why these matters should not all be settled tonight. He would not do it himself, but would ask the minority to make a motion for a suspension of the rules, and they would thereby favor the parties who are desirous of building on these several streets and to get their money for the land taken from them.

Mr. Dean of Ward 12 said he would have no objection to making a motion to suspend the rules so far as related to the order for taking the triangular piece of land on the extension of Pearl street. So much he would do, but in so doing would not commit himself in favor of the other order for the widening of Water street, which was quite a different affair. In regard to that, it was well known that he was opposed to it and could never be induced to vote for its passage or for the suspension of the rules. If it was desirable to pass this order, so that the others might be taken up which are on the table, he was content. If the gentleman desired, he would move for a suspension of the rules in this case. Some members of the minority differed from him, and he would not commit himself, much less others, by this action, and therefore moved a suspension of the rules.

Mr. Flynn of Ward 7 said he hoped the rules would not be suspended in this case unless it was determined also to do so in the other, for there was no more reason why it should be done in the one than in the other. Unless it was determined to pass them both he hoped the motion would not pass.

Mr. Pickering of Ward 6 said that as a general rule he was opposed to the suspension of the rules unless required by some emergency. They were too much in a hurry often, in passing upon such matters, when a week would make but little difference. But inasmuch as the widening of Water street appeared to be a foregone conclusion, and abutters on other streets which were awaiting action on this were clamoring for their lines and for settlement for their land, it was but justice that this should be passed. If necessary for the passage of those orders, he hoped the rules would be suspended.

Mr. Perkins repeated, that whether the other resolves and orders were taken up or not the Mayor would not give his consent to an approval of them until Nos. 47 and 57 were settled. If it was desirable that the owners of land taken in the burnt district should get their money, then orders should be passed now. If the widening of Water street, and the removal of the triangular piece of land was to be made, it would be as well to have it done now, otherwise parties must suffer by the delay. It lies entirely with the minority of the committee to decide now whether it shall be done.

Mr. Dean said he differed with the gentleman entirely in regard to the responsibility of the matter, for it lies entirely with the majority. He did not see why an exceptional case should be tacked upon others about which there is no question, and there could be no merit in carrying it on the back of others. Such a way of doing business was all wrong. Something that had staggered the minds of the Street Commissioners, that was opposed unanimously by the Committee on Streets at one time, which was opposed everywhere, and was objectionable in the minds of a large portion of the best citizens, was tacked on to the end of a dozen, more or less, of orders of a different character, to be carried because certain persons were clamoring for their lines.

There was another thing that he objected to. He did not know why the opinion of the Mayor should be brought in here for the purpose of influencing the action of the Council or their judgment in this matter in which they were called upon to act for themselves. When a matter came in here for their action, demanding investigation and challenging debate, it was their duty as the most numerous body representing the people, to rise to the dignity of the occasion, and whatever errors might be committed elsewhere, they should see to it that they should not pass through this branch.

Mr. Perkins stated that the resolves and orders on the table were virtually passed, for the Council was pledged to their passage. They could do no more than pass them, though some gentleman should move to take them up. But whether they passed them or not, the owners of land could not receive their money, for they can be laid upon the table of the Mayor for ten days. If they proceeded now to pass

them, it would be without benefit to the owners of land. If they were all nassed at once, they would receive the Mayor's sanction, but not otherwise.

It would be entirely useless to take up the other orders if these were not passed, and unless the minority could be persuaded to consent to a suspension of the rules it would be as well to have them passed next week as tonight. He did not introduce the matter in relation to the Mayor for the purpose of influencing the Council, but simply to show that no good could come to those persons who are waiting for the settlement of their claims in the burnt district. If the minority were not willing to yield a suspension of the rules he would wash his hands of the whole matter.

Mr. Shaw of Ward 5 said he was about to rise when the gentleman from Ward 12 addressed the Council, and he had spoken upon the subject much better than he could have done. If he had done his duty, when the gentleman from Ward 6 was speaking, he should have called him to order, for he was entirely out of order to introduce the views of the Mayor here to influence their action. It was out of order and impolitic to allude to the views of the Mayor, for the Mayor was one branch of the City Government, the Board of Aldermen another, and this branch another, and no gentleman had a right to give the Mayor's views except to present a message from him.

They had no right to present the views of the Mayor on any subject. This he stated boldly. What was the proposition before them? It was that if certain matters are carried through the City Council then certain others can be carried. Such sort of a proposition he never allowed to apply to his mind. When the gentleman rises and presents a certificate of the Mayor, then he has a right to express his views, and not otherwise. He did not think it right that gentlemen should lie out of their money, and it had been a question with him how long these orders should lie on the table, but it was not his business to move to take them up, and it would not be courteous in him to do so. They had lain there because gentlemen of the committee had not moved to take them up, and it was no fault of the minority.

These matters had lain on the table too long, and he agreed that the parties should have their money and be paid. He disagreed with the other gentleman that this had nothing to do with the other order, for they should act upon each as it came up. He did not believe in such leverage as bringing in the views of the Mayor. The Mayor was his personal friend, but there was another kind of leverage which he would not state here, and he could not believe in such kind of leverage, and he wished every word reported that the citizens may know what leverage is brought to bear upon this question. The gentleman talks of the minority, but there were no minority here.

Mr. Mahan of Ward 5 said that as a general thing he was opposed to the suspension of the rules. The proposition from the gentleman from Ward 6 to the minority, he thought was a very proper one, and the minority should be willing to take up Document No. 57, and vote for the suspension of the rules. He was not chicken-hearted, and did not know what kind of leverage had been brought to bear upon members of the Common Council, but believed every member had the common sense to judge of such matters themselves. No leverage could be brought to bear upon him, and he thought the remarks of the gentleman entirely out of place.

Coming from the quarter from which they did he believed they were uncalled for. He had sat there listening to denunciations of the Federal Government, and it might be supposed from the indignation manifested that it was a little rebellious. The safety and convenience of the citizens of Boston had a great deal to do with the Federal Government, and the Federal Government had a great deal to do with the safety and convenience of the citizens of Boston. To use the language of the gentleman, it was out of place to stigmatize members of the Council as he had done.

Mr. Blackmar of Ward 11 said this discussion was out of place. When this question was disposed of then the question of the widening of Water street could be acted upon. He did not believe the minority would try to defeat a measure of this kind, which had the approval of a majority, for the minority may become a majority in some other case in the course of the year, and would not wish to be thwarted in that kind of way in the passage of any measure. To do one thing at a time, he would move the previous question.

The motion for the suspension of the rules was carried, by a vote of 47 yeas to 13 nays, as follows:

Yeas—Abbott, Adams, Anderson, Barnes, Blackmar, Bleiler, Boardman, Bowles, Brennan, Burditt, Burt, Caton, Collins, Cudworth, Darrow, Davis, Denny, Dean, N. Doherty, T. H. Doherty, Edwards, Hall,

Hine, Holmes, Jones, Lamb, Loring, Mahan, Marston, McCue, McKenney, Pease, Perkins, Pickering, Power, Prescott, Risteen, Tower, Train, Upham, Warren, West, Weston, Whiston, Wilbur, Woods, Woodward.

Nays—Bicknell, Dacey, Flatley, Flynn, Harrington, Hughes, Kelley, Kingsley, Martin, Page, Shaw, Thacher, Wells.

The order was read a second time, and was passed by a vote of 46 yeas to 14 nays, as follows:

Yeas—Abbott, Adams, Barnes, Blackmar, Boardman, Bowles, Brennan, Burditt, Burt, Caton, Collins, Cudworth, Darrow, Davis, Dean, Denny, N. Doherty, T. H. Doherty, Edwards, Hall, Harrington, Hine, Holmes, Jones, Lamb, Loring, Mahan, Marston, McCue, McKenney, Pease, Perkins, Pickering, Powers, Prescott, Risteen, Tower, Train, Upham, Warren, West, Weston, Whiston, Wilbur, Woods, Woodward.

Nays—Anderson, Bicknell, Bleiler, Dacey, Flatley, Flynn, Hughes, Kelley, Kingsley, Martin, Page, Shaw, Thacher, Wells.

WIDENING OF WATER STREET.

The resolve and order for widening Water street to sixty feet on the northerly side, from Devonshire to Congress street, at an adjudged expense of \$211,675 (City Doc. No. 57), was read once.

Mr. Blackmar of Ward 11 moved a suspension of the rules for the passage of the order.

Mr. Dean of Ward 12 said he was content that the rules should be suspended in the last case, and that the order should be passed, because to his mind that was a clear case. In regard to this matter of Water street, he was clearly of the opinion that the public convenience and necessity did not require the widening of Water street, and he had been confirmed in that opinion by the meetings in the Board, by the action of the Street Commissioners and the Committee on Streets, as well as by the opinion of many citizens. In a case of this kind not only the honor and integrity of the Council, but of the city of Boston, was at stake. The safety and convenience of the city was the only criterion by which they were to act, and it was only when that coincided with the wishes of the Government that they could gratify their desires; and while he yielded to no one in loyalty to the Federal Government, he would also yield to no one in his loyalty to the city of Boston, which demanded of him at that time his best fidelity.

When the Federal Government came to them and said they would give to Boston a basis on which they should lay out their streets, making it imperative that if the city did not follow their behests they would not lay out some money on the Post Office, he claimed that the city was governed by its own laws and the laws of the Commonwealth, and could not listen to them. Why, the other day, in the Court House, he inquired of one of the Street Commissioners how many streets there were leading to this square about the Post Office. The reply was, eleven including Spring lane. He also asked what the aggregate width was, and the reply was five hundred and fifteen feet. Yet in the midst of that they were told that they must make a little jog beside the Post Office, in order to give more room and complete safety from fire.

He thought that, as far as Boston was concerned, they had already stretched their consciences, and had gone to an inordinate expense without any corresponding benefit. He was therefore opposed to any undue expedition in the matter, for they more than the Board of Aldermen represented the people in the matter. He did hope that while they were ready to do all that they could, and stretch a point where it was possible to bring it within the bound of reason, they would in this case act the part of good law-abiding citizens, and say that they could not submit to any other requirements, which their consciences could not permit.

Mr. Perkins stated that the question had already been fully discussed and was now whether they should allow the business to take its course, and not on the merits of the case.

On motion of Mr. Hughes, the yeas and nays were ordered on the motion to suspend the rules.

Mr. Flynn said that while he was not in favor of the widening of Congress street as passed, he believed they should both go together.

Mr. Blackmar said he was peculiarly gratified at the announcement of the gentleman, indicating that the minority were not to stand in the way of this improvement. There could be no reason for delay unless it was expected gentlemen would change their views, and if there could be no good, why should they delay?

Mr. Wells of Ward 3 said he had voted with the minority and should continue to do so. He did not think it was hardly fair for the gentleman to stand up

there and tell them that they should do what he might say. The gentleman did n't furnish brains for him. If he could show any good reason for the measure he was ready to hear it and be convinced. Gentlemen would say to him, "Go down Water street and look up." He wanted any one to go to Washington street and look down Water street. They would say to him, "Look up as far as Devonshire street—no further." The jogs were all right as long as they were opposite the Post Office. He was ready for a good, wide, straight street, to connect with School street widened. The whole thing was clear in his mind, and he did n't think the gentleman from Ward 11 could make in any clearer. The whole matter of street widening had been forced by cunning, and the Council was pledged to do what it couldn't get over. He did not think they had got to do it, and he found that the taxpayers outside didn't think so. He was ready for any good improvement; but if the gentleman of the Committee on Streets could, in all that had been laid out, find one that was straight, he would vote for this measure. If the gentleman could show him why Federal street was widened on the westerly side, he would agree to vote for Water street.

Mr. Pickering of Ward 6 said he was so well satisfied that members had made up their minds on this subject that he believed nothing would be gained by delay. He did not see the public necessity for the widening, and as he could not see that anything would be gained by delay, he would vote for a suspension of the rules.

Mr. Dean said he was a believer in the old adage that "While the lamp held out to burn the vilest sinner may return." He had great hopes of converting the council yet, and if the matter were put off the minority might become swollen to the majority. He was sorry to see this defection in the ranks of the minority. If he had foreseen it he would not have made the first motion for suspension of the rules.

Mr. Page believed the widening of Congress street was the least needed, and as a week's delay would not avail anything, he moved the previous question.

Mr. Dean said he was sorry that the vile sinner was on the wrong side.

The motion for the previous question was sustained.

The vote on suspension of the rules was, 42 yeas to 18 nays, as follows:

Yeas—Adams, Barnes, Blackmar, Boardman, Brennan, Burditt, Burt, Caton, Collins, Cudworth, Darrow, Davis, Denny, N. Doherty, T. H. Doherty, Edwards, Flynn, Hall, Harrington, Hine, Holmes, Jones, Lamb, Mahan, Marston, McCue, Page, Pease, Perkins, Pickering, Fowers, Prescott, Ristein, Shepard, Tower, Train, Upham, West, Weston, Whiston, Wilbur, Woods, Woodward.

Nays—Abbott, Anderson, Bicknell, Bleiler, Bowles, Dacey, Dean, Flatey, Hughes, Kelley, Kingsley, Loring, Martiu, McKenney, Shaw, Thacher, Warren, Wells.

The order was then read a second time, and the question being on its passage—

Mr. Flynn of Ward 7 asked for the ruling of the Chair whether the passage of the resolve and order did not require a two-thirds vote.

Mr. Shaw of Ward 5 wished to know whether the question was before the Council. It would be sufficient time when the vote is taken to decide whether such a vote is required; and if it is to be debated he would like to say something on the subject.

The Chair stated that he would rule on the subject now, as requested. He had given some attention to the subject, as to whether the passage of the order would require a vote of two-thirds or that of a majority. By rule seven of the Joint Rules and Orders, it is provided that "after the annual order of appropriations shall have been passed, no subsequent expenditures shall be authorized for any object, unless provision for the same shall be made by special transfer from some of the appropriations contained in such annual order, or by expressly creating therefor a city debt; in either of which cases the order shall not be passed unless two-thirds of the whole number of each branch of the City Council shall vote in the affirmative, by vote taken by yea and nay."

It appeared that the general order to provide for the expense of widening the streets in the burnt district was passed Dec. 26, 1872: "that the Treasurer be and hereby is authorized to borrow, under the direction of the Committee on Finance, the sum of *one million dollars*, the same to be appropriated for the widening, extending, grading and paving of streets, and for all damages and expenses in consequence thereof, within the district burnt over by the fire of November 9 and 10, 1872,—the said loan to be designated as the 'Burnt District Loan.'" That order has not been changed except in increasing the amount of the loan to four millions of dollars more. If the above cited provision in section 7 applied to this or-

der, the question would be whether the expense of this widening had been provided for by the Board. That would be determined by the question of fact whether the Post building was within the district burnt over by the fire of November 9 and 10. Upon that question the Chair was clear. There had been no map or plan defining the burnt district, and no order passed defining such district. The only boundaries therefore, were the buildings unburnt and the streets burnt over, forming a cordon of buildings unburnt, and streets as the boundaries, and in no other way can the limits of the district be established.

The new Post Office and the Post building, although damaged by fire on the sides up to which the fire burnt, were not burnt over, but form a part of the cordon of buildings surrounding the "district burnt over by the fire." The order providing for the loans therefor does not cover the expense of taking the Post building, and under the rules, if it were applicable, the order before the Council would require a two-thirds vote.

But the Chair had come to the opinion that section 7 of the joint rules did not apply to these orders. The Board of Street Commissioners was an independent body, and up to a certain amount have exclusive jurisdiction in the expenditures for the widening of streets—to the amount of \$10,000. They are the parties who are to adjudicate in the laying out of streets, and are empowered for the purpose by the Legislature. The only part which the City Council has in the matter is to accept or reject their action, having a veto power on it; otherwise the City Council has no power.

When the Street Commissioners shall adjudge that the public safety or convenience shall require the laying out or widening of a street, they are required to make an estimate of the expense, if over \$10,000, once \$25,000, and send it to the City Clerk, to be laid before the City Council for their concurrence, and not to take effect until so concurred in. By this act of concurrence a vote of only a majority of each branch is required, the authority having been given by the Legislature in the creation of the Board of Street Commissioners.

In such a case it would not be in the province of the City Council to make a rule requiring a two-thirds vote for the concurrence in such orders, for, if so, they might defeat the acts of the Street Commissioners. If they could make a rule requiring a two-thirds vote, they could also require a vote of nine-tenths or that it should be unanimous, and thus defeat the acts of the Commissioners. A legal decision, as declared by the Supreme Court, had determined this to be entirely disconnected from official acts, making it a quasi judicial authority, entirely separate from the general business of the city.

To satisfy himself entirely he had obtained the opinion of the City Solicitor, and he read the correspondence on the subject, as follows:

J. P. Healey, Esq., City Solicitor:

Dear Sir—Is section seven of the joint rules and orders of the City Council applicable to the vote of concurrence or rejection of the orders of the street Commissioners for the laying out, altering or discontinuing the streets?

Yours, truly,

E. O. SHEPARD,
President Common Council.

E. O. Shepard, Esq.:

Dear Sir—In my opinion the rule is not applicable to the case you put. The joint rules and orders of the City Council are for the government of the two branches when they are acting as the City Government, or branches of it, and only when they are so acting. When the members of the City Council are called upon to concur or non-concur with the Street Commissioners in laying out or widening streets, they act as a tribunal created by law for these purposes, and entirely independently of their office as the City Government.

I am, very respectfully, your obedient servant,
J. P. HEALY, City Solicitor.

In his opinion, then, the joint rule of the City Council was not applicable to the Government of the two branches when acting upon an order of this kind. The act by which the Street Commissioners are governed is entirely independent of the City Government in this respect. And the Chair decides that the passage of the order requires but a majority vote.

The question was then stated to be upon the passage of the order.

The resolve and order were passed by a vote of 36 yeas to 25 nays, as follows:

Yeas—Adams, Barnes, Blackmar, Boardman, Brennan, Burditt, Burt, Collins, Cudworth, Darrow, Davis, Denny, N. Doherty, T. H. Doherty, Edwards, Hall, Harrington, Hine, Holmes, Lamb, Mahan,

Marston, McCue, Pease, Perkins, Prescott, Risteen, Tower, Train, Upham, West, Weston, Whiston, Wilbur, Woods, Woodward.

Nays—Abbott, Anderson, Bicknell, Bleiler, Bowles, Caton, Dacey, Dean, Flatley, Flynn, Hughes, Jones, Kelley, Kingsley, Loring, Martin, McKenney, Page, Pickering, Powers, Shaw, Shepard, Thacher, Warren, Wells.

Mr. Perkins moved a reconsideration of the vote, which he hoped would not prevail, and the reconsideration was lost.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pay John Galvin \$500, for expenses as Superintendent of Common and Public Squares.

Order authorizing the purchase of a self-acting fire engine, at not exceeding \$2000.

Order authorizing an expenditure of not more than \$300, for a gun rack for and repairs in the armory of Company A, Ninth Regiment.

The order for the appointment of a committee to make arrangements, at not exceeding \$21,000, for the celebration of the Fourth of July, 1873, was considered.

Mr. West of Ward 16 moved as an amendment to substitute \$15,000 for \$21,000, believing that there should be a curtailment of expenses somewhere, and he did not know where it could be better done than in this matter.

Mr. Shaw of Ward 5 favored the amendment as a good one, and believed there was no city in the country where there was so much money expended for the celebration of the Fourth of July as in this city. He was a believer in the Fourth of July and in the celebration of it, but he had been led to look into the matter of expenditures, and believed that much of it was unnecessary.

Mr. Shaw gave an analysis of the expenditures under the direction of the Committee on the Celebration of the Fourth of July. In the matter of refreshments, the rowing regatta and goose race sub-committee, in an expenditure of \$2267 33, expended \$399 70 for refreshments; the refreshments of the sailing regatta sub-committee and an expenditure of \$2267 33, amounted to \$323 95; the refreshments of the General Committee on the Henry Morrison cost \$846 50. The matter of the goose race was a particular subject of ridicule by him.

In the present condition of the finances of the City Government, when so many millions of dollars were expended for street improvements there should be a curtailment of expenditures. Before many years he believed there would be a financial crisis in the country, and now old commercial houses were going down, being obliged to pay from one-half to one per cent. per day for loans.

Mr. Shaw further stated as the debt of the city about \$30,000,000 and in three years more it would amount to \$50,000,000, increasing the interest account to \$10,000 a day. It was time, then, he said, to stop and reflect upon the matter, and look before they leaped, that every dollar of illegal expense may be saved. The Council began early in the year to cut down expenses, and he would be glad to cut down the aggregate amount so as to prevent indiscriminate expenditures by sub-committees.

Mr. Wells said the amount proposed to be expended was less than that of last year, and he did not think that one day's amusement would be expensive at the price proposed. So far as printing was concerned, there were a great many members of the City Council who did not get a chance to ride on any other day, and it could not be expected that the committees would walk on that day. The amount of \$25,000 expended was doubled in the advantages by the amount of trade brought into the city. The goose race he admitted was a failure. He would be willing to make the appropriations \$18,000, and dispense with the refreshments.

Mr. Perkins said he had made an examination of the matter, and was satisfied that \$15,000 was all sufficient. He hoped that all the other amendments would be voted down.

Mr. Pickering thought that \$15,000 would be sufficient for the celebration of the Fourth of July in a proper manner. The committee might exercise a good discretion and save some of the expense, particularly that for a goose race. He thought the gentleman from Ward 5 was hard on the goose, for geese had saved an ancient city, and there was no knowing what they might do yet for us.

Mr. Flynn said he hoped the amendment would prevail, and he was about to offer an amendment to dispense with the fireworks.

Mr. Wells withdrew his amendment.

Mr. Shaw said if he had said anything for which he was sorry, he was willing to be forgiven. At

least it would be supposed he was sound on the goose.

The order was amended to make the amount \$15,000, and, as amended, the order was laid on the table.

ENGINEERS OF THE FIRE DEPARTMENT.

Report nominating John S. Damrell as Chief-Engineer of the Fire Department, and the following-named persons as Assistant-Engineers: Joseph Dunbar, Zenas E. Smith, William A. Green, George Brown, John W. Regan, John S. Jacobs, Phineas D. Allen, Rufus B. Farrar, James Monroe, John Colligan, Joseph Barnes, Sylvester H. Hebard, Levi W. Shaw, George W. Clark, was accepted, and the certificate of their election was read, when the Council proceeded to the election of Chief Engineer, with the following result:

Whole number of votes.....	58
Necessary to a choice.....	30
John S. Damrell.....	45
John Colligan.....	2
James Quinn.....	2
George Brown.....	2
Joseph Dunbar, Dr. E. B. Whitman, P. D. Allen, one each.....	3

And there were two for an ineligible person.

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

Pending the reception of the ballots, Mr. Dean of Ward 12 presented the following memorial, which was read:

In view of the recent appointment by the City Council of a Committee to Nominate a Chief Engineer of the Fire Department, and in consideration of the immense interests, both of life and property which, in great measure, are dependent for security and protection upon the personal qualities of the individual occupying that office, the undersigned, citizens and owners of property in the city of Boston, while animated by the most kindly feelings towards the present holder of that trust, feel called upon earnestly to represent to the members of that committee and of the city council that in their opinion there is imperatively required such a change in the direction of that department as will bring to its guidance not only the best available experience and attainments in the profession, but also capacity to organize in the best manner the means which the Government may provide, foresight to meet the demands of unusual contingencies, and a readiness to cope with even the most unforeseen emergency, based upon the clear understanding, sound judgment and cool head which should characterize the man whom his fellow citizens may choose to fill so important and honorable a post and one which so nearly concerns them all.

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|----------------------------|-------------------------|
| Geo. C. Richardson & Co., | Geo. B. Upton, |
| E. R. Mudge, Sawyer & Co., | Edward Wigglesworth, |
| Lawrence & Co., | Geo. H. Kuhn, |
| Gardner Brewer & Co., | H. H. Hunnewell & Sons, |
| Francis Jaques, | J. M. Beebe & Co., |
| James L. Little & Co., | Thos. Wigglesworth, |
| Hamilton A. Hill, | Andrew T. Hall, |
| Joy, Langdon & Co., | Horatio Harris, |
| W. Minot, Jr., | John H. Thorndike. |

Referred to Committee on Ordinances.

The votes for Assistant-Engineers were as follows:

Whole number of votes.....	54
Necessary to a choice.....	28
Joseph Dunbar.....	54
Zenas E. Smith.....	54
William A. Green.....	54
George Brown.....	54
John W. Regan.....	53
John S. Jacobs.....	51
Phineas D. Allen.....	51
Rufus B. Farrar.....	49
James Monroe.....	49
John Colligan.....	54
Joseph Barnes.....	54
Sylvester H. Hebard.....	53
Levi W. Shaw.....	51
George W. Clark.....	53
Thomas R. Appleton.....	5
George Frazier, David Wilson and George C. Fernald, one each.....	3

The persons named as chosen were declared to be elected, in concurrence.

PETITIONS PRESENTED AND REFERRED.

Morton & Chesley, for extension of time to build on Dedham street. Referred to the Committee on Public Lands.

Joseph F. Paul & Co., for leave to erect two lumber sheds on their wharf on Albany street. Referred to Committee on Survey and Inspection of Buildings.

Henry Doherty, for compensation for filling Madison square. Referred to Committee on Common, etc.

Henry M. Clark and others, that edgestones be set in Longwood avenue. Ordered to be sent up.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

APRIL 21, 1873.

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

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers, without pay—Bernard T. Quinn, for Tremont row and Howard street; Henry Packard, for Washington Village and its vicinity; Antonio Enos, for duty at sales and delivery of cargoes; Benjamin G. Gavett, at the Boston Theatre; Stephen G. Deblois, for Concord street and its vicinity.

William H. Baneroff, Jr., for Mount Vernon Bank and its vicinity; E. W. Buswell, for Horticultural Hall and its vicinity; Israel Simpson, for John A. Andrew Hall; Sullivan M. Waldron, for Madison Block, No. 798 Washington street; John R. Tuttle, for Stearns Mill, Neponset; Alfred Woods, for Church-street M. E. Church; J. Templeman Coolidge, Jr., for Beacon street, Charles street and the vicinity; Samuel Hammond, for Beacon street, Charles street and the vicinity; Gilbert H. Hamilton and Myron L. Shaw, for Dover and Albany streets and the vicinity.

PETITIONS PRESENTED AND REFERRED.

Henry N. Clark and others, that edgestones be set and gutters paved in Longwood avenue, near the bridge.

A. K. Wentworth and others, that edgestones be set in a portion of Bower street.

Aratus C. Pratt, for leave to sprinkle certain streets in Roxbury.

Bay State Sugar Refinery and others, that Eastern avenue be paved with granite blocks.

Robert M. Mason, trustee, that edgestones be set in Longwood avenue.

M. J. Flatley and others, that North street be paved with wood, near Merchants' row.

J. E. & N. Brown and others, for the repaving of Pleasant street from Tremont street to Park square.

D. N. Skillings and others, that Beacon street be paved with wood as far as Fairfield street.

Severally referred to the Committee on Paving.

Boston & Albany Railroad Company, for leave to occupy a wooden stable with four horses on the corner of Clyde and Marginal streets.

Albe C. Clark, for leave to occupy a wooden stable for three horses on Mill street, Harrison Square.

S. & A. R. Whittier, for leave to occupy a wooden stable for twelve horses on Harrison avenue, rear of No. 502.

Eugene McKenna, for leave to occupy a wooden stable for seven horses on Third street, between A and B streets.

J. W. & J. H. Cox, for leave to occupy a wooden stable for four horses on Highland-street avenue.

G. Halliday and others, against the petition of E. J. Ellingwood, for a stable on Codman park.

Severally referred to the Committee on Health.

William H. Browne and others, for a sewer in Hudson street, Ward 16.

John H. Robinson and others, for a sewer in Adams street, Ward 16.

James G. Haynes and others, for a sewer in Fountain street.

Superintendent of Public Buildings, for a sewer in East street, Ward 16, to accommodate the Mather Schoolhouse.

Severally referred to the Committee on Sewers.

George G. Elder & Son, for leave to erect a wooden building in the rear of Nos. 399-401 Albany street, for a lumber shed. Referred to the Committee on Survey and Inspection of Buildings.

James B. Dow and others, that a hose carriage be placed in the house of Engine No. 23. Referred to the Committee on Fire Department.

Barnum's Museum, for leave to parade through certain streets of this city. Referred to the Committee on Police.

W. F. Wade, that water may be furnished to his estates, Nos. 146-150 Canal street. Referred to the Committee on Water.

A remonstrance was presented against the petition for a postponement of the completion of the extension of Washington street, the remonstrants believing "that there is an urgent demand by the travelling public for this great work to be speedily finished," signed by Cyrus Wakefield, A. H. Allen, Lewis Rice, A. Wentworth, Byam, Carlton & Co., Worthington,

Flanders & Co., S. S. Holton, Maelluar, Williams & Parker, Goldthwait, Snow & Knight, George B. Upton, Andrew T. Hall, F. Haven, R. & W. Sherburne, the Fitchburg Railroad Company, Lowell Railroad Company, Boston & Maine Railroad Company, by their officers, making 131 firms, individuals and corporations, S. S. Holton, James Pierce & Co., and S. D. Bacon being on the line of the extension and to be turned out of their stores. Rand, Avery & Co. declined to sign the remonstrance, but will not do anything to hinder the improvement. Referred to Committee on Streets.

WIDENING OF BEDFORD STREET.

A resolve and order was received from the Street Commissioners for the widening of Bedford street, between Summer and Kingston streets, at an estimated expense of \$31,907.

The estimate of damages is given as follows:

Henry Lee, No. 89 Bedford street, 48 feet of land, \$15 per foot, \$720; damages \$480—total \$1200. Heirs of James H. Foster, No. 87, 229 feet, \$15, \$3435; damages \$500—\$3935. Warren H. Rogers, No. 83, 142 feet, \$11, \$1562; damages \$1700—\$3262. Heirs of William H. Monroe, No. 81, 161 feet, \$11, \$1771; damages \$1700—\$3471. Justin S. Ambrose, No. 79, 271 feet, \$11, \$2981; damages \$500—\$3481. Unknown owners, Bedford court, 68 feet, no expense. Mary Chism, No. 77, 389 feet, \$11, \$4279; damages \$3300—\$7579. Elizabeth Child, No. 75, 198 feet, \$13, \$2574; damages \$1900—\$4474. Gilbert Evans, No. 73, 207 feet, \$15, \$3105; damages \$1400—\$4505. Total 1713 feet, \$20,427; damages \$11,480—\$31,907.

Alderman Clark stated that this proposed widening had been considered by the Committee on Streets, who were in favor of it, and he moved the passage of the resolve and order.

The motion prevailed, and the resolve and order were passed, in concurrence.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice on the proposed construction of a sewer in St. James street; in Halleck street, between Prentiss and Ruggles streets; in Stoughton street, near Brook avenue; in Brook avenue, in West Cottage street and in North avenue, were severally taken up. No person appeared in relation thereto, and the several reports were recommended.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pay George M. Browne \$1156 70, for land damages on Cottage street.

Order to pay Thomas W. Tuttle \$363 70, for land damages on Cottage street.

Order to pay Willis B. Mendum \$76 60, for land damages on Cottage street.

Order to pay Charles E. Cook \$132, for land damages on Summer street.

PAPERS FROM THE COMMON COUNCIL.

The petitions of Joseph F. Paul & Co., Henry Doherty, and of Morton & Chesley, and the communication of George C. Richardson & Co., and others, were severally referred, in concurrence.

The reports from Committee on Claims (leave to withdraw) on petitions of Ann Young, Adeline F. Phillips, Stephen L. Burkett, Ann E. Chessman, Mary Cogan, and Lynn & Boston Railway Company were severally accepted, in concurrence.

The following orders were severally passed, in concurrence:

Report and order to allow S. C. Field & Co. to erect a wooden addition to their building on Ninth street, near Old Harbor street.

Report and order to allow Conrad Decker to erect a wooden building in rear of Marginal street, East Boston.

Order to pay John Galvin \$500, for expenses on Common, etc.

Order to allow Company A, Ninth Infantry, \$300 for repairs on armory.

Order to discontinue rent of armory of headquarters First Battalion of Infantry at Williams Hall from January 1, 1873. [Amended to make it May 1, 1873.]

Order for such alteration of Hose House Four, on Northampton street, as will accommodate a steam fire engine, etc.

REPORTS OF COMMITTEES.

Alderman Gibson, from the Committee on Police, to whom were referred the nominations for truant officers, made a report recommending that the nominations be returned to his Honor the Mayor, with the request that the number be reduced from ten to six. Accepted.

Alderman Power, from the Committee on Paving, reported leave to withdraw on petition of Michael Drinan to be paid for grade damages on Blue-Hill avenue. Accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of the petition of Cyrus Wakefield, for leave to locate and use a steam engine and boiler at the corner of Friend and Market streets, and of Demison & Company for leave to locate and use a steam boiler and engine at No. 18 Norfolk avenue. Severally accepted.

Alderman Gibson, from the Joint Standing Committee on the Survey and Inspection of Buildings, to whom was referred the petition of Owen Nawn for leave to construct an addition to his building on Parker street beyond the legal dimensions, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Owen Nawn to construct an addition to his building on Parker street, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted, and the order was passed.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses as follows: A. W. Scott to exhibit a panorama at East Boston; Joseph P. Patterson to give a concert at Washington Hall April 24; Redpath & Fall to give concerts by Hampton students at Tremont Temple; also to sundry persons as victuallers, dealers in second-hand articles, to keep intelligence offices, for wagon licenses, transfer of wagon licenses. Severally accepted.

The same committee reported leave to withdraw on petition of Hiram Stearns for a carriage stand at Nos. 7-18 Devonshire street, and of John Campbell, 91 Richmond street, Patrick Collins, 450 Federal street, Otis C. Merrill & Co., 44 Portland street and 46½ Sudbury street, and John Campbell, 126 Kneeland street, severally for licenses as victuallers. Accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables, as follows: Hannah Barnes, to occupy a wooden stable for three horses on Mount-Vernon street, near Boston street; E. & G. W. Reynolds, to occupy a wooden stable for four additional horses on Warren street, rear No. 115; Stephen Connolly, to build a stable in the rear of Athens street; James Connaughton, to occupy a stable for one horse in Dorchester avenue, near Savin-Hill avenue. Severally accepted.

The same committee reported leave to withdraw, as follows: Elmer C. Gordon, to occupy a wooden stable for one horse on the corner of Thornton street and place, and on petitions of Edward G. Morse and others for additional compensation for their services as public vaccinators, and of James O. Young for additional compensation under an offal contract. Severally accepted.

Alderman Sayward, from the committee appointed to nominate candidates for the offices of field drivers and fence viewers, made a report recommending the appointment of the following-named persons:

Field Drivers—William D. Cook, S. E. Partridge, Henry Morse, Thomas M. Cotton, Charles Spear, William Gordon, Wilson Stanley, Jeremiah M. Swett, John S. Underwood, Samuel McIntosh, Edward F. Meenen, E. T. Hitchcock, John Robie, William Moulton, William T. McChesney, Patrick H. Rogers, Theodore Hersey, Bernard Crosby.

Fence Viewers—Moses Gragg, John Dove, John Noble, Luther Briggs, E. H. R. Ruggles.

The several nominations were confirmed.

ORDERS PASSED.

On motion of Alderman Gibson—

Ordered, That until otherwise ordered, the maximum number of members of the Police Department be fixed at 575 men, including officers of rank.

Ordered, That the number of sergeants of police be increased from thirty-one to thirty-four.

On motion of Alderman Power—

Ordered, That there be paid to James Gilfeather the sum of \$800, in full compensation for all damages caused to his estate No. 166 Fourth street, by the raising of the grade of said street, as ordered by the Board of Aldermen, Oct. 1, 1873, upon the usual conditions; said sum to be charged to the appropriation for Paving.

Ordered, That there be paid to George Field the sum of \$500, in full compensation for all damages caused to his estate, No. 173 Chambers street, by the raising of the grade of said street, as ordered by the Board of Aldermen September 17, 1872, upon the usual conditions; said sum to be charged to the appropriation for Paving.

Ordered, That the sum of \$80 78 be abated from the assessment levied on J. C. Delano, for a sewer in Meridian street, and that the same amount be assessed upon William Wood; that the sum of \$166 88 be abated from the assessment levied on George P. Dudley, for a sewer in West Eagle street, and that

the same amount be assessed upon Anstin Gove & Son.

Ordered, That permission be given to the Albany-Street Freight Railway Company to change the position of the turnout leading from Albany street into the premises of the Hinkley Locomotive Works to a point about three hundred feet south of its present location; provided that all expenses caused by said change, including the repaving of any portion of Albany street and the building of new cesspools, etc., shall be borne by said Albany-Street Freight Railway Company.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Ruggles and Halleek streets, and report a schedule of the expense to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in St. James, Akron and Regent streets, and report a schedule of the expense to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Brook avenue, North avenue, Stoughton and West Cottage streets, and report a schedule of the expense to this Board.

On motion of Alderman Stebbins—

Ordered, That the Treasurer be authorized to allow on deposits of money made by proprietors of lots in Mount Hope Cemetery for the permanent care and ornamentation of said lots, interest at a rate not exceeding six per centum per annum; the amount so allowed to be paid to the trustees of said cemetery, and to be expended under their direction.

On motion of Alderman Clark—

Ordered, That the expense of widening Bedford street, between Summer and Kingston streets, at an estimated expense of \$31,907, be charged to the appropriation for Laying Out and Widening Streets.

Ordered, That the Joint Standing Committee on Streets be authorized to purchase the triangular parcel of land at the junction of Emerson street and Third street, South Boston, containing 2454 square feet, more or less, for the purpose of preserving the grade of Emerson street; the expense, not exceeding the sum of seventy cents per square foot, to be charged to the appropriation for Laying Out and Widening Streets.

Ordered, That there be paid to Nathan Robbins the sum of \$10,230 83, for an execution of the Superior Court of June 27, 1872, paid for land taken in the name of Franklin S. Simonds and others, trustees, and all damages for widening Eliot street, by a resolve and order of this Board, December 31, 1869, and that it be charged to the appropriation for Widening Eliot Street.

An ordinance to amend an ordinance relating to the City Hospital.

Section 1. The ordinance relating to the City Hospital is hereby amended, by striking out the fifth section and inserting in place thereof the following:

“Section 5. The said Board of Trustees shall make such rules and regulations for the management and government of the patients and employes in said hospital as they may deem proper and necessary; subject, however, to the approval of the City Council.”

Read twice and passed.

ORDERS TO PAY FOR STREET WIDENINGS.

Alderman Clark submitted some fifty orders to pay for land taken and damages occasioned by widening streets on the burnt district, stating that they were all, in their several amounts, as estimated in the widenings of the Street Commissioners.

The several orders were passed, as follows, the amounts to be paid from the Burnt-District Loan:

FEDERAL STREET.		
	Ft. of land.	Amt.
Edwin H. Sampson.....	112	\$3,038
Nathan Matthews.....	67 1/2	9,309
.....	37	731
H. & F. A. Whitwell, execs.....	502	6,350
E. M. Abbott & E. S. Bangs.....	756	12,496
Benjamin S. Boardman.....	510	9,509
John P. Gilman.....	359	6,730
Edward D. Peters.....	406	7,650
Andrew T. Hall.....	340	6,450
James H. Beal.....	582	10,850
Charles E. Cook.....	93	2,300
John Collamore.....	121	4,931
James Lawrence and others, trustees.....	539	9,201
Heirs of Mary Powars.....	761	11,950
S. H. Russell, trustee.....	473	10,000
David Snow.....	1,143	15,816
.....	923	
MULK STREET.		
	Ft. of land.	Amt.
Heirs of T. B. Lawrence.....	481	\$32,220
.....	495	
R. T. Paine, Jr., and others.....	430	12,721
Samuel Atherton.....	510	12,130
Liberty Square Warehouse Company....	991	16,656

	Ft. of land.	Amt
Moses Williams.....	70	1,860
William S. Dexter.....	318	6,610
Henry A. Whitney, trustee.....	404	8,330

HAWLEY STREET.		
	Ft. of land.	Amt
Trinity Church.....	2,530	\$69,300
Heirs of Henry Sargent.....	501	6,400
James Parker.....	197	2,560
W. P. Mason and C. H. Parker, exec'rs..	755	17,650
George P. Upham.....	654	15,950
Mary and Ann Wigglesworth.....	253	3,910
Alpheus Hardy and others, trustees.....	782	9,850

CONGRESS STREET.		
	Ft. of land.	Amt.
Heirs of Benjamin Willis.....	220	\$2,450
Lorin L. Fuller.....	220	2,450
James Parker.....	2,285	65,000
John S. Potter.....	245	3,200
Thomas E. Proctor.....	872	13,750
Henry M. Whitney, trustee.....	837	15,700
Heirs of Samuel May.....	824	8,240

ARCI STREET.		
	Ft. of land.	Amt.
Uriel Crocker.....	232	\$2,050
Mary and Anne Wigglesworth.....	213	2,100
Alpheus Hardy and others, trustees.....	5,222	132,000
" " " ".....	7,932	
" " " ".....	653	

FRANKLIN STREET.		
	Ft. of land.	Amt.
E. M. Abbott & E. S. Bangs.....	2	\$26

DEVONSHIRE STREET.		
	Ft. of land.	Amt.
James H. Beal.....	86	\$1,720

SUMMER STREET.		
	Ft. of Land.	Amt.
W. P. Mason and C. M. Parker executors.....	1,241	\$32,100
Proprietors of Trinity Church.....	1,074	32,300

CHAUNCY STREET.
Alpheus Hardy and others, trustees, \$42,520, for land taken in the name of Osborn Howes and R. J. Monks, trustees.

PEARL STREET.		
	Ft. of land.	Amt.
Moses Williams.....	617	\$19,000

PURCHASE STREET.		
		Amt.
Heirs of Samuel May.....		4,480

OLIVER STREET.		
	Ft. of Land.	Amt.
Liberty Square Warehouse Company.....	4,772	\$87,396
Heirs of John Belknap.....	779	15,980

Orders were also passed to pay James H. Clapp \$751, for land taken to widen Stoughton street; to pay Charles A. Upham \$200, for land taken to widen Bellevue street; and M. Ada Brewer \$72.05, for land taken to widen Cottage street.

Alderman Stebbins offered the following order:
Ordered, That with a view to the early closing of the present building on Marcella street, now occupied as a smallpox hospital, the Board of Health be respectfully requested to communicate to the City Council what in their judgment are the requirements of the city for a permanent hospital for the treatment of persons suffering from smallpox or other contagious diseases.

Alderman Stebbins stated that when this hospital was opened, he expressed the opinion that he should be among the first to have it closed when the exigency for its use had passed away. There were no doubt good objections to such a hospital in that neighborhood, that it would be an injury to the property there, and no doubt the assessors would so consider it. For that reason it was desirable to close it, if no longer needed.

The order was passed.

APPOINTMENT OF POLICE OFFICERS.

The following appointments were received from the Mayor:

Captain of Police—Joseph Hastings.

Lieutenant of Police—John F. Gardner.

Sergeants of Police—Henry C. Hemmenway, Dummer Erskine, Louis W. Swan, Luther H. Collier, Lyman Andrews.

Police Officers—Veranus C. Hanson, George S. Clatur, William D. Kelley, George E. Savory, Henry C. Preble, William Breen, Stephen E. Robbins, James Smiley, Lawrence Cain, Edwin Piper, Charles E. Jellison, George Mullins, Charles L. Merrill, W. W. Lord, John J. Lynch, James M. Ellis, George F. Fenno, Michael H. Glass, Richard Sefton, William P. True, Thomas E. Ryan, John D. Blew, Alfred T. Webber, William Cogan, Orrington M. Hanscom, James H. Lee, Charles J. Oldham.

Referred to the Committee on Police.

ORDER OF NOTICE.

On the proposed construction of a sewer in Eighth street, between Old Harbor and G streets. Hearing Monday next, April 28, 4 P. M.

REDUCTION OF NUMBER OF TRUANT OFFICERS.

Alderman Gaffield moved a reconsideration of the vote requesting the Mayor to make a reduction in the number of truant officers.

Alderman Power hoped the motion would not prevail, being of the belief that the Committee on Police had the best of reasons for asking that a reduction be made, after considering the subject thoroughly.

Alderman Gaffield said he had paid great attention to the subject, had spent many hours with the chief of the truant officers, was familiar with the nature of their duties, believed their services to be valuable to the schools, and a reduction in the number of them would prove to be an unfortunate thing to the schools.

Alderman Power said he supposed the Committee on Police understood what they were about when they reported in favor of a reduction. He had also given great attention to the subject, and if others do as much as the officer did at South Boston, six would be as many as were necessary for the whole city. He did not doubt they were all excellent men, and he had no fault to find with them; yet it was well known that there was a great pressure for appointment as a truant officer than for any other officer, for the reason that they had nothing to do for half the year, and but little duty to perform. The best of these officers had been police officers.

Alderman Sayward said he did not understand why a change was proposed, for if ten were needed years ago, the increase of population and of schools would call for an increase rather than a decrease of officers. If there was no need of them, and the police could do the duty as it seemed to be supposed, then abolish the office. But as it was, he believed there were none too many. The School Committee he believed to be better able to judge of the matter, and he could not vote for a reduction unless better reasons were given than had been, which were no reasons at all. If they had so little to do, as was urged, then reduce their pay.

Alderman Power referred to the vacations, the many holidays, Wednesday and Saturday afternoons, which these officers had, and said he believed the city did not need so many, any more than it needed two mayors, and if it had been an evil in past years in having too many of such officers it should not be tolerated any longer. He did not know the men; thought they were first-class men, but if \$5000 to \$7000 could be saved yearly they should save that sum. If the School Committee were the best able to judge of such matters, why did not the Alderman yield to their judgment in the matter of the normal school? He had no interest or feeling in the matter, nor anything against the truant officers, but the office was believed to be so desirable that a greater pressure was made for the appointments than there was for the office of Mayor.

Alderman Sayward said he would give his reasons in relation to the normal school when that question came up, but so far as related to holidays and not being obliged to work on Sundays, it was true of the banks and places of business. Neither was there trade in some articles, while parties might get ready on Sundays to sell.

Alderman Gaffield stated in relation to making reports, that the truant officers reported to the Mayor and not to the Chief-of-Police, who did not know whether or not they properly discharged their duties. These officers were the friends of the children. He might be willing to yield to a reduction to eight.

Alderman Power repeated that these officers were not employed half of their time. He had paid a great deal of attention to this subject, and believed it would be for the best interests of the city to reduce the number of these officers.

Alderman Sayward wished to know if a reduction was made to six, how it would affect these officers in making them work nights and Sundays.

Alderman Clark stated that the members of the Committee on Police had given a good deal of thought to the subject, and on consultation believed that six would be a sufficient number of truant officers, one each for East Boston, South Boston, Roxbury, and Dorchester, and two for the city proper. It was not a question with them as to whether half, three-quarters, or the whole of their time was engaged, but whether so many of them were needed. There was no doubt it was a desirable office, an easy berth, and there was a great pressure for it.

Alderman Sayward referred to the great distances which an officer in Ward 16 would be obliged to travel—five or six miles—from one schoolhouse to another. If the officers did not do all the duty which was desired of them, he supposed they did all they have to do. He had not heard many applicants for the office, and had not been troubled as he had been in a pressure to get upon the police.

Alderman Gibson said the committee had looked over the matter thoroughly, and believed that there were four men more than necessary. He did not look at it as affecting his district or others, but believed it was their duty to save money, if it could be saved. So far as related to territory, he did not believe it would be necessary for an officer to go over all of Ward 16, and was of opinion that the duties of the office were required among what would be called the lower orders of society, which was about twenty per cent. of the population. The committee had looked at the matter fairly and squarely, and believed it was for the interests of the taxpayers that some of these officers should be dropped.

Alderman Sayward said it was admitted that the committee did not know what the amount of duties of these officers was. If there ever was a need for ten officers he believed there was now, and it remained for the committee of this year to make the discovery that the officers were not needed.

Alderman Power replied that if an evil had existed, it was better late than never to remedy it. These men were an independent body, having a roving commission, with no one to report to, and that was a reason why so many desired to get into it. He hoped the committee would require them to report at some place.

Alderman Clark stated that it was contemplated requiring these officers to make a report every day at some place. Their duties were not so laborious but what they had a good deal of time. In regard to the matter the committee had the advice of those who know. With the best of abilities in such an office six would be ample. He did not suppose that Ward 16 would want two, for some parts of the city would require more than others. He presumed that six could attend to all the duties of the office as they ought to be attended to.

Alderman Sayward said he did not speak for Ward 16, as needing these officers, but for the school system. If four men could perform all the duties, as was recommended, it might be claimed that half of the police officers could do all the duties of that force; and if so, the expense of half could be saved. The police might be hired to do the duties of the office by the job. If there had been a necessity for so many officers, and an increase in everything else and in all departments of the city, why not increase these officers? He thought there was a doubt whether the number should be reduced.

Alderman Power believed that one fact proved that there was no need of so many officers, in their having so many half-days and holidays, and in not being employed all the time. It was a bad argument to make that because an evil had existed for years it should not be remedied.

Alderman Sayward said he did not see any evil to be remedied. These officers report to the Mayor and to the teachers of the schools, and to the head of the force.

Alderman Gibson said the committee had the Superintendent of Schools before them, and he had up-hill work to show that so many officers could find business to do. He would not give half price for men who do not work half the time, and would much prefer to pay a man \$2000 for working the whole time, than to pay him \$500 for half his time. For that reason it was that men working in the navy yard were not worth anything, but were ruined for work. Men should work enough to harden their muscle.

Alderman Power believed that the officers could hunt up information at the schools when in session, and in the afternoon, when there are no schools, and in the evening they could visit the homes of the children.

Alderman Sayward said it appeared to be the wish of the gentleman to make these officers work Wednesday and Saturday afternoons, Sundays and holidays. In reply to the Alderman from Ward 1, he said if it was an object to make men work more to develop their muscle, then why not bring back the old hours of working from sunrise to sunset? He did not, however, believe that the Alderman would work any more if he could make as much in three days as he could in a week.

Alderman Gaffield gave statistics to show the number of teachers and pupils in the schools, and expressed the belief that it would be for the best interests of education that the force should be increased rather than be decreased. The truant officers could better perform the duties than could the police officers, and it was not desirable to have the children frightened by a police officer. These officers were the friends of the children and sought, by kind words, to lead them to school, and to secure to them a good education, which should be for their benefit and the good of the country.

The motion to reconsider was lost—6 to 6—as follows:

Yeas—Bigelow, Emery, Gaffield, Hulbert, Quincy and Sayward.

Nays—Brown, Clark, Cutter, Gibson, Power and Stebbins.

NORMAL-SCHOOL ACCOMMODATIONS.

Alderman Gaffield moved to take up the special assignment—the report and order authorizing the unoccupied rooms in the Appleton-street Primary Schoolhouse to be furnished for the use of the normal school.

Alderman Sayward said he had little more to add to what he had said on the subject, and he believed it was an unnecessary change which took place a year ago, in part abolishing the normal school, and leaving the schoolhouse built for a Girls' High and Normal School to be a high school for girls exclusively. The house was large enough to accommodate both, and he could not see why there should be a change. Making such a separation by removing to the Rice School District meant a new schoolhouse for the Normal School. Was there such a necessity? He believed not, for there were but 554 scholars in the high school when the house was calculated for 1200. To make the change it would cost \$9000 a year to educate 48 pupils. The expense of fitting up the schoolhouse would not be less than \$1000.

Alderman Gaffield approved of the remarks of the Alderman in the case of the matter just disposed of, that those who have charge of such matters are the best capable of judging what is required. In regard to the necessities for the normal school, it would be much better to have ten or twelve classes for the training of teachers than it was last year to have but one class of primary scholars from the best families at the South End picked out for the purpose. The only expense would be for seats. The desks in the Rice School would answer all the purposes of the normal school.

Alderman Sayward made some statements relative to the transfer of the training school from Somerset street to the normal schoolhouse, and to the increase of salaries from \$1500 originally to \$9000; and he wished to know what right the School Committee had to abolish the normal school as they did, by the removal of the training school and the separation proposed.

Alderman Clark said he would like to hear from others who visited the normal school, on the invitation of the chairman of the Committee on Public Instruction. It seemed to him that the expense of fitting up the rooms for the accommodation of this school would be too large if it amounted to \$2000.

Alderman Gaffield stated, in reply to an inquiry for information, that there were from sixty-five to seventy in the normal school.

Alderman Sayward said there were but forty-eight last year.

Alderman Gibson wished also for information from those who visited the school, but thought \$9000 was a large sum for the education of so small a number.

Alderman Brown said he visited the school and was well repaid. He believed the accommodations asked for should be provided, and to furnish facilities in more classes to be taught would be more benefit than the cost of supplying chairs. Instead of \$1200, he did not believe the expense would be more than \$300. If they voted, as they had, large sums for other purposes, he did not think they should be afraid of this.

Alderman Sayward said he was not surprised at the change which had taken place among the members of the Board, but with reference to the expense he had the estimate of the Superintendent of Public Buildings, that not \$300, but \$1200 would be necessary. He had seen no reason why he should change his opinion from that of last week.

Alderman Emery said he was one of those who visited the school, as proposed, and was well pleased, but was disappointed in not meeting there the Superintendent of Public Buildings, through whom they could ascertain the cost of the proposed improvements. Without going into any particular figuring, it did not appear that the cost would be very great, but rather a small amount considering the good to come of it.

Alderman Sayward repeated that the figures which he had were made by the Superintendent of Public Buildings, at a cost of not less than \$1200. Further the building on Newton street was designed both for a normal as well as a high school; and if the old master had been retained, the classes for the training schools would have remained in the house.

Alderman Brown asked for the items of the estimates given by the Superintendent of Public Buildings.

Alderman Sayward reported that he had none, but the cost was as estimated by the Superintendent.

Alderman Power said, he did not know that he understood the subject, and wished to know if there were the same number of classes in the high school-house to which instruction could be given.

Alderman Gaffield replied that it was not possible to have the same facilities in the high school-house, which there would be in having five or six primary-school classes and ten or twelve grammar school-classes.

Alderman Clark wished for information from other members of the Board who visited the school.

Alderman Sayward wished to know why a house which could accommodate 1200 pupils, could not provide for more than 554.

Alderman Bigelow said he visited the school, and while he was favorably disposed before making the visit, he was convinced in doing so that the expense to be incurred was desirable. A large expense would be justified in the elevation of the schools and teachers, which such a measure would secure.

Alderman Power thought it desirable that the young ladies should have a number of classes to teach, but if there was room for 1200 in the high school-house, and it could provide for 500 or 600 more than now, there was no necessity for another school.

Alderman Gaffield stated the uses to which the various rooms in the high school-house were put, and while there were 80 or 100 desks in some of them, he urged that two classes could not be put into one room, and with the continued increase in the number of scholars, there could not be the room for a normal school which was desirable.

Alderman Brown said that Mr. Hutchins, the chairman of the committee on the school, was present, and he would like to have him state the wants of the school.

Alderman Clark repeated his wish to hear from other members of the Board who visited the school.

Alderman Sayward objected to inviting others, not members, to address the Board, and believed that Mr. Hutchins had done his duty in personal conversations with the members of the Board in regard to the school. He repeated that he believed the present school-house was large enough for both schools.

Alderman Gibson, in view of the diversity of views among those who visited the school, moved that the order be laid on the table.

Alderman Gaffield replied that there was no diversity of opinion among those members of the Board who visited the school, for they were all agreed, so far as they had spoken, that the wants of the school required the passage of the order.

The motion to lay on the table was lost.

The question was taken on the passage of the order, and it was carried, by a vote of 7 to 5, as follows:

Yeas—Bigelow, Brown, Clark, Emery, Gaffield, Hulbert, Quincy.

Nays—Cutler, Gibson, Powers, Sayward, Stebbins.

The list of jurors qualified to serve in the courts of Suffolk was accepted by the Board.

STATISTICS OF BOSTON.

Alderman Power submitted the report of Ellis W. Morton, employed under an order of December, 1870, "to procure and arrange for publication statistics relating to the city of Boston obtained for the ninth United States census."

The analysis gives the general result of the tables compiled, as follows:

The entire population of Boston, including Roxbury, annexed in 1867, and Dorchester, annexed in 1869, has increased, in seventy years, from 30,049 to 250,526. In none of the decennial periods has the increase fallen below 10,000. The increase, and the decennial percentage of increase, however, was much larger from 1830 to 1850 than during any other period of the city's career. Rising from 70,713 in the year 1830, to 107,347 in the year 1840, being an increase of 36,634, it kept on in a still greater ratio during the next decade—from 107,347 to 163,214; adding very near 100,000 to its population in twenty years. From this larger basis of 163,214, twenty years ago, it has made an increase of 87,312 during the last twenty years, of which 37,780 has been made during the last ten.

If we come to a comparison between 1865 and 1870, we find the total increase of population to be from 231,461 to 250,526, or 19,065. Of this increase, 6863 is of foreign males and 3314 of foreign females; 5783 of native males and 3105 of native females—or a total foreign increase of 10,177 and native increase of 8888. This foreign increase is upon a basis of 77,809, the total foreign population in 1865, while the native increase is upon a basis of 153,652, the native population of that year; so that while the per cent. of increase of the whole population is 8.24, that of the foreign population is 13.08.

Of the total foreign-born population, 87,986 in number, 56,903 are of Irish birth and 13,818 of British American; 5977 English, 5608 German, and all other 5680. Yet, with the exception of the German-born population, the percentage of increase has been less among the Irish than among other foreign-born persons, it being only 5.05 per cent., against 55.16 per cent. in the case of the natives of British America, and 15.08 per cent. in the case of the English. Under the head of "all other" nationalities, the increase from 1865 to 1870 was 1562, or 37.93 per cent.

Table III. shows, perhaps with more distinctness, the slight proportional increase of foreign-born over native-born persons. Of the population of 1865, the whole number being 231,461, the number of natives was 153,652, or 66.39 per cent., while the number of foreigners was 77,809, or 33.61 per cent. In 1870, the whole number being 250,526, the number of natives was 162,540, or 64.88 per cent.; foreigners 87,986, or 35.12 per cent. If we examine, in this table, the percentage of increase of foreigners of the various nationalities, we find that the Irish increase since 1865 has been from 54,166 to 56,903; a diminution of percentage of the whole population from 23.40 to 22.71 per cent.; there is also a diminution of the German percentage of the whole from 2.34 to 2.24 per cent.; the foreigners of other nationalities, on the other hand, exhibit an increase of percentage, mostly in the case of natives of British America.

The increase and diminution of population by wards, between the year 1865 and the year 1870, is shown in Table No. 5. All the wards show an increase of population except Ward 4, Ward 5, Ward 6, and Ward 8, where the aggregate diminution is 11,755. The large decrease in Ward 5, and the large increase in Ward 12, are no doubt mainly to be attributed to the Fort Hill-improvements. The relative increase of population by wards is shown by the table of "per cent. increase," and in this table, the wards which show an increase of population rank as follows: Ward 12, Ward 1, Wards 13, 14 and 15, taken together, Ward 11, Ward 9, Ward 7, Ward 16, Ward 2, Ward 10 and Ward 3. The population of the wards varies from 28,921 in Ward 7, to 8536 in Ward 13 (Highlands). The order in which they now rank, as regards population, is as follows: Ward 7, Ward 1, Ward 2, Ward 12, Ward 3, Ward 15, Ward 11, Ward 5, Ward 9, Ward 10, Ward 16, Ward 6, Ward 14, Ward 8, Ward 4, Ward 13.

Boston numbered, in 1870, among its population, natives of every State and Territory in the Union, except Nevada, Nebraska, and West Virginia, although Arkansas, Alaska Territory, and Washington Territory, having only one each, and Oregon having only two, narrowly escaped being included with the three places first named.

Of the entire population, one half (that is to say 125,341 out of 250,526) are white natives of this Commonwealth, and there are in addition 1279 colored natives of this State; and 154,652 are natives of the New England States. The natives of the Southern and Western States number about 3000. The white natives of Massachusetts are distributed by wards as follows:

Ward 1.....	12,761	Ward 9.....	7,081
" 2.....	11,321	" 10.....	7,266
" 3.....	6,920	" 11.....	8,284
" 4.....	4,340	" 12.....	11,490
" 5.....	6,291	" 13.....	4,565
" 6.....	5,155	" 14.....	6,790
" 7.....	13,203	" 15.....	7,297
" 8.....	5,271	" 16.....	7,806

The foreign-born white population is thus distributed:

Ward 1.....	8,567	Ward 9.....	4,214
" 2.....	11,423	" 10.....	3,654
" 3.....	5,014	" 11.....	3,447
" 4.....	3,451	" 12.....	5,846
" 5.....	6,222	" 13.....	3,305
" 6.....	2,884	" 14.....	3,120
" 7.....	13,880	" 15.....	6,223
" 8.....	3,450	" 16.....	2,884

In the twelfth table there is, in addition to this table of foreign-born persons, a table of persons of foreign parentage, in the aggregate, and by wards, which gives this result:

Foreign fathers.....	150,779
Foreign mothers.....	150,645
Foreign fathers and mothers.....	142,249

Exhibited by wards, it is not likely that the proportion between the wards differs materially from that in the table next given above.

The natives of Ireland are distributed in wards, as follows:

Ward 1.....	4,177	Ward 9.....	1,838
" 2.....	8,687	" 10.....	2,210
" 3.....	3,248	" 11.....	2,112
" 4.....	2,363	" 12.....	3,832
" 5.....	4,752	" 13.....	2,172
" 6.....	1,748	" 14.....	1,937
" 7.....	10,454	" 15.....	3,638
" 8.....	1,847	" 16.....	1,885

The colored population of Boston is 3513, being an increase of 1082 since 1865. Of the whole number, 3115 are of native and 398 of foreign birth; 162 of these last being from Nova Scotia and 65 from New Brunswick. Ward 6 contains 1778 of these colored inhabitants, and there appear to be none in Ward 13. Somewhat less than one-third of the colored people (or 1279) were born in Massachusetts; and of the remainder 770 were born in Virginia and 240 in Maryland. Of colored Africans there are only 9. We do not observe any other facts in regard to this small class of our population which call for further comment or analysis.

Table No. 7 exhibits the native white population by wards, classified by age and sex. We make the following summary:

Total number of native white males.....	78,052
" " " " females.....	81,373
" " " " colored males.....	1,517
" " " " females.....	1,568
" " " " foreign white males.....	40,130
" " " " females.....	47,458
" " " " colored males.....	188
" " " " females.....	210

This summary shows no great disparity between the sexes, except in the case of those of foreign birth, where the disparity might be expected to exist. If we look at the different ages, we find a considerable disproportion between males and females in some cases. For instance, between the ages of twenty and twenty-one, there are 1637 native white males, and 2023 native white females. From sixty-five to seventy there are 692 native white males and 933 native white females, and it will be observed that above this age the females considerably predominate in number. Over the age of ninety there are 27 native white females and only 8 native white males; though the one who is set down as having reached the age of one hundred is a male. The age of four persons, three of whom are in Ward 8 and one in Ward 12, is unknown. The same general fact regarding the great longevity of females is shown by Table No. IX., in relation to the foreign-born population.

The proportion of dwelling houses to families constitutes perhaps the most interesting table of what is called the "social statistics" of the city. This will be observed at a glance, in the first two columns of Table XII. The wards, as is to be expected, show a wide diversity in this respect; but we have not thought it necessary to point out, in any new summary or table, the statistics on this point.

The opportunities of secular education, in public and private schools, and in higher institutions of learning, are exhibited in the table of colleges, etc. It should be mentioned that the State Nautical School has been abolished since 1870. Nearly 700 public schools are in operation, with an average attendance of more than 33,000; and these are supported at an expense of \$850,000, raised by taxation; yet there are 17,391 persons in the city who cannot read, and 23,420 who cannot write.

The Unitarians have the largest number of church organizations (27) and church edifices (26); the Methodists next (organizations 22, edifices 21). Next in order come the Congregationalists, the Roman Catholics, the Baptists and the Episcopalians. In the table of accommodation for the people the order is changed, and is as follows: 1st, Roman Catholic; 2d, Congregationalist; 3d, Unitarian; 4th, Baptist; 5th, Methodist; 6th, Episcopalian; and so on. In value of church property the order is—1st, Unitarian; 2d, Congregationalist; 3d, Roman Catholic; 4th, Episcopalian; 5th, Baptist; 6th, Methodist.

The facts in relation to the libraries and to the newspapers and periodicals are stated in the tables with sufficient conciseness, though the classification of the newspapers as "political and literary," is likely to mislead those who do not consider that the best of our daily papers are those to which the public look for their literary intelligence and reading.

The productive industry of Boston is partially exhibited in the table of manufactures, so various in their character as to embrace almost every field of ingenuity and contrivance.

It should be remarked here that, owing to many and peculiar difficulties in their collection, little confidence can be placed in the accuracy or the completeness of the statistics of manufactures. They are, of course, presented as officially recorded; but it seems just that they should be accompanied with a caution.

There are twenty-five branches of this description of industry, which yield more than a million dollars each of product, beginning with clothing (men's and women's), \$18,757,621. To this add, though not in the order of product, but alphabetically, boots and shoes, carpets, coal oil, confectionery, furniture, gas, iron, curried leather, malt liquors, lumber, machinery (of all kinds \$4,244,405), marble and stone work, molasses and sugar refined (\$5,414,273), organs, pianofortes, paints, printing (of all descriptions \$5,733,160), ship building and upholstery. Nearly as many more of these industries produce between half a million dollars and a million dollars each. The curious searcher will find many facts in this table from which he may deduce valuable, as well as interesting theories, and, perhaps, with a due degree of care, something better than theories.

For instance, it would not be very difficult, perhaps, to arrive at some useful conclusions as to the relative disproportion between the wages of men and women, and the comparative profitableness to the city of the different descriptions of productive industry. But this has not been deemed within the province of the compiler of these tables, and may be left to the skilled statistician and the political economist.

Under the head of Social Statistics may also be found certain figures as to valuation, public debt, taxation, pauperism, crime and wages, which are so concisely stated that they do not need any restatement or analysis. They are, besides, of comparatively small value, because, under most of these heads, later statistics may be found in works published by the city or the State Government.

Social Statistics—Under this head is given the city valuation, public debt, taxation, pauperism, crime, etc.

Wages—Average wages of a day laborer without board, \$1 89; with board, \$1 28. Average wages to a carpenter per day without board, \$2 93. Average wages to a female domestic per week without board, 12½ to 15 cents per hour. Average price of board to laboring man per week, \$4 44.

Libraries—One State library, 30,000 volumes; one Athenæum library, 88,800 volumes; public library of the city of Boston, 157,189 volumes; three libraries of courts, 10,000 volumes; one library of Theological Seminary, 5000 volumes; one library of Female Medical College, 400 volumes; twenty-two church libraries (pastors'), 9790 volumes; one Y. M. C. Association library, 4500 volumes; six libraries of various associations, 63,000 volumes; eighty-eight Sabbath-school libraries, 60,950 volumes; twenty circulating libraries (subscription), 65,386 volumes; two hundred and three private libraries, including those of lawyers and clergymen, 180,059 volumes.

Newspapers and Periodicals—7 political dailies, average circulation, 193,000; 4 political bi-weeklies, 20,000; 8 political weeklies, 59,700; 1 political bi-monthly, 1000; 1 religious daily, 8500; 9 religious weeklies, 138,500; 2 religious bi-monthlies, 14,000; 14 religious monthlies, 105,250; 1 religious quarterly, 650; 17 literary weeklies, 306,000; 14 literary monthlies, 262,000; 1 literary quarterly, 2500; 19 miscellaneous weeklies, 242,200; 2 miscellaneous bi-weeklies, 6000; 3 miscellaneous bi-monthlies, 23,000; 13 miscellaneous monthlies, 50,480; 4 miscellaneous quarterlies, 5100; 1 miscellaneous semi-annual, 4000.

Ordered to be sent down.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

APRIL 24, 1873.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, E. O. Shepard, the President, in the chair.

A call of the roll showed a quorum of members to be present, as follows:

Abbott, Adams, Anderson, Barnes, Blackmar, Boardman, Burditt, Burt, Caton, Collins, Cudworth, Dacey, Darrow, Dean, Flatley, Flynn, Harrington, Hine, Holmes, Kelley, Madden, Mahan, McCue, Page, Powers, Prescott, Shaw, Thacher, Train, Upham, Warren, West, Whiston, Woods, Woodward.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of W. F. Wade, James B. Dow and others, and of George G. Elder & Son, were severally referred, in concurrence.

The statistics of the city of Boston, compiled from the last United States census, (City Doc. No. 54, 1873) was order to be placed on file.

The list of jurors for 1873 was accepted, in concurrence.

The report nominating for Field Drivers—William D. Cook, S. E. Partridge, Henry Morse, Thomas M. Cotton, Charles Spear, William Gordon, Wilson Stanley, Jeremiah M. Swett, John S. Underwood, Samuel McIntosh, Edward F. Meeuen, E. T. Hitchcock, John Robie, William Moulton, William T. McClesney, Patrick H. Rogers, Theodore Hersey, Bernard Crosby; for Fence Viewers—Moses Gragg, John Dove, John Noble, Luther Briggs, E. H. R. Ruggles; and the certificate of confirmation of said nominations, was read, and the nominations were acted upon in concurrence.

The order authorizing the Treasurer to allow on deposits of money of proprietors in Mt. Hope Cemetery, for the permanent care of said lots, interest at a rate not exceeding six per cent. per annum, was read once.

The following orders were passed, in concurrence: Report and order authorizing a permit to be issued to Owen Nawn to construct an addition to his building on Parker street.

Order with a view to the early closing of smallpox hospital, Marcella street, the Board of Health be requested to communicate to City Council what are the requirements of the city for a permanent smallpox hospital.

Order authorizing the purchase of the triangular parcel of land at the junction of Emerson and Third streets, South Boston, for the purpose of preserving the grade, at not exceeding seventy cents per square foot.

Resolve and order for widening Bedford street between Summer and Kingston streets (printed City Doc. No. 60).

The amendment to order concerning the discontinuance of rent of Armory First Battalion, by inserting "May" for "January," was concurred in.

The ordinance to amend an ordinance relating to the City Hospital being under consideration—

Mr. Dean of Ward 12 said his attention had been called to this subject, and referring to section five of the ordinance, he said that so far as related to the smallpox hospital, that had been placed in the hands of the Health Department, and he believed it to be unnecessary to pass this amendment, inasmuch as the general arrangement of the affairs of the hospital were not interfered with, and it would be absurd to require the petty details of arrangements to be approved by the City Council.

Mr. Dacey of Ward 3 said he would like further time to look into the matter, and on his motion the ordinance was laid on the table.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order authorizing the employment of additional assistance in the office of Chief-Engineer of Fire Department.

Order authorizing not exceeding \$15,000 to be expended for laborers and for keeping in good condition the Common, Public Garden, and other public grounds.

Order authorizing the Committee on Survey and Inspection of Buildings to employ such clerical assistance as may be needed in that department, at an expense not exceeding \$1000.

Order authorizing an expenditure of not exceeding \$125, in repairing gun rack in armory of Co. E, Ninth Regiment, M. V. M., Eliot street.

Order authorizing an expenditure of not exceeding \$175, in repairing gun rack of Co. C, Ninth Regiment, M. V. M., Northampton street.

Resolve and order for widening Lincoln street on westerly side, near Summer street, at an adjudged expense of \$1300.

Order authorizing a loan to be made of \$23,000, to be applied to the rebuilding of the Chelsea-street Bridge.

Order allowing \$200 to each post of the Grand Army of the Republic in Boston, towards expenses of Decoration Day.

PETITIONS PRESENTED AND REFERRED.

Alexander Beal and others, that a horse hose carriage be located in Engine House No. 18. Referred to Committee on Fire Department.

Hannah D. Green, for compensation for injuries received by a fall on the ice in East Chester park.

Charles L. Beal, for compensation for damages in being taken from his residence to the smallpox hospital.

Severally referred to the Committee on Claims.

D. C. M. Rupp and others, that Linwood park be enclosed with a fence. Referred to the Committee on Common, etc.

Samuel G. Snelling, for leave to erect on Taylor street, Ward Sixteen, a wooden structure beyond the legal dimensions. Referred to the Committee on Survey and Inspection of Buildings.

John S. Dunlap and Ivory Bean, for release of conditions upon eight lots of land bought by them of the city on Dedham street and Harrison avenue, in April, 1871. Referred to Committee on Public Lands.

ORDERS.

Mr. Dacey of Ward 2 offered several orders relating to the Common, etc., as follows:

Ordered, That the Committee on Common and Public Grounds be authorized to contract with John Reardon for the care of Blackstone, Franklin, Worcester and Lowell squares and Union park, at an expense not exceeding \$1650; to be charged to the appropriation for Common and Public Grounds.

Mr. Denny of Ward 9 asked for information in relation to this order, stating that he supposed the Superintendent of the Common had the charge of all the public parks and squares.

Mr. Dacey said he could not answer the inquiry, but supposed the order was an usual one. It would be impossible, he supposed, for the Superintendent to attend to all the parks and squares, and he supposed he had the power to employ parties to superintend them, which, however, he corrected by saying that it was let out.

Mr. Denny said he did not know but what it was all right, yet from the terms of the order it did not appear that the person named was a laboring man, as the salary was more than would be paid. As they had one Superintendent of the Common, he did not know how they could have another, and until a further explanation was made, he hoped it would be laid on the table.

The order was laid over.

The following order was refused a second reading:

Ordered, That the Committee on Common and Public Grounds be authorized to contract with Peter Callahan for the care of Maverick square, Belmont square, Central square and Putnam square and the trees in the streets of Ward 1, at an expense not exceeding \$700; to be charged to the appropriation for Common and Public Grounds.

Mr. Pease of Ward 1 subsequently moved a reconsideration of the rejection of the order, stating that there was a misapprehension in regard to it. It was customary to pass such an order for the care of the squares and trees in East Boston, and this should be passed.

The reconsideration prevailed, and the order was laid on the table.

The following orders were severally read once:

Ordered, That the Committee on Common and Public Grounds be authorized to build a tool house on the Common, at an expense not exceeding \$1200; to be charged to the appropriation for Common and Public Grounds.

Ordered, That the Committee on Common and Public Grounds be authorized to expend a sum not exceeding \$1800 in purchasing settees and in painting and repairing settees, fences and fountains on the Common, Public Garden and other public grounds; said sum to be charged to the appropriation for Common and Public Grounds.

Ordered, That the Committee on Common and Public Grounds be authorized to expend a sum not exceeding \$5850, for team work, carpenter work, mowing machines and tools for the Common, Public Garden and other public grounds; said sum to be

charged to the appropriation for Common and Public Grounds.

Ordered, That the Committee on Common and Public Grounds be authorized to expend a sum not exceeding \$4000 in furnishing manure, loam and sods for the Common, Public Garden and other public grounds; said sum to be charged to the appropriation for Common and Public Grounds.

Ordered, That the Committee on Common and Public Grounds be authorized to expend a sum not exceeding \$8700 in furnishing trees, plants, shrubs and seeds for the Common, Public Garden, and other public grounds; said sum to be charged to the appropriation for Common and Public Grounds.

Ordered, That the Committee on Common and Public Grounds be authorized to expend a sum not exceeding \$7000 in furnishing gravel and concrete for walks and malls on the Common, Public Garden and other public grounds; said sum to be charged to the appropriation for Common and Public Grounds.

Ordered, That the Committee on Common and Public Grounds be authorized to expend not exceeding \$5000 in improving the condition of Washington park; said sum to be charged to the appropriation for the Common and Public Grounds.

Mr. Train of Ward 13 asked for an explanation of the expenditures of these orders, whether they were separate matters entirely from the general appropriation for the Common and Public Grounds.

The Chair replied that he supposed they were so.

On motion of Mr. Hall of Ward 10—

Ordered, That the Street Commissioners be requested to report to the City Council the expense of widening Water street to fifty feet from Congress street to Broad street, and of extending the same to Atlantic avenue.

REPORTS OF COMMITTEES.

Mr. Dean of Ward 12, from the Committee on Ordinances, to whom was referred the communication from the Mayor, recommending an increase of the force in the law department, made a report recommending the passage of the accompanying ordinance authorizing the appointment of a third assistant to the City Solicitor:

An ordinance to amend an ordinance relating to the Law Department.

Section 1. The ordinance relating to the Law Department, passed the 2d day of April, 1866, and amended the 11th day of April, 1868, is hereby further amended by striking out in the fifth line of the second section the word "two," and inserting in place thereof the words "a first, a second and a third."

Mr. Dean, in explanation of the ordinance, said the committee had given great attention to the subject, and while they did not comply with all that was required, they believed it was necessary to provide for another assistant to the City Solicitor. The great increase of the law business made it necessary, and this increase was a result of the growth of the city. It was found necessary, often, to have two persons in the courts at the same time, the City Solicitor was required to attend to various causes, and whenever streets were widened and land taken it becomes necessary in every instance to have the titles examined. This now makes a large amount of business.

Mr. Shaw of Ward 5 expressed himself as in favor of the ordinance, but he would prefer the organization of a law bureau. With the most profound confidence in the ability of Mr. Healy, the City Solicitor, not excelled by any one, he would have an advocate skilled in addressing juries, and many men of less ability than the Solicitor might perhaps do better in that respect. He did not believe in having a City Solicitor attend before committees of the Legislature, which was of no practical benefit, and he doubted the power of such an officer to pledge the city in matters coming before legislative committees, unless instructed so to do. His belief was that the City Solicitor should have power to employ a competent advocate to appear before juries.

The ordinance was passed.

Mr. Dean of Ward 12, from the Committee on Ordinances, to whom were referred the communications from the Mayor recommending an increase of compensation for the officers of the Law Department, and the order establishing the salaries of the City Solicitor and his assistants and clerk during the ensuing year, made a report recommending the passage of the accompanying order:

Ordered, That the salaries of the following-named officers, for the year beginning on the 1st day of April, 1873, shall be as herein-mentioned, to be paid monthly, subject to the deduction of any and all sums due from such officers to the city, namely: To the City Solicitor, \$6000 per annum; to the first and second assistants of the City Solicitor, \$3000 each per annum; to the third assistant of the City Solicitor,

\$2500 per annum; to the clerk of the City Solicitor, \$1500 per annum.

Mr. Dacey, from the same committee, made a report dissenting from the recommendation of the majority in regard to the increase of compensation for the officers of the Law Department and recommended the passage of the accompanying order, establishing the salaries of those officers for the ensuing year, at the rates heretofore paid:

Ordered, That the salaries of the following-named officers for the year beginning on the first day of April, 1873, shall be as herein mentioned, to be paid monthly, subject to the deductions of any and all sums due from such officers to the city, namely: to the City Solicitor, \$5000 per annum; to the assistants of the City Solicitor, \$2500 each per annum; to the clerk of the City Solicitor, \$1500 per annum.

Mr. Dacey, in sustaining his report, said he agreed with the committee in providing an additional assistant City Solicitor, but could not agree to any increase of salaries. Besides the salaries received, it appeared that a large amount was received as perquisites. In all trustee suits there were costs of \$5 or \$6, which go to the solicitors, and where lands which have been taken are deeded back, the cost of making of the deeds goes to the Solicitor's office. The salary proposed to be paid to the Solicitor is the same as that received by the justices of the Superior Court and the district attorney, and that of the assistants is the same as received by the assistant district-attorney, with the opportunity of making more by private practice, which these judges and attorneys cannot have. It would be doing injustice to increase the salaries, and he moved to substitute the minority report for that of the majority.

Mr. Dean, in reply, said the making of a minority report was the best evidence that the subject had received careful consideration. There were those of the committee who at first agreed with the gentleman who made the minority report, yet upon further consideration believed there should be an increase of salaries. The assistants, though young, are familiar with the business of the office, and it was believed to be good economy to secure their services. As to the perquisites spoken of, they were but a trifle, and may amount to \$200 a year, with a considerable amount for the making of deeds.

The City Solicitor is required to be up early in the morning, working by gas light, and remains up till late at night, and with three hundred and sixty cases in court, he calls upon him to answer inquiries from various sources, the increase of business from the growth of the city, he is called upon to labor more than any person in connection with the City Government. As was justly said by the gentleman from Ward 5, he is possessed of very rare acquirements in municipal law, and the salary proposed is small enough. It was not altogether correct to compare his salary with judges' and others, which are all low enough, and are the smallest in the community for the services. Presidents of insurance companies and banks are paid much higher salaries, with less labors.

A comparison with the heads of departments shows the labor to be different and the value to be different, and while they are not obliged to get to their offices before certain hours, and leave them at a fixed time, when their labor ceases, the Solicitor's labor is continued early and late. The capacity of the assistants is much greater than the salary which this proposes to give, the first-assistant being often called upon to compete with the ablest of lawyers in the trial of cases.

Mr. Denny of Ward 9 said the gentleman had given excellent reasons why there should be an increase in the force in the Law Department, and he believed the Council would be unanimous in voting for such an increase; but he had given no reason for an increase of salaries. Their labors were arduous, requiring the best of legal talent, and in addition to the salaries there were perquisites, the amount of which was not told. He had not heard any reason for an increase of the salary to the highest point given by the city, and for that reason he should vote for the report of the minority rather than that of the majority of the committee.

Mr. Dean said it seemed to him that the labors of the City Solicitor were the poorest paid of any office in the City Government. They paid \$5000 a year to persons in responsible positions, who go to their offices at eight or nine o'clock and leave them at five, while the Solicitor, a man to whom they intrust the most important pecuniary affairs of the city, is constantly tried and taxed with his labors, and if he makes a blunder or commits an error, he loses in a day what would be the amount of his salary. He is called to encounter the strongest men of the bar, and there are required of him attainments, skill and industry far beyond anything in the City Government. The

amount asked for is much less than can be earned by any skilful lawyer in full practice, and any one knows that a man like him in private practice can earn a great deal more money.

As to the services of the assistants, when they are compared with the salaries of \$3000 paid to persons in different departments in every part of the city, without a quarter of the skill or ability, the pay is not great. One of the assistants is required to try very important causes, and the amount of increase, but \$500, is small. The perquisites, with trifling exceptions, go to the conveyancer, the third assistant, is to have but \$2500, as proposed, and the amount of perquisites may make his pay come up to the others.

Mr. Dacey replied that there was no doubt about the competency of the City Solicitor, but the question was whether there should be an increase of his salary, when he can earn just as much outside of his salary. As to the Solicitor's working early and late, it was no wonder, when one of his assistants goes to Europe and another to California; and they should remain at home and he should go to bed earlier.

Mr. Pickering of Ward 6 believed there was a disposition in the City Council to give ample salaries, and he had not heard of an increase being asked for. It could not be expected that salaries should be raised in proportion to the increase of business, but with the increase they should add to the force. For instance, the increase in the business in the treasury did not call for a great increase of work from him, but for an increase of force in his office. An increase of the force was a virtual increase of the salary, for a man who works all the time cannot be expected to work any more.

Mr. Mahan of Ward 5 stated that as a member of the committee he had considered the question in all its various branches. The Council was not disposed to increase salaries, and with that disposition they would not vote in accordance with the views of the committee unless they took time to consider the question. The Committee on Ordinances held various meetings and the conclusion was not hastily arrived at. It was considered in all its phases, and they heard the same arguments used here, and were not disposed to urge a great increase of salaries. The question came before them through the Mayor, who asked for an increase of the force and urged the necessity of paying a larger sum in salaries than that paid now.

The gentleman from Ward 2 was in accord with the committee in most matters. It was agreed that Mr. Stackpole devoted his entire time to the duties of his office, and had no perquisites, working by day and by night. He should have an addition to his salary, just what the committee said. A young, smart, intelligent advocate, capable of enduring hardship, was required, and the gentleman from Ward 5 had represented the views which were entertained by the Committee on Ordinances. In the position of first assistant, he is obliged to meet the best legal talent of the State. Mr. Healy needs assistance, and he came before the committee stating that he has persons associated with him familiar with all the duties of the office, and know all about the cases pending, but if they are not well paid they will resign and new men be required.

In view of this possibility, the question is, is it better to refuse an increase of pay after the services of several years—to refuse the request of the Mayor and City Solicitor so far as relates to the salary of the City Solicitor. It was feared that an increase would meet with opposition, not because it was too large, but because it might endanger the other part of the ordinance. Before the question was taken on the minority report, he hoped the council would take time for the consideration of the subject. Believing that no one would wish to vote against what would be for the best interests of the city, and in order to give more time for its consideration, he would move to lay the reports on the table.

The motion was withdrawn at the request of Mr. Dean, who stated the manner in which the subject came before the Council and the committee, and the communication of the Mayor was read at his solicitation.

Mr. Shaw said he was not aware that his views were in accord with those of the committee until stated by his colleague, and he had not mentioned them to any member of the committee, while the fact was gratifying to him. He believed the proper way to dispose of the question was to grade the salaries of the assistants. The salary of \$6000 was not too much for the City Solicitor, and it should be higher rather than lower, for it was the most important office in the City Government.

After speaking of the great ability of the Solicitor, he said he believed that fifty lawyers as competent as were the assistants would jump at the chance of getting the positions held by them, for the purpose of getting experience and being brought into notice; for it would be worth more than \$2000 for the name alone. There could be no fair comparison of the services of the City Solicitor with those of his assistants; for his age and experience and his profound learning were not to be spoken of in comparison with the services of young men. He agreed with his colleague that greater physical ability was desirable in the services of an advocate, and he would have the assistants graded. He would amend by making the salary of the City Solicitor \$6000, the first assistant \$3000, the next \$2500, and the third \$2000.

Mr. Dean, in answer to the gentleman from Ward 6, said there could not be an increase of the force in this case, as in others which he stated, to meet the necessities of the office. With 360 cases for trial, often two to be tried at the same time, and preparations to be made for others, there must be a pressure which an increase of force could not meet. The committee believed that although their report might meet with opposition, they would do their duty, and the Council must take the responsibility in the matter. It was not until the danger of losing the services of efficient men, and a call made by the Mayor, that this report was made, and if it was not a necessity it comes in the strongest form. He moved to lay the report on the table, which was carried.

On motion of Mr. Page of Ward 9, it was ordered that when the Council adjourns, it be to Thursday evening next, eight o'clock, and that eight o'clock be the hour of the meeting of the Council until otherwise ordered.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
APRIL 28, 1873.

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

JURORS DRAWN.

Thirty-two traverse jurors were drawn for the first session of the Superior Court, and forty-five traverse jurors were drawn for the Supreme Judicial Court.

APPOINTMENTS MADE AND CONFIRMED.

Weighter of Coal and Measurer of Wood and Bark—J. B. L. Bartlett.

Undertaker—John Doolin.

Special Police Officers, without pay—Charles H. Boardman for Allen street and its vicinity; William P. Devins for Chauncy street and its vicinity; John D. Carley and E. P. Ames for the Boston & Lowell Railroad Station; John Bradley for Young's wharf, Commercial street; Thomas D. Thurston for Province court and Harvard place; William Willey for Foster's wharf; George G. Dunbrack for the Branch Chapel, Washington street, Roxbury; James Morse and Edward L. Barnes, for the Washington Village Methodist Episcopal Church.

Members of Fire Department—Lawrence H. Sexton, hoseman, George K. Saville, Edgar R. Farren, Henry L. Whiting, as members; Alvin Hamilton, James C. K. Humphrey, firemen—severally to take effect May 1.

The following appointments were received and referred to the Committee on Police:

Police Officers—W. A. Witham, John Dorgan, A. G. Searle, John Goodwin, Thomas Patterson, Matthew S. Jordan, Charles F. McDonald, William O. Ripley, Edward McHugh, Luther Corbin.

Alderman Clark, from the Committee on Police, reported in favor of the appointments made at the last meeting of the Board, with one exception, and they were confirmed, as follows:

Captain of Police—Joseph Hastings.

Lieutenant of Police—John F. Gardner.

Sergeants of Police—Henry C. Hemmenway, Dummer Erskine, Louis W. Swan, Luther H. Collier, Lyman Andrews.

Police Officers—Veranus C. Hanson, George S. Clatur, William D. Kelley, George E. Savory, Henry C. Preble, William Breen, Stephen E. Robbins, James Smiley, Lawrence Cam, Edwin Piper, Charles E. Jellison, George Mullins, Charles L. Merrill, W. W. Lord, John J. Lynch, James M. Ellis, George F. Femmo, Michael H. Glass, Richard Seften, William P. True, Thomas E. Ryan, John D. Blew, Alfred T. Webber, William Cogan, Orrington M. Hanscom, James H. Lee.

The nominations of C. F. Reed as assistant sealer of weights and measures for the Northern District, and of Daniel Hunt as assistant for the Southern District, by the respective sealers, were confirmed.

PETITIONS PRESENTED AND REFERRED.

S. Robbins, for leave to occupy a wooden stable for twenty-eight horses on Tileston's wharf, 250 Broad street.

George E. Clarke & Co., for leave to occupy additional stalls for three more horses on Ward street, corner of Ward court.

Amos J. Dean, for leave to occupy a wooden stable for three horses on Westminster avenue, between Walnut and Shawmut avenues.

John L. Bird, trustee of Atkins estate, for leave to occupy a wooden stable for one horse on Sumner street, Ward 16.

W. B. Wilbur, for leave to occupy a brick stable for fifty horses on Fourth street, at No. 236.

Severally referred to the Committee on Health, on the part of this Board.

Ralph Haskins, executors, that their right of drainage through Blue-Hill avenue be restored.

Joseph B. Cassidy, to be compensated for loss and damage sustained by inability to enter the sewer in Tremont street from his premises on Station street.

E. S. Johnson and others, that the Clifford-street sewer be extended.

P. J. Griffin, for a sewer in Sixth street, between H and I streets.

Severally referred to the Committee on Sewers.

Proprietors of India wharf, for apportionment of Atlantic-avenue betterments.

Lucy M. Farrington, for apportionment of assessment for extension of Harrison avenue.

Boston & Providence Railroad Corporation, for payment of second instalment for land taken for extension of Columbus avenue.

Severally referred to the Committee on Streets.

William P. Hunt and others, that Fifth, Sixth and Seventh streets, east of L street, may be graded, etc.

S. G. Cheever, for sidewalks to be laid at Nos. 13 to 21 Highland avenue.

Caroline S. McLellan, that Pierce avenue, Ward 16, be graded and sidewalks laid.

J. V. N. Stultz and others, that Dale street, between Shawmut avenue and Walnut avenue, may be put in order.

John S. Blair and others, that Bristol street be paved with wood.

John Foster and others, that Middle street be graded, etc.

Severally referred to the Committee on Paving.

John R. White & Son, for leave to erect a wooden building on Whiswall's wharf for a coal elevator, within the building limits.

Dyer & Gurney, for leave to erect a wooden building beyond the legal limits on Weeks's wharf, Border street.

Severally referred to the Committee on Survey and Inspection of Buildings.

Captain M. J. Dunn, Company B, 9th Regiment, for increase of rent of armory. Referred to Committee on Armories.

Edward A. Perkins, for a lamp on Gates street. Referred to Committee on Lamps.

William R. Clark, for leave to purchase Beleher's lane slip. Referred to Committee on Public Lands.

Alderman Power presented the petition of the Beacon Base Club, in behalf of the young men and boys of Boston, renewing their request for a restoration of the western portion of the Common as a playground, in support of which they state that no sufficient reason has been given why this portion of the Common should not be restored to its former use as a playground for all; that while great efforts have been made to prove ball playing dangerous to passers by, but two cases of more than trifling injury have been found; that the only opposition to this use of the parade ground comes from a small number of the wealthy residents of the locality, who are able to afford expensive recreation on land and water, and who for the sake of having this portion a little more beautiful to the eye, would deprive hundreds of young men of the exercise necessary for their bodily health, which exercise they are able to obtain in no other place; that at the recent hearing the majority of the committee gave more heed to the objections of a few wealthy citizens, most of whom pass the summer months, when the playground is in requisition, away from the city, than to the interests of the young men who are unable to afford expensive recreations, nor have the time to go to the outskirts of the city to obtain exercise; that there is no other place within the city limits sufficiently large and accessible to schools and business offices.

They further urge that Madison square and Orchard park are utterly unsuited for this purpose on account of distance, and in addition Madison square is of such small size and so surrounded by buildings that the windows of the neighboring houses would be in constant danger of destruction by balls, if many should make use of the ground. They further represent that the small portion of the Common still devoted to athletic sports is inadequate to the needs of the large number who wish to use it, and accompany the request with a petition of a large number of voters who are in favor of this restoration.

The petition was signed by C. A. Bartol and others, 2088 in number, in which they urge—

That the Common was intended as a pleasure ground and not as a highway; that there is room enough, without the parade ground, to supply the need of a promenade; that the health of the youth of the city is of more importance than mere beauty in a public park; that the boys have been gradually driven from every other part of the Common, the whole of which they formerly enjoyed, and that the public welfare does not require further restrictions; that the small portion of the parade ground that is devoted to athletic sports is entirely inadequate for the large number who wish to use it, and that there is no other place within the limits of the city sufficiently large and accessible to schools and business offices.

The petition was read, when Alderman Power moved that the petitioners be granted a hearing on Monday next, at 4½ o'clock, before the Board. Amended to include the remonstrants, when the order for a hearing was passed.

A jail requisition for \$1872 34 was approved.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice on the proposed construction of a sewer in Eighth street, between Old Harbor and G streets, and of H. Blunt for leave to

locate and use a steam engine and boiler at No. 715 Tremont street, were taken up. No person appearing in relation thereto, the reports were recommitted.

The hearing on order of notice on petition of the Highland Street Railroad Company for extension of location in Dudley street, between Warren street and Mount Pleasant avenue, was taken up.

W. A. Field, for the Metropolitan Railroad Company, objected to the granting of the location, on the ground that it was formerly a location of the Metropolitan road, and discontinued in 1865 under the direction of the Board of Aldermen of Roxbury, on consideration of granting sundry other locations. This discontinuance of track of a quarter of a mile was declared to be useless by the conditions of the new locations. They therefore object to the granting of this location, because it was once granted to them, and then revoked on conditions. If the public convenience require the laying of tracks, they were ready to lay tracks and run cars, but if unnecessary, the grant should not be made to any one.

T. W. Clarke, for petitioners, stated as his understanding of the case relative to the Metropolitan Railroad, that, having the right to run their cars through Goid row, and desiring to connect their tracks from Warren street and Eustis street with their tracks more directly on Washington street, new locations were granted on condition of discontinuing the track on Dudley street, as formerly used. The residents of Winthrop and Grenville streets and of Mount Pleasant avenue were desirous of car accommodations, had petitioned the Legislature almost unanimously for the extension of the tracks of the Highland Street Railroad, and were now desirous that the location should be granted. He believed that the Metropolitan Railroad Company had now about as much track as they could take care of, and there was no necessity for their use of this location.

The report was recommitted.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pave Columbus avenue, from Berkeley street to the bridge, with wood, at an estimated expense of \$9000.

Order for the purchase of hose for the Fire Department from time to time as needed, to the extent of ten thousand feet.

Order to set back the fence projecting over the line of Brookline avenue, south of Maple avenue, and cut down trees over said line.

Order to macadamize Commonwealth avenue, and set edgestones between Clarendon and Dartmouth streets, at an estimated cost of \$4500.

Order to grade Second street from O to P street, and P street from First to Third street, at an estimated expense of \$500.

Order to macadamize Woodbine street, and set edgestones between Warren street and Blue-Hill avenue, at an estimated expense of \$6000.

Order to pave Chandler street from Tremont to Berkeley street with small granite blocks, etc., at an estimated expense of \$12,000.

PAPERS FROM THE COMMON COUNCIL.

The petitions of Charles L. Beal, Harriet D. Green, Samuel G. Snelling, Alexander Beal and others, D. C. M. Rupp and others, and of John S. Dunlap and Ivory Bean, were severally referred, in concurrence.

The following orders were severally passed, in concurrence:

Ordinance to amend ordinance relating to the Law Department, so as to provide for an additional Assistant-Solicitor.

Order authorizing an expenditure of not exceeding \$125, in repairing gunrack in armory of Company E, Ninth Regiment, M. V. M., Eliot street.

Order authorizing an expenditure of not exceeding \$175, in repairing gunrack of Company C, Ninth Regiment, M. V. M., Northampton street.

Order allowing \$200 to each post of the Grand Army of Republic in Boston, towards expenses of "Decoration Day."

The order authorizing the employment of additional assistance in the office of Chief-Engineer of Fire Department, was referred to the Committee on the Fire Department.

FURTHER WIDENING OF WATER STREET.

The following order was passed, in concurrence:

Order for Board of Street Commissioners to report the estimated expense of a further widening of Water street to fifty feet, between Congress and Broad streets, and of its extension at said width to Atlantic avenue.

Alderman Clark subsequently moved a reconsideration of the vote concurring in the passage of the order, believing there was no reason for such an expenditure at the present time, and it would not be

just to require the Street Commissioners to report upon the measure within sixty days.

The reconsideration was carried, and on a further motion the order was laid on the table.

REPORTS OF COMMITTEES.

Alderman Gaffield, from the Committee on Public Instruction, to whom were recommitted the orders authorizing the purchase of land on Marlborough street, between Gloucester and Fairfield streets, for the purpose of locating thereon a primary schoolhouse, made a report that upon the application of the committee, an act has been passed by the Legislature authorizing the State Commissioners on Public Lands to sell directly to the city a lot of land on the "Back Bay" for school purposes. The city is thus enabled to obtain a suitable site without entering into competition with other buyers. The passage of the accompanying orders is respectfully recommended:

Ordered, That the Committee on Public Instruction be authorized to purchase of the State Commissioners on Public Lands, at an expense not exceeding \$50,000, a lot of land situated on Marlborough street and Exeter street, containing 22,962 square feet, more or less, to be used for the purposes of a primary school.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$50,000, to be applied to the purchase of land for a primary school in Ward 6.

On a motion to suspend the rules for the passage of the order, Alderman Gaffield stated the circumstances under which the report was made, and in relation to the lot, he said it would be large enough for a grammar schoolhouse as well as for a primary schoolhouse.

The orders were passed.

COCHITUATE WATER BOARD.

Alderman Bigelow, for the joint special committee appointed to nominate suitable candidates for members of the Cochituate Water Board, made a report recommending the election of Thomas Gogin and Charles R. McLean to fill the vacancies occurring in said board on the first Monday in May.

The report was accepted, and the Board proceeded to an election, the candidates proposed being elected by ten votes each.

FRANKLIN FUND.

Alderman Hulbert, from the committee appointed to examine the accounts of Frederic U. Tracy, the Treasurer of the Franklin Fund, made a report that they found the same to be correct as presented by said Treasurer, from which it appears that the state of said fund is as follows:

Balance January 1, 1872	\$160,911 15
Interest accrued	10,404 65

Amount of fund January 1, 1873	\$171,315 80
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The report was accepted.

Alderman Hulbert, from the committee to whom was referred the application of Herbert C. Locke, for the benefit of the Franklin Fund, made a report, recommending that the same be granted, the securities being satisfactory. Accepted.

Alderman Power, from the Committee on Paving, made a report recommending reference to the Committee on Sewers on the petition of William R. Austin and others for a sewer in Pleasant street, near Pearl street, to carry off surface water. Accepted.

Alderman Gaffield, from the Committee on Claims, to whom was referred the petition of Treffe Garceau, to be compensated for personal injuries caused by an alleged defect in Washington street at the junction of Linden park, made a report recommending that the petitioner have leave to withdraw; also leave to withdraw on the petition of William Holliday, to be compensated for injuries to his property by the acts of the Board of Health in overflowing his lands on Huntington avenue for the purpose of abating a nuisance. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: Edwin Rupert, to give a dramatic entertainment at Nassau Hall, April 28; W. C. Pope, to open the St. James Theatre for dramatic performances, May 5; William McNiel, to exhibit a panorama at Summer Hall, May 3; also a license to Nehemiah T. Merritt, as an auctioneer; and licenses to nineteen persons as victuallers and innholders, for transfer of hack licenses, for wagon stands, wagon licenses, to keep intelligence offices, etc. Severally accepted.

The same committee reported leave to withdraw on applications for licenses as victuallers, as follows: John Danden, Craigie's Bridge; Joseph Lambrecht, 148½ Hanover street; Owen Head, 121 Cambridge street; M. H. Sullivan, 1568 Washington street; Isabella A. Hanley, 104 Lewis street; Michael Keenan, 78 Portland street; William Hurley, 124 Beach street,

and revoking for cause the license to William H. Merriam, as an auctioneer, 11 Pemberton square, and the wagon license of Andrew Merrithew. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables, as follows: Boston & Albany Railroad Company to occupy a wooden stable for four horses, corner of Clyde and Marginal streets; S. & A. R. Whittier, to occupy a wooden stable for twelve horses, rear 502 Harrison avenue; Jacob Dicker to occupy a wooden stable for one cow and one horse, on Heath avenue, Ward 15; Thomas Connor, to occupy a wooden stable for one horse, rear of 26 Cherry street, Ward 14; Cecelia Lewis, to occupy a wooden stable for three horses, on Dunreath place, on condition that the stalls shall be placed in the L part of the carriage house nearest her dwelling, and but one of said stalls shall be considered for permanent use. Severally accepted.

Alderman Clarke, from the Committee on Police, to whom was referred the petition of the agent of Barnum's Circus, for leave to parade through certain streets in the city of Boston, made a report recommending the passage of the accompanying order:

Ordered, That permission be granted to the agent of Barnum's Circus for the occupation of the following-named streets by a procession on the 12th day of May next: Columbus avenue, Berkeley street, Boylston street, Arlington street, Beacon street, Charles street, Cambridge street, Bowdoin square, Chardon street, Merrimac street, Hanover street, Court street from Hanover street to Tremont street, Tremont street from Scollay square to Beacon street, Beacon street to Charles street, Charles street to Park square, Park square to Pleasant street, Tremont street to Chester park, Chester park to Columbus avenue. And the Chief-of-Police is hereby directed to clear the said streets and squares for the passage of the procession.

The report was accepted and the order was passed.

ADDITIONAL APPROPRIATION FOR SUFFOLK-STREET DISTRICT.

The Joint Special Committee on the Suffolk-street District beg leave to represent, that an appropriation of two hundred and seventy-five thousand dollars will be required to pay the executions issued by the Supreme Judicial Court upon the awards of the Commissioners appointed to assess damages on account of the taking of certain estates on the Suffolk-street District, under the provisions of Chapter 277 of the acts of the year 1868.

The appropriations heretofore made for the improvement of the Suffolk-street District amount to..... \$2,106,248 96
The total amount expended to this date (including drafts remaining unpaid) 2,075,397 93

Unexpended balance..... \$30,851 03

This amount will be required to complete the unfinished work on the district.

The executions remaining unpaid, with interest thereon to date, will amount to about \$275,000.

The committee would, therefore, respectfully recommend the passage of the accompanying order.

For the committee,

L. R. CUTTER, Chairman.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of two hundred and seventy-five thousand dollars; to be added to the appropriations heretofore made for the improvement of the Suffolk-street District.

The order was read twice and passed.

SMALLPOX HOSPITAL CLAIMS.

The Committee on Claims, to whom were recommended the reports upon the petitions of Smith & McGaragle and Holohan & Maguire to be paid for labor performed and materials furnished in the construction of the Smallpox Hospital on Swett street, which was destroyed by fire December 26, 1872, made a report that upon a statement of the facts in their cases the City Solicitor has given the following opinion:

CITY SOLICITOR'S OFFICE,
BOSTON, April 21, 1873.

To the Committee on Claims: Gentlemen—The claims of Messrs. Smith & McGaragle and of Messrs. Holohan & Maguire against the city of Boston, in regard to the validity of which you request my opinion, depend more upon questions of fact than upon questions of law. In each case the parties entered into an agreement to do a specified job for a specified price, and they are not entitled to receive the price unless they completed the job.

In the case of Smith & McGaragle it seems to be quite clear that they had not completed their work. They state, in effect, in their petition to the City Council, that the building at the time of the fire was in their

possession and that they intended to deliver it to the city the following day.

The case of the plumbers, Holohan & Maguire, stands upon the same ground as that of Smith & McGaragle, with the exception that they had no formal delivery of their work to make, the premises upon which the work was done not being in their possession. The statement of facts submitted to me finds that the job was "substantially" done. If this means that it was completed, the contractors having done all they stipulated to do, are entitled to be paid the contract price; if it means that it was not completed, but was in some stage of progress approaching completion, then, the job being unfinished, the contractors are not entitled to any payment on account of it.

The fact that the plumbing materials saved from the conflagration were appropriated to the use or benefit of the city is evidence tending to show that they who received them for the city supposed that the contractors had completed their job, and were entitled to payment for it; and if the persons so acting for the city had authority to accept the work when completed, their action, as described, would tend pretty strongly in favor of the contractors' claim.

I am, very respectfully,

Your obedient servant,
J. P. HEALY.

In accordance with the views here presented, the committee would respectfully recommend that Messrs. Smith & McGaragle have leave to withdraw their petition, and that the claims of Messrs. Holohan & Maguire be paid.

Signed by Alderman Cutter for a majority of the committee.

Ordered, That there be allowed and paid to Messrs. Holohan & Maguire the sum of \$1240, in full compensation for labor performed and materials furnished in the plumbing for the Smallpox Hospital on Swett street, which was destroyed by fire on the 26th of December, 1872; said sum to be charged to the appropriation for the erection of a Smallpox Hospital.

The undersigned, a member of the Committee on Claims, respectfully dissents from so much of the foregoing report as relates to the claims of Messrs. Smith & McGaragle, and would respectfully recommend the passage of the accompanying order.

WILLIAM G. THACHER.

Ordered, That all in excess of the sum of \$5000, collected by the City Treasurer as insurance on the Smallpox Hospital destroyed by fire on the 26th of December, 1872, be paid over to Messrs. Smith & McGaragle, contractors for the erection of said hospital, and that in addition thereto, there be allowed and paid to said Smith & McGaragle the sum of \$6200, said payments, with the payments already made on said contract, to be in full compensation for labor performed and materials provided by said Smith & McGaragle on account of the erection of said building; said sum of \$6200 to be charged to the appropriation for the erection of a Smallpox Hospital.

A motion for a suspension of the rules, for the consideration of the report, was carried.

A question was raised what effect it would have to pass the order to pay the claim of Holohan & Maguire, in its relation to the report on the claim of Smith & McGaragle.

Alderman Gaffield believed it would virtually give the other petitioners leave to withdraw.

Alderman Sayward called for the ruling of the Chair on the question, and the Chair ruled that as the order was a part of the report, its passage would virtually give the other parties leave to withdraw.

Alderman Sayward moved to substitute the report of the minority for that of the majority.

The motion was lost, by a vote of 5 to 5.

The question being upon the passage of the order appended to the majority report—

Alderman Power in explanation stated that he had paired with Alderman Gibson who was away, yet if he were at liberty he should have voted for the minority report.

Alderman Sayward called for the ruling of the Chair on the vote just taken, believing there had been a mistake made, and the Chair declared that the motion to substitute the report of the minority of the committee for that of the majority was lost.

The question was taken on the adoption of the report of the majority, and was declared to be carried, when a doubt was raised and a count made.

Alderman Clark said he should vote for the plumbers' bill, as he determined when the question was up before, as a bill which the city was legally and equitably bound to pay. But he could not see how that would prevent them from voting for the report of the minority. If voting for the majority report was voting against paying Smith & McGaragle, then he should vote for the minority report. He was

in doubt how to act in the matter to secure what he wished.

Alderman Brown moved to lay the reports on the table, and that with the opinion of the City Solicitor they be printed. To his mind the matter was rather cloudy, and he presumed it was so, too, to the minds of other members of the Board.

Alderman Sayward said he would second the motion, for he did not understand the opinion of the City Solicitor.

Alderman Quincy believed it would be but fair to both parties to have such a delay that gentlemen may know how to vote. If there was any way in which the portions of the report could be divided, it should be done, and he hoped the motion would prevail, that it may be better understood.

The motion to lay on the table was carried.

REPORT OF THE FIRE DEPARTMENT.

Alderman Clark presented the thirty-fifth annual report of the Boston Fire Department, which was ordered to be sent down.

ORDERS PASSED.

On motion of Alderman Power—

Ordered, That the Committee on Bathing be authorized to repair and maintain free public bathing houses for men and boys and for women and girls in different sections of the city, at an expense not exceeding \$15,500; also to employ such assistance as may be required for the proper care and management of the several houses, at an expense not exceeding \$18,000; said sums to be charged to the appropriation for Public Baths.

Ordered, That the Committee on Bathing be authorized to construct a suitable bathing house for men and boys, to be located at Mount Washington-avenue Bridge; the expense, not exceeding \$4000, to be charged to the appropriation for Public Baths.

Ordered, That the Superintendent of Streets be directed to pave Dorchester avenue with small granite blocks, between the Federal-street Cridge and First and Foundry streets, at an estimated cost of \$20,000.

Ordered, That the Superintendent of Streets be directed to water Beacon street and Brighton avenue, from Brookline avenue to the Brookline line, with salt water, for the purpose of preserving the roadway of said street and avenue; the expense thereof, not exceeding the sum of \$180 per month, to be charged to the appropriation for Paving.

Ordered, That there be paid to John C. Tucker the sum of \$800, in full compensation for all damages caused to his estate, No. 172 Chambers street, by the raising of the grade of said street, by order of the Board of Aldermen, September 17, 1872, upon the usual conditions; said sum to be charged to the appropriation for Paving.

Ordered, That there be paid to Michael Downey the sum of \$1375, in full compensation for all damages caused to his estate, corner of Circuit and Regent streets, by the lowering of the grade of Circuit street, as ordered by the Board of Aldermen September 26, 1871, and for all damages which may be caused to said estate by the lowering of the grade of Regent street, as ordered by the Board of Aldermen March 1, 1873, upon the usual conditions; said sum to be charged to the appropriation for Paving.

Ordered, That the Chief-of-Police be directed to close School street between Washington and Province streets against public travel April 30, between the hours of 7 and 10 o'clock A. M., during the process of removal of a staging from the new building erected on said street.

On motion of Alderman Sayward—

Ordered, That the Committee on Public Buildings be authorized to sell, by auction or otherwise, the building now upon the engine-house lot, corner of Warren and Quincy streets, Ward 14, and pay the proceeds of said sale to the City Treasurer.

Ordered, That the Directors for Public Institutions be authorized to allow the Winthrop Railroad Company to move a wooden building upon a portion of the city farm at Winthrop for a temporary purpose only, in order to facilitate the running of the horse cars to Point Shirley.

Ordered, That the Committee on County be authorized to remove the clock tower from the County Jail; the expense to be charged to the appropriation for the County of Suffolk.

Alderman Sayward stated in support of the above order, that the tower had decayed, and the clock was of no use to persons connected with the jail, and it was designed to remove the tower and run the roof up a pitch.

Alderman Gaffield objected to the removal of the clock, which was useful to residents in that portion of the city, and he hoped the tower, if necessary, would be repaired, and that the clock would remain where it is.

On his motion, the order was laid on the table.

On motion of Alderman Clark—

Ordered, That a bill of S. B. Heustis, police officer, for extra services at evening schools, amounting to \$6, be allowed for payment by the Auditor of Accounts, provided it is approved in the usual manner.

Ordered, That there be paid to Henry Kelley the sum of \$150, for land taken from the heirs of John Brooks, and all damages occasioned by the extension of Harrison avenue, by a resolve of the Board of Aldermen, November 11, 1870, upon the usual conditions; to be charged to the appropriation for Extending Harrison Avenue.

Ordered, That there be paid to Seth Pettee the sum of \$407.40, for land taken by resolve of the Street Commissioners, Oct. 28, 1872, for the widening of Cottage street, upon the usual conditions; the same to be charged to the appropriation for Widening Streets.

Order to quit to David W. Williams, in the removal of all obstructions over the line of widening of Warren street, as determined by the order of the Street Commissioners, February 17, 1872.

The following orders were also passed to pay the parties named for land taken to widen streets, the same to be charged to the Burnt-District Loan:

CONGRESS STREET.

	Ft. of land.	Am't.
E. B. Phillips.....	1,937	\$25,400
J. O. Safford.....	260	3,100
James Hyndman.....	223	3,200
T. M. Coffin (heirs of Peter C.).....	51	510
Trustees of Carruth heirs.....	543	5,900
William B. Spooner.....	1,336	16,300

FEDERAL STREET.

	Ft. of land.	Am't.
Charlotte A. Johnson.....	1344	\$27,555
Heirs of J. G. Torrey.....	140	2,150
Gardner Brewer.....	324	7,050
H. F. Smith.....	269	5,217

FRANKLIN STREET.

	Ft. of land.	Am't.
Trustee of Carruth heirs.....	1544	\$18,928

DEVONSHIRE STREET.

	Ft. of land.	Am't.
Gardner Brewer.....		\$8029

HIGH STREET.

	Ft. of land.	Am't.
E. B. Phillips.....		\$1,850

ARCH STREET.

	Ft. of Land.	Am't.
Thomas C. Amory.....	457	\$4,050

PURCHASE STREET.

	Ft. of Land.	Am't.
E. B. Phillips.....		\$23,457

LINCOLN STREET.

	Ft. of land.	Am't.
Lucy Ann Harris.....		1,300

BEDFORD STREET.

	Ft. of land.	Am't.
J. S. Ambrose.....	271	3,481

MILK STREET.

	Ft. of land.	Am't.
George P. Upham.....	532	21,580

Alderman Stebbins offered the following order: . .

Ordered, That the Cochituate Water Board be requested to consider the expediency of removing the public drinking fountain at the easterly end of the Old State House, the same being an obstruction to public travel.

The question being upon the passage of the order—

Alderman Stebbins stated that the drinking fountain was in the direct line of travel through Devonshire street.

Alderman Clark, pending a doubt, said he did not see the necessity of opening streets if they were to be obstructed as this would be by allowing the fountain to remain there.

Alderman Stebbins, in reply to objections, stated that the order was simply one of inquiry into the expediency of removing the fountain.

The order was passed.

ORDERS READ ONCE.

On motion of Alderman Power, orders to have Beacon street, between Dartmouth and Fairfield streets, paved with wood at an expense of \$24,000; to establish the grade and to grade Williams street at an expense of \$4500; also for the construction of a sewer in George street.

ORDER OF NOTICE.

On petition of Patrick Donahoe, for leave to locate and use a steam engine and boiler in his building on Boylston street. Hearing Monday, May 12, 4 P. M.

On the proposed construction of a sewer in Clifford street. Hearing Monday next, May 5, 4 P. M.

On the proposed construction of a sewer in Shawmut avenue, between Circuit and Cedar streets. Hearing Monday next, May 5, 4 P. M.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
MAY 1, 1873.

The regular weekly meeting of the Common Council was held this evening at eight o'clock, E. O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The annual report of the Boston Fire Department (City Doc. No. 53, 1873) was ordered to be placed on file.

The petitions of John R. White & Son, William R. Clark, Dyer & Gurney and Boston & Providence Railroad Corporation were severally referred, in concurrence.

A paper relative to assistance in the Fire Department office, which was referred in concurrence, was subsequently reconsidered and non-concurred in. Mr. Pease of Ward 1 stating that it was sent to the Council through a mistake.

The following reports were accepted, in concurrence:

Reports of leave to withdraw on petitions—

1. Of William Holliday, to be paid for damages to land on Huntingdon avenue, by action of Board of Health.

2. Of Trefle Garceau, for compensation for injuries from defect in a highway.

The order to pay bill of S. B. Heustis, police officer, of \$6, for extra services, was read once.

The order authorizing the sale, by public auction or otherwise, of the building on the Engine-house lot, corner of Warren and Quincy streets, Ward 14, being under consideration—

Mr. Shaw of Ward 5 inquired what the property was which was for sale, why it was to be sold, and why the term "or otherwise" was used.

Mr. Jones of Ward 14 replied that the building was of two stories and much dilapidated, was very old, probably two hundred years, and could not well be removed.

Mr. Shaw said he was contending, for principle in this matter, for all sales of the kind by the city should be by public auction. It had been repeatedly charged that members of the City Government had obtained property sold by the city, at a less price than by public sale, and he would move that the words "or otherwise" be struck out.

The motion was carried.

The order authorizing a bathing house to be constructed for men and boys at Mt. Washington Bridge, at not exceeding \$4000, was considered.

Mr. Flynn of Ward 7 inquired whether the building proposed was needed, and whether it could be completed by the time required for its use.

Mr. Whiston of Ward 8 replied that the building was needed, and that it would be completed by the time specified.

Mr. Flynn further inquired if the old building could not be repaired so that it would answer its purposes well enough.

Mr. Whiston replied that the building was water-logged; it was one of the first that was built, and hogsheads enough could not be put under it to keep it afloat. The committee had condemned it as unfit for repairs.

Mr. Shaw said he saw another order further down, for the repairs of bathing houses, and wished to know if that would not cover the expense required in this case. He believed in cleanliness as next to godliness, and in godliness also; but if he could not get a sufficient explanation he could not vote for this order. Why should there be separate orders, he would like to know; for here was one of \$4000, and further down an order to repair bathing houses at a cost of \$15,500. This was not a year in which to throw away money, and until shown that it was needed he was not willing to cast away any money.

Mr. Whiston replied that the order to come up was the usual order for the repairs and maintenance of the bathing houses, the appropriation for which had already been made.

Mr. Wells of Ward 3 inquired if new spars could not be put under the bathing house which would be sufficient to float it.

Mr. Whiston replied that an attempt to repair the building would cost about as much as the building of a new one, and it would be necessary to build a new one in another year. This was among the first which was built, and the committee believed it could not be repaired to float it.

Mr. Wells wished further to know whether it was the repairs of the building or the spars which were needed

Mr. Whiston replied that in moving the building last fall, a schooner ran into it and caused such damages as made it unfit for repairs.

Mr. Shaw said he hated to speak again, but it appeared that appropriations were called for to the amount of \$39,000 for bathing houses, and if not satisfactorily explained, he should feel obliged to vote against them. He did not know, but thought too much money was called for.

Mr. West of Ward 16, with a view of getting more information on the subject, moved that the order be laid on the table.

The motion was carried.

The following orders were read once.

Order authorizing public bathing houses to be repaired and maintained in different sections of the city, at not exceeding \$15,500; also authorizing the employment of such assistance as may be required for the care and management thereof, at not exceeding \$18,000.

The order to pay Henry Kelley \$150, for land taken by the extension of Harrison avenue, Nov. 11, 1870.

The following orders were several y read twice and passed, in concurrence:

Order authorizing 10,000 feet of new hose to be purchased for the Fire Department, from time to time, as needed.

Order requesting Water Board to consider expediency of removing the drinking fountain at the easterly end of Old State House.

Order authorizing Directors for Public Institutions to allow Winthrop Railroad Company to move a wooden building on a portion of the city farm at Winthrop, for a temporary purpose only, in order to facilitate the running of the horse cars to Point Shirley.

Report and orders authorizing a purchase to be made, at not exceeding \$60,000, of a lot of land on Newbury and Exeter streets, containing 22,960 square feet, to be used for the purpose of a primary school; and for a loan of said sum to be applied to the purchase thereof.

Request and order for a loan of \$275,000, to be added to appropriations heretofore made for improvements on Suffolk-street district. (City Doc. No. 61, 1873.)

MEMBERS OF COCHITUATE WATER BOARD.

The report nominating Thomas Gogin and Charles R. McLean as members of the Water Board, to fill vacancies to occur on the first Monday in May, was accepted, and the certificate of the election of said Gogin and said McLean as such officers was read.

The Council proceeded to an election, when Mr. Gogin received 50 votes. Mr. McLean 48, and there were 4 for other persons.

Messrs. Gogin and McLean were declared to be elected, in concurrence.

UNFINISHED BUSINESS.

The order authorizing the Treasurer to allow on deposits of money of proprietors in Mt. Hope Cemetery, for the permanent care of said lots, interest at a rate not exceeding six per cent. per annum, being under consideration—

Mr. Burt of Ward 16 stated, in explanation, that the sums of money referred to were for the purpose of improvements upon the lots, the interest of which it was proposed to expend for such improvements.

The order was passed.

EXPENDITURES ON THE COMMON.

The order authorizing the building of a tool house on the Common, at not exceeding \$1200, being the first of several orders providing for expenditures on the Common and Public Squares, was considered.

Mr. Train of Ward 14 said he believed the expenditures proposed, as he said at the last meeting, were too much, and that they needed further looking into and might be cut down essentially. This order provided for a tool house at an expense of \$1200, and he believed a plain building suitable for the purpose could be put up for \$500 or \$600, which would be a saving of fifty per cent. He knew something about gardening, and had talked with responsible parties who would be willing to take the contracts for the several works to be done at one-half the prices proposed to be paid. The sum to be expended for concrete walks was too large, and it was not necessary that so much should be done this year. There were twenty-five public squares in the city, some of which were quite small, and could be taken care of for \$300 or \$400 apiece, yet the average was \$1600, which was too large. Some of the expenditures were not necessary this year, and could wait until another year.

Mr. Wilbur of Ward 9 stated that the committee had thoroughly examined these several proposed expenditures, and today they had opened a large number of proposals, the lowest of which for building a tool house was \$1000. On the matter of repairs of

settees, etc., on which he was a sub-committee, the lowest price offered was \$1000, which was about as cheap as he could get them done, and which would leave \$800 for the painting. In the expenditure of \$4000 for loam, manure, etc., it was believed the price was moderate. The sum of \$5800 was as low as can be done the carpenter work, team work, etc.; the citizens have a great desire that more of the walks shall be of concrete, and the sum for that and for expenditure for trees, shrubs, etc., was believed to be as low as they can be.

Mr. Train replied that competent men had informed him that contracts could be made for about half these prices in almost every instance. If the City Forester had taken the care of the land as he should have done, the large expenditures for manure, etc., would not be required. On the score of economy he was opposed to these expenditures, and would ask to have the orders recommitted. If the expenditures were justly needed, he should make no objection. What would become, then, of the amount appropriated, if the sum was not used, for he did not believe it would all be required this year.

Mr. Wilbur said that the gentleman did not seem to understand that no money could be expended if not appropriated, and if it was not all used it went back to the City Treasury.

Mr. Dean of Ward 12 said he hoped no one would object to a motion to recommit, for it was an object worthy of recommitment. The subject had attracted considerable attention, and he would suggest when it comes up again, that the committee would present all the expenditures which they will need, and take the whole subject into consideration. A petition would soon be presented for laying out walks on Independence square, which now has only a walk around it. Across it there are paths which are muddy and swampy, and there are no steps or outlet on one side, so that the person who goes that way is obliged to get over a fence or return. There will be an application for an expenditure on that square, and when the subject comes up again he hoped all the expenditures required would be laid before the Council.

Mr. Powers of Ward 4 said he hoped no tool house would be erected on the Common, unless the necessity was very urgent. Such a building, besides being unsightly, would be a place of deposit for wheelbarrows and other articles by its side, with the gathering of refuse material which would be no ornament to the Common or to the city. A plenty of old buildings could be leased in the vicinity of the Common for a deposit of tools.

Mr. Barnes of Ward 11 hoped the motion to recommit would prevail, and when the committee reports that they will give a statement of the difference in the appropriations between last year and this year.

The motion to recommit was carried, carrying all the other orders, as follows:

Order authorizing an expenditure of not exceeding \$1800 for settees and for painting and repairing settees, fences and fountains on the Common, etc.

Order authorizing an expenditure of not exceeding \$4000 for manure, loam and sods for Common, etc.

Order authorizing an expenditure of not exceeding \$5850 for team work, carpenter work, mowing machines and tools for Common, etc.

Order authorizing an expenditure of not exceeding \$7000 for gravel and concrete for walks and malls on the Common, etc.

Order authorizing an expenditure of not exceeding \$8700 for trees, plants, shrubs and seeds for the Common, etc.

Order authorizing an expenditure of not exceeding \$5000 in improving Washington park.

On a further motion of Mr. Train subsequently, the following orders were taken from the table and recommitted:

Order authorizing a contract with John Reardon for the care of Blackstone and certain other squares and Union park, at not exceeding \$1650.

Order authorizing a contract with Peter Callahan for the care of Maverick and certain other squares, and the trees in streets in Ward 1, at not exceeding \$700.

VETO OF NORMAL-SCHOOL ORDER.

The following communication was received from the Mayor:

EXECUTIVE DEPARTMENT, CITY HALL,
BOSTON, May 1, 1873.

To the Honorable the Common Council of the City of Boston: Gentlemen—I return herewith to the branch of the City Council in which it originated an order to provide accommodations in the primary school-house on Appleton street for the normal school recently established by the School Committee, and I beg leave to state briefly the reasons which have compelled me to withhold my approval.

Previous to 1857 it was not legal for any city or town in this Commonwealth to establish public schools for the education of children over fifteen years of age. In that year an act was passed (since incorporated into the General Statutes, sec. 7, chap. 28,) authorizing the establishment and support of such schools. Although the School Committee have the superintendence of these schools, when established, and are authorized to determine what branches of learning may be taught therein, the City Council of cities and the inhabitants of towns acting in town meeting, alone have authority to establish the schools, and "may determine the term or terms of time in each year and the hours of the day or evening, during which said schools shall be kept, and appropriate such sums of money as may be necessary for the support thereof."

The fact that a normal school, as it was termed, was in existence as a part of our school system before the year 1857, does not alter the legal aspect of the case. It is sufficient that the City Council, after the authority was granted, established a "Girls' High and Normal School," at which a course of instruction was adopted, not only to qualify the graduates to become teachers, if they chose to adopt that profession, but to give all the pupils, whether they desired to be teachers or not, a complete and thorough education. This school, having outgrown the contracted quarters where it was first located, was established by the City Council in 1871 in a building specially erected for the purpose on Newton street, at an expense of \$310,715.

In 1870 the School Committee recommended a division of the school and the establishment of a "distinct Normal School," devoted exclusively to the education of teachers, and on the 8th of January, 1872, a committee of seven was appointed by the School Committee to report upon a plan for a "distinct Normal School." On the 12th of March, 1872, that committee submitted the following orders, which were adopted:

First, "That the committee on the subject of a distinct normal school be and hereby are authorized to report to this Board a plan for the organization of a normal school in the city of Boston, which school shall be established and go into operation at the beginning of the next school year."

Second, "That the same committee be authorized to secure for the accommodation of said normal school the room now unoccupied in the Appleton-street Schoolhouse."

On the 14th of May the same committee submitted a plan for a "distinct normal school," which was adopted by the School Committee. It is provided, among other things, that "the school shall be known as the Boston Normal School, and its purpose shall be to furnish an opportunity for such young women as wish to become teachers a course of distinct professional study."

"The teachers shall be a head master and such assistants as may be found necessary."

"Candidates for admission must signify in writing their intention to teach."

"A diploma from either of the high schools shall be evidence of qualification for admission."

On the 11th of June, 1872, the rules and regulations were amended by striking from the organization and management of the Girls' High and Normal School all that pertained in any way to the normal department. The training schools which had been located in this building were discontinued, and the pupils distributed into other schools.

It will be observed, from the hasty review, that the new school is expressly stated to be a "distinct normal school." It is a school above and beyond the high schools already authorized by the City Council, and it appears in the Manual published for 1873, as a distinct and independent organization.

It is questionable whether such a school as this can be established at all at the public expense, and it is clear that it cannot be established without the previous consent of the City Council. That consent has not been given. If it be said that the school originally established by the City Council was denominated a normal school, with aims and purposes similar to those possessed by the new organization, the legal objection to the action of the School Committee still remains, as that body has not the authority to establish another such school.

These are the objections which have made it my duty to return the order to your honorable body for further consideration, but I cannot forbear calling your attention to the expense involved in carrying out the policy inaugurated by the School Committee. It appears from the last semi-annual report of the Superintendent of Schools, that the average number of pupils connected with the new normal school is fifty-three, and the average daily attendance forty-

eight. The head master of the school receives a salary of \$4000 per annum, and the four assistants \$4500, making the salaries of the teachers to these forty-eight pupils, \$8500 per annum. The building erected on Newton street was intended to accommodate 1200 pupils. The high school for girls contained in March last 632 pupils. The new normal school is accommodated at the present time in one room of the building; so that, making allowance for the accommodation required for the botanical and other departments, there remain several rooms unoccupied by any teachers or scholars.

If it is necessary to introduce primary classes for the practice of the normal pupils, there are, I believe, suitable facilities for so doing. The estimated expense of providing separate accommodations for the new school is \$2000, but it is evident that the portion of the primary-school building which it is proposed to occupy at this time will be needed in a very short time for its legitimate purposes, and the Government will then be called upon to provide a new building for the normal school.

I submit herewith the opinion of the City Solicitor upon the legal aspect of the case.

HENRY L. PIERCE, Mayor.

CITY SOLICITOR'S OFFICE, 2 FEMBERTON SQUARE, }
BOSTON, April 28, 1873. }

Sir—To the question you proposed to me in regard to the legality of the action of the School Committee in establishing a normal school, I reply, that I find no authority for the establishing or maintenance of such a school by them. The committee can expend the moneys raised for the support of schools only for the support of schools of the description which the statutes of the Commonwealth require or authorize to be maintained, and normal schools are not of that number.

I am, with great respect,
Your obedient servant,

J. P. HEALY.

Hon. Henry L. Pierce, Mayor, etc.

On motion of Mr. Pease of Ward 1, the communication was laid on the table and ordered to be printed.

PETITIONS PRESENTED AND REFERRED.

Richard Leeds, for extension of time in which to build on Sharon street. Referred to Committee on Public Lands.

J. A. Tucker and others, that Magazine street may be extended, and that Eastis street may be extended to Magazine street. Referred to Committee on Streets.

Granville B. Putnam and others, that Waltham street be paved with wood in front of the Franklin Schoolhouse.

T. W. and J. H. Cox and others, that Blue-Hill avenue be graded.

Severally ordered to be sent up.

Mr. Jones of Ward 14 presented an invitation to the Mayor and City Council, from C. C. Emery, commander, on behalf of Thomas G. Stevenson Post 26, G. A. R., to be present as guests of the post, at Forest Hill Cemetery on Decoration Day, May 30, 1873. Accepted, and sent up for concurrence.

REPORTS OF COMMITTEES.

Mr. Bicknell of Ward 4, from the Joint Standing Committee on Public Buildings, to whom was referred the order from the City Council to erect a grammar schoolhouse on the City Hall estate, Boston Highlands, made a report, as follows:

They have had plans prepared and received estimates for doing the work, and find that, owing to the advance in labor and building material, \$90,000, the amount authorized to be expended in the erection of the building, will not be sufficient, but that \$20,000 in addition to the amount already authorized will be required before contracts for building can be awarded. They would respectfully recommend 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 \$20,000, to be added to the amount already authorized for the erection of a Grammar Schoolhouse, Dudley District.

The order was read once.

Mr. Bicknell, from the Joint Standing Committee on Public Buildings, to whom was referred among the unfinished business of last year, the accompanying report and order for the erection of a stable on Highland street for the Health and Paving departments, made a report as follows:

That the public service requires that the building should be erected, and in view of the same they would respectfully recommend the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be authorized to procure estimates for the erection of a stable on the city lot on Highland street, for the

accommodation of the Health and Paving departments, and report to the City Council the estimated cost of the same.

The order was read once.

Mr. Page of Ward 9, from the Joint Standing Committee on Armories, reported leave to withdraw on petition of Lieutenant M. R. Walsh and others, in behalf of Company F, First Regiment, M. V. M., asking that a new armory may be provided by the city for the use of said company. Accepted.

Mr. Page, from the same committee, to whom was referred the petition of Lieutenant-Colonel John H. Roberts that provision may be made for the headquarters of the First Battalion of Cavalry, reported two orders; to allow and pay \$360 for rent of such headquarters at No. 7 Green street, and for the expenditure of \$225 for fitting up said headquarters.

The report was accepted and the orders were passed.

Mr. Pease of Ward 1, from the Joint Standing Committee on the Harbor, to whom were referred the papers relating to the assessment made by the Commonwealth upon the city of Boston for the compensation for tide water displaced by the construction of Atlantic avenue, and the filling of the docks inside of the same, made a report, as follows:

The substantial facts in the case are these: The act authorizing the city to lay out and build a street over tide waters between Lewis and Rowe's wharves (chap. 324, 1867) provided, among other things, that such compensation should be made for all displacement of tide water as the Harbor Commissioners should determine, and in the manner required by chapter 149 of the acts of the year 1866. It is provided in the fourth section of the acts referred to that the Harbor Commissioners shall in all cases affecting the harbor of Boston require the parties displacing tide water by filling flats or erecting buildings to make compensation therefor either by improving the harbor or paying money for improvements to be made hereafter under the direction of the Commissioners.

In 1870 the engineer to the Commissioners computed the amount of tide water displaced between the planes of mean high and low water by the filling of the avenue proper and the interior basins at 168,523 cubic yards, and an assessment of \$61,663 was made upon the city as the money equivalent for compensation in kind. In accordance with an order of the City Council the Mayor petitioned the General Court in 1871 to relieve the city from the payment of this assessment. After a full investigation of the subject the application was refused and on the 9th of November of that year the Treasurer and Receiver-General of the Commonwealth made a formal requisition upon the city for the amount assessed with interest thereon.

No action was taken upon the subject until the next meeting of the General Court, when another effort was made to have the assessment abated, but without success.

The matter has now been brought to a point where it is no longer possible for the city to resist payment, the State Treasurer having declined to allow the city for receipts on account of the corporation tax, and for advances made on account of soldiers' relief, until the requisition for tidal compensation is satisfied. In the meantime the interest on the original assessment has been accumulating, so that the amount due at this time is \$71,837 93. The City Solicitor has given his opinion that the claim is a valid one, and the payment of it cannot be successfully resisted. The Committee would therefore recommend the passage of the accompanying order:

Ordered, That there be allowed and paid to the Treasurer and Receiver-general of the Commonwealth of Massachusetts, the sum of \$71,837 93, in full settlement of the assessment made by the Board of Harbor Commissioners of the Commonwealth for compensation on account of tide water displaced by the construction of Atlantic avenue, and the filling of the interior basins; said sum to be charged to the appropriation for Atlantic Avenue.

Mr. Pease moved a suspension of the rules for the passage of the order, stating that as the money must be paid, and as some \$30,000 was due to the city from the State for soldiers' aid, etc., and it was desirable that a settlement be made with the State to come within the expenditures of the financial year just closed, arrangements for which have been made.

The order was read a second time and passed.

Mr. West submitted the following request:

To the City Council—The Committee on Finance respectfully ask for the passage of the accompanying order, for the purpose of facilitating the business of the city.

For the Committee,
HENRY L. PIERCE, Chairman.

Ordered, That the Treasurer be, and he is hereby authorized to borrow, under the direction of the

Committee on Finance, a sum not exceeding four millions of dollars, in anticipation of the taxes payable this year, and that all moneys obtained under authority of this order shall be made payable on or before the 30th day of April 1874.

The order was read twice and passed.

ORDERS.

Mr. Flynn of Ward 7 offered the following order, which was read once:

Ordered, That there be paid to the Boston & Providence Railroad Corporation the sum of \$225,000, due the said corporation upon certain conditions as set forth in the indentures between the city of Boston and the Boston & Providence Railroad Corporation, dated September 30, 1871, relating to the purchase of land of the said corporation by the said city, and the extension of Columbus avenue to Park square, said corporation to give the city a receipt for the same satisfactory to the City Solicitor; said sum to be charged to the appropriation for the Extension of Columbus Avenue.

Mr. Flynn of Ward 7 offered the following order:

Ordered, That the Committee on Public Buildings be authorized to procure plans and estimates for a new police station, to be erected on a lot of land purchased for the purpose on Fourth street, between K and I streets; the expense to be charged to the appropriation for Public Buildings.

Mr. Denny of Ward 9 inquired if it was necessary that this police station should be erected at the present time.

Mr. Dean of Ward 12 said the subject of a new police station in South Boston had been under agitation quite a length of time, and was believed to be a necessity. A purchase of land was made last year as a result of that necessity. In fact a temporary place had been used as a sort of police station in that section, and as it was well known that the old police station was near this end of South Boston, a great bulk of the population was beyond it. In some cases it is necessary to carry men a mile and a half to the station house. The people of South Boston were law-abiding citizens or they would have required the building long since. They had poor gas over there, with the streets poorly lighted, and the deficient amount of police force was sadly felt.

The order was passed.

Mr. Shaw of Ward 5 offered an order that the Superintendent of Streets, under the direction of the Committee on Paving of the Board of Aldermen, be authorized to contract for the watering of streets in the burnt district for such a length of time as the public health and convenience may require.

Mr. Shaw briefly advocated the order, for the comfort, convenience and health of those required to work in or pass through the streets in the burnt district, and the order was passed.

Mr. Wilbur of Ward 9 offered an order, which was passed, authorizing the Cochituate Water Board to make their annual report in print.

Mr. Dacey of Ward 2 moved to take from the table the ordinance to amend an ordinance relating to the City Hospital, and the motion was carried.

Mr. Dacey said he had made some inquiries in relation to this ordinance since the last meeting, and believed as stated by the gentleman from Ward 12, that it was unnecessary. He had talked with the Superintendent of the hospital about it, who said it was got up by mistake. He moved, therefore, that it be indefinitely postponed, which was carried.

SALARIES IN THE LAW DEPARTMENT.

On motion of Mr. Dean of Ward 12, the majority and minority reports and orders on the subject of the salaries of officers of the Law Department were taken up from the table for consideration.

Mr. Holmes of Ward 6 expressed the belief that a wrong impression was received from what was said about costs at the last meeting of the Council. Although the city has the legal right to costs in suits in which it is a party, the whole amount of costs last year was but \$73 05. One-half of the amount of costs goes to the head of the department, and the remainder is divided among the assistants. It was also said that a considerable sum was received as perquisites in the making out of deeds. This amount as perquisites is very small, most of it being paid out to a clerk who is employed by them.

On an examination for several years of the comparative increase of salaries of city officers, it would be found, that the smallest increase of any officer was 53 per cent., excepting the City Solicitor, the increase of whose salary had been but 25 per cent. This did not include the Superintendent of Public Lands, whose duties are yearly decreasing, and with reference to which the question had been debated of abolishing the office. With an increase of the salary of the City Solicitor to 53 per cent. it would make it

\$6000 as proposed by the majority. Mr. Stackpole, the assistant has no outside practice, and the other assistant has had but one case during the past year, and all they make is from their salaries, the perquisites being inconsiderable. These statements he made to remove erroneous impressions, and he believed the proposed increase of salaries not unreasonable.

Mr. Dacey of Ward 2 said he was still of the opinion that the minority report should be substituted for that of the majority. He had looked into the matter of perquisites and believed that the Assistant City Solicitors have practised in the courts and do now practice. It was only within four weeks that one of them went down to Richmond, Va., on business outside of his office, and another had recently gone to Lowell on business outside of his office. As to the making of trustee writs, they may not amount to much, but they do practise, and there are many waiting who would be willing to take their places for the perquisites they get. He was confident there should be no change in the salaries of the assistants.

Mr. West of Ward 16 said he had taken some pains also in relation to the matter, and agreed nearly with the statement of the gentleman from Ward 6. His amount of fees taken was a little more, being \$85. As to the making of deeds, there were three hundred made last year, and if \$3 for each was received that would amount to \$900. He was satisfied that if the assistants have any other practice, it is not done at the expense of the city, and that they work hard for what they get. The Law Department, in his opinion, was the poorest paid by the city.

Mr. Pickering of Ward 6 believed it eminently proper that there should be a graduation of salaries, as suggested by the gentleman from Ward 5, for an increase of a similar amount in each case was hardly the thing. It appeared by the statement made, that \$900 was received for making deeds, some of which was paid for clerk hire. He understood that the first assistant being in constant attendance upon courts, could have very little in perquisites, and it would be unjust to the first to pay the same to the second assistant. He had been credibly informed by parties who should know, that to pay the first assistant \$3000, would not give him as much as the second would receive at a salary of \$2500.

Mr. Dacey said he was in favor of giving the first assistant \$3000, but it was understood he did not ask an increase of salary.

Mr. Holmes stated that there was no distinction in first and second assistants. Mr. Kittredge was, in fact, appointed first, and it was their feeling that there should be no grade. For that reason Mr. Stackpole may not have desired an increase, not wishing to have an invidious distinction or superiority of one over the other.

Mr. Pickering said he could say the gentleman alluded to it does desire an increase of salary, although he might not ask for it.

Mr. Shaw questioned the method of comparison which had been made, which he said was not just. A fair comparison showed that the cost of the Law Department had more than doubled in the time specified. He was in favor of an increase of pay of the head of the department as due to his great ability, but in regard to the expense it should be considered that there were more persons paid than five or six years ago. There should be no perquisites allowed to city officers, and the city could afford to make the deeds required in deeding back property. He would like to know who authorized them to employ the clerk who was paid from these perquisites. If he could have his wish, these offices should be graded, and no perquisites allowed.

Mr. Mahan of Ward 5 called attention to the ordinance adopted at the last meeting of the Council, which established a grade of a first, second and third assistants to the City Solicitor. He suggested that the question might be met satisfactorily by voting down the motion to substitute the minority report, and then vote directly upon each salary under the grade established.

Mr. Denny of Ward 9 believed that if the reports were recommitted, they could be reported in a form which would be better understood and more acceptably. In that way this might save time.

Mr. Dean said he would make no objection to recommitting, although from the debate there had been a thorough expression of opinion.

The motion to recommit was carried.

Mr. Wells of Ward 3 moved to take from the table the order for the appointment of a committee to make arrangements, at not exceeding \$15,000, for the celebration of Fourth of July, 1873, and that it be assigned to Thursday evening next at half-past eight o'clock.

The motion was carried, and the order was so assigned.

Adjourned.



CITY OF BOSTON.

Proceedings of the Board of Aldermen,

MAY 4, 1873.

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

APPOINTMENTS MADE AND CONFIRMED.

Weigher and Inspector of Bundle Hay—James H. Small.

Undertaker—John Sullivan.

Sergeant of Police—N. A. Simonds.

Members of Fire Department—Charles A. Smith, William Whiting and Charles T. Tinkham, severally, as hosemen, to take effect May 1, 1873.

Special Police Officers, without pay—Charles Chittenden, Stephen Nelson, Joseph K. Low, John Kenney and James Campbell, for the Boston Gaslight Company; Charles W. Lingley, for Marion and Havre streets; John E. E. Goward, for Mount Hope Cemetery; Daniel B. Steadman, for Savin Hill; J. A. Sweetland, for Broadway Methodist Episcopal Church; Alexander W. Cormack, for Union Boat House and its vicinity; William H. Matthews, for Bacon's Hall and its vicinity; E. R. Church, at S. S. Putnam & Co.'s factory, Neponset; Alonzo Stewart, for the Blackstone National Bank; D. W. Manning, for Winthrop-street Church, Roxbury; Norton Folsom, for the Massachusetts General Hospital and its vicinity; Stephen A. Coleman, for the Charity Building, Chardon street; Edwin R. Smyth, for the Board of Health.

The following communication was received from the Mayor:

BOSTON, May 5, 1873.

To the Board of Aldermen of the City of Boston: Gentlemen—Since the acceptance of the report of the Committee on Police, recommending that the Mayor be requested to reduce the number of trauat officers from ten to six, the State Legislature has placed the appointment of those officers in the hands of the School Committee. No action on my part will therefore be necessary in the premises.

HENRY L. PIERCE, Mayor.

Ordered to be placed on file.

PETITIONS PRESENTED AND REFERRED.

Pliny D. Ladd, for leave to change location of a stable for four horses on Vale street, near Marcella street.

William B. Thomas, for leave to occupy a wooden stable for fourteen horses on Ewer street, near the Old Colony Railroad.

W. S. Pattee, for leave to occupy a wooden stable for two horses on White street, near Putnam square.

E. Heib, for leave to occupy a wooden stable for one horse on New Heath street.

Edward P. Maguire, for leave to build a wooden stable for one horse at No. 3 Heath place.

Severally referred to the Committee on Health on the part of this Board.

Granville B. Putnam, that Waltham street be paved with wood, opposite the Franklin Schoolhouse.

T. W. & J. H. Cox and others, that Blue-Hill avenue be graded.

Thomas F. Brady and others, that Fifth street may be paved from B to C street.

Leander H. Jones, that Foundry-street sidewalk be laid from Colony to Ontario street.

Sampson, Hall & Company, and others, that the streets on the burnt district may be watered by the city.

J. H. Upham & Company, and others, that edge-stones be set on Hancock and Columbia streets, from Stoughton to Bird street.

Howard Watch Company, for a brick sidewalk on Eustis and Prescott streets, near their estate.

John Drynan and others, that Fleet street be paved with trap rock.

Mrs. P. J. Fleming, for compensation for grade damages on Fourth street.

Thomas Dolan and others, that Norfolk avenue be graded.

William P. Balch and others, in aid of petitions of F. Upton & Co., for the paving of North street.

Severally referred to the Committee on Paving.

Vance & Company, for leave to enlarge their foundry building at 128 Second street. Referred to Committee on Survey and Inspection of Buildings.

George Lawton, to be heard respecting his award for damages on Summer street. Referred to the Committee on Streets.

Mrs. M. A. French, to be compensated for personal injuries caused by an alleged defect in Kneeland street. Referred to the Committee on Claims.

S. S. Putnam & Co. and others, for sewers in Taylor, Water, High, Ericsson and Walnut streets, Ward 16.

Oakes Ames, that Dorchester Brook, near Willow Court, may be converted to purposes of sewerage and be properly inclosed.

Severally referred to the Committee on Sewers.

A communication was received from the Board of Engineers of the Fire Department, unanimously nominating Henry W. Longley for Secretary of the Board for the ensuing year.

The Board proceeded to a ballot, and Mr. Longley was elected by an unanimous vote.

QUARTERLY REPORT OF CITY REGISTRAR.

The quarterly report of the City Registrar states that he has received during the quarter ending April 30, \$461, for certificates of intentions of marriage, which has been paid into the City Treasury.

Ordered to be sent down.

QUARTERLY REPORT OF THE CITY CLERK.

The City Clerk reports that for the quarter ending April 30, he has received in his official capacity the following sums, viz.:

For recording mortgages of personal property, liens, etc.....	\$590 05
Licenses of billiard tables.....	107 00
“ intelligence offices.....	8 00
“ auctioneers.....	28 00
Sale of old ballots.....	10 11
Total.....	\$743 16

all of which has been paid into the City Treasury.

Ordered to be sent down.

REPORT OF OVERSEERS OF THE POOR.

The quarterly report of the Board of Overseers of the Poor gives the following statement of the receipts and expenditures for the quarter ending April 30, 1873:

Cash on hand January 31, 1873.....	\$11,797 93
Drafts on City Treasurer and requisition for Temporary Home.....	17,999 13
Cash from cities and towns.....	7,024 37
“ from State for relief and burials.....	4,999 61
“ for burials.....	24 00
“ from City Treasurer, income Stoughton Poor Fund.....	50 52
	\$30,097 63

The expenditures were as follows:

Paid for burials.....	\$1,873 75
“ cities and towns for relief of Boston poor.....	4,088 23
“ expenses of Temporary Home.....	1,549 13
“ pensions and grants at office.....	4,090 90
“ immediate relief of persons having no settlement.....	233 92
“ coal and wood.....	5,139 52
“ groceries.....	5,618 00
“ salary of Secretary.....	550 00
“ “ Bookkeeper.....	425 00
“ “ Clerk.....	175 00
“ “ visitors.....	900 00
“ office expenses.....	74 45
“ transportation.....	8 36
“ charity building expenses, salaries, fuel, etc.....	1,405 05
	\$26,131 31

“ city of Boston, receipts from State, cities and towns.....	14,999 61
Cash balance April 30.....	764 64
	\$41,895 56

Ordered to be sent down.

COMMUNICATION IN RELATION TO A SMALLPOX HOSPITAL.

OFFICE OF BOARD OF HEALTH, {
BOSTON, May 5, 1873. }

To His Honor the Mayor and the City Council of Boston: Gentlemen—In compliance with your order of April 25, 1873, concerning the early closing of Marcella-street hospital, that “the Board of Health be respectfully requested to communicate to the City Council what in their judgment are the requirements of the city for a permanent hospital for the treatment of persons suffering from smallpox or other contagious diseases,” we beg to state that in our opinion a permanent hospital for such a purpose situated upon a dry and healthy site, conveniently accessible, is absolutely necessary.

That the Marcella-street hospital is the only suitable one now in the hands of the Board of Health; that the Sweet-street hospital was abandoned on account of being, in the opinion of this Board and that of a large number of the leading physicians of Boston, situated in a very undesirable location for the successful treatment of our unfortunate patients; that the Board has been vigilant in the search of some desirable location, and believe it has succeeded in

finding one suitable and accessible and more isolated than that on Marcella street.

The Board would therefore recommend that some early action be taken by the City Council with a view to purchasing a lot and erecting thereon a hospital for the reception of persons having a disease dangerous to the public health.

By direction of the Board of Health.

C. E. DAVIS, JR., Clerk.

Referred to Committee on Health.

WIDENING OF CONGRESS STREET.

A resolve and order was received from the Street Commissioners providing for the widening of Congress street between Water and State streets, on the easterly side, to the width of fifty-four feet, at an estimated cost of \$484,626.

The several items of expense are as follows: G. D. Howe and others, trustees, No. 50, 464 square feet of land, \$38—\$17,632; damages, \$500—total, \$18,132. Francis M. Johnson, Nos. 48-42, 1019 feet, \$35—\$35,665; damages, \$665—\$36,330. Henry L. Hallett, trustee, No. 40, 547 feet, \$42—\$22,974; damages, \$524—\$23,498. Heirs of William S. Perry, Nos. 34-30, 825 feet, \$45—\$37,125; damages, \$1000—\$38,125. Unknown owners, passageway, 69 feet, no expense. Heirs of Hinman Meredith, Nos. 26-24, 508 feet, \$32—\$16,256; damages, \$1000—\$17,256. John L. Gardner, Nos. 22-20, 417 feet, \$37—\$15,429; damages, \$19,500—\$34,929. Unknown owners, passageway, 209 feet. New England Mutual Life Insurance Company, Nos. 6 to 2, corner of State street, 3191 feet, \$66—\$210,606; damages, \$105,750—\$316,356. Total, 7249 feet of land, \$355,687; value of buildings before widening, \$147,750; cost of widening, \$10,000; value of old materials, \$15,500; damages to buildings, owners and occupants, \$128,939—\$484,626.

Alderman Clark stated that the subject had been before the Committee on Streets, and they were nearly unanimous of the opinion that this plan of widening of Congress street should be carried out.

On his motion the rules were suspended, and the resolve and order was passed in concurrence with the Street Commissioners.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice on the proposed construction of a common sewer in Shawmut avenue between Circuit and Cedar streets, also on Clifford street, were severally taken up. No person appeared in relation thereto, and the reports were recommitted.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to establish the grade of Williams street, from Shawmut avenue to Westminster street.

Order to grade the above portion of Williams street, at an expense of \$4500.

Order to construct sewer at easterly end of George street.

Order to pave Beacon street with wood, from Dartmouth to Fairfield street, at an estimated expense of \$24,000.

PAPERS FROM THE COMMON COUNCIL.

The petition of J. A. Tucker and others was referred, in concurrence.

The invitation of Post G. A. R. to attend Decoration ceremonies was accepted, in concurrence.

The report (leave to withdraw) on petition of Co. F, 1st Infantry, for a new armory, was accepted, in concurrence.

The majority and minority reports and orders on the subject of the salaries of officers of Law Department, came up recommitted to Committee on Ordinances, and were recommitted, in concurrence.

The order authorizing the employment of additional assistance in the office of Chief Engineer of Fire Department, which was referred by this Board to the Committee on the Fire Department, coming up with non-concurrence in such reference, the Board receded from its reference.

The order authorizing the sale, by public auction or otherwise, of the building on the engine-house lot, corner of Warren and Quincy streets, Ward 14, coming up with an amendment to strike out the words "or otherwise"—

Alderman Clark opposed concurrence, stating that \$5000 were lost to the city in one instance, by requiring a sale to be by auction, and in another case this year \$5 more a foot was offered for land than it would have brought at auction. The Joint Committee on Streets was composed of honest men, and would act for the best interests of the city, whether to sell at private or public sale, and should not be compelled to make sales by auction.

Alderman Sayward inquired whether it was land to be sold, and whether it was not the Committee on

Public Buildings who were authorized to make the sale. On the assurance that it was the Committee on Public Buildings who were authorized to sell a building, he said he should not object to the order as it is, if the City Council so ordered it, but he believed the committee were honest, and would act for the best interests of the city.

The amendment was non-concurred in.

The order for the Superintendent of Streets, under the direction of the Committee on Paving, to cause the streets in the burnt district to be watered, the expense to be charged to the Burnt District Loan, was referred to the Committee on Paving.

The following orders were severally passed, in concurrence:

Orders to allow \$300 for rent of headquarters of First Battalion of Cavalry, and to allow the sum of \$225 to fit up the rooms.

Order for a temporary loan of \$4,000,000 in anticipation of taxes.

Report from the Committee on the Harbor, with an order to pay \$71,837 93 to Commonwealth of Massachusetts as compensation for displacement of tide-water in the construction of Atlantic avenue.

Order to procure plans and estimates for a new police-station house between I and K streets, Ward 12.

Order for Coehituate Water Board to submit their annual report in print.

The several orders relating to the Common, etc., were recommitted, in concurrence, as follows:

Authorizing the building of a tool house on the Common, at not exceeding \$1200; authorizing an expenditure of not exceeding \$1800, for settees and for painting and repairing settees, fences and fountains on the Common, etc.; authorizing an expenditure of not exceeding \$4000 for manure, loam and sods for Common, etc.; authorizing an expenditure of not exceeding \$3850 for team work, carpenter work, mowing machines and tools for Common, etc.; authorizing an expenditure of not exceeding \$7000 for gravel and concrete for walks and malls on the Common, etc.; authorizing an expenditure of not exceeding \$8700 for trees, plants, shrubs and seeds for the common, etc.; authorizing an expenditure of not exceeding \$5000 in improving Washington park; authorizing a contract with John Reardon for the care of Blackstone and certain other squares and Union park, at not exceeding \$1650; authorizing a contract with Peter Callahan for the care of Maverick and certain other squares, and the trees in streets of Ward 1, at not exceeding \$700.

HEARING ON LIMITS OF BASE-BALL GROUNDS.

The public hearing on the proposed extension of the limits of the base-ball grounds on Boston Common, was taken up, by assignment, at four and a half o'clock.

The petitioners were first heard.

J. B. Ames, for the Base Ball Club Association, stated that the committee of the City Council declined to act directly upon their petition, and offered as a substitute for the Common Madison square and Orchard park. The first was not only too far off but was also too small, making it liable constantly to the breaking of windows. Orchard park was still further off, and more objectionable on that account. Should the report of the committee be accepted, it would be but of granting these places, and refusing the use of the Common.

So far as the question in issue was concerned, it was that base ball playing was dangerous. One case cited was that of a man who was hit in the abdomen; a second was the case of a little girl, who was not hurt; and the only other case was that of a person now a member of the club. The game had been played since 1858, and these were the only cases of injuries cited, the extent of one of which he did not know. It was objected that the Common was more beautiful to be grown up in grass, which he would concede; but it was a question whether the Common should be allowed to be beautiful, and the young men and boys be deprived of opportunities of exercise and health. It was objected that it would be used by professional players; but professional players would never use any except inclosed grounds, by means of which alone they could pay the necessary expenses.

Francis Gardner said he did not appear here for base-ball players, but for the boys of Boston, where he had lived most of his life. When he was a boy there were pastures and play grounds in Pearl street, Rowe street, Fort Hill and other places. The boys had been driven from most of the Common, and he contended that the health of the boys required more room for play. More room was needed merely for the boys of the high schools. Without the means of exercise in their plays health could not be secured, and the result was that there were more applications for relief from schools in one week now than there

were in a month forty years ago. In the returns which were made for absences those which were made from ill health were not included.

H. H. Coolidge said he came here in complete sympathy with the boys, and as a Boston boy. When he went to school, the whole Common was open to their use. The boys had been crowded until they were allowed to have little space, except upon the Parade Ground, which was but a swamp when he was a boy. As a resident of Boylston street, he would be incommoed as much as any one by the playing, and he would not believe that gentlemen living in the neighborhood who desired to have the Common a beautiful lawn, would be incommoed at a time when most of them were out of town. As a desirable measure, he urged that, physically and intellectually, the granting of the petition should be complied with.

John T. Sargent said he supposed the question was whether they would allow more ground to be used for plays, especially that part known as the Parade Ground. Recurring to the uses to which the Common was put in the early days, although restrictions had been put upon the use of it, it was still a Common, and for that reason it was proper that the use of it should be continued as a parade ground. On the ground of health he urged that the use of the Common as a parade ground and for play by young men and boys was indispensable.

Stillman B. Allen stated that two thousand persons had petitioned the Board in favor of granting this petition, and these were among the best citizens and largest taxpayers; he did not doubt that a much larger petition could be got up in a little time. There were some 25,000 or 30,000 young men who must have some games to play, and if a better game could be furnished he was willing to give this up. Taking the testimony of Dr. Gardner, there was five times as much sickness among pupils in school as there was formerly. This request was desirable because it was necessary that the young men should be healthy and strong; it was needed as a place of rest and for many physical and moral reasons.

Rev. William B. Wright said he came to learn why boys should not have the privilege asked for, as the word Common would seem to imply a public place for recreation. There was an argument not alluded to, that of the circle of young men standing here, pleading eloquently for air, life, physical culture. Providing a proper playground for boys and young men he contended was but supplementing the admirable school system of this city by furnishing strength to that part which was weak.

Joseph F. Paul said he came here to listen to the reasons against granting the request of the boys. With reference to the objection that ball playing is dangerous, there were dangers in other games, but not to cause injuries which may not be overcome. He believed it to be better, and he urged it upon school teachers, that he would prefer to have his children come out of school with a good constitution than to have their brains crammed with debilitated bodies. If driven to the country, he believed there would be a thousand snares for them to which they were not now subject. As had already been said, the boys who engage in base-ball playing, do not go from such plays to saloons, but to a place of rest, as a man would to sleep after a hard day's work.

Benjamin F. Guild, as a Boston boy, said that in his day the boys were kings on the Common. The game of base ball he believed to be peculiarly adapted to the American character, in the discipline of the eye, nerve, courage, etc. As one who took part in introducing the game to this city, he believed it to be a game to be encouraged. It was true there was danger in the game, as there was in all games.

Joshua Bates, as a teacher for thirty years said he had been accustomed to seeing boys at play on the Common, and by way of physical exercise, should a petition be circulated for the object, he did not doubt that it would be universally signed by the teachers. As there was no other place which could be used for the purpose, he hoped the request would be granted.

Mr. Hayden urged the claims of boys in stores as well as the boys in school who needed this additional play ground.

W. L. P. Boardman said it was conceded that without physical exercise boys could not grow up to be strong men. Upon an examination of the ground which would be occupied as a play ground, there would not be one hundred dwellings incommoed by the playing. The report of the Superintendent of Schools was cited to show how many scholars in certain schools could obtain the use of no other ground than the Common as a play ground. Madison square, he contended, was unfitted as a play ground by reason of its size and the distance from central portions of the city, and it was only large enough for the use of the scholars of the school fronting upon the square.

The hearing for the petitioners was here closed.

Alderman Clark presented remonstrances from Rev. Rufus Ellis, George T. Bigeiow and others.

Turner Sargent offered remonstrances from John A. Lowell and others, and from Mrs. Mary E. Dale and many other ladies residing on Park, Beacon, Arlington and other streets in the vicinity of the Common, on the ground of the danger which would result to themselves and young children from allowing the use of the entire parade ground for base-ball playing.

Turner Sargent, as a remonstrant, said what he had to say would be a matter of common sense and not of poetry, and in opposing the granting of the petition, he did so because it would be dangerous to women and children, there being seven paths across the space proposed to be used, and two malls which adjoined it. It was not their fault that they were obliged to be present to oppose the petition, and he urged that the Common was an objectionable place for base-ball playing on account of the large amount of travel across it, there being a city beyond. It was simply a case requiring the ball players to move on, by the growth of the city. In his younger days he played on Fort Hill, and in Winthrop place, and was driven to Charles street. The march of improvement requires pushing on further. The boys were old fogies in resisting progress. Before coming here he purchased one of the halls which were used, which was called a dead hall. To show it was the best argument which he could use.

J. Tisdale Bradlee said he did not appear here to oppose ball playing and exercise in the open air, but there was a proper time and places for such plays. He agreed that the Common was for the use of all the people, and for that reason he did not believe that the Common should be granted to the use of a few, to the detriment of the health and of the lives of others. At the hearing before the committee it was contended that the boys had a right to the Common for a playground, and that all the restrictions were usurpations. This he denied, and was prepared to prove that there was no such right belonging to boys.

Mr. Bradlee cited from Dr. Shurtleff's "History of Boston" to show that the Common was purchased not for a playground but for other purposes. In 1684 a portion was set apart for a training field, and when the pasturage of cows became greater than could be allowed, the selectmen were authorized to make restrictions, and the Common ceased to be a grazing field in 1830, because of the danger through accidents. Then it was that the rights of foot passengers were recognized. Little children, he contended, had rights as well as large ones, and while grown people could take care of themselves, little children cannot do so. The Common was not for the use either of rich people as had been said, residing in the vicinity, but for the poorer classes, from the North End and from other sections, whose places for recreation had been taken from them.

From the history of the Common, he contended there was no special right in any one to its use, but a permissive right only. There was no objection to the game of ball which was played when he was young, when the ball used was a soft one, but the one now used and which was exhibited is more like a grape shot, or a paving stone. In the objections made by him, it was to secure the comfort and safety of those who had occasion to cross or frequent the Common. The little girl spoken of who was injured was his child, and it was true that it did not hurt her much, because it was a spent ball. But there were cases of a more serious character, in which persons were helped to the drinking fountains for a restoration to consciousness and to physicians for treatment.

There was a case of a man in the employment of the city who was so injured that he had never been able since to do a day's work. There was another case also, in which a citizen was injured, went abroad, was subjected to an operation for his injuries and died. Although it might not be positively certain that his death was the result of his injuries, there was strong evidence to show that it was. There were many other cases of injury from base-ball playing, but a multitude of cases were not necessary to show that it was a game which was dangerous. Parties were not only injured on the field but on the malls, and it was but a right to ask for protection against such dangers.

S. H. Russell said he did not occupy the ungenerous position which had been attributed to remonstrants, of opposing the playing of boys on the Common, for no one would do that; but it was an opposition to games of violence, and not a day passes in which some person was not endangered by being hit by one of these hard balls. He was himself struck by a wooden ball and was lame in consequence for several weeks. In referring to the growth of the city, and to the population beyond the Common, he said that from eight thousand to ten thousand persons

cross the Common every day twice, and these persons were to be put to inconvenience and subject to danger for the benefit of one hundred or two hundred persons at a time in playing ball with two or three times their number looking on.

John Chandler said he had but little to add to what had been so well said, but he could attest to the great danger to which bystanders were subject, while he had never seen any one greatly injured. It had been objected that the remonstrants were rich men and aristocrats, but he was not of that class. As a resident and taxpayer of the city for forty years, and having the good and well being of the city as much at heart as any one, in common with others he rejoiced when the unsightly place on the Parade Ground was grassed down. It was made an objection that the boys were allowed no place on the Common, while the large space already allowed was ignored. Others had rights as well as base-ball players; children and women had such rights.

Mr. Chandler urged further objections to the granting of the petition, and in regard to ball playing denied that this was such a healthy game as was claimed for it. When it was claimed that the health of boys and young men had deteriorated in consequence of loss of play ground, he supposed it would not be claimed that the change began with the restrictions put upon the Parade Ground in 1869. As an illustration of what was generally believed to be characteristic of the game, he said he had seen it stated in connection with the opening of the ball playing season that there was a demand for liniment and surgeons.

Charles S. Faulkner remonstrated against granting further space for base-ball playing, for should more space be allowed, it will be necessary to close up certain well-travelled paths. Various reasons were urged by him against granting the petition, and he cited the case of the late Samuel Frothingham as the person injured by a base ball, and he never had a well day afterwards.

The hearing was now declared to be closed.

Alderman Stebbins moved to recommit, with instructions to the committee to report back to the Board.

Alderman Power objected to recommitting the subject, and he hoped the prayer of the petition would be granted. The argument which had been made in opposition was not sufficient to convince him that it should not be granted. He was familiar with base-ball playing and knew that, although dangerous, it was conducive to health. If objected to because it was dangerous, objections could be made to every other form of physical exercise, as in gunning, fishing, boating, etc. Because there was danger in these methods of exercise no one would contend that they should be given up in consequence.

Alderman Clark raised the question of order, that the question was on recommitment.

Alderman Power said he was giving reasons against recommitment. He had some knowledge of the game, and had been engaged in games all over the Common, and much of the strength and muscle which he had was due to such games. Once the whole Common was a playground, and players had been driven back to six of the forty-eight acres and confined to half of that. He did not think that it was a hardship for ladies and children to give way in yielding up so small a portion of the Common to ball playing.

Alderman Quincy hoped the report would be allowed to take its usual course, and not be settled now. He wished time to consider the various arguments which had been made on both sides. Most of the members of the Board had heard them for the first time, and wished time to consider and weigh them. When called upon to act, they should have time to prepare themselves.

Alderman Power said he supposed all the members of the Board had made up their minds on the subject, but if not he would not oppose a reference.

Alderman Gibson raised the question whether it was not possible to enlarge the playground without inconvenience to the citizens who cross the Common. He confessed he would not be willing to be hit by the ball which has been exhibited here.

The motion to recommit was carried.

REPORTS OF COMMITTEES.

Alderman Gibson, from the Committee on Police, made a report recommending that the following nominations for patrol police officers, be approved, and confirmed, namely: W. A. Witham, Charles F. McDonald, Edward McHugh, Luther Corbin, Matthew S. Jordan, William O. Ripley, Thomas Paterson, C. J. Oldham, A. G. Searle.

The appointments were confirmed.

Alderman Power, from the Committee on Sewers, reported no action necessary on the petition of Jo-

seph B. Cassidy to be compensated for loss and damage sustained by inability to enter the sewer in Tremont street from his premises on Station street; and reference to Committee on Paving on petition of Ralph Haskins's executors, that their right of drainage through Blue-Hill avenue be restored. Accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting leave to H. Blunt to locate and use a steam engine and boiler at 715 Tremont street. Accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: Frederic Grant, to give a public lecture at Sumner Hall May 8; Young Men's Christian Association, to hold a fair at Music Hall until May 21; Charles Erskine, to exhibit a panorama in Bumstead Hall; J. E. Eaton, to give a dramatic entertainment at Washington Hall. Also, for renewal of billiard licenses; for wagon licenses, to some forty persons as victuallers and innholders. Severally accepted.

Alderman Sayward, from the same committee reported leave to withdraw on petitions for licenses as victuallers, as follows: John Flemming, 1013 Tremont street; William B. Ford, 186, 188 Friend street; John Morton, 178 Fourth street; James Glacy, 34 Cross street; John W. Hutch, 115 Broadway; N. F. Yeaton, 131, 133 Court street; Thomas Skelly, 155 Shawmut avenue; Hugh McGonagle, 193 North street; Fred Paradise, 1421, 1423 Washington street; John J. Coffey, 102 Leverett street; N. J. Kane, 8 Merrimac and 111 Friend street; John T. French, 187 North street. Severally accepted.

Alderman Emery, from the Committee on Public Lands, to whom was referred the petition of Morton & Chesley for an extension of time in which to build on lands purchased of the city on East Dedham street, made a report recommending the passage of the following order:

Ordered, That the time for building upon a lot of land on East Dedham street, as sold by the city May 1, 1871, to Morton & Chesley, be extended to May 1, 1874, upon condition that they pay to the Superintendent of Public Lands the sum of \$200 within ten days from the passage of this order.

The report was accepted, and the order was passed.

Alderman Sayward, from the Committee on Health, reported in favor of petitions for stables, as follows: Eliza J. Ellingwood, to occupy a wooden stable for one horse on Codman park, near Townsend street; J. W. & J. H. Cox, to occupy a wooden stable for four horses on Highland-park avenue; Albe C. Clark, to occupy a wooden stable for three horses on Mill street, Harrison Square; Aaron J. Dean, to occupy a wooden stable for three horses on Westminster avenue, between Walnut and Shawmut avenues; S. Robbins, to occupy a wooden stable for twenty-eight horses on Tileston wharf, Broad street; John L. Bird, to occupy a wooden stable for one horse on Sumner street, Ward 16; Metropolitan Railroad Company, to occupy a wooden stable for fifty horses on Guild estate, Highlands, on the usual conditions, with the understanding that said building shall not be used for stable purposes after Nov. 30, 1873; Michael Murphy, to occupy a brick or stone stable for forty horses on Athens street, between A and B streets. Severally accepted.

The same committee reported leave to withdraw on petitions for stables, as follows: Joseph Hill, to occupy a wooden stable for one horse on Bennington street, rear 180; Henry Jungling, to occupy a wooden stable for two horses on Tremont street, corner of Gurney street; Lorenzo Volente, to occupy a wooden stable for three horses rear of 52 Barton street. Severally accepted.

Alderman Clark, from the Committee on Streets, reported leave to withdraw severally on petitions of Faxon & Elms, for increase of damages allowed for land taken on High street; Josiah Bardwell, for increase of compensation for land taken to widen Otis street; Potter, White & Bayley, to be paid for extension of Franklin street, through their leasehold estate, Nos. 47 and 49 Pearl street; Lucy M. Farrington, for apportionment of assessment for extension of Harrison avenue, the time having passed in which the betterments assessed for extension of Harrison avenue may be apportioned. Severally accepted.

Alderman Clark, from the same committee, reported that in their opinion, after a careful consideration of the subject, it is inexpedient to grant the prayer of petitioners, A. L. White & Co., and others, that the opening of Washington street to Haymarket square be postponed one year; and no action necessary on the remonstrance of Cyrus Wakefield and others, against the postponement of time for opening said extension of Washington street. Severally accepted.

Alderman Gibson, from the Committee on Police, reported amendments to the police regulations, as follows:

Ordered, That the rules and regulations for the government, disposition and management of the Boston Police be and the same are hereby amended, as follows:

In section 4, strike out the words "once a week, or oftener," and insert in place thereof the words "as often as practicable."

In section 65, defining the duties of lieutenants, strike out the words "they shall rank first and second, as named in their appointment."

Strike out section 68, defining the duties of sergeants, and insert in place thereof the following: "Section 63—They shall, under the orders of the chief, the deputy or the captain of the station to which they are detailed, perform such duties, and at such hours of the day or night, as may be designated."

In section 71 strike out all after the word "received," in the fifteenth line.

Ordered, That until otherwise ordered, the Standing Committee on Police be authorized to make such rules and regulations in relation to the police uniforms as they may deem proper and necessary.

Alderman Gibson explained as the first amendment to relieve the Chief of Police from the duty of visiting all the station houses once a week, which was not now practicable, and explained the second amendment.

Alderman Quincy asked for further information, and that the subject be laid over for further consideration.

The subject was laid over.

Alderman Cutter, from the Committee on Paving, to whom was recommitted the petition of Highland Street Railway Company for an extension of location in Dudley street, reported the accompanying order of location.

Ordered, In addition to the rights heretofore granted to the Highland Street Railway 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 Dudley street, from the tracks of said company as now laid near Warren street to the westerly line of Mt. Pleasant avenue.

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, the form of rail to be used, and the kind and quality of pavement used in paving said tracks, 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 Highland Street Railway Company shall accept this location, and agree in writing to comply with the conditions therein contained, and file said acceptance and agreement with the City Clerk within thirty days of the date of its passage: otherwise it shall be null and void.

The report was accepted, and the order of location was adopted.

Alderman Cutter, from the Committee on Paving, made a report, recommending that the petition of Aratus E. Pratt be granted, to sprinkle certain streets in Roxbury. Accepted.

ORDERS PASSED.

On motion of Alderman Power—

Ordered, That a license be granted to Cook & Handy to sprinkle Dudley street, between Putnam and Centre streets, with salt water, upon the usual conditions.

Ordered that the Superintendent of Sewers be and he is hereby directed to construct a common sewer in Eighth street, between Old Harbor and G streets, and to report a schedule of the expense thereof to this Board, pursuant to law.

Ordered, That there be paid to William A. Thompson the sum of \$800, in full compensation for all damages caused to his estate No. 174 Chambers street, by the raising of the grade of said street, by order of the Board of Aldermen Sept. 17, 1872, upon the usual conditions; to be charged to the appropriation for Paving.

Ordered, That there be paid to Annie E. Bryant the sum of \$800, in full compensation for all damages caused to her estate, No. 176 Chambers street, by the raising of the grade of said street, as ordered by the Board of Aldermen, Sept. 17, 1872, upon the usual conditions; said sum to be charged to the appropriation for Paving.

Ordered, That there be paid to Edward Moore the sum of \$500, in full compensation for all damages caused to his estate No. 170 Fourth street, by the raising of the grade of said street, by order of the Board of Aldermen, Oct. 1, 1872, upon the usual conditions; to be charged to the appropriation for Paving.

Ordered, That notice be and hereby is given to the Union Freight Railroad Company that, in the opinion of this Board, the public safety and convenience require that Causeway street, between Leverett street

and the Boston & Maine Railroad, should be paved with small granite blocks, and that said company be directed to pave with small granite blocks the space on said street occupied by its tracks; said work to be done under the direction and to the satisfaction of the Superintendent of Streets.

Ordered, That notice be and hereby is given to the Metropolitan Railroad Company that in the opinion of this Board the public safety and convenience require that Causeway street, between Leverett street and the Boston & Maine Railroad, should be paved with small granite blocks, and that said company be directed to pave with small granite blocks the space in said Causeway street occupied by its tracks; said work to be done under the direction and to the satisfaction of the Superintendent of Streets.

Ordered, That notice be and hereby is given to the Cambridge Railroad Company, that in the opinion of this Board, the public safety and convenience require that Causeway street, between Lowell street and the Boston & Maine Railroad, should be paved with small granite blocks, and that said company be directed to pave with small granite blocks the space on said Causeway street occupied by its tracks; said work to be done under the direction and to the satisfaction of the Superintendent of Streets.

Ordered, That notice be and hereby is given to the Albany-street Freight Railway Company, to restrict the use of steam as a motive power on its road to the hours between six o'clock at night and six o'clock in the morning.

Ordered, That notice be and hereby is given to the Union Freight Railroad Company to restrict the use of steam as a motive power on its road to the hours between six o'clock at night and six o'clock in the morning.

Alderman Power asked for a suspension of the rules for the passage of the order.

Alderman Stebbins hoped the order would not be passed now, for this road had but just got into operation, and he wished time to look into the matter.

Alderman Power stated that the use of steam was allowed this corporation in consequence of the fire, to enable them to carry off the waste material, and it was not contemplated to permit the use of steam-power during the day in their regular business.

Alderman Gibson believed it would be best to allow the use of steam all the time, and cited cases in New York, Baltimore, and all through New Jersey, in which steam was used in the streets of cities. The former experiment of requiring the Boston & Maine Railroad Company to draw their cars across the streets by horses was given up because it was better for the public to use steam in facilitating the work.

Alderman Hulbert claimed that it would be better for the public to hold this corporation to its original contract.

Alderman Gibson said he believed the time would come when engines would be used, which would not be objectionable, and all street cars would be drawn by them.

Alderman Emery opposed running beyond Atlantic avenue by steam as unsafe.

Alderman Stebbins said he had understood the corporation had an engine made on purpose to run in the streets.

Alderman Power said that when the proper time came for the use of such engines in the streets at all times, it would be well enough to consider the subject, but this was simply to require the company to comply with their original grant, beyond which they were allowed to go only for a temporary purpose.

The question was taken and the order was passed.

On motion of Alderman Stebbins—

Ordered, That there be paid to William G. Russell, William S. Dexter and Daniel S. Richardson, commissioners appointed by the Supreme Judicial Court to adjudicate the damages sustained by the Model Lodging House Association and others, appellants to said court, by reason of the action of the city in taking their property on the Suffolk-street district, the sum of four thousand dollars in full for their services; said sum to be charged to the appropriation for Suffolk-street Improvement.

Alderman Stebbins stated that the order was in accordance with the decree of the court.

Ordered, That there be paid to George O. Currier, or his assigns, the sum of \$350, for land taken and all damages occasioned by the widening of Shawmut avenue, by resolve and order passed by the Street Commissioners, Sept. 17, 1872, upon the usual conditions; said sum to be charged to the appropriation for Suffolk-street District.

Alderman Stebbins called up a motion of which he gave notice after the last meeting of the Board to reconsider the vote by which an order was passed on the 28th ult. to close up a portion of School street.

After the motion was made, he said, it was determined to do the work in removing the stage on the

new building in the night, and it was so done. He moved, therefore, an indefinite postponement of the order, which was carried.

CLOCK ON THE JAIL.

On motion of Alderman Gaffield, the order to remove the clock tower from the County Jail, at a cost not exceeding \$500, was taken from the table, when he moved to substitute the following order:

Ordered, That the Committee on County Buildings be and they are hereby authorized to repair the clock tower upon the County Jail, at an expense not exceeding \$2500, to be charged to the appropriation for the County of Suffolk, which sum, together with amounts previously expended on said jail during the municipal year, does not exceed \$5000.

Alderman Sayward objected to the substitute, on account of the expense as well as the difficulty of making the tower strong enough for the clock.

Alderman Gaffield did not doubt the Alderman as chairman of the Committee on Public Buildings would make the repairs at less expense if possible. The citizens of that section of the city did not wish to part with the clock.

Alderman Clark said he hoped a better tower would be provided if the present one was poor, and if necessary a fire-proof one. He was surprised that Sheriff Clark should have advised the removal of the clock, and would as soon have removed the clock from the Old South as from the jail. The clock was a great advantage to the people of that part of the city, and to thousands of persons coming over the Cambridge bridges.

Alderman Power advocated the adoption of the substitute, and considered the tower to be a great ornament to the jail. As the only cheerful thing about the building, he hoped the clock would not be removed.

Alderman Sayward said that it was not to be expected that they would provide clocks for the people of Cambridge, and as to the cheerfulness of the clock, it could not be any advantage to the inmates of the jail.

Alderman Gibson also advocated the substitute, and it was adopted.

ADDITIONAL MARKET FACILITIES.

Alderman Gibson offered the following order:

Ordered, That the Committee on Markets be authorized to hire a portion of the Mercantile wharf property for market purposes, from May 1, 1873, to May 1, 1874, at an expense not exceeding \$2500; to be charged to the appropriation for Markets.

Alderman Brown stated, in support of the order, that he was on a sub-committee to provide relief for the crowded condition of the streets around the market, and it was found that about an acre and a half of land belonging to the Mercantile Wharf Corporation could be had for the purpose at the small sum named. It was believed that it would afford the accommodations required, and it would be acceptable to the marketmen as well as relieve the streets and prevent obstructions to the business in the vicinity of the market.

Alderman Clark objected to hiring any land or paying any money to the Mercantile Wharf Company, so

long as that corporation refuses to pay betterments on account of the extension of Atlantic avenue. The city had filled the land for them, and their refusal to pay betterments stood in the way of the city's receiving betterments to the amount of \$100,000 from Messrs. Quincy and Martin Brimmer.

Alderman Stebbins said he understood as the cause of the difficulty that the corporation had been unable to see their way out of a dispute in the settlement of a line in the boundary of their property, but they thought they should be able to in a short time.

Alderman Clark contended that it would be time enough to pay money to that corporation when they paid for what the city had done for them. Their ground of objection was that their property was not bettered, and they stood in the way of others who were willing to pay betterments.

Alderman Gibson said that this was the only spot to be had by which relief could be given to the business men around the market, who complained that they could not do business on account of the crowding of the streets with market wagons. The use of it would not cost the city a dollar.

Alderman Clark referred to other land in the vicinity which could be had and further denounced the Mercantile Wharf Corporation for its course in resisting payment of betterments.

Alderman Brown did not doubt that the corporation would pay the betterments when they found that they were obliged to. They were now required to pay an increased tax upon the valuation of their property, and the use of the land which was offered to the city was not one-third of its value.

Alderman Gibson believed it would be a good trade for the city, and the land should be secured, when parties could remain there as long as they wish and people could go there and purchase, marketing all day with no objection by the regular marketmen.

Alderman Power wished to know whether it was designed to erect a market house on this land, and if so, how much was to be expended.

Alderman Brown replied that nothing had been determined in relation to the matter, but the Superintendent of the Market was of the opinion that six or eight shanties could be put up, at an expense of \$500 each, which would be all that was required, and the rent of them would soon pay the cost.

The order was laid over.

A large number of orders to pay for land taken to widen streets in the burnt district were severally read once.

ORDERS OF NOTICE.

On the proposed construction of a sewer in Sixth street, between H and I streets. Hearing Monday next, May 12, 4 P. M.

On the proposed construction of a sewer in East street, Ward 16. Hearing Monday next, May 12, 4 P. M.

On the proposed construction of a sewer in Fountain street. Hearing Monday next, May 12, 4 P. M.

On the petition of the Times Publishing Company, for leave to locate and use a steam engine and boiler in the basement of No. 27 Province street. Hearing Monday, May 26, 4 P. M.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,
MAY 8, 1873.

The regular weekly meeting of the Common Council was held this evening at eight o'clock, E. O. Shepard, the president, in the chair.

The roll was called, when a quorum appeared to be present, as follows:

Abbott, Bicknell, Blackmar, Boardman, Brackett, Brennan, Burditt, Burt, Caton, Collins, Darrow, Deau, Denny, Flatley, Flynn, Harrington, Hine, Holmes, Jones, Loring, Madden, Mahan, Marston, Martin, McCue, McKenney, Morse, Page, Pease, Pickering, Powers, Prescott, Shaw, Thacher, Tower, Train, Upham, Warren, Wells, West, Weston, Whiston, Wilbur, Woods, Woodward.

PAPERS FROM THE BOARD OF ALDERMEN.

The quarterly reports of the City Registrar, City Clerk, and Overseers of the Poor, were severally ordered to be placed on file.

The petitions of Mrs. M. A. French, Vance & Co., Beacon Base-Ball Club, and of Rev. C. A. Bartol and others, and the remonstrances of John A. Lowell and others, Mrs. E. Dale and others, and of Rufus Ellis and others, were severally referred, in concurrence.

The reference to the Committee on Health of a communication from the Board of Health, recommending the early purchase of a site for the erection of a hospital for persons having diseases dangerous to public health, was concurred in.

The order to pay William J. Russell, William S. Dexter and Daniel S. Richardson \$4000, in full for their services as commissioners to adjudicate the damages sustained by the Model Lodging House Association and others, appellants, by reason of the action of the city in taking their property on Suffolk-street district, was considered.

Mr. Shaw of Ward 5 wished to know something of this order, and whether it came from any committee.

Mr. Prescott of Ward 9 stated that commissioners were appointed by the Supreme Court on the settlement of damages with parties on the Suffolk-street district; those commissioners had rendered their report, and the court had decreed that the compensation named should be paid to them.

The order was passed.

The resolve and order for widening Congress street between Water and State streets, at an adjudged expense of \$484,626 (Printed City Doc., No. 63, 1873), were read once.

The following orders were passed, in concurrence: Order to pay George O. Currier \$350, for certain land taken and damages occasioned by widening Shawmut avenue.

Report and order for extension of time for building on a lot of land on East Dedham street, sold by the city to Morton & Chesley, May 1, 1871.

The non-concurrence in amendment to strike out "or otherwise" in order for sale of the building on engine-house lot, corner of Warren and Quincy streets, coming up—

Mr. Shaw of Ward 5 stated that the amendment was made on his motion, and as a matter of principle it should be adhered to. When he made it, he was not aware that the building was a small matter, as he was now informed. If some one would inform him that such was the fact, that the matter was of little consequence, he would not object to concurring with the Board of Aldermen.

Mr. Bicknell of Ward 4 replied that the sale of the building was a small matter, hardly enough to make it an object to sell it at public auction.

The Council concurred with the Board of Aldermen.

The nomination by the Board of Engineers of the Fire Department of Henry W. Longley as Secretary of that board, and the certificate of his election by the Board of Aldermen, were read, when the Council proceeded to a ballot, and Mr. Longley was elected in concurrence, by an unanimous vote, the number being 48.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to pay bill of S. B. Heustis, police officer, of \$6, for extra service.

Order to pay Henry Kelley \$150, for land taken by the extension of Harrison avenue, November 11, 1870.

Order authorizing public bathing houses to be repaired and maintained in different sections of the

city, at not exceeding \$15,500; also authorizing the employment of such assistance as may be required for the care and management thereof, at not exceeding \$18,000.

Report and order for a loan of \$20,000 to be added to the amount already authorized for erection of grammar schoolhouse, Dudley District.

Report and order authorizing plans and estimates to be procured for the erection of a stable on city lot, Highland street, for Health and Paving departments.

PAYMENT FOR LAND FOR EXTENSION OF COLUMBUS AVENUE.

The order to pay Boston & Providence Railroad Corporation \$225,000, due as set forth in the indenture between the city of Boston and said corporation, dated Sept. 30, 1871, being on its passage—

Mr. Shaw of Ward 5 wished for some information from some committee in relation to the subject, for there appeared to be no report accompanying the order.

Mr. Flynn of Ward 7 made a statement of the facts relating to the indenture between the city and the Providence Railroad Company relative to the extension of Columbus avenue, the indenture being made Sept. 30, 1871, for the conveyance of 63,000 feet of land for \$475,000. Immediately afterwards about 21,000 feet of land was delivered and a payment was made of \$150,000, leaving \$225,000 to be paid when the remaining land was delivered. The corporation now propose in accordance with the terms of the indenture to deliver 36,500 feet of land, retaining 5600 feet on which the head house stands for one year, nine months or a year being required to complete their new depot, and for which \$100,000 will remain unpaid. This delivery of land will enable the city to extend the avenue to Park square.

Mr. Shaw wished to know how the subject came before the committee, for he had not seen any petition or application of this kind for a change in the indenture.

Mr. Flynn read the date of the application upon which the report was made, and stated further that the corporation wished to retain the house for another year for the use of its offices.

Mr. Shaw read the heading of Document 78, which he held in his hand, to know if that was the indenture, and being assured that it was, said he believed that under its conditions, as a legal proposition, they had no right to vote to pay this money. It was a solemn contract on both sides, to pay the money when all the land was delivered, and this order could not be passed without a change in the contract. Property in the neighborhood had depreciated in value on account of the condition of things. The corporation had taken away a portion of their depot, but that which would remain would be in the way of the extension of Eliot street, a part of the design. They had no right, as he believed, to pay the money, until the terms of the contract were completed. The city should receive a valuable consideration for the hindrance to the business which will be caused by the delay of the extension of Eliot street.

Mr. Denny of Ward 9 said the question was whether there was or was not an interference in the limit of time under the conditions of the contract. If there was not they had no claim to make upon the corporation. So far as related to retaining the head house in its connection with the extension of Eliot street, the subject had been well considered, and it was believed the city would be in no wise injured. As a consideration for the delay, the city will not be obliged to pay the remaining \$100,000 for a year, which at six per cent. would be \$6000 for the use of the land not delivered. That would be a fair compensation if there was no immediate necessity for a removal of the rest of the building.

Mr. Flynn stated that the company would not be obliged to make the necessary surrender until September next, under the contract. The matter was discussed very fully in the Committee on Streets, and it was believed to be a reasonable request, for which, as the company retains one-eighth of the land, we retain one-third of the payment of the money for six or nine months.

Mr. Dean of Ward 12 stated the matter as he understood it, and in relation to the proposed measure, it was an arrangement whereby the terms of the contract were modified. As to the necessity for the possession of the piece of property retained, if it was not needed and the public could afford to wait, they would be compensated for the use of the property.

Mr. Burditt of Ward 16 said the matter had been fairly stated. The city want the land for the extension of Columbus avenue, and that will be delivered up so that the extension will be made. For the land retained the corporation offered to give the use of \$50,000, but \$100,000 was insisted upon, and that was agreed to. We don't need the land now, and there

could be no objection to an agreement to the proposition. The City Solicitor will see to it that the form of receipt is sufficiently secure.

Mr. Shaw wished to know of Mr. Flynn if he said the Street Commissioners approved of the measure, to which he replied that he did not.

Mr. Shaw said he knew that they did not.

Mr. Shaw stated that the fairness of the arrangement was more plausible than real. Not only the extension of Columbus avenue was required, but the laying of sewers, grading of the streets, and the laying of edgestones was to be done. If Eliot street was to be extended, it was a part and parcel of the whole arrangement, and any delay in the work will be an injury to the city. A delay of a year from next September, will put off the finishing of the work two years, for nothing would be done so late in the season.

Mr. Flynn replied that the extension was but for one year from the 1st of May.

Mr. Shaw said he was glad to hear the statement, yet he had gone into a calculation which shows that the expense from delay would far exceed the \$6000 which was stated as compensation for the use of the money.

Mr. Barnes of Ward 11 said there were many members who, like himself, did not understand the subject properly, and he would move to have the order laid on the table, which was carried.

FOURTH OF JULY EXPENDITURES.

Mr. Pease of Ward 1 moved to take up the special assignment, the order for the appointment of a committee to make arrangements, at not exceeding \$15,000, for the celebration of Fourth of July, 1873.

Mr. Flynn of Ward 7 moved, as an amendment, that no portion of said sum shall be expended for fireworks.

Mr. Pickering of Ward 16 wished to know for what purpose the \$15,000 was to be expended, if fireworks were not included, for they had already stricken out the goose race, which he did not suppose cost a great sum. He could not see how the expenditure of \$15,000 could be made.

Mr. Flynn replied that the expenditure last year amounted to \$21,000, and this order reduces it \$6500; he thought \$15,000 would therefore be well spent without expenditures for fireworks.

Mr. Wells of Ward 3 suggested striking out an expenditure for a sailing regatta, which he believed was a needless expense.

Mr. Pickering inquired the cost of the fireworks last year.

Mr. Flynn replied that it was \$3000.

Mr. Shaw said it was \$2800, with \$200 for refreshments.

The motion to amend was lost, by a vote of 19 to 24, when the order was passed.

The Chair appointed the committee as follows:

Ward 3, Wells; 1, Weston; 2, Dacey; 4, Flatley; 2, Shaw; 6, Perkins; 7, Flynn; 8, Harrington; 9, Wilbur; 10, Marston; 11, Barnes; 12, Deau; 13, Morse; 14, Jones; 15, Thacher; 16, Upham.

On motion of Mr. Thacher of Ward 15, the President of the Council was added to the committee.

PETITIONS PRESENTED AND REFERRED.

Torreys & Company, for leave to build a shed exceeding the legal dimensions at their marble yard on Medford street. Referred to Committee on Survey and Inspection of Buildings.

M. M. Ballou, for revoking of conditions on sale of land by the city to Paul D. Wallis on Washington street, near Chester square, May 2, 1856, so that it may be placed on the same footing with that of his neighbors.

Martin Hayes, for extension of time in which to build on land on Albany street, purchased of the city in June, 1871.

Severally referred to the Committee on Public Lands.

COMMUNICATION FROM SUPERINTENDENT OF PUBLIC BUILDINGS.

Mr. Caton of Ward 11 presented the following communication:

I would respectfully submit to the City Council that the music stands constructed for public use and under my charge, have become so dilapidated from their long usage as to render them unfit for further services, and that others should be constructed to take their places. I would recommend that seven be constructed and made in such a manner that they can be put up and taken down without injury. For doing this work, I have received estimates, and find that an expenditure of \$1500 will be required. I would therefore recommend the passage of the subjoined order.

Respectfully submitted,

JAMES C. TUCKER,
Supt. of Public Buildings.

Ordered, That the Superintendent of Public Buildings be authorized to procure seven music stands, at an estimated cost of \$1500; the expense to be charged to the appropriation for Incidental Expenses.

The order was read once, and the further consideration thereof postponed to next meeting.

EXPENDITURES FOR COMMON AND PUBLIC GROUNDS.

Mr. Wilbur of Ward 9, from the Joint Standing Committee on the Common and Public Grounds, to whom were referred the orders authorizing the expenditure, for certain purposes, of a portion of the appropriation made for the care and improvement of the public grounds during the present financial year, having considered the subject, respectfully submitted the following report:

In preparing the estimates of expenditures required in their department during the year, the committee instituted a careful scrutiny into the various items with a view to reduce them to the minimum amount necessary to keep the grounds in their present condition. Under ordinary circumstances a considerable increase over the appropriation of the previous year would have been asked for in order to improve the small parks in the outskirts of this city, but owing to the large expenditures rendered necessary in other departments of the Government on account of the fire, the committee recognized the propriety of postponing all work not absolutely required to maintain the present standard.

They accordingly reduced the estimates \$10,000 below those of last year, and \$7800 below those of the year before, making a total reduction of about \$18,000 from the appropriations for the two years previous. Under the ordinance passed the 28th of February, 1870, the committee have the care and custody of the Common, public squares, and public fountains of the city, subject to such ordinances as may, from time to time, be passed by the City Council. After the annual appropriations are made, it is customary for the committee on this department, as well as all other committees having executive powers, to present to the City Council orders authorizing them to expend, for various purposes, an amount not exceeding the appropriation named therefor.

The orders in the present instance cover an expenditure of \$35,900, from the appropriation of \$80,000,—the several items named in the separate orders being as follows:

For purchasing new settees, repairing old ones and painting and repairing fences and fountains.....	\$1,800
For trees, plants, shrubs and trees.....	8,700
For manure, loam, etc.....	4,000
For concrete.....	7,000
For team work, carpenter work, mowing machines, tools, etc.....	5,850
For care of grounds in East Boston.....	7,000
For care of Blackstone, Franklin, Worcester and Lowell squares and Union park.....	1,650
For improvements of Washington park, Roxbury	5,000
For a tool house on the Common.....	1,200

In many of these items, the amounts which may be required during the coming season cannot be accurately estimated. A severe storm or a severe drought may injure the grounds so as to call for unexpected outlays for sods, plants, shrubs, seeds, loam and gravel. Acting upon the best information they can obtain, the committee have asked for authority to expend for these purposes an amount not exceeding a certain sum. The whole sum named may be required or it may not. It is necessary to trust in some measure to the discretion of the committee.

For the care of the squares in East Boston and some of the small squares in the city proper, the appropriations are the same as last year, and the committee believe that the work cannot be properly performed for a less sum. In regard to the construction of a tool house on the Common, it is only necessary to state that some convenient place is required for the storage of the tools belonging to the department, and the deer park, on that portion of the Common adjoining Boylston street, seems to be the most suitable place that can be found.

There is at present no place under the control of the committee where the machines and tools can be preserved from the action of the weather and where shelter can be afforded to the workmen during a sudden storm. If the full amount designated in the order should be required to provide accommodations for this purpose, it certainly cannot be regarded as an unreasonable expenditure for a permanent structure, necessarily somewhat ornamental in its exterior appearance on account of the location.

It will be observed that the item of \$1800, which has been commented upon as an expenditure for settees alone, covers a number of other things, namely, the painting and repairing of all the fences and fountains in and around the public grounds of the city. The item for concrete, \$7000, is based upon estimates for work required upon the Common. The

occupation of the Baek Bay lands for dwellings has caused a large amount of travel across the Public Garden and the Common at all seasons of the year, and it is necessary that the paths principally used should be constantly kept in good condition. This can be accomplished more economically and satisfactorily by the use of concrete than in any other way. It can be shown conclusively that instead of injuring the trees or grass on the borders of the walks where it is used, it is on the whole beneficial to them.

It is hardly necessary to make any explanation in regard to the appropriation of \$5000 for the improvement of Washington park in Ward 14. To put the park in proper condition at least \$20,000 will be required, and that sum was put into the original estimates for the year, but finally reduced to \$10,000. The committee now ask authority to expend only half the amount appropriated. With these statements the committee respectfully return the orders to the City Council and ask that they may be adopted.

The question was stated to be on the passage of the several orders, which were severally taken up.

The order authorizing the building of a tool house on the Common, at not exceeding \$1200, was first considered.

Mr. Blackmar of Ward 11 said there were great objections to the erection of any building on the Common, of any name or nature. The erection of a coliseum was a movement vetoed by the people, although to be but temporary, and as had been stated, if a building as proposed should be put up, it would be surrounded by broken wheelbarrows and other articles of an unsightly character. It could not be a slightly structure for the Common, and he did not believe in trespassing upon the Common with any kind of building.

Mr. Wilbur of Ward 9 stated that the subject was discussed in committee, and it was believed there should be a place of deposit for the various tools used by the workmen, the mowing machines and other tools, which would be injured by exposure. It was proposed to put up the building in the deer park.

Mr. Wells of Ward 3 said he was in favor of putting up such a building in the deer park, where the watering machines and other articles could be stored.

Mr. Pease of Ward 1 said it was well known that many of the implements which were used were liable to injury from exposure to the weather, and while he was opposed to desecrating the Common, there must be some place for these tools, which could be provided for there, otherwise there would be a great loss of time and expense in their transportation.

Mr. Caton of Ward 11 inquired on what part of the Common it was proposed to build this tool house.

Mr. Wilbur replied that it was to be on the deer park.

Mr. Barnes of Ward 11 wished to know if these orders were here as the result of their recommendation, and being answered that they were, said he believed they should be passed.

Mr. Wilbur stated that they were under consideration for two hours in the committee.

Mr. Barnes again expressed the hope that they would be passed.

Mr. Shaw said he could see no objection to a house in the deer park, a slightly, pretty house, which could not be put anywhere else. He understood there was a sketch for such a building, which he asked the messenger to exhibit. Such a building would make a respectable appearance, in which the various implements would be housed.

Mr. Powers of Ward 4 said he failed to see the expediency or necessity for such a building, for they had got along many years without it, and the Common was no larger. They should hesitate a good deal before making encroachments on the Common by the building of a tool house, and he could not see why the workmen could not carry their tools home on their backs. No such a building could be seen on the Central Park in New York or on squares anywhere else. They had one building too many now on the Common, and if a tool house was needed there, they would be required some time on all the squares. The greenhouse on the Public Garden might be extended, if necessary, in its present style, for the purpose. The same argument used for a tool house might be urged in favor of a stable, and in time a tenement house be required for the workmen on the Common.

Mr. Wells said he hardly thought the workmen could carry mowing machines and watering carts on their backs. He had to provide a place or means to carry tools when he hired men to do work. There might be a place for tools under the bridges in Central Park, but there was hardly room for them under the bridge in the Public Garden. They might deposit the tools in some of the tombs in the grave yard. As to putting up a building on the deer park, there was

one there, and a larger one would take off the deathliness from the graveyard.

Mr. Wilbur said there was a reason for a tool house in the fact that machines were now used in place of scythes for mowing, and when a building is completed there will be no objection to it.

Mr. Blackmar said they ought to guard against encroachments on the Common. The tools which were used could all be taken away at night, and could be carried in carts if the men were not able to carry them on their backs.

The order was passed.

The other orders were severally passed, as follows:

Order authorizing an expenditure of not exceeding \$1800 for settees and for painting and repairing settees, fenees and fountains on the Common, etc.

Order authorizing an expenditure of not exceeding \$4000 for manure, loam and sods for Common, etc.

Order authorizing an expenditure of not exceeding \$5850 for team work, carpenter work, mowing machines and tools for Common, etc.

Order authorizing an expenditure of not exceeding \$7000 for gravel and concrete for walks and malls on the Common, etc.

Order authorizing an expenditure of not exceeding \$8700 for trees, plants, shrubs and seeds for the Common, etc.

Order authorizing an expenditure of not exceeding \$5000 in improving Washington park.

Order authorizing a contract with John Reardon for the care of Blackstone and certain other squares and Union park, at not exceeding \$1650.

Order authorizing a contract with Peter Callahan for the care of Maverick and certain other squares, and the trees in streets of Ward 1, at not exceeding \$700.

REPORTS OF COMMITTEES.

Mr. Caton of Ward 11, from the Joint Standing Committee on the Survey and Inspection of Buildings, to whom was referred the petition of John R. White & Son for leave to erect a wooden building on Wiswall's wharf, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to John R. White & Son to erect a wooden building on Wiswall's wharf, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The order was passed.

Mr. Caton, from the same committee, to whom was referred the petition of Dyer & Gurney for leave to erect a wooden building beyond the legal limits on Weeks's wharf, Border street, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Dyer & Gurney to erect a wooden building on Weeks's wharf, in accordance with an application on file in the office of the Department for the Survey and Inspection of Buildings.

The order was passed.

Mr. Caton, from the same committee, to whom was referred the petition of George G. Elder & Son for leave to erect a wooden building in rear of 399 and 401 Albany street, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to George G. Elder & Son to erect a wooden building in rear of Nos. 399 and 401 Albany street, in accordance with an application on file in the office of the Department for the Survey and Inspection of Buildings.

The order was passed.

Mr. Caton, from the same committee, to whom was referred the petition of Joseph F. Paul & Co. for leave to erect two lumber sheds on their wharf on Albany street, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Joseph F. Paul & Co. to erect two lumber sheds on their wharf on Albany street, in accordance with an application on file in the office of the Department for the Survey and Inspection of Buildings.

The order was passed.

ORDERS PASSED.

On motion of Mr. Shaw of Ward 5—

Ordered, That the Committee on the Survey and Inspection of Buildings consider and report as soon as may be, what, if any, measures should be taken by the owners and occupants of buildings composed principally of combustible materials, or stored with combustible materials, in densely populated parts of the city, the better to preserve such buildings from fire, and for the better protection of the lives and property of the inhabitants of such localities.

Mr. Shaw referred to the necessity, in view of the

recent calamity, that something should be done for the better protection of lives and property.

On motion of Mr. Pickering of Ward 6—

Ordered, That the annual report of the Auditor of Accounts, for the financial year, 1872-3, be submitted in print, and that five thousand copies thereof be printed, that four thousand copies be retained in the custody of the Auditor at the City Hall, for distribution, and that the remainder be placed in the several police station houses, also for distribution; and further, that public advertisement be made of the fact in the newspapers that said reports have been placed in the several police station houses for distribution, where the citizens may obtain them on application.

Mr. Warren of Ward 12 offered an order that the Street Commissioners be requested to consider and report upon the expediency of extending Sixth street from G to H street. Referred to the Committee on Streets.

Mr. Pease of Ward 1 offered an order that the Superintendent of Fire Alarms be authorized, under the direction of the Committee on Fire Alarms, to put up a tower and bell for fire alarms on the Prescott Schoolhouse, at an expense of \$2000. Referred to the Committee on Fire Alarms.

Mr. Holmes of Ward 6 offered the following orders, which were read once:

Ordered, That the Committee on Public Buildings be authorized to procure plans and estimates for the construction of a primary schoolhouse on Marlborough and Exeter streets; said plans to be approved

by the Committee on Public Instruction and the expense of procuring the same to be charged to the appropriation for Schoolhouses, Public Buildings.

Ordered, That the Committee on Public Buildings be authorized to procure plans and estimates for the construction of an English High Schoolhouse and a Latin Schoolhouse upon the land recently purchased by the city for the purpose on Warren avenue, said plans to be approved by the Committee on Public Instruction; the expense of procuring the same to be charged to the appropriation for Schoolhouses, Public Buildings.

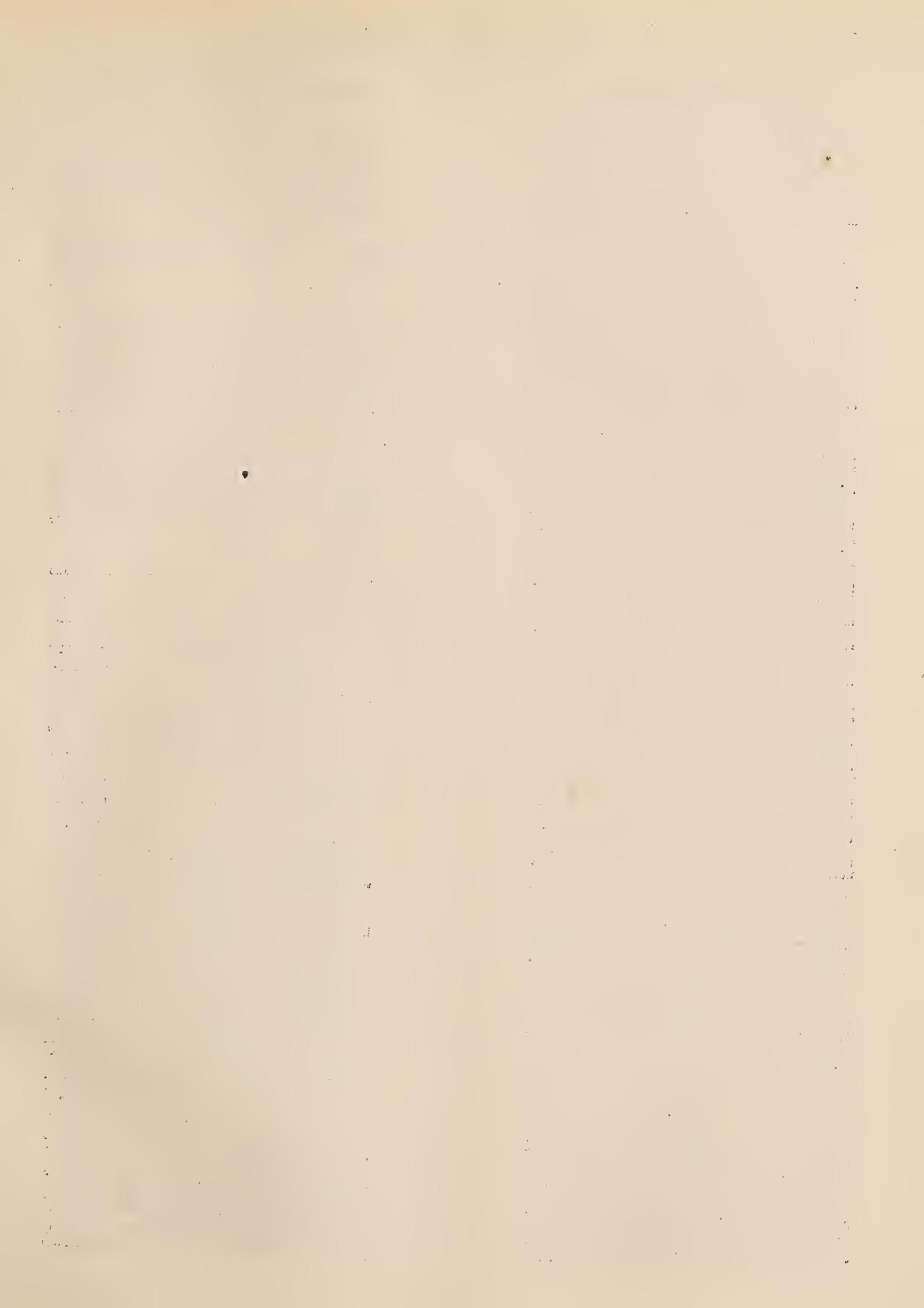
On motion of Mr. Dean, of Ward 12, the order authorizing a bathing house to be constructed for men and boys at Mt. Washington-avenue Bridge, at not exceeding \$4000, was taken from the table and passed.

The Mayor's message, returning without his approval and with his objections, an order to provide accommodation in the Primary Schoolhouse on Appleton street, for the Normal School recently established by the School Committee (City Doc. No. 65, 1873), was taken from the table on motion of Mr. Blackmar of Ward 11.

The question was taken upon the passage of the order, the objections of the Mayor to the contrary notwithstanding.

The vote on the passage of the order was, yeas none, nays 43.

Adjourned.



CITY OF BOSTON.

Proceedings of the Board of Aldermen,

MAY 12, 1873.

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

APPOINTMENTS MADE AND CONFIRMED.

Constable—John H. Hiller.
Special Police Officers without pay—Jacob Jacobs, for Heath, Day and Centre streets; Clements Austerhaus and Joseph Donovan, for Simpson's Dry Dock and its vicinity; James Reid, for the Boston Gas Light Company; James H. Harlow, for Odd Fellows' Building; C. C. Miller, for Leighton's wharf, East Boston; George Freeman, for 221 Washington street and its vicinity; George R. Foster, for D, F, First and Second streets and vicinity, South Boston; Bartley Hughes, for Pine Island; Nathan J. Cottle, for Boston wharf; L.W. Shaw and G. E. Vinal, for Ferdinand and Wiuchester streets.

PETITIONS PRESENTED AND REFERRED.

Rueter & Alley, for leave to lay a six-inch water pipe under Heath and New Heath streets to their premises.

Thomas G. Caldwell and others, that crosswalks be laid on Longwood avenue between Bellevue street and Maple avenue.

William G. Train and others, that Norfolk avenue be graded and paved from Hampden street to Magazine street.

C. B. Barrett and others, that Clinton street be paved.

Francis Brown and others, that Waltham street be paved and the railroad tracks be removed from the street.

W. L. G. Thayer and others, that Fifth street be macadamized from F to Dorchester street.

J. & F. Dyer and others, that Bowen street be graded from D to E streets.

Severally referred to the Committee on Paving.

Graham Hall, for leave to occupy a wooden stable for one horse at No. 71 Munroe street.

Wilson & Brother, for leave to occupy a wooden stable for nine horses on Athens street, between A and B streets.

H. Richardson, for leave to move a stable for four horses on Savin-Hill avenue.

Suffolk Kindling Wood Company, for leave to enlarge their stable for three additional horses on First street, between K and L streets.

Thomas White, for leave to occupy a wooden stable for eighteen horses on Wiswell's wharf, 250 Federal street.

Nathan Hollbrook, for leave to occupy a frame stable for six horses on Chickataubet street, Ward 16.

Metropolitan Railroad Company, for extension of time in which to build their stable on Shawmut avenue.

Severally referred to the Committee on Health, on the part of this Board.

William Phipps and others, for a sewer in Quincy and Cherry streets.

William C. Poland, for a sewer in Harrison avenue from Malden street to Union-park street.

C. B. Barrett and others, for a sewer in Clinton street from Blackstone to Commercial street.

John Wolf, for a sewer in Russell place, Ward 15.

Severally referred to the Committee on Sewers.

John Ritchie and others, to be heard upon the award voted to them for land taken on Federal and Frankln streets. Referred to the Committee on Streets.

Heirs of Nahum Ward, for abatement of certain taxes assessed in 1871. Referred to Committee on Assessor's Department.

Company I, First Regiment M. V. M., for increase of rent of armory. Referred to Committee on Armories.

James C. McNeil, for leave to use the full width of sidewalk on Tremont street, between Chapman and Dover streets, for three months, while building. Referred to the Committee on Police.

Ancient and Honorable Artillery Company, for the use of Faneuil Hall June 2. Referred to Committee on Faneuil Hall.

George S. Keyes, to be paid for damages to his property caused by the erection of the engine house on Bullfinch street.

A communication was received from the Highland Street Railroad Company, accepting the location

granted to them by the Board, May 5. Ordered to be placed on file.

AUDITOR'S MONTHLY EXHIBIT.

The Auditor's monthly exhibit for May was presented in print, it being an exhibit of the general and special appropriations for the present financial year 1873-74, as shown in the books in his office, May 1, 1873, including the May draft, being one month's payments of the financial year,—exhibiting the original appropriations, the amount expended, and the balance of each unexpended at that date. A recapitulation gives the following result:

	Appropriations, Revenues, etc.	Expended.	Unexpended.
General.....	\$11,032,902 98	\$562,848 68	\$10,480,054 31
Special.....	7,613,272 21	7,959 86	7,605,312 35
	\$18,646,175 19	\$560,808 53	\$18,085,366 66

Ordered to be sent down.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice on the proposed construction of sewers in Fountain street, in East street, Ward 16, and in Sixth street between H and I streets were taken up. No person appeared in relation thereto, and the report was recommitted.

The hearing on order of notice on petition of Patrick Donahoe for leave to locate and use a steam engine and boiler in his building on Boylston street, was taken up, and there being no opposition thereto, the report was recommitted.

REPORT OF HAYWEIGHER OF NORTH SCALES.

The report of the Superintendent of North Scales for the quarter ending April 30, shows receipts for weighing merchandise, amounting to \$1200 56, forty per cent. of which (\$480 22) less expenses (\$52 25) amounting to \$427 97, he has paid to the City Treasurer.

Ordered to be sent down.

UNFINISHED BUSINESS.

The following orders were severally read a second time, and passed:

Order to pay Abby A. Wright \$469, for Cottage-street land damages.

Order to pay Ebenezer Holden \$1000 20, for Cottage-street land damages.

Order to pay Reuben Winslow's heirs \$4000, for Renfrew-street land damages.

Order to pay John P. Cushing's heirs \$11,678, for North-street land damages.

Order to pay M. and C. A. Sumner \$164 20, for Cottage-street land damages.

The following orders were passed to pay for land taken to widen streets in the burnt district, to be charged to the Burnt-District loan:

Order to pay Wright & Whitman \$6570, for Devonshire-street land damages.

Order to pay H. H. Hunnewell \$50, for Devonshire-street land damages.

Order to pay H. H. Hunnewell \$202, for Federal-street land damages.

Order to pay Charlotte E. Walcott \$58,050, for Arch-street land damages.

Order to pay H. H. Hunnewell, trustee, \$43,980, for Franklin-street land damages.

Order to pay Charles G. Chase \$22,400, for Arch-street land damages.

Order to pay H. H. Hunnewell, trustee, \$2600, for Congress-street land damages.

Order to pay Ann W. Giles's heirs \$9660, for Washington-street land damages.

Order to pay John Ritchie, 2d and others \$1040, for Federal-street land damages.

Order to pay John Starratt \$1180, for Federal-street land damages.

Order to pay Samuel Boyd \$4085, for Summer-street land damages.

Order to pay Joseph Bumstead's heirs \$10,225, for Milk-street land damages.

Report and order to place a horse hose carriage in house of Engine No. 18. at an estimated cost of \$1500.

Report and order to place a horse hose carriage in house of Engine No. 7. at an estimated cost of \$1500.

Report and order to place a horse hose carriage in house of Engine No. 23. at an estimated cost of \$1500.

Order to advertise for proposals to report and print the proceedings of the City Council at an estimated cost of \$4500.

Order to revoke license granted to T. J. Dunbar to remove gravel from beaches of Long Island.

Order to grade Beacon street to its full width from the Boston & Albany Railroad to the line of Brookline, at an estimated cost of \$2500.

Order to set edgestones and pave gutters on Washington street from River street to Milton Lower Mills.

Report and orders to purchase land on Dudley and Forest streets, and to procure plans for a hook-and-ladder house for No. 14, at a cost not exceeding \$12,000.

Order for State Inspector of Gas to report to this Board on the quality of gas furnished to the city.

PAPERS FROM THE COMMON COUNCIL.

The petitions of Torreys & Company, M. M. Ballou trustee, and of Martin Hayes, were severally referred, in concurrence.

The order for the location of a tower and alarm bell on the Prescott Schoolhouse, was referred to the Committee on Fire Alarms, in concurrence.

The order proposing the extension of Sixth street, from G. to H street, was referred to the Committee on Streets, in concurrence.

The following orders were severally passed, in concurrence:

Order for Committee on Survey, etc., of Buildings to report what action is necessary to prevent the erection of combustible structures.

Reports and orders to allow Dyer & Gurney to erect a wooden building on Weeks's wharf; John R. White & Son to erect a wooden building on Wiswall's wharf; George G. Elder & Son to erect a wooden building in the rear of 399-401 Albany street; Joseph F. Paul & Co. to erect two lumber sheds on their Albany-street wharf.

Order to print and distribute 5000 copies of Report of Auditor of Accounts.

Report and order authorizing plans and estimates to be procured for the erection of a stable on city lot, Highland street, for Health and Paving departments.

Order for the appointment of a committee of one from each ward, with such as this Board may join, to make arrangements, at not exceeding \$15,000, for the celebration of Fourth of July, 1873.

The whole Board of Aldermen were joined to the Committee on the Fourth of July.

The following report and orders were considered:

Report from the Committee on Common and Public Grounds recommending the passage of the following orders: Authorizing the building of a tool house on the Common, at not exceeding \$1200; authorizing an expenditure of not exceeding \$1800 for settees and for painting and repairing settees, fences and fountains on the Common, etc.; authorizing an expenditure of not exceeding \$4000 for manure, loam and sods for Common, etc.; authorizing an expenditure of not exceeding \$5850 for team work, carpenter work, mowing machines and tools for Common, etc.; authorizing an expenditure of not exceeding \$7000 for gravel and concrete for walks and malls on the Common, etc.; authorizing an expenditure of not exceeding \$8700 for trees, plants, shrubs and seeds for the Common, etc.; authorizing an expenditure of not exceeding \$5000 in improving Washington park; authorizing a contract with John Reardon for the care of Blackstone and certain other squares and Union park, at not exceeding \$1650; authorizing a contract with Peter Callahan for the care of Maverick and certain other squares, and the trees in streets of Ward 1, at not exceeding \$700.

Alderman Gibson inquired why so much was proposed to be expended in concrete.

Alderman Clark replied that the committee believed concrete walks to be the most economical and for the best interests of the city, and so much of the amount named would be used as might be required.

Alderman Gibson characterized concrete walks to be a complete humbug, and the expenditures for them a throwing away of money. In a hot day they would tread out, and in cold weather break off, proving to be worthless. To a statement of Alderman Clark that those now in use had proved to be very durable, Alderman Gibson said he was not aware that there were any on the Common. Red gravel or yellow sand was better material to be used for walks.

Alderman Clark said he was surprised that the Alderman had so little knowledge of the Common as not to know of the existence of concrete walks on it. The construction of walks of red gravel and yellow sand require much money for their repair, being washed by every rain.

Alderman Gibson expressed the opinion that the North-River flagging stone made the best public walks, which would last as long as a man wished to travel over them.

Alderman Clark replied that there was a walk of flagging stone on one of the up-hill paths of the Common, and it was necessary to reset this flagging every spring, on account of its being washed from its place. Neither the flagging nor sand nor gravel was stationary, concrete proving to be the best walks.

Alderman Quincy inquired whether it had been settled as to the effect which concrete walks would have on the roots of trees. In the crosswalks it

might not prove injurious, but on the malls it would heretically seal the ground so that the roots of the trees would get no sustenance. Before using it on malls this question should be settled.

Alderman Clark replied that the whole subject had been considered by the committee and by the Superintendent of the Common, and it was contemplated to make experiments as to the effects of such walks on trees. It was proposed to form a basin around the trunks of trees in which water may be collected, for it is now almost impossible to get water through the solid walks on the Tremont-street mall. The experiments will be made on the Tremont-street mall.

The several orders were passed, in concurrence.

The report and order for a loan of \$20,000, to be added to the amount already authorized for erection of Grammar Schoolhouse, Dudley District, being under consideration—

Alderman Gaffield moved to lay the order over one week.

Alderman Sayward inquired the reason of the motion.

Alderman Gaffield replied that there were members of the School Committee and teachers who were not satisfied in regard to the proposed lighting of the building on one side, and it was the desire of some that it should be lighted on two sides. For the purpose of considering the matter further, he asked to have the order laid over.

Alderman Sayward requested that the motion be withdrawn, which was done, when he stated that the Committee on Public Buildings had done all that was desirable to be done in the procuring and approval of plans, and after they had been approved of, members of the local School Committee were not satisfied, and want a larger house; for that was the object in securing a delay. The design is for a house of fourteen rooms, and in his opinion twelve were enough, for there will be two for future use. Should there be a stop put to the appropriation now, it will be on the ground of location and manner of lighting, and they will be obliged to hear the stories over again. It was not right that they should be dictated to by individual members of the School Committee when the plans had been approved of by the School Committee and were satisfactory to the citizens of the Highlands.

Alderman Gibson did not object to delay if expense could be saved by it.

Alderman Sayward said the delay would have the effect of increasing the cost.

Alderman Gibson believed if a few more windows were needed it would be better to put them in now than hereafter at a greater expense.

Alderman Sayward replied that there was no need of more windows. The house was planned to satisfy the Superintendent of Schools and many teachers who desired light upon but one side of the house. A meeting of school teachers had been called to consider it, and there were as many views among them as there were teachers.

Alderman Emery said he had looked over the plans and was satisfied with them. They were modelled after the house on L street, yet if there were good reasons he would not object to laying the subject over.

Alderman Sayward said the real objection of the local committee was that the house was not large enough.

Alderman Gibson, as a member of the Committee on Public Buildings, was not aware that a larger house was wanted. As a question of doubt, and as materials were falling in value, he did not object to delay in the passage of the order.

Alderman Clark hoped the order would be laid over, as there was some difference of opinion among the committee, and by delay they would more fully get their ideas and what changes are necessary.

Alderman Sayward denied that there was any difference of opinion among the committee; it was only a local committee which made any opposition, and if there was any mystification in the matter, it was the Alderman who made it.

Alderman Gibson believed it would be better, if there was any difficulty, to meet it now, for if alterations were required hereafter, they would cost five or six times as much.

Alderman Gaffield, as chairman of the Committee on Public Instruction, believed an explanation due from him, and stated that he had a letter from the local committee, in which they state that they did not approve of the plans. They had three grounds of objection—first, to the lot, which they believed to be too noisy a place; they objected, also, to the size of the house and to lighting it only on one side. That was a question for oculists to decide, which would be best for the eyes of school children. At a meeting of masters, they were all in favor of lighting the use on two sides.

On motion of Alderman Stebbins, the order was laid on the table.

REPORTS OF COMMITTEES.

Alderman Cutter, from the Committee on Paving, reported reference to the Committee on Lamps on so much of the petition of Leander H. Jones relative to laying sidewalks, etc., as refers to lighting Foundry street. Accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses as follows: William D. Lee, to give a dramatic representation at John A. Andrew Hall, May 13; Dr. Colton, to give a laughing-gas entertainment at Tremont Temple; to David C. Sisson as an auctioneer; to fifteen bootblacks and seventeen newsboys; and to sundry persons as victuallers, dealers in second-hand articles; for transfer of hack licenses; for hack and wagon stands; to keep intelligence offices and billiard saloons; for wagon licenses, etc.; and leave to withdraw on petitions of John T. Murray for a hack stand opposite Hotel Boylston, and of Henry Walton for a carriage stand on the corner of Tremont and Boylston streets. Severally accepted.

The same committee reported leave to withdraw on petitions for licenses as victuallers as follows: Horace Day, 47 Green street; Henry Devine, 93½ Union and 168 Blackstone street; Eugene J. Sullivan, corner of Dorchester and Eighth streets; John N. Bauer, 26 Sping lane; Robert Allen, 39 Cross street; George and Mary Bryant, 1667 Washington street; Ernst Becker, 47 Eliot street. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of petitions for stables, as follows: Edward P. Magnire, to build a wooden stable for one horse at No. 3 Heath place; Charles H. Este, to occupy a wooden stable for one horse on Fifth street, rear No. 278; William Manning, to change location of stable for two horses on Fellowes street, in rear; Pliny D. Ladd, to change location of stable for four horses on Vale street, near Marceila street; W. S. Pattee, to occupy a wooden stable for two horses on White street, near Putnam square; E. Herb, to occupy a wooden stable for one horse on New Heath street, Ward 15. Severally accepted.

Alderman Cutter, from the Committee on Claims, reported leave to withdraw on the petition of Jane Marsters to be compensated for personal injuries caused by an alleged defect in Revere street; also on petition of Hannah D. Green, to be compensated for personal injuries caused by an alleged defect in Harrison avenue, at the corner of East Chester park.

Alderman Cutter, from the Committee on Paving, to whom was recommitted the petition of the Metropolitan Railroad Company for extension of their location in this city, reported an accompanying order of location, in Shawmut avenue, from Clapp street to Bartlett street, a single track in Bartlett street, from the tracks in Shawmut avenue to a point 200 feet west of the westerly line of Shawmut avenue, with curved track to their estate on Bartlett street; also a curved track from Shawmut avenue, opposite the foot of St. James street, to the estate of said company, all upon the usual conditions; also that the position of the track now located in Shawmut avenue, between Cliff and Bartlett streets, shall be so changed that when the two tracks are laid down the outer rail of each shall be equally distant from the centre line of Shawmut avenue. Accepted.

Alderman Clark, from the Committee on Common and Public Grounds, to whom was referred the petition of Walter Smith and many others, residents and taxpayers in South Boston, that certain improvements be made in Independence square, made a report recommending the passage of the accompanying order:

Ordered, That the Committee on the Common and Public Grounds be authorized to expend a sum not exceeding \$5000 in the improvement of Independence square in South Boston; said sum to be charged to the appropriation for the Common, etc.

The order was passed.

Alderman Quincy, from the Committee on Ordinances, to whom was referred, as a part of the unfinished business of last year, the recommendation that certain amendments be made to the ordinance providing for the care and education of neglected children, made a report recommending the passage of the accompanying ordinance.

Ordinance providing for the care and education of neglected children:

Section 1. The Almshouse at Deer Island is hereby assigned and provided as the place to which children under sixteen years of age, living in the city of Boston in the condition described in chapter 283 of the acts of the year 1866, may be sent by any of the judges of the Superior or Municipal courts upon the complaint of any of the officers appointed by the Mayor and Aldermen under the second section of said chap-

ter 283, and the Board of Directors for Public Institutions shall have and exercise the same control over the children sent to said institution as herein provided that they have and exercise over children sentenced and committed under the provisions of chapter 182 of the acts of the year 1855.

Section 2. The ordinance providing for the care and education of neglected children, passed the 3d of June, 1870, is hereby repealed, the repeal to take effect upon the approval of this ordinance by the Superior Court or a justice thereof, as provided in the first section of chapter 283 of the acts of the year 1866.

The ordinance was read once.

REPORT ON BASE-BALL PLAYING ON THE COMMON.

Alderman Clark, from the Joint Standing Committee on the Common and Public Grounds, to whom was referred the petition of the Beacon Base-Ball Club for the restoration of the northwestern portion of the Common as a play ground, and the petition of Rev. C. A. Bartol and others in aid of the same; and to whom were also referred the remonstrances of George T. Bigelow, Rev. Rufus Ellis, John A. Lowell, Mrs. Mary E. Dale and others against the use of the Common, as prayed for, having carefully considered the subject, submitted the following report:

It is represented on the part of the petitioners that the Common has from time immemorial been used as a play ground by the boys; that of late years the privileges which they formerly enjoyed have been greatly restricted; that they are prevented from occupying a sufficiently large portion of the grounds to accommodate those who desire to play the game of base ball; that it is necessary to the health of the young men and boys in the city that opportunities should be afforded to indulge in this game; that no other place can be found so accessible or so suitable for the purpose as the western portion of the Common, known as the Parade Ground. These are the substantial arguments upon which the Government is asked to grant the prayer of the petitioners, although others of less force have been advanced, namely, that the boys have certain special privileges in the use of the Common, and that it is the duty of the municipal authorities to provide convenient and suitable play grounds for them.

Previous to 1870 the care and custody of the Common and other public grounds in the city were in the hands of the Board of Aldermen. In that year the ordinances were changed, so as to provide that all the powers formerly exercised by the Aldermen should be vested in a joint standing committee of the City Council. When the committee received this trust, steps had already been taken to reclaim the grounds lying between Monument Hill and the corner of Charles and Beacon streets, from the condition into which they had been brought by the action of the ball players.

In continuing the restrictions which the Aldermen had found it necessary to impose on account of the growth of the city, the committee have been governed solely by the desire to secure equal privileges in the use of the grounds to all the inhabitants of the city. There is no foundation whatever for the idea that any class in the community has a prescriptive right to use the Common or any portion thereof to the exclusion of others. It was not until the year 1830, during the mayoralty of the elder Quincy, that its use as a common grazing field for cattle was discontinued, "dangerous accidents having occurred to promenaders." The claim to continue in the exercise of this privilege on the part of any taxpayer is stronger than the claim to exercise the game of base ball. The use of the Common as a grazing field dates from the earliest times; the use as a base-ball ground, with the game as at present practised, does not date farther back than 1858.

If it be said that the increase of population has made it impossible to accommodate all those who might desire to pasture cattle on the ground, and that to prevent discrimination it is necessary to exclude all from the privilege, it can also be said that the 25,000 or 30,000 young men and boys, who, as represented by the petitioners, desire to engage in the game, cannot all be accommodated, even if the grounds were wholly given up to them. The claim to exclusive use as a "training field" is undoubtedly stronger than any other, as the use for such a purpose is in the exercise of a public duty; but the City Solicitor has decided that the rights of the City Council over the Common were the same as their rights over the Public Garden or any of the squares, and the Council can forbid training there whenever the welfare of the city requires it to be done.

The occupation of the lands lying west of the Common by dwelling houses, and the facilities which the paths on the Common afford to persons passing to and from these houses to the business portions of

the city, make it necessary to the public safety and convenience that different rules should now be applied to the use of the Common for certain purposes than those which were formerly found sufficient.

It is admitted that the game is to a certain extent dangerous, both to those who participate in it and to those who travel on the paths in the vicinity of the place where it is played; but its advocates say it is not more dangerous than many other sports in which most young men indulge, such as gunning, boating and fishing. The use of guns for shooting purposes has not, we believe, been permitted upon the Common within the memory of any man now living, and the pleasures of fishing and boating are not pursued upon the Common or the Public Garden in such a manner as to endanger the public safety.

It is not necessary for the Government to determine whether the game of base ball is healthful or otherwise, to those who practise it in the new-fashioned way. That is a matter which may safely be left to their parents or teachers. But it is the duty of the Government, a duty of supreme importance, so to regulate the use of the public property that every person can enjoy it and be protected in the enjoyment of it. That definition of our duty cannot be disputed. Applying it in the present case, it is clear that the petition ought not to be granted. It is undesirable for two reasons, either one of which would be sufficient.

(1.) The common enjoyment of the public grounds would be restricted to the enjoyment by a certain class of persons. It makes no difference in the application of the principle, whether the class is large or small. The Government cannot justly make a rule by which even one of its citizens, entitled to protection under the laws, is restricted in his rights. It cannot be pretended that the occupation of the grounds by base ball-players is consistent with its use by the citizens generally. (2.) The game interferes with the public safety and convenience. There are a number of well-authenticated cases in which persons passing along the paths and malls, as they had a right to do, and using due care, have been seriously injured, and the knowledge that the game is practised in the vicinity of the public walks undoubtedly prevents a great many women and children from using the grounds for healthful exercise and enjoyment. For these reasons a majority of the committee would respectfully recommend that the petitioners have leave to withdraw.

The undersigned, a member of the Committee on the Common and Public Grounds, respectfully dissents from the recommendations of the majority, and begs leave to state briefly his reasons therefor:

It is well known that the Parade Ground is not a part of the original Common; it was formed within a comparatively few years by filling the marsh and flats bordering on the Back Bay, and was laid out with a view to its use exclusively for military exercises, and for such games as required an open field. The ground was made as level as possible, and no trees were planted except along the borders of the malls, and but few paths were laid out over it.

When, in 1869, the portion adjoining the Beacon-street mall was surrounded by a fence and laid down to grass, it was understood that it would be restored, in one or two seasons at most, to its former use. It is now proposed to place permanent restrictions upon that portion of the ground and to limit those who desire to play base ball and similar games to less than half the original space allotted to them. The increase of population upon which this restriction is based is in fact a strong reason for its removal. If the whole ground was needed ten or fifteen years ago to accommodate the young men and boys who desire recreation and exercise, it is hardly possible that a smaller space will accomplish the purpose now. The argument of the majority proves too much. If the principles laid down in their report are to be strictly adhered to in the use of the public grounds, it will be necessary to exclude entirely not only the game of base ball and all similar games, but all shows and military reviews. This they do not propose to do. They permit the boys to occupy a small portion of the grounds for their games, and they permit various other classes and individuals to have special privileges.

Looking at this matter as it affects the general interests, it appears to the undersigned that the request of the petitioners is a reasonable one, and that it ought to be granted. A small number of persons will be incommoded, but a very large number of persons will be benefited. A great deal of stress is laid upon the danger which would result to the passers by from the use of the grounds adjoining the mall. It is only during a portion of the day that the grounds are used by the boys, and persons going to or from the West End can easily avoid the danger, if any exists, without much inconvenience. Those

who desire to obtain recreation by promenading have the whole of the original Common for the purpose.

The undersigned would therefore respectfully recommend the passage of the accompanying order to grant the prayer of the petitioners:

JAMES POWER.

Ordered, That the Committee on the Common and Public Grounds be instructed to restore the northerly portion of the Parade Ground to its original use as a play ground for amateur players of base ball, foot ball and similar games.

The subject being under consideration, Alderman Power moved to substitute the report of the minority for that of the majority.

Alderman Power, in support of the motion, said he believed it was hardly necessary for him to say anything, since the reasons of the majority sustained his view of the question. He was opposed to restricting the use of the Common to any one class of persons, which the majority claimed, while their design was to prohibit the boys from playing on the Common. No one objected to the proposed use of the other portion of the Parade Ground as a play ground except those who lived in the immediate vicinity.

To those who made objection he contended that they should consider the enjoyment which the city had given them in making a perfect paradise of the Common, but instead of this they seemed to think that it was for nobody but them to enjoy. It was objected that lives were endangered, yet in all this large space of the Common but the use of six acres was asked for, and the playing was when most of those who objected were out of town. When they say the boys shall not play there they deprive them of healthy exercise which will do more damage than if any person were injured by their playing. As the matter had been thoroughly discussed he would not take much time in speaking upon it.

Alderman Clark said he did not propose to take much time on the subject, the reasons of the majority being well set forth in their report, and he did not doubt that of the minority was the best which could be made in opposition. He contended that in allowing a base-ball club of seventy persons to use the ground proposed, it does exclude a large majority of the citizens from a third part of the Common for most of the year. It was an exclusion of the old gentlemen, the middle aged and the ladies and children from a large portion of the Common for three-fourths of the year. Such an exclusion was not right. It was not for the benefit of the boys, for since the introduction of base-ball playing they had the testimony of Mr. Gardner, that the health of the children of the public schools was not so good as it was ten years ago. Perhaps it was from this very reason.

It was not often that 200 or 300 mothers come here and ask to be protected in their rights and in those of their children. This one remonstrance, signed by 175 women, should be enough. In reply to what was said about the enjoyment from beautiful squares and parks, it was in answer that these persons are obliged to pay a high rate of taxation in consequence of these improvements. In regard to the play, it was dangerous sport to those who engage in it and to others. If this was the only reason, it should be a sufficient reason to prohibit such playing. On this point he received a letter, a day or two ago, which he read as follows:

Boston, May 8, 1873.

Mr. Clark: Dear Sir—I am sorry that I could not have been present to have given my testimony before your committee on the hearing of base-ball playing on the Common. I am one of those who are opposed to it, for this reason. Three years ago I lived in close proximity to the Park-square entrance, and one day when going home, crossing the Common from West to Carver street, near the graveyard, I was knocked down, having been struck by a base ball on my head, just above the temple. It completely stunned me, and I was helped home by two strangers. The physician attended me for several weeks without much success as to my full recovery, and finally recommended me to leave business and go into the country.

After several months' trial, I found that I was growing worse, so much so that I was obliged to give up business entirely. On my physician recommending a trip to Europe, I went to Paris and placed myself under the treatment of an eminent physician. The result is that I am much better now, but not entirely recovered from the blow. I sacrificed \$6000 or \$8000 in settling my affairs in order to leave promptly, as advised. Three years' suspension from business, together with doctor's bills, medicine, etc., making a sum total of \$40,000 in money, besides the mental and physical suffering which I have undergone.

Order to pay heirs of Lewis Clapp \$550, for land taken to widen Cottage street.

Order to pay Edward Jordan \$2230, for land taken for the extension of Washington street; to be charged to the Washington-street Extension Loan.

COMMUNICATIONS FROM THE BOARD OF DIRECTORS FOR PUBLIC INSTITUTIONS.

Alderman Sayward submitted the following communications from the Board of Directors for Public Institutions:

Boston, May 9, 1873.

To the Honorable the City Council of Boston: Gentlemen—The Board of Directors for Public Institutions respectfully recommend a change in section 7 of the ordinance in relation to this Board (page 403, Laws and Ordinances, 1869,) which requires them to advertise for supplies and materials to be obtained which exceed in value the sum of \$3000; and also in section 8 of the same ordinance, so that the reports of the board may be made annually, instead of quarterly.

Respectfully,

J. P. BRADLEE,
President.

Referred to Committee on Ordinances.

Boston, May 9, 1873.

To the Honorable the City Council of Boston: Gentlemen—In September last, the Board of Directors for Public Institutions addressed a communication to the City Council setting forth the fact that the rooms occupied by the Board were inadequate for the constantly increasing business of the institutions, and requesting the Council to provide more suitable accommodations.

The Board now respectfully review the request contained in that communication, and earnestly desire the favorable consideration of the City Council. The demand for more suitable offices seems to the Board to be imperative, and the contemplated erection of a fire-proof vault for the Treasury Department will render one room entirely useless for the purpose for which it is now occupied.

Respectfully,

(Signed by all the members of the Board).

Referred to Committee on Public Buildings.

REPORT ON FIRE INSURANCE DISTRICTS.

Alderman Brown, from the Committee on the Assessor's Department on the part of the Board of Aldermen, to whom was referred the communication from his Honor the Mayor in relation to the division of the city into fire-insurance districts, as required by the eighteenth section of chapter 375 of the acts of 1872, having carefully considered the subject, would respectfully recommend the passage of the accompanying order:

Ordered, That, with the approval of the Insurance Commissioner of the Commonwealth of Massachusetts, the city of Boston be divided into thirty-one fire-insurance districts, as shown on the plan prepared by the City Surveyor, dated May 1, A. D. 1873, the specifications of said districts being as follows:

[Districts 1 and 2 are comprised within the territory of East Boston, and divided by the line of the Eastern Railroad; districts 3, 4 and 5 are in the territory of Ward 2; district 6, Ward 3, as at present defined; dis-

tricts 7, 8, 9, 10, 11 and 12 in Ward 4; 13 to 19 in Ward 5; 20, Ward 6; 21, Ward 8; 22 and 23, Ward 7; 24, Ward 12; 25, Ward 10; 26, Ward 9; 27, Ward 11; 28, Ward 15; 29, Ward 14; 30, Ward 13; 31, Ward 16.]

The order was passed.

On motion of Alderman Stebbins, the report of the Committee on Claims on the claims of Holohan & Maguire and Smith & McGaragle, for work on the smallpox hospital destroyed by fire, was taken up, when he moved to accept so much of the report as related to the claim of Holohan & Maguire.

Alderman Power inquired what effect its acceptance would have on the other claim of Smith & McGaragle.

Alderman Quincy and Stebbins each said it would not affect any action on the claim of Smith & McGaragle, and, at the request of Alderman Power, the Chair ruled that it would have no effect.

Alderman Clark stated that one member of the Board was absent who took much interest in this subject, and desired to vote upon it, and although he might not vote as he should on one branch of the claims, as far as he was personally concerned he was ready to act, but thought it would be better to lay the subject over.

Alderman Power said that in accordance with the ruling of the Chair, as this will not affect the other claim, he could not see any impropriety in passing it now, as there was no objection to it, and the gentleman who was absent could vote on the other at another time.

Alderman Sayward inquired if the passage of this part of the report would cut off the other, and Alderman Brown desired to make two separate questions.

Alderman Quincy stated that there would be no difficulty in the proposed action, for the difficulty in the former case was in the proposed substitution of the report of the minority for that of the majority. There could be no objection so far as related to the claim of Holohan & Maguire that it may be passed.

Alderman Gibson believed that action should be postponed in the absence of a member of the Board, and moved that the report be laid on the table.

Alderman Stebbins stated that the Board were unanimously in favor of paying the claim of the plumbers, who were in need of the money, and there could be no objection to the passing of that portion of the report.

Alderman Quincy stated that in a conversation with the absent member, he was convinced he would vote for the order.

The Chair stated that his ruling had not been changed, but the question was different. The adoption of this motion could not prevent any one from putting in an order for the payment of the other claim. But should this be passed, it would go to the Council, and it might be as well to have the whole go together.

The motion to lay on the table was carried.

ORDER OF NOTICE.

On petition of D. R. Whitney, for permission to erect and use a stationary engine on a wharf on new street near the corner of Summer street, East Boston. Hearing Tuesday, June 3, 4 P. M.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

MAY 15, 1873.

The regular weekly meeting of the Common Council was held this evening, at eight o'clock, E. O. Shepard, the President, in the chair.

On motion of Mr. Dacey of Ward 2, the roll was called, when a quorum appeared to be present, as follows:

Barnes, Blackmar, Brackett, Burditt, Caton, Collins, Cudworth, Dacey, Darrow, Denny, Flatley, Harrington, Hine, Kelley, Kingsley, Lamb, Loring, Madden, McCue, McKenney, Page, Pickering, Prescott, Thacher, Tower, Train, Upham, Warren, Wells, West, Weston, Whiston, Wilbur, Woods.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of George S. Keyes, Company I, First Regiment, heirs of Nathan Ward, and the requests of the Board of Directors for Public Institutions, were severally referred, in concurrence.

The quarterly report of the Hayweigher of the North Scales, and the Auditor's Monthly Exhibit were severally ordered to be placed on file.

The following reports were accepted, in concurrence:

Reports (leave to withdraw) on petitions of Jane Marsters, to be paid for injuries from an alleged defect in Revere street; of Hannah D. Green, to be paid for injuries from a fall in East Chester park.

The following orders were severally read once:

Report and order authorizing an expenditure of not exceeding \$5000, for improving Independence square, South Boston.

Order to pay the bill of Elliot Ritchie, of \$4078 75, for furnishing 502 tons of coal for the East Boston ferries.

Order to advertise for proposals for reporting and publishing an abstract of the business and proceedings of the City Council, for one year, at not exceeding \$4500.

Orders authorizing the purchase of 7600 feet of land on Dudley and Forest streets, at not exceeding \$1 50 per square foot, as a site for Hook & Ladder House Four; and for a transfer from the Reserved Fund of \$12,000 for the purchase of said land, and for plans for such house.

Report and order to place a horse hose carriage in house of Engine No. 18, at an estimated cost of \$1500.

Report and order to place a horse hose carriage in house of Engine No. 7, at an estimated cost of \$1500.

Report and order to place a horse hose carriage in house of Engine No. 23, at an estimated cost of \$1500.

The report (leave to withdraw) on the petitions of Beacon Base Ball Club and others, for the use of the northwestern portion of the Common as a play ground, being under consideration, on motion of Mr. Whiston of Ward 8 the majority and minority reports were laid on the table for one week.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order authorizing plans and estimates to be procured for construction of an English high and Latin schoolhouses upon land purchased for the purpose on Warren avenue.

Order authorizing plans and estimates to be procured for construction of a primary schoolhouse, on Newbury and Exeter streets.

Resolve and order for widening Congress street between Water and State streets, at an adjudged expense of \$484,626. (Printed City Doc., No. 63, 1873.)

Order authorizing seven music stands to be procured, at an estimated cost of \$1500.

The second order was amended by substituting "Newbury" for "Marlborough," as it was written, which Mr. Pickering of Ward 6 said was an error, unaccounted for.

PETITIONS PRESENTED AND REFERRED.

Jefferson D. Merritt, to be compensated for injuries to his property caused by an alleged defect in Conant street. Referred to Committee on Claims.

William Pope and others, for a bathing house for women and girls at Commercial Point. Referred to Committee on Bathing.

South Boston Iron Company, Fulton Foundry and others, for a hose company in Engine House No. 15.

W. H. Mumler, with reference to a telegraph system in connection with steam-fire engines.

Severally referred to the Committee on Fire Department.

J. T. Gurney, for leave to construct hoistways and platforms outside of a building No. 24 Warren street. Referred to Committee on Survey and Inspection of Buildings.

S. Weld and others, for an investigation into a contract in relation to city official. Referred to Committee on Health.

Petitions of P. H. Rogers and others, for acceptance of Whitney street, and of Matthew Gateley, for the grading and improvement of Mechanic street, were ordered to be sent up.

Mr. Shaw of Ward 5 presented the petition of J. M. Merrill and 108 others, that Madison square may be graded, fenced, etc., and on his request the petition was read, setting forth that in consequence of representations made to them that the city would place said square in an improved condition, they had invested their money there in houses. Instead thereof they find it impossible to induce people to become occupants of the houses there. The appearance of a block of houses badly built and nearly falling, the failure to fill up and grade the square have caused the property to depreciate to such an extent as to ruin many who embarked in the enterprise. They therefore request that measures be adopted to hasten the improvements proposed to be made.

Mr. Shaw made a statement of the condition of the square, and of the land and buildings in the vicinity, the land sinking and uneven, sidewalks out of order, buildings settling, etc., of which he had no knowledge until recently. For the purpose of having the whole condition of the territory investigated, he moved a reference of the petitions to the Committees on Streets and Common.

Mr. Wilbur of Ward 9 said he saw no necessity for referring the matter to the Committee on the Common.

Mr. Denny of Ward 9 also objected to referring the matter to two committees, when it would be better considered by one committee.

Mr. Shaw said he hoped that by referring to the two committees the whole subject would be better understood, and all the improvements required would be provided for, but he would modify his motion to a reference only to Committee on Common.

Mr. Wells of Ward 3 said he had noticed that two blocks of buildings had been closed by order of the Board of Health, and were to be moved, and he could not see what the Committee on the Common could have to do with that part of the improvements in that neighborhood.

Mr. Kelley of Ward 15 said he was very familiar with that neighborhood, and knew that it requires a great deal of looking into. The sidewalks were in the worst possible condition, and settled out of shape, and the buildings were settled.

Mr. Jones of Ward 13 inquired if the streets in that vicinity had been accepted.

Mr. Flynn of Ward 7 replied that the streets had not been accepted, and further, that the Committee on Streets had nothing to do with sidewalks, which belonged to the Committee on Paving.

The reference to Committee on Common was carried.

COMMUNICATIONS FROM THE SCHOOL COMMITTEE.

The following orders from the School Committee were read:

Ordered, That the City Council be requested to purchase a lot of land and erect thereon a primary-school building, of not less than four rooms, in the vicinity of Blue Hill avenue and Quincy street.

Ordered, That the City Council be requested to provide additional accommodations for the primary school in Francis street, in the Comins School District.

The orders were referred to the Committee on Public Instruction.

CITY TREASURER'S ACCOUNTS.

A communication was received from F. U. Tracy, City and County Treasurer, transmitting his accounts as Treasurer for the financial year ending April 30.

The accounts as Treasurer, show receipts and expenditures to the amount of \$18,096,295 90, with cash on hand April 30, of \$2,803,597 36, and a balance of \$886,601 54. As County Treasurer, the receipts and expenditures amounted to \$337,319 85, with a balance of \$200,190 72, which with \$686,410 82, make the balance as above, 886,601 54.

Referred to the Committee on the Treasury Department.

REPORTS OF COMMITTEES.

Mr. Page of Ward 9, from the Joint Standing Committee on Armories, to whom was referred the petition of Captain M. J. Dunne, Company B, Ninth Regiment of Infantry, M. V. M., for an increase in the

allowance for rent of armory of said company, made a report recommending the passage of the accompanying order:

Ordered, That there be allowed and paid the sum of \$600 per annum, from April 1, 1873, until otherwise ordered, for rent of armory of Company B. Ninth Regiment of Infantry, M. V. M., in hall No. 577 Washington street; said sum to be charged to the appropriation for Armories.

The order was read once.

Mr. Burt of Ward 16, from the Joint Standing Committee on Fire Department, to whom was referred the petition of Isaae P. Clark and others, that a horse hose carriage be located in Longwood, Ward 15, after a careful consideration of the subject, are of the unanimous opinion, that the prayer of the petitioners ought to be granted, and would respectfully recommend that the Committee on Public Buildings be requested to purchase a lot of land, and erect thereon a suitable house for a horse hose company. Accepted, and referred to Committee on Public Building.

Mr. Bicknell of Ward 4, from the Joint Standing Committee on Public Buildings, to whom was referred the order from the City Council to procure plans and estimates for a new police station house on land belonging to the city, on Fourth street, between K and L streets, South Boston, made a report, as follows:

They are in favor of the adoption of the same plan as used in the erection of the new station house, No. 9, Boston Highlands, it being well adapted for the purposes of the South Boston district. They have consulted with the Committee on Police, who are favorable to using the plans, as proposed. The committee estimate that for the erection of such a building the sum of \$45,000 will be required, and would recommend the passage of the accompanying orders:

Ordered, That the Committee on Public Buildings be authorized to erect a police station house on Fourth street, between K and I streets, on land belonging to the city, from plans used in the erection of Police Station House No. 9, Boston Highlands, at an estimated cost of \$45,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$45,000; the same to be applied for the erection of a police station house in South Boston.

ORDER PASSED.

On motion of Mr. Burt of Ward 16—

Whereas, Messrs. Gershom Sherman and Eben Witherell, acting as members of the Fire Department and attached to Engine Company No. 5, were seriously injured at the fire on Commercial wharf, July 26, 1872, while in the discharge of their duty—

Ordered, That there be allowed and paid to Gershom Sherman and Eben Witherell each the sum of \$200, on account of injuries received while in the discharge of their duties as members of the Fire Department; said sum to be charged to the appropriation for the Fire Department.

COLUMBUS-AVENUE EXTENSION.

On motion of Mr. Barnes of Ward 11, the order to pay the Boston & Providence Railroad Corporation \$225,000, due as set forth in the indenture between the city of Boston and said corporation, dated September 30, 1871, was taken from the table.

Mr. Barnes advocated the passage of the order, for the purpose of securing the completion of the extension of Columbus avenue, which he believed would be done should the order be passed.

Mr. Shaw of Ward 5 hoped the order would not be passed, for he had seen no reason to change his mind from the opinion expressed by him last week. There was nothing in the order which was desirable on the part of the city, and it was more than ever his opinion that it was entirely wrong to take the position in which the order places the city. He would challenge contradiction from any legal gentleman that the city has any right to pay one cent to the Providence Railroad Corporation until the contract made with that corporation by the city is entirely completed, and he would ask any reasonable person present if his position was not correct.

By what right, he asked, have we as a branch of the City Council to vote to pay \$225,000 on trust, to that corporation, for it was nothing else but a payment on trust, not in accordance with the contract? By the terms of the contract, which he found in City Document No. 78, it was as plain as possible—as plain as the English language could make it—that they could not record their votes to defeat the terms of the contract, for it was nothing short of that. These conditions, he read, and remarking upon them, he said the head house of the depot was in the way of the extension of Columbus avenue, and the land was only to be paid for under a proper surrender of it. He wished to

know why such a claim was made, and could not consent to vote for the order.

Mr. Caton of Ward 11 wished to know of the Committee on Streets, whether on a passage of the order they could have the extension of Columbus avenue, for it was high time that the street should be extended for public convenience, and involving the improvement of so much taxable property, it was time that something should be done.

Mr. Flynn of Ward 7 stated in reply that the extension of Columbus avenue was laid out, and runs through this land, and if the surrender was made, as proposed, the extension of the avenue would be completed this season.

Mr. Pickering of Ward 6 said he could not agree with the gentleman from Ward 5 as to the effect of the passage of the order. The railroad corporation wishes to surrender a portion of the land, and retain another small portion for a year, for which they are willing to pay \$6000 as interest. Comparing the price to be paid with sales on the Back Bay not so eligible, he did not think it an unreasonable price, and instead of being a violation of the contract, it was simply a modification of it, for which the corporation is willing to pay an equivalent.

Mr. Page of Ward 9 declared that the railroad corporation was not entitled to a cent, and instead of giving the city the use of \$100,000, for a year, the city was in effect loaning the corporation \$225,000 for a year. Columbus avenue cannot be extended without the removal of the head house of the depot; and by the terms of the contract, a copy of which he had procured today, they were obliged to surrender the entire property on or before the 29th June next. It would be better for the city to insist upon the fulfillment of the contract, for the order was nothing more than to give them another year for its fulfillment.

Mr. Pickering said he did not say that the corporation was entitled to pay until the property was surrendered; but the question was whether they were willing to take a surrender of a part and pay for that much, leaving a portion for which interest will be paid.

Mr. Shaw said he hoped no one would be misled by the statement of interest to be allowed, for there was not a word about interest in the contract. The passage of the order would put back the improvements proposed for one year, and already property had depreciated in value in that vicinity, on account of the delay in carrying out the extension of Columbus avenue and Eliot street. An estate had recently been sold for \$26,500 which cost upwards of \$30,000, involving a loss of from \$5000 to \$10,000, and he had been assured by one who knows, that the head house is directly in the way of the extension of Columbus avenue.

The question was, must the city succumb to this corporation? must we submit to their ipse dixit, or act upon our own interests? Unless it can be shown where it is beneficial to the city, and it was not shown or attempted to be shown that it was for the city's interests, he could not vote for the order. It was simply for the convenience of the railroad corporation that this demand was made to put back this needed improvement for one year. It may be two years, for should it be late next year before the surrender is made, the improvements cannot be made during the year. Practically it would be a delay of two years, and he would desire to know if the gentlemen from Wards 8, 9 and 10, who are so much interested, are willing to consent to this delay. It did not affect him, but he urged whether they had not better hold on to what they have and not submit to the demands of this corporation.

Mr. Flynn said the gentleman was continually harping upon the extension of Eliot street; yet there had not been a petition for the extension of Eliot street, and the committee had fully considered the subject, and were of the opinion that nothing would be done towards the extension of Eliot street this year. It was the determination to extend Columbus avenue this year, and it would be done on the passage of this order. The city's interests would be protected in the matter, and whatever was done would be made satisfactory to the City Solicitor.

Mr. Pickering replied to the statement relative to interest, that it was true interest was not mentioned in the contract, for it was not contemplated that the payment of interest would be required. But how was the fact? The city would retain \$100,000 under the order. The question was whether they should pay it now or next year, and not to pay it now was as good as having money at interest.

Mr. Page said the statement made did not represent the condition of things. It was not retaining \$100,000 but paying \$225,000, which was not due until the head house was removed, until every brick and stone upon the land has been removed. As to paying them money, they were not legally entitled to any until

the contract is completed. By the provisions of the contract, they were to remove the building and surrender the land in eighteen months after Columbus avenue is laid out, and a portion of Church street is discontinued. That laying out was on December 29, 1871, and the eighteen months will expire on the 29th June. The land belongs to the city on the 29th June, and the corporation cannot call for their pay and cannot collect a cent before the building is removed.

Mr. Denny of Ward 9 said it appeared to be clear, then, upon the statement just made, that on the 29th June the land is to be surrendered, and that the city is to pay at that time, by the terms of the contract, \$325,000. This sum they have literally got to pay in a few weeks. But the Boston & Providence Railroad Company, instead of requiring the city to pay \$325,000, ask that the city shall pay \$225,000 on condition that they shall be allowed to retain a portion of land which the city does not want at present. As a consideration the city may extend Columbus avenue, and retain the payment of \$100,000 twelve months by allowing the railroad corporation to continue in possession of their head house for that period of time. It did not require a very clear head to understand the advantage of the proposition.

It appeared to him that the advantage was altogether on the part of the city. The city would gain in not being required to pay more than \$225,000, for the extension of Eliot street was not contemplated the present year, and the extension of Columbus avenue would not require the removal of the head house. As a representative of Ward 9, he had an interest in the extension of Columbus avenue today, and it was for the interest of the city and the ward. There was not a shadow of doubt that it was for the interest of the city to make this change in the contract, and he had no hesitation in voting for it.

Mr. West of Ward 16 said the gentleman had expressed his views in the matter exactly. Until it could be shown that the land upon which the head house stands is needed, he had no objection to the passage of the order, and should vote for it.

Mr. Shaw said the matter was as plain to him the other way as it was to the gentleman from Ward 9, as he viewed it. It had been said there was no petition for the extension of Eliot street, but there was no necessity for it, for the extension of Eliot street was a part and parcel of the whole plan. It was said too, that it would be made satisfactory to the City Solicitor, but that would not justify them in stultifying themselves. In the extension of Columbus avenue, it would be necessary to fix the grades of that and the adjoining territory, to lay the edgestones and the sidewalks, but this could not be done until the entire territory was surrendered.

To say that the city has an interest in the passage of the order, is more apparent than real. The expense attending the delay will make a greater difference than the allowance of the use of the money. He had gone over this matter with the Street Commissioners, and the cost to the city would be nearer \$10,000 than \$6000. A delay of two years in carrying out the proposed improvements would be a disgrace to that part of the city. He could not see where anything could be saved, or in what single item the city would be benefited. The corporation had received a high price for its land, and should be satisfied to fulfill its contracts. The city has enough to do to pay its own debts, and it may be that this corporation will have to pay some not contemplated. There is more need of widening some streets than there was of widening Water street, and as work which should be done and imperatively needed, he referred to Beach street, in its bad condition, which required repaving.

Mr. Wilbur of Ward 9 said there appeared to be a discrepancy in the statements as to the time of the fulfillment of the contract. If the land was to be surrendered in September, it would be too late to do anything during that season, but if the contract is completed by the 30th June, he believed it would be best to carry out the original contract.

Mr. Flynn said the Committee on Streets had never claimed that the railroad corporation was entitled to pay until the land was delivered. They came to the City Council with a petition, and after a most patient hearing, the committee were of the opinion that they might be allowed to retain the head house, which comprised 5600 feet of land of the value of \$55,000 for a year, for which the city would retain the payment of \$100,000. This was agreed to by the committee, with the approval of the City Solicitor. Under the passage of the order Columbus avenue may be extended immediately.

Mr. Page said, substantially, the extension of Columbus avenue is a matter of considerable consequence to a large number of the people whom I have the honor in part to represent, and it is because in my opinion the passage of this order will delay the extension of the avenue for a year, or perhaps more, that I oppose it. In order that I might know the exact condition of matters I procured today a copy of a portion of the original contract between the city of Boston and the Boston & Providence Railroad Company, and it appears that the railroad company are obliged to remove its buildings of every kind and nature on or before eighteen months from the day that Columbus avenue was extended by the City Council. That was done on the 29th of December, 1871, and if I can figure correctly, by the terms of that contract the railroad company are obliged to vacate the premises purchased by the city on or before the 29th of June, and if they neglect to remove their head house before that time it is forfeited to the city. Now, the 29th of June is but a short time to wait, and I think the best thing the city can do is to wait until that time and see what the state of affairs will be then, for I believe the passage of this order, instead of being an advantage to the city and advance the extension of Columbus avenue, will, on the contrary, be a serious disadvantage to both, and as the railroad company are not entitled to any money until the premises are vacated by them I see no good reason why the city should not insist upon the full enforcement of the contract. In regard to the fact as to whether or not the head house interferes with the extension of the avenue, I have been informed by a gentleman in City Hall, who has considerable to do with streets, that Columbus avenue cannot be properly laid out and graded while that head house remains in its present position.

Mr. Flynn said he had the assurance of the City Solicitor that the extension of Columbus avenue would not interfere with the building.

Mr. Burditt of Ward 16 said there could be no doubt in the matter in relation to the extension of the avenue, and that the surrender of the land proposed would be all that was necessary at present.

Mr. Pickering said that the matter of interest seemed to lay heavy on the gentleman from Ward 5. If he had got to pay \$100,000 which could be paid off to next year, he might be willing to give \$6000 for the delay, and in this case the delay of payment was a saving of interest. The subject had been made very clear by the gentleman from Ward 9 (Mr. Denny), and he did not need to say more.

The order failed of a passage, by a vote of 15 to 24.
Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
MAY 19, 1873.

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

JURORS DRAWN.

Twelve traverse jurors were drawn for the Superior Court, second session, for civil business.

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers, without pay—George O. Carpenter; E. H. Simpson, for Long wharf and its vicinity; T. B. Jordan, for Summer street and its vicinity; Jerome Jones, for South-Market street and its vicinity; F. S. Davis, for Kilby street and its vicinity; John J. Clark, for Charles street and its vicinity; Charles Marsh, for Boylston street and its vicinity; Charles McGinness, for the Howard Atheneum; Oliver P. Knowles, for Harvard street and Harrison avenue; S. Sanborn, for the First Church; J. H. Richardson, in the employ of the Bankers' and Brokers' Electric Protective Company; James F. Bailey, for Chickering's factory and its vicinity.

Railroad Police Officer—George B. Mead, in the employment of the Boston & Albany Railroad, under the provisions of the act of 1871, chapter 331.

PETITIONS PRESENTED AND REFERRED.

W. B. Pike, for leave to occupy a wooden stable for six horses on Bolton street, No. 303.

J. Dinsmore, for leave to occupy a wooden stable for two horses on Trenton street, No. 143.

Francis W. Kittredge, for leave to occupy a wooden stable for three horses on Egleston square, between Walnut and Shawmut avenues.

A. D. Gould, for leave to occupy a wooden stable for two horses on Marcella street, between Centre and Highland streets.

Wilcutt & Grant, for leave to occupy a wooden stable for one horse on Bowdoin avenue, near Union avenue.

Severally referred to the Committee on Health on the part of this Board.

James Gilmore, for removal of a lobster barrow from 32½ Leverett street. Referred to Committee on Licenses.

Matthew Gateley and others, that Mechanic street in Ward 15 be graded.

Edward Foster and others, that Warwick street be graded, etc.

W. H. J. Carter, that the name of Dillaway place be changed to Carter place.

Charles H. Nudd and others, that Windsor street may be put in order.

Robert Marsh and others, that Salem street be paved between Prince and Parmenter streets with granite blocks.

S. G. Cheever, for sidewalks at Nos. 23-27 Highland avenue, Roxbury.

Edward P. McNulty, to be paid for grade damages on Savin-Hill avenue.

James Cushing and others, that sidewalks be laid on Highland avenue, Lewis park, etc.

Michael H. Kecnan and others, for sidewalks, etc., on Ward street, Ward 12.

F. A. Howard and others, that Egleston square be graded and put in order.

William Danforth and others, that sidewalks be laid on Sixth street, between Dorchester and F streets.

M. G. Kelton and others, that Emerson street, between K and M streets, be paved with granite blocks.

A. Shuman and others, that a sidewalk be laid in Vernon street, between Washington street and Shawmut avenue.

Peter Higgins and others, that edgestones be set in Dale street.

Martin Fay and others, for sidewalks to be laid in Bainbridge street.

N. M. Jewett and others, that edgestones be set on Trenton street from Brooks to Eagle street.

Thomas Gogin, for sidewalks on Thomas street, between G and Old Harbor streets.

John Glennan, to be paid for grade damages at 282 Dorchester street.

Severally referred to the Committee on Paving.

John S. Weeks, for leave to erect a wooden building on Weeks wharf beyond the legal dimensions. Referred to the Committee on Survey and Inspection of Buildings.

Samuel G. Reed, for the extension of the Warren-street sewer to Grove Hall.

C. M. Kingsley and others, for a sewer in Fruit street, from Blossom street to North Anderson street.

Severally referred to the Committee on Sewers.

Samuel S. Gay and others, that sidewalks be laid and trees be removed from Vernon street, between Washington street and Shawmut avenue.

Referred to Committees on Paving and Common on the part of the Board of Aldermen.

William Priesing and others, for lamps in Smith-street place and Phillips street.

James Lakeman, that a gas lamp be placed and lighted in Page's court.

Severally referred to the Committee on Lamps.

Thomas W. Carter, for alteration of his building on Hospital wharf. Referred to Committee on Public Lands.

National Lancers, for the use of Faneuil Hall June 14, on the occasion of their anniversary. Referred to the Committee on Faneuil Hall.

Heirs of Samuel Whitwell, for additional compensation for land taken on Hanover street. Referred to the Committee on Streets.

QUARTERLY REPORT OF SUPERINTENDENT OF FANEUIL HALL MARKET.

The quarterly report of the Superintendent of Faneuil Hall Market shows the receipts to have been for the quarter ending April 30, as follows:

Received for rent of stalls	\$10,396 50
“ “ cellars	5,385 00
“ “ permanent outside stands	723 75
“ “ weighing at market scales	96 29
“ “ rent of stalls in new market	3,030 00
“ “	1,462 50

Total.....\$21,094 04

all of which has been paid into the City Treasury.
Ordered to be placed on file.

ADDITIONAL APPROPRIATION FOR WATER.

The following communication was received from the Water Board:

BOSTON, May 19, 1873.

To the City Council—The Cochituate Water Board respectfully represents that a special appropriation of \$115,000 is required for the extension of main pipes in Wards 13, 14, 15 and 16. As those wards are rapidly increasing in population there is an immediate necessity for the appropriation.

The act of the Legislature authorizing the city of Boston to take land on Parker Hill, Boston Highlands, for the construction of a reservoir has received the Governor's approval. A copy of this act is inclosed with this communication.

The report of the City Engineer, which has already been submitted to the City Council, states that the approximate cost of the reservoir will be \$234,000. If being of great importance that work upon the reservoir shall be commenced without delay, in order to insure its completion before the coming winter, we would respectfully ask that the above sum be appropriated for that purpose.

JOHN A. HAVEN,
President Cochituate Water Board.

Referred to the Committee on Water.

SCHEDULE OF CITY LEASES.

A report was received from the Auditor, giving a schedule of the leases owned by the city of Boston, as follows:

Under jurisdiction of the Committee on Widening Streets, as per schedule.....	\$4,160
Under Committee on Fort-Hill Improvement, as per schedule.....	19,513
Greenhouse, Public Garden, John Galvin.....	3,000
Market House.....	84,211
Under jurisdiction of Committee on Public Buildings.....	35,564
Public land, as per schedule.....	11,100

\$157,548

Laid on the table and ordered to be printed.

UNFINISHED BUSINESS.

The following order and ordinance were 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 an additional track in Shawmut avenue, from Cliff street to Bartlett street; also a single track in Bartlett street, from the tracks in Shawmut avenue to a point two hundred feet west of the westerly line of said Shawmut avenue, with a curved track from said single track into the estate owned by said Metropolitan Railroad Company, on said Bartlett street. Said company shall also have the right to construct a curved track from the present track in Shawmut avenue, opposite the foot of St. James street, into the estate owned by said company, on the westerly side of said Shawmut avenue. 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, the form of rail to be used, and the kind and quality of pavement used in paving said track, 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 position of the track now located in Shawmut avenue between Cliff and Bartlett streets shall be so changed that

when the two tracks are laid down, the outer rail of each shall be equally distant from the centre line of said Shawmut avenue.

Also upon the condition that the said Metropolitan Railroad Company shall accept this order of location, and agree in writing to comply with its several conditions and file said acceptance and agreement with the City Clerk within thirty days of the date of its passage; otherwise it shall be null and void.

Ordinance to establish the almshouse at Deer Island as a suitable place of detention for neglected children under sixteen years of age.

PAPERS FROM THE COMMON COUNCIL.

The petitions of the South Boston Iron Company and others, William Pope and others, J. T. Gurney, William H. Mumler, S. Weld and others, Jefferson D. Merritt, and of J. H. Morrill and others, were severally referred, in concurrence.

The annual accounts of City Treasurer for 1872-73 were received, and referred to the Committee on Treasury Department.

The request of School Committee for additional accommodations for the Francis-street School; also, for a new schoolhouse (primary) on Blue-Hill avenue and Quincy street, was referred to the Committee on Public Instruction, in concurrence.

The report in favor of erecting a house for horse hose carriage on Longwood avenue was referred to the Committee on Public Buildings, in concurrence.

The following orders were passed, in concurrence:

Orders to pay G. Sherman and Eben Wetherell \$200 each, for injuries received while in the discharge of their duties as firemen.

Order authorizing plans and estimates to be procured for construction of an English high and Latin schoolhouse, upon land purchased for the purpose on Warren avenue.

Order authorizing seven music stands to be procured, at an estimated cost of \$1500.

The order authorizing plans and estimates to be procured for construction of a primary schoolhouse on Marlborough and Exeter streets, coming up amended by striking out "Marlborough" and inserting "Newbury," on motion of Alderman Gaffield it was laid on the table.

Alderman Gaffield offered the following order:

Ordered, That the order passed May 2, 1873, authorizing the Treasurer to borrow \$60,000 to be applied to the purchase of land for a primary school in Ward 6, be amended so as to read "Ward 9."

Alderman Gaffield stated that a clerical error was made in the report in relation to the location, which this and the amendment to the other order corrects, growing out of a change from the former proposed location of the schoolhouse.

Alderman Stebbins inquired whether it was designed to build the schoolhouse the present year, and stated that he had some difficulty in making out the location, the land not being completely graded.

Alderman Gaffield replied that it was not expected to do more than procure plans and estimates the present year, much time being required for the erection of such a schoolhouse.

The order was passed, and the other order was taken from the table and passed, as amended.

SMALLPOX-HOSPITAL CLAIMS.

Alderman Quincy moved to take from the table the reports of the Committee on Claims on the claims of Holohan & Maguire and Smith & McGaragle, for work done on the smallpox hospital.

The motion was carried, when Alderman Quincy asked leave to make a supplementary minority report.

Alderman Stebbins raised the inquiry whether the question in order was not on his motion to adopt so much of the report of the majority of the committee as provides for the passage of the order to pay the claim of Holohan & Maguire.

Alderman Quincy said he had asked leave simply to introduce a supplementary minority report. On its introduction, then a motion to substitute a portion of the report could be acted upon. As no action had been taken on the subject, he believed it to be in accordance with parliamentary usage to allow the submission of a supplementary report.

Alderman Stebbins said he made a motion at the last meeting of the Board to accept so much of the report of the majority of the committee as allows and pays the claims of Holohan & Maguire.

The Chair stated that Alderman Quincy had asked permission to introduce a minority report.

Alderman Sayward inquired if there was any motion pending.

Alderman Stebbins stated his motion again, and that its action would not affect the question of the claim of Smith & McGaragle.

Alderman Quincy said he did not now intend to make any motion in relation to the report, except to ask leave to introduce an additional report.

The Chair stated that leave would be given if no objection was made.

Alderman Stebbins objected.

Alderman Gaffield stated that if the presentation of the report would only occupy five minutes, he hoped that objection to its introduction would be withdrawn.

Alderman Quincy said he was in favor of paying the claim of Holohan & Maguire even if his report should be accepted.

Alderman Stebbins urged the disposal of the claim of Holohan & Maguire, and then they could act upon the other upon its merits.

Alderman Sayward said they had now majority and minority reports, and he wished to know if the committee wished to make another report.

Alderman Quincy replied that he did not.

Alderman Sayward wished further to know if the Alderman had not signed one minority report.

Alderman Quincy replied that he had not.

Alderman Power said he did not understand the ground of objection, since it was stated that the introduction of the report would not affect the question under consideration one way or the other, and he hoped the introduction of the report would be allowed.

Alderman Stebbins withdrew his objections.

Alderman Quincy then submitted his report, as follows:

The undersigned, a member of the Committee on Claims, to whom was referred the petitions of Messrs. Smith & McGaragle and Holohan & Maguire, respectfully asks leave to present the following additional minority report:

In order clearly to present the grounds upon which the undersigned bases his conclusion, it is essential to briefly review the facts as they were brought before the committee.

By a contract under seal, the builders undertook to complete this work within a specified time, and the city contracted to pay them therefor the sum of \$16,200 at such times and in such sums as the committee would approve. By a stipulation common to all such contracts, the builders were held to insure the building for the benefit of the city as soon as the roof should be on. As the work approached completion, the city, with the builders' consent, put in some stoves in order to hasten and help along the work of drying the walls. One or two other articles were put in by the city, and a watchman stationed there during the night, with the builders' consent.

On the night of the conflagration Mr. Smith, before leaving the building, made a careful examination of all the stoves in which there was fire, intending, as he states in his petition, to surrender the building to the city the next day, when it would be complete. Before morning it burned down, and the first question is, upon whom the loss beyond what is covered by insurance should fall. A short time previously the builders had requested an advance, and were told by the committee that to get it they must comply with the insurance claims. They did so, taking out policies to the amount of \$10,000, worded as follows: "William Smith & Co., on their interest as contractors in (describing the building) payable in case of loss to the city of Boston."

Thereupon the city advanced them \$5000, and whenever the insurance money shall be paid, according to the policies, they will have an undoubted right to the balance, making \$10,000, the full amount insured. Had they chosen to insure up to the full contract price, they would have received it from the underwriters. But they preferred to take the risk, on which, having lost, they are now claiming to be made whole by the city. Now either the building when destroyed was incomplete and in the contractors' possession, or it was (as claimed) to all intents and purposes complete and in the city's possession.

In the first case, the contractors can claim the insurance; in the latter the contract price. By their present petition they would seem to endeavor to do both; that is, they claim the insurance, and thereby assume that their "interest as contractors" had not ceased, and such further sum as shall make it up to the full contract price, thereby assuming that their interest had ceased, and the risk was the city's. Now as the undersigned is informed, the underwriters are shrewdly postponing payment until they see what attitude the city will take. For if we, by granting the petition, acknowledge the possession and risk to have been the city's, then the contractors' risk and interest, and not the builders', was the thing insured; and these risks had ceased and the policies are void.

The question seems to resolve itself into this: "Shall the insurers pay a part of this loss, as they agreed to, or shall the city pay the whole, as it never agreed to?" The undersigned cannot find, in view of the claimants' own testimony, that the building was completed and delivered when destroyed, though undoubtedly it would have been so the next day. But the builders must have understood the advantages and disadvantages of their contract. On completion and delivery within the specified time a handsome

gain was to be made, but on the other hand, until such completion and delivery, whatever they did not see fit to insure was at their risk. On this contract they have lost; on other lucrative city contracts they have gained, and the undersigned cannot see upon what principle they can now claim to be made whole out of the public treasury, even could this be done, without discharging the insurers, unless by assuming that in such contracts as this all the chance of gain is to be on one side and all risk of loss on the other.

The case of the plumbers was somewhat different. There was no contract in writing and no delivery necessary on completion, inasmuch as the work was on a building in the possession of others. The additional piece of evidence which induced the committee to change their report was the fact, that in rendering a subsequent bill the firm had credited the city with the unconsumed material of the first job, and the city had the bill accepting such credit. On this point the City Solicitor's opinion is as follows:

"The fact that the plumbing materials saved from the conflagration were appropriated to the use or benefit of the city is evidence tending to show that those who received them for the city supposed that the contractors had completed their job, and if the persons so acting for the city had authority to accept the work when completed their action as described would tend pretty strongly in favor of the contractors' claim."

Assuming that the plumbing job was not quite complete, yet in the absence of any written contract or necessity for delivery, the undersigned cannot but think that a claim for days' work and materials might be sustained. If the verbal contract was proved, then the acceptance of the credit would with a jury tend strongly in favor of the contractors. For these reasons the undersigned concurs with the majority in their recommendation of payment of the plumbers' claim. On the petition of the builders, regarding the claim for \$5000 of the insurance when collected, as well supported in law and fact, he recommends the passage of the accompanying order.

S. M. QUINCY.

Ordered, That all sums in excess of \$5000 collected by the City Treasurer on certain policies of insurance on William Smith & Company's interest as contractors in the smallpox hospital on Swett street, destroyed by fire, be paid over to William Smith & McGaragle, the contractors aforesaid.

The question then recurred upon the motion of Alderman Stebbins.

Alderman Clark said the question had been long enough under consideration and the claim of Holohan & Maguire should be paid. The plumbers wished them to cease talking on the subject and pay their claim. The City Solicitor had given it as his opinion that the city was legally and equitably bound to pay the claim, and he moved that so far as the report recommended the payment of the claim of Holohan & Maguire, it be accepted.

Alderman Gibson referred to the statement that the City Solicitor had given his opinion that they were legally bound to pay the plumbers' bill, yet the chairman of the committee had said the contract was not completed; if the City Solicitor says it was done we are bound to pay it, but when he asked the chairman of the committee he said it was not done, and he would like to know where the City Solicitor found the evidence that it was done.

Alderman Sayward replied that he did say the work was not done, but the City Solicitor had changed his opinion from what it was, and if they waited a week or two longer, perhaps he would change his opinion in regard to the other claim.

Alderman Gibson wished the evidence to be furnished whether the work was or was not done; if it was done, he was willing to vote to pay for it; but if not, he should vote against it.

Alderman Sayward said he did not know what reasons the City Solicitor had of judging of the matter, for he did not get them from his statements. But it appeared to be the opinion of the City Solicitor that a verbal contract was better than a written one. They were both parallel cases. The work was not done in either case, for there were four hours, or two or one hour's work to be done, and the work of one was delayed by the other, and in both the work to be done was extra work outside of their contracts.

Alderman Clark stated in relation to the opinion of the City Solicitor, that it was formed, as he states, from facts submitted to him.

Alderman Gibson said it was hard to produce the evidence. He had asked for the facts on which the City Solicitor had given the opinion that the work was done: and now the chairman of the committee says it was not done.

Alderman Sayward stated that the evidence was not from him, but from the Committee on Claims.

Alderman Gaffield, in defence of the Committee on Claims, replied that at the first meeting of the com-

mittee the City Solicitor was not present, and gave his opinion from statements to him; but at the second meeting he was present, and his opinion was formed on the statements drawn up by Mr. Bugbee. The difference in opinion between the two cases was that Holohan & Maguire had their work done in a building not theirs, while Smith & McGaragle owned the building.

Alderman Clark stated that there was a misunderstanding in regard to the facts which were submitted to the City Solicitor. These facts were communicated, not by a member of this Board, but by a member of a past City Government, not here to explain. That gentleman devoted a great part of his time to the work of building the smallpox hospital, and it was due to the great efforts of Dr. Jenks that it was completed in so short a time. If he were present he could answer every question of the Alderman. It was Dr. Jenks and not Alderman Sayward, as it was sometimes supposed, who was chairman of the committee.

The question was taken on the order to pay Holohan & Maguire \$1240 for plumbing work done on the first smallpox hospital, and it was passed.

Alderman Stebbins moved to substitute for the remainder of the report of the majority the following order:

Ordered, That the City Treasurer be authorized and directed to transfer and assign to William Smith & Company all the city's interest in three policies of insurance effected by said Smith & Company on a building which they had contracted to erect for the city of Boston as a smallpox hospital, and which was destroyed by fire on the 26th of December, 1872, before it had been delivered by said contractors.

Ordered, That the City Clerk be directed to attach a certified copy of the foregoing order to each of said policies of insurance.

Alderman Stebbins stated that he was willing to have the order lie over, and stated as the effect of it to give the claimants \$10,000, which was less than the amount of the contract.

Alderman Quincy moved that his additional report be printed, which was carried.

Alderman Sayward moved a suspension of the rules, for the passage of the orders at this time.

Alderman Gaffield objected to passing the orders at this time, believing an important question to be involved, in relation to insurance.

Alderman Gibson said there was one member of the Board absent, which was a good reason why there should be delay in the action upon the orders.

Alderman Quincy said he should have no objection to one reading of the orders, but he wished the additional report to go to the other branch with the orders when they go there.

Alderman Sayward believed there could be no objection to action today, and they were ready any day to act upon the subject. There had been report after report, and any objection to action was merely for delay. Besides he did not know but what he should be absent at the next meeting of the Board.

Alderman Gaffield stated that new facts and phases had been developed, which made it an object to delay action.

Alderman Power said he could not see how the fact of the settlement of insurance could be affected by the passage of the orders. The question had been delayed long enough, and the claim should be paid.

Alderman Gaffield stated that conflicting statements had been made, that the policies of insurance had been proved, and not proved.

Alderman Stebbins replied that the sixty days for the approval of the policies had not expired.

Alderman Brown said he understood that the claim under the policies was filed on the 15th April. They were as well able to settle the question of payment of the claim now as at any time, and he hoped the orders would be passed.

Some further debate took place in relation to the insurance policies, and of the advantages which might be taken in quibbles affecting such policies.

Alderman Gaffield desired that Smith & McGaragle should obtain all their rights under their insurance policies, but he thought the action proposed might complicate the matter. As a friend to Smith & McGaragle he took the course which he had.

The question was taken on the second reading of the order, which was carried, by a vote of 6 to 4.

The orders were read again and passed, by a vote of 6 to 5, as follows:

Yeas—Brown, Clark, Emery, Power, Sayward, Stebbins.

Nays—Bigelow, Cutter, Gaffield, Gibson, Quincy.

Alderman Sayward moved a reconsideration, which was lost.

THE PROVIDENCE RAILROAD CONTRACT.

Alderman Clark presented the following petition from the Boston & Providence Railroad Corporation:

The city of Boston having declined, by the action of its Common Council, to accept the proposal of the Boston & Providence Railroad Company to surrender

the land required for the extension of Columbus avenue before the time fixed by the existing contract between the city and said corporation, said corporation hereby withdraws its offer so to surrender the same, and respectfully asks leave to withdraw its petition presented to your honorable Board, April 28, 1873, and asks that no further proceedings be had thereon

G. W. RUSSELL,
Solicitor for Boston & Providence Railroad.

Alderman Clark stated, in explanation of the action of the committee, that in a conference with Mr. Russell, attorney for that corporation, it was found that the completion of the contract for the extension of Columbus avenue had five or six months to run; it was not supposed by the committee that the extension of Eliot street would be required this year, there being great expense to be incurred in the widening of other streets, and there would be no occasion for the removal of the head house. The Providence Railroad Corporation, as they believed, made a liberal and fair proposition, under which, instead of requiring the city to pay \$325,000, when all the building is torn away, they would, for the use of the head house for a few months, consent to the withholding of the payment of \$100,000 for one year, which would be allowing \$6000 for the use of property which would be of no use to us.

When the original agreement was made, they were not obliged to surrender the entire property until the end of two years, which would be on the 9th of December. It was discovered, however, when the matter went to the other branch, that in order to obtain betterments for abutters, the time was shortened to eighteen months, which would make the contract to expire about the middle of June. The Committee on Streets did not believe the land occupied by the head house to be needed at present, and thought it would be a nice thing to save the payment of the money, and they did propose to save it, but the order was defeated in the other branch.

But there was another side of the question. The deed given by the city to the railroad corporation for that portion of Church street discontinued and conveyed to them, was that it was free from all incumbrance. There was, however, a large sewer there, which is the main drain for all that territory. The corporation under that deed may compel the city to take up that sewer. If so, and the corporation is disposed to take advantage of a quibble, they may put the city to an expense of \$10,000 to \$15,000.

Alderman Brown inquired if it was proposed to continue the sewer in that street.

Alderman Clark said he made the statement simply to show that there are two sides to the question, and that the corporation have a right to ask for a removal of the sewer. There was a mistake in the contract in deeding the fee of the land to include the sewer, and whenever it may be demanded the city will be obliged to take up the sewer.

On motion of Alderman Clark, the request of the corporation to withdraw their proposal was accepted.

REPORTS OF COMMITTEES.

Alderman Clark, from the Committee on Streets, reported leave to withdraw on petition of Edward Perkins and others, in regard to the assessment of betterments on Sturgis street. Accepted.

Alderman Sayward, from the Committee on Fanenil Hall, reported in favor of granting the use of Fanenil Hall to the Ancient and Honorable Artillery Company June 2. Accepted.

Alderman Cutter, from the Committee on Claims, to whom was referred the petition of Charles L. Beal to be compensated for injuries in body and estate by being taken to a smallpox hospital without cause, made a report recommending that the petitioner have leave to withdraw. Accepted.

Alderman Cutter, from the Committee on Paving, reported leave to withdraw severally on petitions of James Carbrey's heirs and others, to be paid for grade damages at 20 Athens street; Mrs. P. J. Fleming, for compensation for grade damages on Fourth street, No. 142; Thomas H. Carbrey, to be paid for grade damages at 22 Athens street. Severally accepted.

Alderman Power, from the Committee on Sewers, to whom was referred the petition of C. B. Barrett and others for a sewer in Clinton street from Blackstone to Commercial street, reported, that as a sewer already exists in Clinton street, therefore no action is necessary. Accepted.

Alderman Power, from the same committee, reported leave to withdraw on petition of John Wolf for a sewer in Russell place, Ward 15, Russell place being a private way. Accepted.

Alderman Clark, from the committee to whom was referred the petition of Henry Poor & Son and others, that the time for building on Fort Hill lots may be extended for one year, etc., made a report that as the Special Committee on Fort Hill Improvement by a vote of Dec. 6, 1872, granted the extension

of time asked for by the petitioners, no action thereon is necessary. Accepted.

Alderman Cutter, from the Committee on Paving, on the petition of Francis Brown and others, that Waltham street be paved, and the railroad tracks be removed from said street, reported an order of notice for a hearing on Monday, June 9, at 4 P. M. Accepted, and the order was passed.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses as follows: William Coffey, to give a dramatic entertainment at Institute Hall, May 30; James W. Bailey and others, to hold a fair at No. 3 Winter street, May 22-24; Chauncy Hall Battalion, to exhibit a drill of said battalion at the Boston Museum, May 22; A. Rubinstein, to give a concert in Tremont Temple, May 19; also, licenses to E. H. Shackford and Moses H. Libbey as auctioneers; also, to sundry persons, of wagon licenses, dealers in second-hand articles, as victuallers, and for transfer of hack and wagon licenses. Severally accepted.

The same committee reported leave to withdraw on petitions for licenses as victuallers, as follows: Ernst Gottschalk, 5 Essex street; Fred Paradise, Nos. 1421 and 1423 Washington street; M. J. Kane, 8 Merrimac street; Joseph Lambrecht, 148½ Hanover street. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables, as follows: Nathan Holbrook, to occupy a frame stable for six horses on Chickatanbut street, Ward 16; H. Richardson, to move a stable for four horses on Savin-Hill avenue; Wilson & Brother, to occupy a wooden stable for nine horses on Athens street, between A and B streets; Graban Hall, to occupy a wooden stable for one horse on Munroe street, No. 71; Engene McKenna, to occupy a wooden stable for seven horses on Third street, between A and B streets; also to W. B. Wilbur, to occupy a brick stable for fifty horses on Fourth street, No. 336, on condition that the frontage of said stable shall be of face brick, with brown stone trimmings, and placed eight feet from the line of said street. Severally accepted.

The same committee reported leave to withdraw on petition of George E. Clark & Co. for leave to occupy additional stalls for three more horses on Ward street, corner of Ward court, and of Eliza J. Ellingwood to occupy a wooden stable for one horse in Codman park, near Townsend street. Severally accepted.

Alderman Sayward, from the Committee on Health, to whom was referred the petition of the Metropolitan Railroad for extension of time in which to build their stable on Shawmut avenue, made a report recommending an extension of ninety days from the expiration of permit granted, Feb. 24, 1873. Accepted.

Alderman Clark, from the Special Committee on Fort Hill Improvement, to whom was referred the accompanying petition by the occupants of the city's land on Fort Hill, asking to be released from paying rent for the use of said land, made a report that when permission was given these parties to erect temporary structures on Fort Hill soon after the great fire of November, it was agreed and clearly understood by the parties that they were to pay to the city as rent for said land at the rate of six per cent per annum on the taxable value of the land occupied by them, and printed permits were granted to the parties with the express provision, as follows, viz.: "The said occupants to pay the city of Boston for the use of said land at the rate of six per cent, per annum on the taxable value of said lot as estimated by the Assessors for the current year."

The committee cannot understand why these parties ask to be released from an obligation so clearly agreed upon by them and distinctly set forth in the printed permits.

They therefore unanimously recommend that the petitioners have leave to withdraw.

Read and accepted.

Alderman Emery, from the Joint Standing Committee on Public Lands, to whom was referred the petition of Martin Hayes for an extension of time in which to build on the corner of Albany and Newton streets, made a report recommending the passage of the accompanying order:

Ordered, That the time for building upon two lots of land on Albany street and Newton street, as sold by the city to Martin Hayes, in June, 1871, be extended to July 1, 1874, upon condition that he pays to the Superintendent of Public Lands the sum of \$200 within ten days from the passage of this order.

The order was passed.

Alderman Emery, from the same committee, to whom was referred the petition of M. M. Ballou trustee, for change in condition of sale of land on Washington street, near Chester square, made a report recommending the passage of the accompanying order:

Ordered, That his Honor the Mayor be and he is hereby authorized, in behalf of the city, to execute

and deliver to Maturin M. Ballou, trustee for M. A. Ballou, an instrument releasing from lot numbering 111 on Washington street, as shown upon a plan recorded with plans of city lands sold, book 2, folio 4, in the office of the Superintendent of Public Lands, so much of the fifth condition set forth in the deed from the city to Paul D. Wallis, recorded with Suffolk deeds, lib. 698, fol. 75, as requires that the building erected upon said lot shall be used for no other purpose than as a dwelling house for the term of twenty years from June 12, 1855, provided that he gives to the city a bond made satisfactory to the City Solicitor, agreeing to hold the city harmless from all damages, costs, expenses and payments to which it may be liable, directly or indirectly, by reason of the premises. The order was passed.

Alderman Emery, from the same committee to whom was referred the petition of Richard Leeds, for an extension of time in which to build on the corner of Albany and Sharon streets, made a report, recommending the passage of the accompanying order:

Ordered, That the time for building upon two lots of land on Albany and Sharon streets, as sold by the city to Richard Leeds in June, 1871, be extended to July 1, 1874, upon condition that he pays to the Superintendent of Public Lands the sum of \$200 within ten days from the passage of this order.

The order was passed.

Alderman Emery, from the same committee, to whom was referred the petition of William R. Clark for leave to purchase the strip of land and dock, known as the "Town Slip," at the foot of Beleher lane and between Rowe's and Foster's wharves, made a report, as follows:

The committee find on examination that in February, 1872, Andrew C. Wheelwright petitioned the City Council for the purchase of this same strip of land and dock, which petition was referred to the Committee on Public Lands, who visited the premises and were unanimous in the opinion that it was not for the interest of the city to sell the same, and so reported leave to withdraw, which was accepted by the City Council on the 1st of May, 1872.

The city then leased to the Rowe's Wharf corporation the said strip of land and dock for a term of ten years at the rate of \$500 per annum, reserving the right to use the same for drainage purposes.

The committee, in view of the facts as above set forth, are clearly of the opinion that it is inexpedient to sell said strip of land, and would recommend that the petitioner have leave to withdraw. Accepted.

Alderman Emery, from the same committee, to whom was referred the petition of William R. Clark and others, trustees, for conveyance to them of a piece of land in Ward 16, made a report as follows:

The committee upon examination find that the records of the town of Dorchester show that on the 16th September, 1839, the inhabitants of the town of Dorchester, at a legal town meeting duly called and held, passed the following vote:

"That a piece of land be given to the proprietors of the Lyceum for a site for a hall on the Meeting House Hill, bounded on the south by the street running to the shore called East street, and on the north by the parish land; on the west by the road running front of the meeting house, called Winter street, and extending easterly so far as the parish lot extends."

The committee also learn from persons who were present at said meeting that the vote recorded was not correct, as the one submitted contained the words "to be used for public purposes only," and was so understood by all who subscribed to the stock for the erection of the present building, and the numbers were very large, but of late years have become so reduced that at the present time it is owned by five or six persons, who were anxious to obtain from the city a deed of the premises, so as to enable them to sell said property, believing that they possess at the present time all the title which was intended by the vote of Sept. 16, 1839.

The committee would therefore recommend that the petitioners have leave to withdraw. Accepted.

Alderman Emery, from the same committee, to whom was referred the petition of Benjamin Clapp for leave to purchase a lot of land belonging to the city on Norfolk and Madison streets having visited the premises and fully considered the same, are convinced that it is inexpedient to sell said land at the present time. They therefore recommend that the petitioner have leave to withdraw. Accepted.

ORDERS PASSED.

On motion of Alderman Power—

Ordered, That the Superintendent of Streets be directed to grade Cottage street, from Stoughton street to Dorchester avenue, to build retaining walls where required, and macadamize the roadway of said street; also to remove all obstructions extending over the lines of said street, as ordered by the Board of Street Commissioners.

Ordered, That the Superintendent of streets be directed to close Fourth street against public travel at the New York & New England Railroad during the building a new bridge over said railroad.

Ordered, That the Superintendent of Streets be directed to pave the sidewalks on Dorchester street, between Dorehester avenue and the Old Colony & Newport Railroad Bridge, and on Dorchester avenue, near Dorchester street, and to report to this Board a schedule of the expense thereof.

Ordered, That there be paid to John J. Williams the sum of \$200, in full compensation for all damages caused to St. Joseph's Church estate, Circuit street, by the lowering of the grade of said street, as ordered by the Board of Aldermen Sept. 26, 1871, upon the usual conditions; said sum to be charged to the appropriation for Paving.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Shawmut avenue, between Circuit and Cedar streets, and to report a schedule of the expense thereof to this Board, pursuant to law.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Clifford street, and to report a schedule of the expense thereof to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in East street, Ward 16, and to report a schedule of the expense thereof to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Sixth street, between H and I streets, and to report a schedule of the expense thereof to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Fountain street, and to report a schedule of the expense thereof to this Board.

On motion of Alderman Gaffield—

Ordered, That the salaries of the teachers of the Normal School, so called, as established by the School Committee, be allowed and paid up to the first day of June, 1873.

Alderman Gaffield replied to an inquiry of Alderman Stebbins that the order was designed simply to pay the salaries for services rendered, and not beyond the time named, which would be the end of the school.

The order to amend the police rules and regulations in certain particulars was taken from the table and passed.

On motion of Alderman Gibson—

Ordered, That the Committee on Police be authorized to print one thousand copies of the rules and regulations for the government of the Boston Police and bind a portion of the same in such form as may be convenient for daily use by the officers; the expense to be charged to the appropriation for the Police Department.

Alderman Clark submitted the following orders to pay, which were severally passed, to be charged to the Burnt District Loan:

Order to pay James Leeds \$40,052, for land taken to widen Franklin street; also, to pay James Leeds \$88,000, for land taken to widen Congress street.

Order to pay Joseph B. Moors \$14,500, for land taken to widen Congress street, and to pay said Moors \$1530, for land taken to widen Matthews street.

Order to pay Rufus G. Norris \$7500, for land taken to widen Congress street.

Order to pay James Tucker & Co. \$1575, for land taken in the name of G. W. and F. Smith, for the widening of Federal street.

Order to pay Charles F. Shimmie and A. G. Van Zandt \$3750, for land taken to widen Hawley street.

Order to pay George H. and W. P. Kuhn \$75,738 for land taken in the name of the heirs of Freeman Allen for the widening of Franklin street.

Order to pay William Faxon and W. C. Elms \$1949, for land taken to widen High street.

Order to pay R. C. Waterston \$5894, for land to widen Milk street.

Alderman Clark offered the following order:

Ordered, That the Committee on Common and Public Grounds be authorized to erect an iron fence around the square on Commonwealth avenue, between Dartmouth and Exeter streets; also to raise the grade of said square, cover it with loam and sod, and lay out walks over the same; the expense, not exceeding the sum of \$8000, to be charged to the appropriation for Common and Public Grounds.

Alderman Gibson opposed the passage of the order, as unnecessary, when it is becoming the practice in New York and elsewhere to remove iron fences and leave such grounds uninclosed, and as a high price for a fence around the space to be inclosed.

Alderman Clark stated that the order was to carry out the plan which had been commenced in enclosing the ground in the centre of Commonwealth avenue, and was agreed upon in Committee on Common. The expense was not entirely for the fence, which would cost but \$2000, but included grading, curbstones, etc. At a proper time he should advocate the removal of the fence of the Common at Tremont street, and the setting of a curbstone inside the mall, but would not interfere with the fencing of Commonwealth avenue. On this portion of the avenue, a large number of expensive houses had been put up,

of a taxable value of a million dollars, and the ground should be inclosed to correspond with that already inclosed.

Alderman Sayward believed there was no necessity for the fences, which should be removed, as in New York around the squares.

Alderman Clark stated that it would cost three times the expense of this inclosure should the other fences be removed, in the setting of new curb stones, the old ones being rendered useless from the holes in them for the iron, and the fence would only sell for old iron.

Alderman Emery opposed the erection of more iron fences, and believed the removal of the existing ones the sooner the better.

Alderman Power said he was not present when the committee voted in favor of the order, and hoped it would be laid over.

Alderman Gibson further urged that light was coming in in relation to such matters, and that ninety-nine in a hundred would prefer the appearance of grounds uninclosed, as was shown in the removal of fences in New York.

Alderman Clark said he could not object to laying the order over if it was desired, yet the Superintendent of the Common was anxious to begin the work of grading the grounds, which was now late, and he did not wish to begin a new project which would involve a large expense in the removal of the fences already put up.

Alderman Sayward objected to putting up fences which it might be desirable to remove in another year.

Alderman Clark said it might be well enough to remove fences from little squares in New York, yet he did not doubt the Aldermen would hate to see the fences removed from the squares in East Boston, on Meetinghouse hill and on Independence square.

Alderman Power said he thought the time had gone by when public grounds were improved by fences so far as beauty is concerned, and as allusion had been made to the selling of the fences for old iron, and the expense of new curbstones, he would be willing to put down new curbstones, and take his pay in the fences.

The order was rejected.

On motion of Alderman Gaffield, the report and order for a loan of \$20,000 to be added to the amount already authorized for erection of grammar schoolhouse, Dudley District, were taken from the table for consideration.

Alderman Clark inquired whether the plans were satisfactory to the committee, for from the former discussion he did not feel sufficiently enlightened to vote upon the subject.

Alderman Gaffield replied that the order was laid on the table on his motion, for the purpose of further consideration of the question of lighting the rooms. It was not designed, however, to make any change, and he had in his possession a letter from a distinguished oculist, Dr. Williams, in relation to the effect which the lighting of rooms would have upon the eyesight of the pupils.

Alderman Sayward stated that it was voted unanimously in the Committee on Public Buildings in favor of the plans proposed. The windows were much larger than in any other schoolhouse, and well fitted for trying the experiment of lighting the rooms on one side. Yet the whole end and aim of the opposition was the object of the enlargement of the schoolhouse.

The order was passed.

ORDERS OF NOTICE.

On the petition of Charles Dnpee for leave to locate and use a steam engine and boiler at Nos. 30-32 Lan-easter street. Hearing Monday, June 9, 4 P. M.

On the proposed construction of a sewer in Harrison avenue, between Malden and Union-park streets. Hearing Monday next, May 26, 4 P. M.

On the proposed construction of sewers in Neponset avenue, between Taylor street and Neponset River; Taylor street, between Neponset avenue and Wood street; Wood street, Walnut street, Water street, High street and Ericsson street—all in Ward 16. Hearing Monday next, May 26, 4 P. M.

COMPLIMENTARY TO THE CITY CLERK.

Alderman Stebbins said it gave him great pleasure to offer the following order:

Ordered, That in consideration of the valuable services rendered to the city by Samuel F. McCleary, during the period of nearly twenty-two years that he has held the office of City Clerk, and also in consideration of the fact that he has been prevented by the pressure of official duties from taking the customary vacation granted to other city officers, there be allowed to him a vacation of three months, beginning on the first of June next, and that his salary be continued during that period.

Alderman Stebbins, in support of the order, said that while it would be a surprise to the City Clerk, it was due to him for his long and faithful services, and it had the approbation of the members of the committees, of the City Council, and of the whole

community. Arrangements had been made by which the duties of the office would be performed by Mr. Bugbee, and there would be nothing to prevent his obtaining that recreation and release from his arduous duties, which he so much needs.

Alderman Power stated that since he had had the honor of a seat at this Board, no order had ever been offered that he saw the duty and pleasure of voting for so clearly as this one. There was no honor that this Board has the power or privilege of voting to Mr. McCleary that he has not proved himself worthy of, and for a whole life of faithful devotion to the interests of the city, he was sorry that they had not the privilege of paying him a more substantial token of their esteem than the one proposed in the order offered. Anything further which he could say would be superfluous.

Alderman Gaffield said it gave him peculiar pleasure to second the order. Referring to his long acquaintance with Mr. McCleary, commencing nearly forty years ago, while they were in school together in the Latin School in Schoolstreet, he knew him as a faithful student, and paid a high compliment to his fidelity and worth in the discharge of the duties of his office. In its public officers, particularly the Treasurer, Auditor and City Clerk, he deemed the city to be very fortunate, and in the last-named office, it had ever been in the same family. No more just and grateful duty could be performed than in the passage of the order, giving to one who has served the city faithfully for twenty-two years without a single month's vacation an opportunity to get relief from the duties of the office. The vacation should be a longer one, and he would wish that it should be for six months.

Alderman Clark said this was but a small tribute to a faithful public officer, whose services they could not very well spare, and one whose services they hoped to retain for many years to come. He trusted that his modesty would not prevent his accepting the vacation, which would allow him three months in which to go abroad and prove beneficial to his health. It would have the hearty approval of the present Board, and of the members of every Board who had ever sat around this table. He was happy to have such an opportunity to vote for the order.

Alderman Sayward said it would perhaps be better that no one should say anything more, for if they did say much more, the City Clerk would not be willing to go away. He had thought the present City Government was very illiberal, but if this order should be passed, he should think better of it.

Alderman Gibson heartily indorsed the order, and gave his testimony to the faithful services of the City Clerk during the six years of his connection with the City Government.

Alderman Quincy referred to the remark of Dr. man B. Eaton of New York, at the late meeting of the Social Science Association, in relation to the corruption of city governments, and of the selfishness of city clerks, and cited the reply of ex-Mayor Quincy, that there was no change of city clerks in this city, their average term of service being forty or fifty years. That was the secret of our good City Government.

The question was taken on the passage of the order.

Mr. McCleary asked leave to address the Board, and expressed his obligation to the Board for the vote, the order being totally unexpected to him. Yet it would be impossible for him to accept the offer to take a vacation and he hoped the order would not be passed. He could not avail himself of their kindness for it would be impossible for him to go away, and he could not get rid of the care which the duties of the office imposed upon him.

Alderman Clark urged that the order was designed to give the City Clerk an opportunity to regain his health, and it was hoped that he would live long years to come.

Alderman Gibson suggested that the order might be modified to meet the wishes of the City Clerk.

Mr. McCleary replied that he could not be happy away, and that it was a rule with him that no one should complain of his neglect of business.

Alderman Sayward was not surprised that the City Clerk wished to be where his work is to be done, but he hoped he would change his mind on the subject, and moved to lay the order on the table, which was carried.

Alderman Clark called attention to the order relating to Commonwealth avenue, which had been rejected, and after some remarks by him and Alderman Power, the rejection was reconsidered, and the order was laid on the table.

Alderman Clark said he had a letter from Alderman Hulbert, who was obliged to go to Europe on account of the sickness of his son, and in this letter he expressed a willingness to resign his seat at the Board if it was thought necessary. He did not believe it to be necessary, and took this occasion only to refer to the necessity of the absence of the Alderman, which it was hoped would not be for a great length of time.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,
MAY 22, 1873.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, E. O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of John S. Weeks and of Thomas W. Carter were severally referred, in concurrence.

The petition of the Boston & Providence Railroad Corporation being under consideration, Mr. Shaw of Ward 5 said the petition presented a singular case, not being addressed to the Common Council, but simply to the Board of Aldermen. It presented a case of a good deal of novelty before us. The corporation asked that a petition on which a report and order had been made and action had been taken and rejected, may be withdrawn. The petition and the accompanying papers are not now before the Board, and it would be impossible to withdraw the petition.

Willing to give the Board of Aldermen credit for courtesy in sending a petition here which was not addressed to this branch, he yet contended that no such action could take place as was asked for. As well might they ask to take from the Senate or the House of Representative papers on file there. He supposed that the only object of the railroad corporation was to get themselves out of the predicament in which they found themselves, and he saw no other way in which it could be done, except by an indefinite postponement of the whole subject, and such a motion he made.

Mr. Perkins of Ward 6 said he was not present when the subject to which the petition related was under consideration, and did not know how he might have voted had he been here, yet he did not see any difficulty in relation to the withdrawal of the petition. It was not an unusual thing for a committee upon which his friend before him acted to report leave to withdraw on claims submitted to them, and if the committee could report that the petitioner have leave to withdraw he did not see why a party could not ask to have his petition withdrawn. It would be a discourtesy to refuse the request, and he hoped leave to withdraw would be granted.

Mr. Shaw replied that there was no comparison or shadow of comparison between the case now before the Council and the cases referred to by the gentleman from Ward 6. In this case the Council decided to reject the petition, and it could not be withdrawn, for they had not got it, and there were no papers to withdraw. There was no parallel at all in the cases. They could not dissever the petition from the rest of the papers. The petition was presented, action was taken, and consequently all the papers were rejected. The petition could not be taken from the order, for such a thing was unheard of in history. The record was for all time, and was already made by the clerk upon the papers, and the petition could not be given to the Providence Railroad. It could only be by a motion for reconsideration of the action taken that it could be reached; otherwise the Council would stultify itself. It was a well-known axiom in parliamentary law that you cannot do by indirection what you cannot by direct action, and consequently there was no course to pursue but either to non-concur or by indefinite postponement.

Mr. Denny of Ward 9 questioned the course of reconsideration, for the railroad corporation did not wish to have the matter an open question; therefore it was that they had asked leave to withdraw the petition. The Board of Aldermen had acted upon the petition, and the question was, whether the Council would concur or non-concur. It was a perfectly proper course to give them leave to withdraw at their request, and not only so, it was but courteous to do so.

Mr. Shaw wished them to look at the consequences of the proposed action. If they non-concurred the matter would go back; if they concurred it would be proposing to do what they could not carry out. They could not give back the rejected paper, for to attempt to do it would be an unheard-of thing, and make them the laughing stock of every legislative body in the land. The only way to do was to refuse to agree to a thing which they could not legitimately do.

Mr. Pease of Ward 1 believed the matter to be perfectly plain. The former request of the corporation required concurrent action, and inasmuch as this

branch did not concur, the corporation ask to withdraw their request.

Mr. Shaw stated as the position of the corporation, that they wished no further action. The Council could do nothing unless they reconsider their former action, and it could be done only at a proper time and by a proper party. No further action had been taken, and there could be none, because no one had taken a step towards it.

Mr. Dean of Ward 12 said that while there was something in the reasoning of the gentleman from Ward 5, he could not see a necessity for the action proposed by him. The Council having passed adversely upon the claim, and it being rejected, it was alive no longer. This would be supposed to send them back to their original contract. By some means the solicitor of the corporation does not seem to think that the rejection of the order places them back upon the contract, and asks to withdraw the petition, that they may stand as originally. They think there is some question of it, and if we think they now stand on the original contract, there can be no objection to their withdrawal, that they may both stand as originally. Although it is a common thing to report leave to withdraw, it is never physically so, for he had never known parties to take back their petitions. It was a legislative measure to say that they could give nothing, and the parties say they are ready to take nothing. It was therefore right and proper to concur in the action of the Board.

Mr. Shaw said that in this stage of the proceedings he wished the Chair to rule on the subject.

The Chair stated that there was no point of order to be ruled upon.

Mr. Shaw said he would raise a point of order.

The Chair stated that the petition and nothing else was before the Council.

The question was taken on the motion to indefinitely postpone, and it was lost.

The Chair stated the question then to be on concurring in the action of the Board to give the parties leave to withdraw.

Mr. Shaw wished to know of the Chair what the consequence would be to concur in this stage of the question, for it was not competent for the Council to attempt to carry out the terms of concurrence, in severing the petition from the other papers. He wished to raise this point of order, what the effect would be if concurrence should be carried.

The Chair stated as to the effect of this action, that it would have no effect whatever. There was nothing to withdraw, and there could be no effect either way.

The question was taken on concurrence, and was declared to be carried, when a doubt was raised by Mr. Shaw.

A count showed a vote of 31 to 1.

The reference to Committee on Water of a request of the Water Board for an additional appropriation of \$115,000 for extension of main pipes in Wards 13, 14, 15 and 16, and of \$234,000 for reservoir on Parker Hill, was concurred in.

The following reports were accepted, in concurrence:

Reports of leave to withdraw on petitions, viz.:

Of Benjamin Clapp, to purchase land on Norfolk and Madison streets.

Of William R. Clark et al., for conveyance to them of a piece of land, Ward 16.

Of William R. Clark, for leave to purchase Belcher's-lane slip.

Of Charles L. Beal, to be paid for being taken to smallpox hospital without cause.

The following orders were severally passed, in concurrence:

Report and order for extension of time to July 1, 1874, for Martin Hayes to build on two lots of land on Albany and Newton streets.

Report and order for extension of time to July 1, 1874, for Richard Leeds to build on two lots of land on Albany and Sharon streets.

Report and order authorizing the release of a certain condition on lot 111, on a plan of city lands, on Washington street, on the terms and conditions set forth in said order.

Order amending the order authorizing the Treasurer to borrow \$60,000 for the purchase of land for primary schoolhouse, Ward 6, so as to read "Ward 9."

The order to allow and pay the salaries of Normal-School teachers up to June 1, 1873, was read once.

REPORTS ON SMALLPOX-HOSPITAL CLAIMS.

The following reports were considered:

Report and order to allow and pay to Holohan & Maguire \$1210, for plumbing for smallpox hospital on Swett street, destroyed by fire. (City Doc. No. 64, 1873.)

Orders to transfer and assign to William Smith & Co. the city's interest in three insurance policies

effected by said Smith & Co., on a building which they had contracted to erect as a smallpox hospital, and which was destroyed by fire before it was delivered by the contractors; and for City Clerk to attach a copy of the above order to each of said policies.

Minority report on claims of Smith & Co.

Mr. Blackmar of Ward 11 inquired how the question stood for action.

The Chair stated the question to be on giving the order on the claim of Holohan & Maguire a second reading.

Mr. Blackmar further inquired whether the matters as reported upon in the majority report were to be acted upon separately?

The Chair stated that the question first was on giving the order appended to the report a second reading. If there was any objection the question could be put in two forms—first on accepting the report leave to withdraw on petition of Smith & McGaragle, then on the passage of the order, or by action upon the order first.

Mr. Wells of Ward 3 moved to substitute the order appended to Alderman Quincy's minority report, for that portion of the report in Document 64 giving Smith & Co. leave to withdraw.

The Chair stated the question to be on the adoption of the substitute.

Mr. Denny of Ward 9 said the report of Alderman Quincy had no reference to Document 64, and asked if it was meant to substitute No. 73 (Alderman Quincy's) for the order on page 5, No. 64.

Mr. Wells replied that the substitute was for that relative to Smith & McGaragle.

The Chair stated that the question would first be taken on the order relative to Holohan & Maguire, and then on the report relative to Smith & McGaragle.

Mr. Wells withdrew his motion.

The order to pay Holohan & McGuire \$1240 was ordered to a second reading.

On motion of Mr. Wells, the rules were suspended, and the order was passed.

The question was then stated to be on the acceptance of the report (leave to withdraw) on the petition of Smith & McGaragle.

Mr. Wells moved to substitute for the report the order appended to Alderman Quincy's report, No. 73, as follows:

Ordered, That all sums in excess of \$5000 collected by the City Treasurer on certain policies of insurance on William Smith & Company's interest as contractors in the smallpox hospital on Swett street, destroyed by fire, be paid over to William Smith & McGaragle, the contractors aforesaid.

Mr. Barnes of Ward 11 inquired if this was not an order different from that passed by the other Board.

The Chair stated that there was another order in reference to assignment of policies of insurance.

Mr. Blackmar said he hoped the order proposed as a substitute would prevail. It had the sanction of the Committee on Claims, and had all the facts in the case been known to the committee when their report was made, it would have been reported by them.

The motion to substitute the order for the report (leave to withdraw) was carried.

The order was read and ordered to a second reading, and under a motion of Mr. Blackmar for a suspension of the rules it was passed.

The Chair stated that there was another order, that which was passed by the other branch.

Mr. Perkins of Ward 6 suggested whether, in passing the other order, they did not dispose of this one.

Mr. Wells moved to reconsider to bring before them the other order.

The Chair stated that the motion was not in order.

Mr. Denny of Ward 9 believed some gentlemen did not understand the question. They could not properly pass both orders, to transfer the policies of insurance and pay \$5000 besides to Smith & McGaragle.

The Chair stated, in answer to an inquiry, that the question was on the second reading of the order.

Mr. Blackmar said the question stood exactly right now; they had passed the order to pay the plumbers, and it was exactly right, as the gentleman from Ward 9 says, to pay, as proposed, to Smith & McGaragle, the excess of \$5000 collected on their insurance policies. This order, then, ought not to pass.

To a question of Mr. Wilbur of Ward 9, whether the order passed was the same which was passed by the other Board, the Chair stated that it was not.

Mr. Barnes of Ward 11 believed the order which was passed was passed under a misapprehension, and moved to lay this order on the table for the purpose of reconsidering the passage of the other, but subsequently withdrew the motion.

Mr. Shaw stated as the difference in the matter, that while one party made the insurance the other held the policies of insurance. But why transfer

the policies? Who insured the building, the city or Smith & McGaragle?

Mr. Dean of Ward 12 believed there was no technical difficulty in the way, and that the two orders might well go together. The order passed authorizes the Treasurer to pay over all the excess of \$5000 collected on the policies. If there was none collected, there would be none to pay. These orders assign all the city's interests in the policies of insurance, and it was utterly immaterial so far as affected the policies. He was free to say that he was decidedly in favor of transferring to them all the city's interests in their policies.

Mr. Denny wished to know if the gentleman does not understand, that if the city assigns these policies of insurance, it gives up also the \$5000 held as collateral for the money advanced to them.

Mr. Dean replied that he proposed by passing the order to give \$5000 more than if the matter stands where it does now. It was a complicated case he was free to say, yet from the reports and discussions, he had come to the conclusion that this claim was a just and equitable one. The only question was, whether it was legal and justifiable to pay the amount. If there was no legal difficulty, where does it stand? The plumbers' case was different from this. The reason given was that the city made use of its settlement some of the burnt materials, which would be some evidence against the city in contesting it.

The petition of the claimants say, that they were to put the building in possession of the city on the succeeding day, and the evidence goes to show that the city was virtually in possession, having put stoves in the building, and had a watchman there, and perhaps the maintaining of fires had something to do with the fire which burned the building. For that reason he thought this was an opportunity to do justice, and to go as far as to pay all the claims.

Mr. Denny said he hoped the Council would see the matter in a right light. Pass the order to transfer the \$10,000 in insurance policies and the claimants would get \$15,000, and the city would have nothing. Reject the order, and the parties would come here with their petition as in other cases, and the committee would report on its merits.

Mr. Holmes of Ward 6 opposed the passage of the order, believing the city should hold some security. The parties ought to have insured the building for its full value, and in not doing so should bear the loss. The question, then, was whether we or the builders should bear the loss. By the city's bearing the loss, contractors would run greater risks in dealing with the city than with private individuals.

Mr. West of Ward 16 contended that this order should be rejected; then if the parties think they have a claim against the city, they can come by petition and get a decision on its merits.

Mr. Wells said that gentlemen don't seem to understand that it is the insurance these parties are after. They had not received \$10,000, and only \$5000.

Mr. Pease of Ward 1 said it was clear that the question was not understood; he thought he did understand it, but he did not; he thought it should go over, and moved to lay it over.

Mr. Denny said it was a most common thing to loan money and take insurance policies as security. The city paid \$5000 and took as collateral policies to the amount of \$10,000. They had no right to retain more than \$5000 of the proceeds. So much over belongs to the contractors, and to pay it over to them was exactly right. Having met with a loss, they can come to the city, and it can be acted upon directly. On the other hand, the transfer of these policies contemplates not retaining anything but the payment of the entire sum of \$15,000, which will about liquidate their claim. This was a wrong way to liquidate it.

Mr. Flynn of Ward 7 said he did not understand the question as stated, and that it was believed the parties were not entitled to collect the insurance without the passage of this order. He thought the majority of the members believed they voted for the order as it came from the Board of Aldermen.

Mr. Shaw thought the matter to be clear, as might be learned on page four of Alderman Quincy's report.

Mr. Blackmar thought the subject had been thoroughly considered. The gentleman from Ward 9 was right in relation to the matter, and he believed the order was a measure of disguise for the payment of the claim in full. If it was admitted that the building was accepted, that ends the matter, and the policies cannot be collected. Should we pay \$10,000 on the contractors' risks, and assign the policies, it will be a virtual acknowledgment of the acceptance of the building, and if not on the contractors' hands the insurers will never pay.

The argument would be if the building was the city's they would not pay, because they did not in-

sure for the city, but for the contractors, and if it was the contractors, they would be liable. He repeated that it was an order in disguise for the payment of the whole claim. The plumbers' bill was paid because the circumstances were different. In this case they were sorry for the contractors as they were sorry for the loss of a large amount of property blown up in the great fire, in which the city was not liable because the law was not complied with. So it was in many other claims which came before the committee, of a poor woman in breaking an arm, yet the city was obliged to dispense by law what they take by law.

Mr. Wells could not see the matter as stated, for if the city did not own the building, it had no legal right to claim the insurance on it. If this order should pass, he would move to reconsider the former one.

The Chair stated the question to be on postponement of the order.

Mr. Denny said there was no doubt in regard to the right to assign policies of insurance. The city took insurance policies as security for a loan, and the city only could receive the pay on such policies, and sign a receipt for them. By the terms of the contract the policies are made payable to the city, not as an owner but as collateral security. It is the usual way of receiving surety in such cases.

Mr. Flynn thought the gentleman from Ward 11 must be inconsistent, since he signed the other minority report, No. 64, to give the petitioners leave to withdraw.

Mr. Blackmar replied that in either event the city was protected, and there was no inconsistency. If a good case could be made on its merits, then they would be paid. The insurance companies had not offered to pay these policies, and in his opinion they were waiting to see what the action of the city will be.

Mr. Dean believed it would be of no earthly consequence in the settlement of this question, should these transfers be made. He would make the payment as full as possible against all possible claims against the city. He denied that there was any disguise in the matter. The result would be that the city gives \$10,000 and loses its collateral. There would be no difficulty in the collection of the policies.

Mr. Denny said the gentleman from Ward 12 had stated correctly that under this order the city would pay \$15,000. If the Council was ready to vote to pay it they might do so, but they should not do it under a misapprehension.

Mr. Blackmar said if this was passed it gave it to the parties without a legal claim, which they had no right to do. He hoped they would not concur in the passage of the order.

Mr. Wells hoped the order would pass. He had no doubt the building would have been accepted if certain gentlemen on the committee had acted fairly and honorably towards the parties. [The Chair called to order for reflecting upon members of committees.] He was willing to pass this order.

Mr. Flynn inquired if the question was not required to lie over under the rule.

The Chair replied that as it was a question involving money transactions it would lie over.

To a question of Mr. Pease by the Chair, that it did go over, Mr. Pease withdrew his motion.

The question was taken on ordering the orders to a second reading, and was declared to be lost, when Mr. Flynn raised a doubt, and moved a verification of the vote by yeas and nays.

The motion was carried, and the orders were ordered to a second reading, by a vote of 25 yeas to 24 nays, as follows:

Yeas—Abbott, Anderson, Barnes, Bicknell, Burt, Catton, Collins, Dacey, Dean, N. Doherty, T. H. Doherty, Flatley, Flynn, Jones, Kingsley, Loring, Marston, McKenny, Risteen, Shaw, Thacher, Warren, Wells, Weston, Whiston.

Nays—Adams, Blackmar, Boardman, Bowles, Brackett, Brennan, Burditt, Cudworth, Darrow, Davis, Denny, Fine, Holmes, McCue, Page, Pease, Perkins, Prescott, Train, Upham, West, Wilbur, Woods, Woodward.

The report and "an ordinance providing for the care and education of neglected children" being under consideration—

Mr. Burditt of Ward 16 inquired wherein it differed from the existing ordinance.

Mr. Dean replied that under the ordinance this class of children were subject to being sent among vicious children, but as they were not of that class, being the neglected, provision was made in this ordinance by sending them to the Almshouse.

The ordinance was read twice, and passed.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Report and order to place a horse hose carriage in the house of Engine No. 18, at an estimated cost of \$1500.

Report and order to place a horse hose carriage in the house of Engine No. 7, at an estimated cost of \$1500.

Report and order to place a horse hose carriage in the house of Engine No. 23, at an estimated cost of \$1500.

Order to advertise for proposals for reporting and publishing an abstract of the business and proceedings of the City Council, for one year, at not exceeding \$4500.

Report and order authorizing an expenditure of not exceeding \$5000, for improving Independence Square, South Boston.

Order to pay the bill of Elliot Ritchie, of \$4078 75, for furnishing five hundred and two tons of coal for the East Boston ferries.

The following orders were laid on the table:

Orders authorizing the purchase of 7600 feet of land on Dudley and Forest streets, at not exceeding \$1 50 per square foot, as a site for Hook and Ladder House Four; and for a transfer from the Reserved Fund of \$12,000 for the purchase of said land, and for plans of such house.

Orders authorizing the erection of a police station house on city land on Fourth street, between K and I streets, at an estimated cost of \$45,000; and for a loan therefor.

Order to allow and pay \$600 per annum for rent of armory of Company B., Ninth Regiment, M. V. M., in hall 577 Washington street.

PETITIONS PRESENTED AND REFERRED.

Prescott & Chapin, for permission to erect a wooden building for a coal shed within the building limits of the city on Liverpool wharf.

Tileston & Hollingsworth, for leave to erect a wooden building beyond the legal dimensions.

Joseph D. Fuller, for leave to locate a building within the building limits.

Severally referred to the Committee on Survey and Inspection of Buildings.

A communication was received from the Clerk of Committees announcing that he had appointed to fill the vacancy as assistant-clerk William W. Clapp. Ordered to be sent up.

A petition was presented from members of the Standing Committee of the Washington and Dudley School District, in relation to the plans for the new grammar schoolhouse on the City Hall lot, in which they represent that the plans have the unqualified and unanimous disapproval of the committee of the district, that the ends or corners of the building are to be occupied by stairways and offices and superfluous small rooms for teachers, and the schoolrooms are to be confined to the centre of the building, which arrangement allows them light and ventilation on one side only. After giving further reasons against the use of said plans, they ask that the proceedings may be stopped in the erection of the schoolhouse until the plans of the building shall have been modified in accordance with the views of the committee, or until they shall have had a further hearing on the subject.

Referred to Committee on Public Instruction.

REPORT ON THE BURRILL CLAIM.

The Committee on Claims submitted in print, through Alderman Cutter, as their chairman, a report that they were unable to agree on the subject of the claim of Charles Burrill against the city, and therefore ask leave to present several accompanying reports, expressing the views of the individual members of the committee.

The first report, signed by Alderman Quincy and Mr. Wilbur of the Council, states that at the hearing given upon the said petition, the petitioner's counsel did not reopen the case upon its merits, but argued in support of the position that the present City Council were bound to carry out the order for the payment of \$40,000, in accordance with the act of the Legislature empowering the city so to do. The undersigned, under the advice of the City Solicitor, are of the opinion that the order in question, being for the payment of a claim which had been declared illegal by the courts, was beyond the power of the City Council and *ab initio* void.

The act of the Legislature could not therefore validate the original order, but could at most authorize the present City Government to pass another in conformity thereto. The claim having been declared illegal, and its payment a purpose to which we have no right to apply the taxpayers' money, the Legislature has undertaken to remove that objection to the extent of \$40,000. We are therefore authorized, but in no sense bound, to carry out the decision arrived at by a former City Government, and in order to de-

cide whether it is for the interest and honor of our city that the claim should be settled by the payment thus authorized, or by any payment, the undersigned have thought it their duty to examine and weigh the recorded evidence and arguments in the case, as the petitioner did not see fit to reopen the same upon its merits.

In an examination of the evidence in relation to the present attitude of the claimant, they refer to his refusing the offer of \$125,000 in settlement of his claim, and his putting the city to the expense of defending two suits at law, in both of which he failed. They fail to perceive that he was entitled to any specially favorable consideration in the fact that he withdrew certain exceptions on which he might have carried his case to the Supreme Court, and in withdrawing them, he chose that in which his only chance remained of obtaining his claim. They therefore consider both the legal and equitable rights of all parties exactly as if no exceptions had been filed.

In an examination of the claim itself, it is stated that Mr. Lincoln, after some demurring to the indorsement of the list of back navy enlistments, on which to obtain their acceptance, complied with the request. On this they say, "had there been no contract, what would Mr. Burrill have considered to be his claim against the city resulting from this action of the Mayor? Clearly to be reimbursed the value of his services and legitimate expenses in preparing the list, and for the same services and legitimate expenses in getting the same accepted. That under the head of legitimate expenses might be included some \$80,000 for lobbying a bill through Congress could hardly have entered his mind."

But Mr. Burrill was employed by the city, and did something both here and at Washington, and the result of his labors was the list of six thousand names which the city authorities decided to accept, on the assurance, as is testified on their side, that such acceptance should not prejudice their case—that is, should not be an acknowledgment that they were liable for \$125 per man under the contract. Whether such assurance was given or not, it is now evident that such acceptance did not render the city liable under the contract. What, then, should the city pay Mr. Burrill? Nothing, says the City Solicitor, because the evidence shows a fraudulent attempt to obtain an enormous sum by applying the terms of a contract to a class of cases never contemplated, and by pretended payments which were never made.

They do not, however, agree that the city should not pay anything, and in settling the question they say the amount should embrace all legitimate expenses connected with the work which Mr. Burrill was employed to do. In looking at the list of expenses, as given on his own testimony in the Circuit Court, they find put down to Mr. Roberts for three weeks' services in the wards of Boston, \$6000 or \$7000; Mr. Sherburne, clerical work on the Ohio, \$3000 to \$5000; officer's clerk, name unknown, \$1000 or \$1500—making a total of \$13,500.

Mr. Burrill afterwards remembers items as follows: Paid in Washington, \$6850; verifying lists at naval bureau, \$3300; petty expenses on board ships, \$4500; paid enrolment in Boston, \$18,000; total, \$32,650. Of these two statements they feel bound to accept the first, and this amount, with such an allowance for the value of his own services, making the sum \$15,000 they are inclined to offer for several reasons. His employment to obtain back credits, induce men in service to credit themselves to Boston, or even to persuade rebel prisoners to do the like, they do not regard as an action which can be considered as a source of pride, and in view of the fact that the continuance of the controversy is not likely to enhance the reputation of either party, and that the Legislature has undertaken to authorize a payment, they think it for the honor and dignity of the city to make the offer which they recommend.

They conclude with recommending the passage of the following preamble and order:

Whereas, The Legislature of this State did, on the fourteenth day of April, A. D., 1871, pass an act in the words following, to wit: "The city of Boston is hereby authorized to pay to Charles Burrill of Brookline, the sum of forty thousand dollars, in satisfaction for all services rendered and money expended by him in procuring credits upon the quota of volunteers of said city during the war of the rebellion, in conformity to the order passed by the City Council of said city, and approved September 12, 1870, and may raise said sum by taxation or otherwise."

Now, therefore, it is hereby

Ordered, That there be allowed and paid to Henry W. Paine, the assignee of Charles Burrill, the sum of fifteen thousand dollars in full settlement for all services rendered and money expended by him in procuring credits upon the quota of volunteers of the

city of Boston, during the war of the rebellion, and that the same be charged to the fund appropriated for Incidental Expenses; provided, That such receipts and discharges shall be executed both by said Burrill and said Paine as shall be satisfactory to his Honor the Mayor and the City Solicitor.

Messrs. Blackmar and Train of the Council assent to the conclusions of the foregoing report, except in regard to the non-allowance of interest.

The next report, signed by Alderman Gaffield, is of much greater length. He refers to City Documents No. 98, 1869, and No. 53 of 1872, as containing the evidence necessary to a thorough understanding of the claim, and he remarks that it is evident the citizens in general do not understand the matter, because they have only heard partial statements, and formed conclusions which a full perusal of the evidence would entirely sweep away. Because Mr. Burrill and his counsel persistently urge and obtain a hearing, year after year, it is wrongly supposed by many good citizens that the city is endeavoring meanly to shirk the payment of an honest debt. * * * A careful study and digest of the case, as presented in the documents above named, must convince every candid man that the claim of Mr. Burrill is not only unjust, but that it was commenced, continued and prosecuted in fraud and iniquity. Mr. Burrill attempted a gigantic swindle upon the city, and did not succeed; and now, not being able to obtain what he intended, his claim thrown out of every court, he was anxious to have us pay him the expenses of carrying on the fraud.

In an examination of the case, the circumstances of the times are considered, and the manner in which bounties were paid, and while, as he says, Governor Andrew made successful efforts through his influence upon Secretary Stanton, and the members of Congress, to obtain credits for those who were enlisted into the navy, Mr. Lincoln was making every effort to get men, in order to avoid a draft. In doing so, with his usual kindness and patience, as he listened to their stories, he said to them—"Bring on your men, and we will pay for each one of them the legal amount of \$125, as authorized by the Legislature."

Mr. Lincoln signed the document of May 31, 1864, with the understanding that rebel prisoners were to be obtained from Rock Island, and when it was found that he was not obtaining them from there, Mayor Lincoln and Mr. Norcross desired to have nothing more to do with the man who had deceived them.

The Mayor and Aldermen and citizens' committees kept on in the work of recruiting men for the army, and in connection with the prospective increase from navy credits, canvassed the whole city, from house to house, to obtain the names of those who at any time during the war had entered the naval service. At the same time, clerks were sent to the Navy Yard in Charlestown, to obtain a list of the men there enlisted from Boston during the war, in order to compare it with the aldermanic lists obtained from the different wards. This list was not obtained at Charlestown, because, under the direction of Governor Andrew, the naval records were being copied by State officials; and lists containing 22,000 names, or more, were thus prepared, which were used by the commissioners, Governor Andrew and ex-Governor Clifford, who were appointed by the United States Government to make a proper assignment of these men to the cities and towns who should properly claim them, and to divide proportionately among all the cities and towns those not so claimed. When the commissioners completed their work, on September 5th, Boston received a credit of 5224 men specially claimed on the list presented by Mayor Lincoln for the city, and 1072 men as Boston's proportion of the men not specially claimed by any city or town; and she was thus made free from all drafts, and had a surplus of thousands of men.

It is contended that Mr. Burrill did no more than copy or procure to be copied some six thousand names, and it is denied that he could have influenced Congress by bribes or in other ways to get the passage of the act to recognize naval cadets. The correspondence between Mr. Healy, City Solicitor, and Reverdy Johnson is cited in this connection, and the various claims and suits of Mr. Burrill are commented upon, and it is said that "here is a claim whose equity is denied by Mayor Lincoln, Mr. Norcross, Mr. Healy and others, whose legality is denied by the courts, and which, for the sake of getting rid of annual importunity, we are urged to settle by paying some amount of money from the city treasury."

Alderman Gaffield says that the proper performance of our duty leads us to the inevitable conclusion, and compels us to state, that the attempt at fraud, acknowledged in the preceding report as well as our own, debars the petitioner from all right to any compensation, no matter what services he may have rendered, or expenses incurred in his thus far unsuc-

cessful attempt. We therefore respectfully recommend that the petitioner have leave to withdraw.

Alderman Cutter and Mr. Thacher of the Council assent to so much of the foregoing report as recommends that the petitioner have leave to withdraw.

Mr. Brackett, the remaining member of the committee, gives his reasons for dissent from the others, as follows:

He believes that Mr. Burrill, in preparing the list of six thousand five hundred and twenty-nine men in the navy belonging to Boston, and in preparing the proofs that they did belong to Boston,—without which proofs the fact that they so belonged would have availed the city nothing in diminishing its quotas under the various calls made upon it,—rendered the city a valuable service at a critical period; that the city, in accepting that list, with the proofs accompanying it, and presenting it as the list of the city, thereby accepted that service, whatever may have been the original contract or understanding under which it was undertaken; that, therefore, although Mr. Burrill may have abandoned his right to enforce payment for his services by legal means, and whatever may have been his chances of prevailing had he pursued his legal remedy, the city, having accepted the benefit of his services, is bound, morally and in honor, to pay him what those services were worth. The undersigned believes that the proposition that the city should pay a fair compensation for benefits rendered it and accepted, whether the party rendering them is able to enforce such payment or not, is one which will meet with the indorsement of a very large majority of our citizens, and, therefore, that we are justified, as their representatives, in recommending such payment in the present case.

Mr. Brackett reviews the question of services, and believes that the sum of \$15,000 does not represent the value of those services. The action of the City Government and of the courts is cited, and the question of the value of the men at the time is considered. If anything was due Mr. Burrill, when did it become due? This is fixed upon as due September, 1861, when the work was completed, and if \$30,000 represented the value of the services, the interest should be added, which would make the amount now due over \$40,000. He therefore concludes with recommending the passage of the accompanying preamble and order.

Whereas, The City Council of this city passed an order in relation to the claim of Charles Burrill, on the 12th day of September, A. D. 1870, in the following words, to wit:

“Ordered, That there be allowed and paid to Henry W. Paine, the assignee of Charles Burrill, the sum of \$40,000, in full settlement of all services rendered, and money expended by said Burrill, in procuring credits upon the quota of the city in 1861, and that the same be charged to the fund appropriated for incidental expenses; provided, that such receipts and discharges shall be executed, both by said Burrill and said Paine, as shall be satisfactory to his Honor the Mayor and the City Solicitor”;

And whereas, Before payment was made, on the petition of certain taxpayers, an injunction was served upon the city authorities, restraining them from making said payment, on the ground that there was no legal authority to do so, and consequently said order was not carried into effect;

And whereas, The Legislature of this State did, on the fourteenth day of April, A. D. 1871, pass an act authorizing this city to pay said sum, in the words following, to wit:

“The city of Boston is hereby authorized to pay to Charles Burrill of Brookline, the sum of \$40,000, in satisfaction for all services rendered and money expended by him, in procuring credits upon the quota of volunteers of said city, during the war of the rebellion, in conformity to the order passed by the City Council of said city, and approved September 12, 1870, and may raise said sum by taxation or otherwise”;

Now, therefore, it is hereby

Ordered, That there be allowed and paid to the above-mentioned Paine, assignee of Charles Burrill, the sum of \$40,000, as recited in the above-mentioned order passed September 12, 1870, in accordance with the terms and conditions therein mentioned, and as authorized by the act of the Legislature above referred to; said sum to be charged to the appropriation for Incidental Expenses.

Mr. Blackmar, who presented the report, moved that it be laid on the table, and he hoped the members would come to a more harmonious conclusion than the committee had.

The motion was carried.

Mr. Bicknell of Ward 4, from the Joint Standing Committee on Public Buildings, made a report that there will be required to complete the hose house corner of P and Fourth streets, South Boston, about \$2800. The original appropriation for this building was \$20,000, which has been expended as follows: Land, \$3600; plans and advertising, \$475 64; extra iron work, \$242 25; fuel, \$20 40; contract for masonry, \$8905; for carpentry, \$6770. Total, \$20,013 29. The additional amount of money needed is for heating apparatus, gas fixtures, plumbing, and for building retaining and fence walls. The committee, with the advice of the Auditor of Accounts, would respectfully ask for the passage of the accompanying order:

Ordered, That the Auditor of Accounts be authorized to transfer from the Reserved Fund for the completion of the hose house corner of P and Fourth streets, South Boston, an amount not exceeding \$3000, the same to be added to the amount already authorized for the erection of a hose house, South Boston.

The order was read once.

Mr. Flatley of Ward 4, 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, 1873, made a report that they have made a careful examination of the accounts and have 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 amounted to \$17,547,014 31—on city account, \$17,209,694 36; on county account, \$337,319 95. The amount of bonds held by the city for sales of real estate was \$591,982 38. The amount of bonds for sales of estates purchased for widening streets was \$648,433 31. The cash on hand was \$686,410 82.

Accepted and sent up.

Mr. Eaton of Ward 11 offered an order, which was read once, that five members of the Common Council, with such as the Board of Aldermen may join, be a Committee of Arrangements for furnishing music on the Common and other parts of the city, at an expense not exceeding \$3000; to be charged to the appropriation for Incidentals.

THE BASE-BALL QUESTION.

On motion of Mr. Perkins of Ward 6, the report (leave to withdraw) on the petitions of Beacon Base Ball Club and others for the use of the northwestern portion of the Common as a play ground was taken from the table.

Mr. Perkins said he wished to make a point of order that the petition was not properly before the Council. By the amended ordinance providing for a Joint Standing Committee on Common, no power is given to the Council except by order or ordinance, the old ordinance providing that the care and management of the Common shall be in the hands of the committee. The joint committee had a hearing on the subject of the petition, but it should not have come to the Council, which has no jurisdiction of it.

The Chair ruled that the point of order was not well taken, for the right of petition was unlimited, and the petition was before the Council and must be acted upon, and this was the only subject now for action.

Mr. Perkins stated in explanation that the subject was before the Council because the committee were ordered to report. But inasmuch as the Council had no power in the management of the Common, action could not be taken on the subject of the petition.

The Chair ruled that the subject was in order, as it stands at present, but he had no time to examine the question legally.

Mr. Perkins said that holding the opinions which he did, the committee could act upon the subject as they saw fit. Unless an order or ordinance was passed, or without special instructions, they would not be bound by the action of the Council.

The Chair stated the question to be on the report of the committee to give the petitioners leave to withdraw, and the report was accepted in concurrence.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

MAY 26, 1873.

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

JURORS DRAWN.

Six sheriff's jurors were drawn.

APPOINTMENTS MADE AND CONFIRMED.

Constables—H. M. Forristall, Nathaniel Whittier, James M. Hodgate.

Weighter and Inspector of Bundle Hay and Straw—William P. Boardman.

Special Police Officers, without pay—F. F. Bibber, for P street and its vicinity; Charles Hoffman, for Barrister's Hall; James S. Baker and John Ernest for the Boston Sugar Refinery; Dennis F. Donovan, for Temple place and its vicinity; Orlando D. Cook, for Federal-street Bridge; George W. Andrews for Cross street, between North and Salem streets; Rufus K. Symmes, for Faneuil Hall Market.

Mayor's Clerk—The appointment of James L. Hillard, as Mayor's Clerk, was read and sent down.

The appointment of Cyrus H. Thomas, as Sergeant-of-Police, was referred to the Committee on Police.

PETITIONS PRESENTED AND REFERRED.

Dennis Sullivan, for leave to occupy a stable for fifty horses rear of Cove street.

John O'Donnell for leave to occupy a wooden stable for one horse on Saratoga street, junction of Chelsea street.

Stillman Wilson, for leave to occupy a wooden stable for one horse on Third street, adjoining No. 433.

Thomas Carbrey, for leave to build a wooden stable for ten horses at No. 1482 Tremont street.

James Brosnan, for leave to occupy a wooden stable for six horses in Franklin court, Ward 16.

Dudley Pray, for leave to occupy a wooden stable for two horses on Silver street, between C and D streets.

Severally referred to the Committee on Health on the part of this Board.

Frederic W. Bradlee and others and F. H. Peabody and others, that fast driving on Beacon street may be stopped. Severally referred to the Committee on Police.

Julia Hurley to be paid for grade damages on Spring street.

Samuel R. Spinney, that Eighth street, between K and M streets, be put in order.

Edward A. Hunting and others, that Chandler street, from Berkeley street to Columbus avenue, be paved with wood.

G. K. Richardson and others, that Boylston street, from Berkeley street to Clarendon street, be put in order.

J. Felt Osgood and others, that sidewalks and edgestones be laid on Guild street.

Severally referred to the Committee on Paving.

Heirs of W. L. Cushing, to be paid for grade damages on Purchase street, caused by the widening opposite their estate.

Henry A. Thomas, to be compensated for taking land on Bedford street, in 1853.

Severally referred to the Committee on Streets.

Thomas Gogin and others, that the surface of Telegraph Hill be repaired. Referred to the Committee on Common, etc.

S. F. Williams and others, that a tree on Walnut street, near Pickering place, be removed. Referred to the Committee on Common on the part of this Board.

George E. Dillingham and others, for additional fire alarm apparatus for Shawmut avenue, between Hollis street and Indiana place. Referred to Committee on Fire Alarms.

Mary Laudregan, for compensation for injuries received from falling through Federal-street Bridge in September, 1872.

Mary Perry, for compensation for injuries by falling on the sidewalk on Hanover street.

Severally referred to the Committee on Claims.

S. S. Woodcock, for leave to erect a wooden building on Adams and Gibson streets, beyond the legal dimensions.

Frank J. Downs, for leave to erect a wooden building on Albany street and the corner of Stoughton street, within the building limits.

Severally referred to the Committee on Survey and Inspection of Buildings.

Howard A. Doe, for extension of time in which to build on Broadway, between L and M streets. Referred to the Committee on Public Lands.

Frederic P. Moseley and others, for a sewer in Crescent avenue, Ward 16.

John Mulloy, for abatement of sewer assessment in Newman street.

Severally referred to Committee on Sewers.

John A. Jones, for a license as an auctioneer, at Nos. 55-59 Portland street. Referred to Committee on Licenses.

Alderman Quincy presented a petition, signed by George B. Emerson, John Amory Lowell, and 150 others, representing that elm trees spread their roots near the surface of the ground in search of air and moisture, which are essential to their growth; that the process of covering them with asphalt pavement, as is now being done on the Tremont-street-mall, is certain to produce the decay and ultimate destruction of the noble line of trees now standing there; that the gravelled walk, only frequented in fine weather, affords a great relief from the hard pavement of the streets—they therefore pray that this process may be immediately stopped, and the gravel restored to the part already done. Referred to the Committee on Common, with instructions to report thereon.

The following communication was received from the Mayor:

"BOSTON, May 26, 1873.

To the Board of Aldermen of the City of Boston: Gentlemen—It has been represented to me that certain parties are in the habit of removing gravel from Long Island to be used as ballast and for other purposes, claiming the right to do so under an order of your honorable Board, passed May 28, 1867. Owing to the length of time since the passage of that order, and my attention being called to the fact that further continuance of the practice may be injurious to the harbor, I desire to suggest your early consideration of the question whether the order should be revoked.

HENRY L. PIERCE, Mayor."

Referred to the Committee on Harbor on the part of the Board of Aldermen.

DORCHESTER TRUST FUNDS.

A communication was received from the City Treasurer transmitting his accounts with the Dorchester Trust funds for the year ending April 3. Referred to the Committee on the Treasury.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice on the proposed construction of sewers in Neponset avenue, between Taylor street and Neponset River; in Taylor street, between Neponset avenue and Wood street; in Wood street, Walnut street, Water street, High street and Ericsson street, all in Ward 16; also on the construction of a sewer in Harrison avenue, between Malden and Union-park streets, were severally taken up. No person appeared in either case, and the reports were recommitted.

The hearing on the order of notice on petition of the Times Publishing Company for leave to locate and use a steam engine and boiler in the basement of building No. 27 Province street, was taken up. No person objected, and the report was recommitted.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to establish a grade for Cottages street, between Stoughton street and Dorchester avenue.

Order to establish a grade for Dorchester street and for Boston street, between Dorchester avenue and Mount Vernon street.

Order to set edgestones in and macadamize the roadway of Norfolk avenue, between Hampden and Magazine streets, at an estimated cost of \$7000.

Order to set edgestones in Prescott street from Eustis to Hampden streets, and in Eustis street from Prescott to Hampden street, and to pave the sidewalks.

Order to establish a grade for Bolton street, between D and E streets.

Order to grade Bolton street from D to E street, at an estimated cost of \$2500.

Order to grade H street from Second to Third streets, at an estimated cost of \$800.

Order to establish a grade for Bowen street, between D and E streets.

Order to allow Arthur W. Willard to take birds and eggs for scientific purposes only as provided by law.

Order to allow Rueter & Alley to lay an iron water pipe under Heath and New Heath streets, upon certain conditions.

Order to pay the Chelsea Highland Company \$97 20 as interest on award for land damages in widening Washington avenue in Chelsea.

Orders to rescind order of Nov. 1, 1872, authorizing the purchase of land of Old Colony & Newport Railroad Company, as a site for Police Station No. 11, and for the purchase instead thereof of a site on Adams street of John H. Robinson, for the same purpose and at the same cost (\$7500.)

Order to abate sewer assessment of \$289 97 levied upon F. J. Oliver's heirs, and \$119 41 assessed upon John Bright for a sewer in Trenton street, and assess the same upon William S. Pattee; also to abate \$14 18 assessed upon Henry A. Wetherbee for a sewer in Warren street and assess the same upon Isaac Fenno.

PAPERS FROM THE COMMON COUNCIL.

The petitions of Prescott & Chapin, Tileston & Hollingsworth, and of Joseph D. Fuller, were referred, in concurrence.

The remonstrance of the Committee on the Washington and Dudley School Districts against the plan proposed for the new grammar schoolhouse on Dudley street, was referred to the Committee on Public Instruction, in concurrence.

The nomination by Clerk of Committees of William W. Clapp as Assistant Clerk of Committees, was approved, in concurrence.

The report of committee appointed to examine accounts of the City Treasurer, was accepted, in concurrence.

ADDITIONAL APPROPRIATION FOR FOURTH OF JULY CELEBRATION.

Alderman Cntter, from the joint special committee appointed to make arrangements for the celebration of the ninety-seventh anniversary of the Declaration of American Independence made a report, that the committee had instructed him to request an additional appropriation of \$5000 to cover the expense of an exhibition of fireworks on the Common, and a trans-Atlantic balloon voyage under the direction of Professor John Wise. The passage of the accompanying order is respectfully recommended:

Ordered, That the sum of \$5000 be added to the appropriation heretofore made for the celebration of the ninety-seventh anniversary of American Independence, said sum to be charged to the appropriation for Incidentals.

The question being upon the passage of the order, Alderman Clark characterized the expenditure for the proposed balloon excursion as absurd, and a wasteful expenditure of money.

Alderman Gaffield replied that it was not necessarily absurd, for the possibility of success in the proposed balloon voyage was believed in by the principal scientific men of the country, and it was an experiment worthy to be tried. It would be well for this city to inaugurate such an honor, and if successful it would confer honor upon the city as well as upon those who make the experiment.

Alderman Clark said the same proposition was made last year, when the use of one-third of the Common was required in making the experiment and in the manufacture of balloons, and three months' preparation were required in getting ready. The committee did not think it advisable to make the attempt. It was proposed in committee to abandon the fireworks as a part of the celebration, but he was opposed to spending money uselessly for such a balloon excursion, and giving up fireworks. As well might they abandon the ringing of bells, firing of cannon and the delivery of an oration, for the use of fireworks in these celebrations was commenced in the time of the revolution and will continue until the country goes out of existence. If the appropriation was for fireworks he would vote for it, but not for the wild-goose experiment of attempting to cross the ocean in a balloon.

Alderman Brown stated that he was at first opposed to the appropriation for ballooning, because if the public were satisfied that the experiment could be successfully tried, State street or the public at large, would furnish any amount of money which would be necessary. He was not aware of the votes having been taken in committee, but believed the citizens of Boston were in favor of the fireworks on the Fourth of July.

Alderman Power said he was surprised at the course of the Alderman (Clark), when he voted for the appropriation in committee. As to the absurdity of the proposition, it was not more than any balloon ascension. All aeronauts agree that when once they get to a certain height, the currents are all one way, and the best scientific men are authority that it is so, and it would not be absurd in attempting to cross the ocean with the advantage of such currents.

But should the balloon ascension not be successful, it would be the most interesting one ever given. That it would not land in Europe, it was not for us to say. The committee would not pay \$3000 for a balloon ascension, unless they thought it feasible, and that they will be likely to ascertain before the Fourth

of July. A balloon ascension is essential to the celebration of the Fourth of July, and is a great source of enjoyment, it is attended with no danger, while yearly there are numerous persons injured by fireworks. Yet one of these need not affect the other, and it was not proposed to spend money for the balloon ascension, unless it is likely to take place.

Alderman Clark said he was opposed to spending \$3000 for an excursion, when the balloon is likely to come down in Lynn or Marshfield. As to accidents, there were never any from fireworks when any one is employed who understands his business. The difficulty has been in receiving proposals and in giving the contract to the one who does it the cheapest, and the result was that it fell into the hands of those who don't understand the business. Balloons were of a more recent date, while fireworks had ever been connected with celebrations. He was willing to pay a reasonable expense for a balloon ascension, even when it collapses, but not such a sum as was proposed, with a probability that the balloon would come down somewhere in Essex, Norfolk or Middlesex counties.

Alderman Power said he was surprised at the remark of the Alderman, for on the score of antiquity balloons were older than fireworks. It had become well established that balloons may stay up as long as the aeronauts may see fit, for any length of time, and that at a certain height the wind blows only in one direction. The most scientific men encourage the experiment, and the best part of it is that there is never any danger from accidents as there is from fireworks. Then there will be no expenditure for the balloon ascension, unless the experiment is practicable and assured.

Alderman Clark believed that if the appropriation was made there should not be more than \$500 expended for a balloon ascension, for they should not be so lavish of money when the balloon will land not more than fifty miles from Boston. He admitted that he did vote for the order.

Alderman Power said he was still astonished at the ignorance of the Alderman regarding ballooning, when it was known that 1500 miles had been travelled in a balloon, without accident.

Alderman Quincy said that at first sight it appeared to be a wild goose proposal to attempt to cross the ocean in a balloon; and yet it was not so. Some years ago it was demonstrated scientifically that a steamship could not cross the ocean, for coal enough could not be carried for consumption, and it would be necessary to have coal ships meet them about half way. If a bona fide experiment in crossing the ocean is to be made, and if that experiment is successful, that chance will be to our honor in aiding it; but even if not successful until the third or fourth, it will be to our honor in aiding in the first. The committee is not expected to act unless satisfied that in the view of scientific men it is feasible.

Alderman Clark further opposed the scheme as unreasonable, requiring not less than six weeks for preparation. It happened to him to know one of the party who attempted to come to the seacoast from Cincinnati and was tipped out in the State of New York. Before attempting a voyage a long distance across the ocean, and of throwing away money, it would be better to try it on the land, or where there was less water.

Alderman Power replied that the very gentleman who made the voyage referred to was to make this one, and he was satisfied that in going 1500 miles safely he could go double that distance as well. The committee, if not competent to judge of the matter scientifically, were competent to make a bargain, and they would not be so foolish as to throw away the money if it was not practicable.

Alderman Gibson suggested as an amendment that the sum should not be paid until satisfactory evidence was received of the arrival of the balloon in Europe.

Alderman Clark believed the suggestion to be a reasonable one, and he would add \$3000 on the success of the experiment.

The order took its second reading by a vote of 9 to 1, and was passed by the same vote, as follows:

Yeas—Bigelow, Brown, Cutter, Emery, Gaffield, Gibson, Power, Quincy, Stebbins.

Nay—Clark.

REPORTS OF COMMITTEES.

Alderman Gaffield, from the Committee on Claims, to whom was referred the petition of Mrs. M. A. French, to be compensated for personal injuries caused by an alleged defect in Kneeland street, made a report recommending that the petitioner have leave to withdraw. Accepted.

Alderman Gibson, from the Committee on the Fire Department, reported in favor of the petition of Kidder, Vaughn & Co. for a license to manufacture,

store and mix petroleum at their factory on Chelsea street. Accepted.

Alderman Gibson, from the Committee on the Market, reported in favor of the petition of Caleb C. Long to transfer to Batchelder & Ayres lease of stall 91 and a portion of cellar No. 16, Faneuil Hall Market. Accepted.

Alderman Gibson, from the Committee on Faneuil Hall, reported in favor of granting the petition of the National Lancers, for the use of Faneuil Hall June 14, on the occasion of their anniversary. Accepted.

Alderman Gibson, from the Committee on Health, reported in favor of stables as follows: Suffolk Kindling Wood Co., for leave to enlarge stable for three additional horses, on First street, between K and L streets; Francis W. Kittredge for leave to occupy a wooden stable for three horses on Eggleston square, between Walnut and Shawmut avenues; Baylies Sanford, to occupy a wooden stable for four horses on Coffee court, from Washington street, Ward 16. Severally accepted.

Alderman Power, from the Committee on Paving, reported leave to withdraw on petition of M. J. Flatley and others, that North street be paved with wood near Merchants' row, and of Robert Strauss & Co., and others, that Court street, from Bowdoin square to Sndbury street, be paved with wood. Severally accepted.

Alderman Bigelow, from the Committee on Licenses, reported in favor of licenses as follows: To George V. Quigley as an auctioneer; to eleven newsboys and six bootblacks; also to sundry persons as victuallers; for a billiard saloon, hack stand, wagon licenses, transfer of wagon licenses, and transfer of a victualler's license. Severally accepted.

Alderman Clark, from the Joint Standing Committee on the Common and Public Grounds, to whom was referred the petition of J. M. Merrill and others, that Madison square be graded, fenced, etc., made a report recommending the passage of the accompanying order:

Ordered, That the Committee on Common and Public Grounds be authorized to grade Madison square and erect a wooden fence around it, at an expense not exceeding \$3000; to be charged to the appropriation for Common and Public Grounds.

The order was passed.

Alderman Clark, from the Committee on Streets, reported no action necessary on the petition of Zephaniah Bassett, for abatement of Atlantic-avenue betterments, as the petitioner has paid his betterments; and on petition of the heirs of J. C. Dodge, to be paid for grade damages to his estate on Pearl place, as the prayer of petitioners has been granted. Severally accepted.

Alderman Clark, from the Joint Standing Committee on Streets, to whom was referred the petition of J. A. Tucker and others, for the extension of Magazine street, made a report, recommending the passage of the accompanying order:

Ordered, That the Board of Street Commissioners be requested to consider the expediency of extending Eustis street, from its present southerly terminus, at a width of forty feet, to Magazine street; also, of widening Magazine street, west of Norfolk avenue, to forty feet, by taking land of J. H. Chadwick and others, and extending said Magazine street at a width of forty feet, over land of Owen Nawn and others, to Dudley street, as shown on a plan made by the City Surveyor, dated June 5, 1872, and report to the City Council an estimate of the expense thereof.

Accepted, and order passed.

Alderman Gibson, from the Committee on Fire Alarms, to whom was referred the following order, "That the Superintendent of Fire Alarms, under the direction of the committee on that department, be authorized to place a tower and alarm bell on the Prescott Schoolhouse at East Boston at an estimated expense of \$2000, the same to be charged to the appropriation for Fire Alarms," made a report that they have visited the place and found that a bell is much needed in that portion of the city, and they are of the unanimous opinion that the order ought to pass.

Read and accepted, and the order was passed.

Alderman Stebbins, from the Joint Standing Committee on Water, to whom was referred the petition of W. F. Wade that water be furnished to his estates, numbered 146-150 Canal street, made a report recommending that the subject be referred to the Cochituate Water Board. Accepted.

RESERVOIR ON PARKER HILL.

Alderman Stebbins, from the Joint Standing Committee on Water, to whom was referred the request of the Cochituate Water Board for an appropriation to extend the main pipes in Roxbury and Dorchester, and also to purchase land and build a reservoir on Parker's Hill, having considered the subject, respectfully recommend the passage of the accompanying

orders. The expense of building the reservoir as authorized by the recent act of the Legislature, is estimated as follows:

Five acres of land at not exceeding fifteen cents per foot.....	\$32,670
Building the reservoir.....	73,500
Laying 24-inch main to connect.....	33,500
Total estimated expense.....	\$145,670
Add ten per cent. for contingencies.....	14,567

\$160,237

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$115,000, to be added to the appropriation heretofore made, for the extension of the water works in Wards 13, 14, 15 and 16.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$161,000, said sum to be expended, under the direction of the Cochituate Water Board, for land and constructing a reservoir on Parker's Hill, and making the necessary connections therewith.

Ordered, That the Cochituate Water Board be authorized, as the agent of the city of Boston, to purchase, or otherwise take, such land or real estate as may be required for a reservoir, at or near the summit of Parker's Hill, in Ward 15; and also to purchase, or otherwise take, land or real estate necessary to maintain suitable lines of pipes for said reservoir, as authorized by the act of the Legislature.

Alderman Stebbins asked for the passage of the orders at this time, as it was important that the subject should receive the early attention of the City Council.

Alderman Power hoped the orders would be laid over, for it might assume a different shape when it comes up. People of good judgment had assured him that perhaps some other bill might be found necessary which would answer a better purpose for a reservoir. There was a hill close to Brighton, one hundred feet higher, and Parker's Hill might not prove to be high enough, in case of the annexation of the neighboring towns, while the taking of the former would obviate the necessity of taking others in the future.

Alderman Stebbins replied that the committee and the Water Board had in view the prospective wants of West Roxbury and Brookline, which he doubted not would soon be annexed. It was believed by the City Engineer that Corey's Hill would be too high for a reservoir, and if one was constructed there, it would be necessary to put it on the side, half way up, and its construction would be at an extra expense of \$150,000. It would not be advisable to have the reservoir there, and they could not put it there except with authority from the Legislature. Perhaps nothing would be lost by laying the order over, yet Parker's Hill was believed to be the place of all others, nearest to the pumping apparatus, and to the territory to be supplied with water.

Alderman Gatfield said the gentleman from Ward 12 was engaged in his own duties, which he understood so well, in another department, and was unable to accompany the members of the City Council to Parker's Hill. The water question was faithfully discussed on the spot, aided by the City Engineer, who was present. They were willing to take his judgment on matters reported upon by him, and the Water Committee were satisfied that this was the best place for a reservoir. He thought it would be best to allow the orders to take their course.

Alderman Power said he would not wish to throw obstacles in the way of what the Water Board believed to be a pressing need, but he had heard within a day or two that Parker's Hill would not be high enough to furnish the supply of water which might be needed. The distance from Corey's Hill would be shorter from the Chestnut-Hill Reservoir, and would not require so great a distance for the water to be pumped; but if the matter was in such a shape that it would be a serious drawback, he would not press the question to lay the subject over. It was a great and important matter, and persons of experience and good judgment had urged it as a ground for delay that the matter might be more fully looked into.

Alderman Stebbins stated that the committee had reduced the estimated expense, believing the sum of \$230,000 to be far too high. They were of the opinion that fifteen cents a foot was high enough for land on Parker's Hill, and none could be purchased in Brookline at a less cost.

The orders were passed by a vote of 9 to 1.

REPORT ON MADISON-SQUARE FILLING.

Alderman Clark, from the Committee on Common and Public Grounds, to whom was referred the petition of Henry Doherty, to be compensated for filling Madison square, made a report, as follows:

On the 24th March, 1871, the petitioner entered into a contract with the city of Boston to fill Madison square by depositing thereon good clean earth or ashes, to an amount not exceeding 26,666 cubic yards, for the sum of forty-five cents per cubic yard, as measured on the ground by the City Engineer.

The contract required, among other things, that at best two hundred cubic yards should be delivered on each working day, and upon the failure of the contractor to deliver that amount, the city was authorized to procure other parties to do the work, and any excess in price was to be paid by said contractor.

The price named for the work was much below the market rate, and the petitioner was informed before signing the papers that he would lose money by the transaction. He persisted, however, in his desire to do the work, and gave a satisfactory guarantee for its faithful performance. Having failed to make the progress required, after being repeatedly notified, the contract was terminated on the 23d of May, 1872, and on consideration of his surrendering it and releasing the city from all claims under it, the obligation which he had given to pay the excess in price for the additional filling was not enforced.

He now claims compensation on account of the settling of the filling after it was deposited on the ground and before it was measured, and represents that the work was done at an expense of over \$9000, and at a loss of nearly \$5000. The contract, however, provided that the material should be measured after its delivery on the ground, and the contractor was aware that he would have to sustain the loss on account of the settling or shrinkage which might take place during the interval between the deposit and the measurement. On account of the peculiar character of the territory to be covered, justice to the contractor required that the filling should be measured within a reasonable time after it was deposited. Estimates of the amount deposited were made monthly by the City Engineer, on which eighty per cent. of the contract price was paid.

It appears from the official returns in the Auditor's office, that the amount of earth deposited by the petitioner to the 30th April, 1872, was estimated at 11,000 cubic yards. When the contract was terminated, twenty-three days later, the final estimate of the City Engineer showed only 9978 cubic yards. Here was a loss of 1022 cubic yards, notwithstanding the contractor had during that interval deposited, according to the Superintendent of Public Grounds, 926 loads, averaging sixteen cubic feet each. The explanation of this discrepancy is that the monthly estimates were made before the earth had settled, and the final settlement was made upon an entirely new measurement of the surface of the square. In this way the contractor was made to suffer the loss of all the shrinkage which had taken place during a period of fourteen months.

Although the petitioner has no legal claim upon the city, having signed a release when the last payment was made, the committee are of opinion that the monthly estimate of the City Engineer, instead of the final estimates, should have been taken as the basis for a settlement, and that to the last monthly estimate should be added the amount deposited in loads up to the termination of the contract. In this view of the case the amount due the petitioner would be as follows:

1022 cubic yards (being the difference between the estimate April 30 and May 23, 1872) at 45 cts.	\$459 90
544 cubic yards (being the amount deposited according to the returns of the Superintendent of Public Grounds between 30th April and 23d May) at 45 cts.	244 80
	\$704 70
Interest one year, 6 per cent.	42 28
Total	\$746 98

The committee would therefore respectfully recommend the passage of the accompanying order:

Ordered, That there be allowed and paid to Henry Doherty the sum of \$746 98, in compensation for loss sustained by him on account of the settling of the earth deposited on Madison square, under and by virtue of a contract with the city of Boston, dated the 23d March, 1871; said sum to be charged to the appropriation for Common and Public Grounds.

The order was read once.

OCCUPATION OF THE SOUTH BOSTON FLATS.

Alderman Clark, from the Joint Standing Committee on Streets, to whom was referred so much of the Mayor's inaugural address as relates to the occupation of the flats on the northerly shore of South Boston, having considered the subject, beg leave to submit the following report:

The circumstances under which the matter is presented to the Government at this time is clearly stat-

ed in the following extract from the address above referred to:

"A good deal of time was expended by the last City Government in adjusting a comprehensive plan for uniting the Commonwealth, the Boston & Albany Railroad Company, the Boston Wharf Company and the city of Boston in the work, already too long delayed, of improving the South Boston flats. The occupation of these flats is incidental to a great harbor improvement which the Commonwealth has undertaken, the first instalment of which will secure the removal of Anchorage Shoal, and some two hundred acres to the deep water of the upper harbor of Boston.

In view, also, of the uses to which this territory is to be put as terminal grounds at deep water of the Boston & Albany Railroad Company, and without doubt of the new Boston, Hartford & Erie Railroad Company, soon to be organized, it cannot fail to be seen that the prosecution of this enterprise has vital relations to the future development of the city. It was supposed that all interests had been reconciled in the indenture of four parts which the City Council, in November last, authorized the Mayor to execute. It failed, however, to settle the terms on which the Boston & Albany Railroad Company might use its land for railroad purposes, and the city maintain over the same territory highways safe and convenient for travel. The last year closed before the negotiations on this point were concluded. I recommend that the consideration of this subject be resumed at an early day, in order that this great improvement may be entered upon by the parties in interest during the coming season."

The representatives of the several parties in interest having conferred together have finally agreed upon the form of indenture, a copy of which is appended hereto. The only material alteration in the agreement, which the Mayor was authorized by the last City Council to execute, is the reservation to the Boston & Albany Railroad Corporation of the right, so far as its own territory is concerned, to lay its tracks at grade across Eastern avenue, the extension of B street northeasterly of Eastern avenue, and across Northern avenue; also to lay its tracks, not exceeding two, at grade along Northern avenue, and the extension of B street, northeasterly of Eastern avenue, as authorized by the fourth section of chapter 461 of the acts of 1869, the location of said tracks to be subject to the approval of the Surveyors of Highways (the Board of Aldermen) of the city of Boston. It will be perceived that no tracks are to be laid along Eastern avenue, and that in the case of Northern avenue and B street the reservation does not go beyond the authority already granted by the Legislature. The provision in the act referred to is as follows:

"And said Boston & Albany Railroad Company may lay and use railroad tracks along and across those parts of any streets in South Boston adjoining any lands or flats purchased by them of said Commonwealth, or taken with its consent."

As the improvement of these flats is due mainly to the enterprise of the railroad corporations, it is to be expected of course that the territory will be largely occupied for railroad purposes; and it is necessary to the success of the improvement that every facility consistent with the public safety and convenience should be afforded to them.

The committee would respectfully recommend the passage of the accompanying order.

The order contains the indenture of eleven printed pages. City Doc. 71.

Its passage was urged by Alderman Clark, but subsequently, in the belief that all the Aldermen were not familiar with the provisions of the contract, it was laid over.

ORDERS PASSED.

On motion of Alderman Gibson—

Ordered, That in addition to the work covered by the contract for rebuilding Federal-street Bridge, the Committee on Bridges be authorized to contract for the performance of such other work as may be necessary to put the said bridge in complete running order; the expense to be charged to the appropriation for Rebuilding Federal-street Bridge.

Ordered, That John W. Morris be and he is hereby appointed as a Field Driver and Pound Keeper at East Boston, in place of John S. Underwood, resigned.

Ordered, That the Committee on Markets be authorized to close Faneuil Hall Market if they deem it expedient, on Decoration Day, the 30th inst.

Ordered, That the Committee on Fire Department be authorized to visit the several steam fire engine establishments, to better enable them to select the most efficient and approved engines, hose, and hook and ladder carriages for the city service, at an ex-

pense of \$1000; the same to be charged to the appropriations for the Fire Department.

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.

Whereas, it will be necessary to take down or remove the old City Hall Building on Dudley street, Roxbury, to give place to the new Grammar School-house to be erected on that site, and that provision must be made for the accommodation of the Municipal Court for the Southern District elsewhere; it is

Ordered, That the Committee on County Buildings, with the consent of the Committee on Police, be directed to provide in Police Station House No. 9 accommodations for the Municipal Court for the Southern District and of the necessary offices connected therewith; the expenses of the same, not exceeding \$500, to be charged to the appropriation for the County of Suffolk; and that said court be transferred to the new premises when they are made ready.

On motion of Alderman Power—

Ordered, That the Superintendent of Sewers be directed to construct sewers in Neponset avenue between Taylor street and Neponset River; in Taylor street between Neponset avenue and Wood street, in Wood, Walnut, Water, High and Ericsson streets, and to report a schedule of the expense to this Board, pursuant to law.

Ordered, That the Committee on Paving be authorized to cause the removal of the foot bridges over the Boston & Providence Railroad, at West Canton street and Berwick Park, and for that purpose to sell the same by public auction.

Ordered, That the Superintendent of Streets be authorized, under the direction of the Committee on Paving, to contract for the watering of those streets in the "burnt district" not now watered by persons duly licensed by the city; the expense thereof, not exceeding \$850 per month, to be charged to the appropriation for the Burnt District.

Ordered, That there be paid to Ellen F. Gilley the sum of \$4000, in full compensation for all damages caused to her estate on Howard avenue, Ward 16, by the lowering of the grade of said street, as ordered by the Board of Aldermen, September 12, 1871, upon the usual conditions; to be charged to the appropriation for paving.

Ordered, That the Superintendent of Streets be directed to pave Eastern avenue and Commercial street, at the head of Eastern avenue, with small granite blocks, at an estimated cost of \$8000.

On motion of Alderman Gaffield—

Ordered, That the secretary of the School Committee be respectfully requested to furnish to each member of the City Council a copy of the report made to the School Committee, May 13, by the Committee on Schoolhouses and Grammar-School Sections, upon the expediency of rearranging the school districts in the central portions of the city.

On motion of Alderman Quincy—

Ordered, That the Committee on County Accounts be authorized to make such arrangements with the Register of Deeds as they may deem expedient for the preparation of the classified indices to the Suffolk deeds for the year 1873, and also an index to the "sales of real estate for taxes," and to the plans filed in the registry during that time; the expense to be charged to the appropriation for the County of Suffolk.

Ordered, That the chairman of the Committee on Legislative Matters be instructed to communicate to the General Court now in session, this Board's approval of the bill now pending in the lower branch providing for the conveyance of Berkeley street to the city of Boston, and this Board's intention, should the same become a law, to request a deed, in accordance with the provisions thereof.

Alderman Quincy, in offering the above order, stated that a bill was pending before the Legislature, reported by the Judiciary Committee of the House, in which the committee propose to deed Berkeley street to the city at a width of eighty feet, but a minority report was made giving to the city a bill in equity, on the ground that it was not consistent with the dignity of the Commonwealth to offer deeds which the city neglected or refused to accept. The only deed which the city refused was to accept a street of sixty feet which had been laid out at eighty feet. It had been said as the attitude of this Board,

that it was divided in opinion, and he desired the passage of the order to show that attitude.

The order was passed with no dissent.

On motion of Alderman Clark—

Ordered, That the Committee on the Common and Public Grounds be authorized to contract for watering the street around the public grounds, at an expense not exceeding \$1000; to be charged to the appropriation for Common and Public Grounds.

Ordered, That there be paid to the heirs of Thomas Cordis the sum of \$2612 for land taken, and all damages occasioned to his estate by the widening of Milk street, by order of the Board of Street Commissioners, on the usual conditions; to be charged to the Burnt-District Loan.

Ordered, That there be paid to Ebenezer C. Milliken the sum of \$2500 for land taken, and all damages occasioned to his estate by the widening of Congress street, on the usual conditions; to be charged to the Burnt-District Loan.

Ordered, That there be paid to George C. Richardson the sum of \$18,600 for land taken and all damages occasioned to his estate by the widening of Federal street; also to pay said Richardson \$5440 for land and damages by the widening of Devonshire street, on the usual conditions; to be charged to the Burnt-District Loan.

Ordered, That there be paid to S. R. Spalding \$10,201, for land taken and all damages occasioned to his estate by the widening of Federal street; also, \$14,100 for land taken and damages to his estate by the widening of Congress street, upon the usual conditions; to be charged to the Burnt-District Loan.

Ordered, That there be paid to G. H. & W. P. Kuhn, trustees, \$600 for land taken in the name of the heirs of Freeman Allen, and all damages occasioned by the widening of Congress street, upon the usual conditions; to be charged to the Burnt-District Loan.

Ordered, That there be paid to James Lawrence and others, \$19,250 for land taken and all damages occasioned by the extension of Pearl street, upon the usual conditions; to be charged to the Burnt-District Loan.

Ordered, That there be paid to Sampson & Davenport \$7525 for land taken, and all damages occasioned to their estate by the widening of Franklin street; also to pay Sampson & Davenport \$60 for land taken to widen Congress street, upon the usual conditions; to be charged to the Burnt-District Loan.

Ordered, That there be paid to Benjamin G. Boardman the sum of \$8000 for land taken and all damages occasioned to his estate by the widening of Congress street, upon the usual conditions; to be charged to the Burnt-District Loan.

Ordered, That there be paid to Charles Roberts the sum of \$130 for land taken to widen Chambers street, at the corner of Green street, by order of this Board, Oct. 25, 1870, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to George A. P. Darling the sum of \$12,534 for land taken and all damages occasioned to his estate by the extension of Washington street, by order of the Board of Street Commissioners Sept. 9, 1872, upon the usual conditions; to be charged to the Washington-street Extension Loan.

An order to quit, was passed, notifying Henry Lee, heirs of James H. Foster, Warren A. Rogers, heirs of William H. Monroe, Justin S. Ambrose, Mary Chism, Elizabeth Child, Gilbert Evans and all others interested, as owners, proprietors, tenants, etc., to remove all obstructions on or over the line of widening of Bedford street, by the 1st of August next.

An order was passed to pay a jail requisition for \$1628 27.

ELECTION OF AUDITOR.

The Board proceeded to the election of a City Auditor, when Alfred T. Turner was unanimously reelected.

On motion of Alderman Gaffield—

Ordered, That a message be sent to the Common Council proposing a convention of both branches of the City Council on Thursday, the 29th day of May, inst., at 8 o'clock, P. M., for the purpose of choosing a City Treasurer for the present financial year.

ORDERS OF NOTICE.

On the proposed construction of a common sewer in Fruit street, between North Anderson and Blossom streets. Hearing Tuesday, June 2, 4 P. M.

On the proposed construction of a common sewer in Alpine street, at the westerly end, and through land of Guild and others to Circuit street. Hearing Tuesday, June 2, 4 P. M.

On motion of Alderman Clark, the order to erect an iron fence around the square on Commonwealth avenue, between Dartmouth and Exeter streets; also to raise the grade and cover said square with loam and

sods, and lay out walks, at an estimated cost of \$8000, was taken from the table.

Alderman Power said he did not know what the residents on Commonwealth avenue might prefer, but good taste called for doing away with all fences around public squares. If the people there were in favor of such a fence, he did not know that he should oppose the passage of the order.

Alderman Gaffield inquired what would be the cost of a stone coping for such a place.

Alderman Clark replied that he did not know what the cost might be there, but judging from the cost at Mount Auburn and other places, the cost would be about double that of an iron fence, about \$3 67 per foot, which would make for 1289 feet a cost of \$4733 79. A stone fence there would cost double that of an iron fence, and the stone now down for the iron fence would be lost. He hardly thought that the people there would consent to the taking down of the fence which had been put up, which would cost \$12,000 or \$15,000, and although he had talked to but one person, who opposed putting up a stone fence, he believed that all the residents would prefer to have a fence similar to those already on the square. If it was to be done, it should be commenced at once.

The order was passed.

FURTHER WIDENING OF WATER STREET.

On motion of Alderman Clark, the order for the Board of Street Commissioners to report the estimated expense of a further widening of Water street to fifty feet between Congress and Broad streets, and of its extension at said width to Atlantic avenue, was taken from the table.

Alderman Clark stated that the order was laid on the table on his motion, for he did not suppose it possible that the people would consent to any further widening of Water street and extension as proposed, with all the expense of street widenings on their hands. He was not then aware who the member of the Common Council was who offered the order, and that he felt aggrieved because action was not taken on the order. He would make no objection to the passage of the order provided it would not revoke the permits to build already given, nor retard the work of building.

Alderman Gaffield wished to know if the parties interested would be hindered in their building.

Alderman Brown moved an indefinite postponement of the order.

Alderman Power said he did not know who was in favor or against this proposed widening, or whether it would interfere with permits granted. But some day or another he believed this measure would be carried out. They ought to consent to its passage in order to obtain something which would warrant them in the rejection of the project.

Alderman Power opposed the motion on the ground that he could not give any reason for his action. It might prove to be desirable; and without estimates of the cost they could not judge whether they would be warranted in spending the money which it would cost.

Alderman Emery opposed indefinite postponement, for he wished to ascertain the expense and whether it could be done now less than hereafter. It was the

opinion of many large tax payers that it ought to be done, and the Street Commissioners would be better able to judge of the cost.

Alderman Gaffield said he had secured his object in bringing out the opinions of the Board.

Alderman Clark said he believed the proposed widening would be a useless expense, which would amount to half a million dollars, and was uncalled for. There was no occasion for it, by way of travel, for it had Central street on one side and Milk street on the other. If passed there should be a proviso that it should not interfere with permits, and if estimates are to be made there must be an order of notice of fourteen days, and not less than thirty days would be lost unless it was to be carried out. He failed to see any advantage in the measure.

Alderman Power did not believe it would retard the work, for if permits were given the work would not be stopped, and if they go ahead it would enhance the expense, making greater objection to the widening. He did not know what it would cost, but the Street Commissioners were in office for that purpose.

Alderman Gaffield suggested that the Commissioners be requested to report at the next meeting.

Alderman Power said that such a provision would virtually kill the order.

Alderman Clark said that it would hardly fail to retard the work. If the parties building are required to tear down what they have put up, it would greatly increase the expense, as they had the experience in the widening of Lincoln street. It would cost much more now than when the order was offered, and if the cost would be \$500,000, it would be almost useless to make an estimate.

The motion to indefinitely postpone was lost.

Alderman Clark suggested an amendment, to which the Chair responded that any amendment which might be made would send the order back to the Council and cause further delay.

The order was passed.

Alderman Clark stated that there was on the table an order requiring a report to be made on the subject of a Home for the Poor.

Alderman Power stated that the chairman of the committee was absent, and it was but recently that he learned that he was expected to act as chairman. He had, however, called a meeting of the committee for next Thursday, and a report would be made at the next meeting of the Board.

On motion of Alderman Quincy—

The report referring to the Committee on Legislative Affairs the subject of placing the control of stables in the hands of the Board of Health, was taken from the table.

Alderman Quincy stated that it would be impossible to obtain any legislation on the subject from the present Legislature, at this late day, and on his motion the report was indefinitely postponed.

On motion of Alderman Gaffield—

It was voted that when the Board adjourns it be to Thursday evening next, to meet the Common Council in convention, and that the next regular meeting of the Board be on Tuesday of next week.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

MAY 29, 1873.

The adjourned meeting of the Board of Aldermen was held this evening at eight o'clock, Alderman Cutter, the chairman, presiding.

PETITIONS PRESENTED AND REFERRED.

Thomas J. Dunbar, to be heard in relation to prohibition of removal of gravel from Long Island. Referred to Committee on Harbor on the part of this Board.

Thomas M. Stevens, for a sidewalk at the corner of Eighth and M streets. Referred to the Committee on Paving.

John W. Rollins, for leave to occupy a brick stable for one horse on Carver street, No. 89½. Referred to Committee on Health on the part of this board.

Emma H. Crosby to be paid for personal injuries caused by the unsafe condition of the sidewalk on Tremont street, near the Pavilion. Referred to the Committee on Claims.

REPORT OF A COMMITTEE.

Alderman Emery from the Committee on Public Lands, to whom was referred the petition of Thomas W. Carter, to be allowed to add an L to the building on the hospital wharf, leased by him from the city, made a report, recommending the passage of the accompanying order:

Ordered, That permission be granted to Thomas W. Carter to make such alterations in the L of the dwelling house now standing on that portion of hospital wharf leased by the city to him Jan. 1, 1873, as he may deem advisable, provided the same is done under the direction and supervision of the Inspector of Buildings.

The order was passed.

On motion of Alderman Gaffield, the estimates of the Street Commissioners upon the cost of widening Beach street, as proposed on a plan of the City Surveyor, May 4, 1868, which were made by the Street Commissioners and submitted to the City Council of 1872, were ordered to be taken from the files and referred to the Joint Committee on Streets.

CLOSING OF CHELSEA-STREET BRIDGE.

On motion of Alderman Gibson—

Ordered, That Chelsea-street Bridge be closed to public travel on and after the 30th inst., and remain closed until the repairs on said bridge are completed.

The Board went into convention with the Council for the choice of Treasurer, and on returning adjourned to Tuesday next, 4 o'clock.

CITY OF BOSTON.

Proceedings of the Common Council,
MAY 29, 1873.

The regular weekly meeting of the Common Council was held this evening at eight o'clock, E. O. Shepard, the President, in the chair.

On motion of Mr. Barnes of Ward 11, the roll was called, when there appeared to be a quorum present, as follows:

Abbott, Anderson, Barnes, Blackmar, Boardman, Burditt, Burt, Caton, Cudworth, Dacey, Darrow, Dean, Denny, T. H. Doherty, Edwards, Flatley, Hall, Harrington, Hine, Holmes, Kingsley, Lamb, Madden, Marston, Martin, McCue, McKenny, Morse, Page, Pease, Perkins, Powers, Prescott, Shaw, Thacher, Upham, Warren, Wells, West, Weston, Woods, Woodward.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of Howard A. Doe, Frank J. Downes, Mary Perry, Mary Landregan, George E. Dillingham and others, Thomas Gogin and others, and of George B. Emerson and others, were severally referred, in concurrence.

The reference to the Committee on Finance of the Treasurer's accounts on Dochester Trust Fund was concurred in.

The Mayor's message, stating that James L. Hillard has been appointed Mayor's clerk, in place of E. Emerton, resigned, was ordered to be placed on file.

The message of the Board of Aldermen proposing a convention for choice of Treasurer, at eight o'clock this P. M. was concurred in.

CONVENTION.

The Board of Aldermen soon came in for a convention for a choice of City Treasurer, Alderman Cutter, the Chairman of the Board of Aldermen, presiding.

ELECTION OF TREASURER.

Alderman Clark and Messrs. Prescott and Dacey of the Council were appointed a committee to receive and count the votes for Treasurer, the result of which was as follows:

Whole number of votes.....	58
Frederic U. Tracy.....	55

and there was one vote for an ineligible person.

Mr. Tracy was declared to be elected, and the convention was dissolved.

The following reports were accepted, in concurrence:

Report referring to Water Board the petition of W. F. Wade, that water be furnished to his estate, 146-150 Canal street.

Report leave to withdraw on the petition of M. A. French to be paid for injuries from an alleged defect in Kneeland street.

ELECTION OF AUDITOR.

The certificate of the election of Alfred T. Turner as Auditor of Accounts was read, when the Council proceeded to an election, Messrs. Darrow of Ward 9, Kingsley of Ward 3, and Flatley of Ward 4 acting as a committee to receive and count the votes, when Mr. Turner was unanimously re-elected, in concurrence, receiving 49 votes.

The orders to rescind order (Nov. 1, 1872,) authorizing purchase, for \$7500, of land on Adams street, from Old Colony & Newport Railroad Company, as a site for Police Station Eleven; and in lieu of said purchase, authorizing the purchase of 7500 feet of land, at not exceeding one dollar per foot, of J. H. Robinson, as a site for said station, were considered.

Mr. Page of Ward 9 inquired where this land was situated, that it should be worth \$1 per foot.

Mr. West of Ward 16 replied that it was situated very near the other, but was a better location, the price being the same, the city not being able to get a clear title for the other.

Mr. Burditt of Ward 16 said that to give the location more definitely, it was on the corner of Adams and Anburn streets, at Field's Corner.

The orders were read once.

The following orders were severally read once:

Report and order authorizing the grading of Madison square, and the erection of a wooden fence around it, at not exceeding \$3000.

Order authorizing the erection of an iron fence around the square on Commonwealth avenue, between Dartmouth and Exeter streets; and to raise the grade of said square, cover it with loam and sods, and lay out walks over the same; the cost not to exceed \$8000.

Report and orders for a loan of \$115,000 for extension of water pipes in Wards 13, 14, 15 and 16; also for a loan of \$161,000 for Parker Hill reservoir; also to authorize the Cochituate Water Board to take the land necessary for construction of reservoir, etc. (City Doc. No. 77.)

The following orders were severally passed, in concurrence:

Order appointing John W. Morris as a Field Driver etc., in place of John S. Underwood, resigned.

Order requesting secretary of the School Committee to furnish the City Council with copies of the report of the Committee on Schoolhouses, etc., upon the subject of rearranging the school districts in central portion of the city.

Report in favor of passage of order to place a tower and alarm bell in Prescott Schoolhouse, at an estimated cost of \$2000; and passage of said order.

Report and order requesting Street Commissioners to consider expediency of extending Eustis street at a width of forty feet to Magazine street; of widening Magazine street west of Norfolk avenue to forty feet; extending Magazine street at a width of forty feet to Dudley street; and report the estimated cost to City Council.

Order authorizing the removal of the foot bridges over Boston & Providence Railroad at West Canton street and Berwick park, and for that purpose to sell the same by public auction.

The order authorizing the Committee on the Fire Department to visit the several steam fire engine establishments, to enable them to select the most efficient and approved engine, hose and hook and ladder carriages, at a cost not exceeding \$1000, was considered.

Mr. Denny of Ward 9 inquired what the necessity was for visiting steam fire engine establishments after purchasing additional fire engines.

Mr. Pease of Ward 1 replied that the Mayor, in his annual address, alluded to the fact that steam fire engines of a greater capacity were needed, and the Fire Commission had made a similar statement; yet it was believed the city owned engines as good as any made. To satisfy themselves and the community on this subject, it was believed to be best to visit such establishments. It could not be so satisfactorily done to leave it to a sub-committee, and it was believed to be better for the committee to make the visit as a whole, rather than leave a doubt in the community in relation to it.

Mr. Denny said he had great confidence in the gentleman that the matter would be well investigated, yet he wished to know if so large an expenditure was required, and if he was satisfied that it was a reasonable and judicious expenditure. An experiment was tried on Mount Vernon street two weeks ago, which showed that our present fire engines had great power, and he did not believe it would ever be necessary to throw water higher than the cupola of the State House. Yet if the gentleman believed this was a proper expenditure he would not oppose it.

The question was taken on ordering the order to a second reading, and was declared to be carried.

Mr. Dean of Ward 12 raised a doubt, and asked for the yeas and nays in verification of the vote.

The Chair (Mr. Perkins of Ward 6) ruled that the motion for the yeas and nays was too late.

Mr. Dean said he did not propose to argue the matter, yet it was a most common thing to verify a doubt by the yeas and nays.

The Chair said he did not know of an instance in the practice of the Council in which a doubt was solved by calling the yeas and nays.

Mr. Dean replied that such was the practice elsewhere in all parliamentary proceedings.

The Chair stated that a verification would be made in the usual way, by a rising vote and a count.

Mr. Dean again asked for the yeas and nays.

The Chair ruled the motion out of order.

Mr. Dean appealed from the decision of the Chair.

Mr. Shaw of Ward 5 declared that such a motion was in order at any stage of a vote, by all parliamentary rules, before taking a question or on solving a doubt. A call for the yeas and nays was an inherent right of any member in a record of his vote. He would second the appeal. In all legislative bodies such a right was recognized, and the yeas and nays were always called to solve a doubt, when required.

The Chair cited Section 3 of the rules of the Council, as declaring that "if any member rises to doubt a vote the President shall cause a return of the members voting in the affirmative and in the negative, without further debate on the question." Under this the custom had been invariably to solve a doubt by a count.

Mr. Dean read Rule 6, which he believed sustained his views, but the Chair reminded him that the rule in question was a rule of the Board of Aldermen and not of the Council.

The Chair read also Section 30, which declares that when a vote is doubted the members for and against the question, when called on by the President, shall rise and stand until they are counted." The rule, he said, was distinctly laid down and it had invariably been the custom to solve a doubt only in that way, as long as the Chair had been a member of the Council, and of this there could be no doubt.

Mr. Shaw believed the Chair to be mistaken, and that he misinterpreted the idea conveyed by the rule. When a member rises and asks for the yeas and nays,

and is sustained by a vote of one-fifth, he is entitled to a verification of the vote in that way.

Mr. Dean said, if he was not mistaken, a vote on the claim of Smith & McGaragle was settled in that way at the last meeting of the Council.

Mr. Blackmar believed the rules sustained the Chair in his decision.

Mr. Dean believed that he had a personal right to a call for the yeas and nays, on being sustained by a one-fifth vote, as provided in Section 7, whether before or after the previous question has been ordered, on all questions and motions whatsoever.

The Chair stated that he was familiar with legislation as provided in Section 12, relating to the main question, and that was not a new section. After a call sustaining the demand for the previous question, it was too late to call for the yeas and nays, and the question had never been raised in the two years in which he had been in the Council, whether the yeas and nays could be called to solve a doubt. Section 7 did not affect or modify Section 30, because Section 30 imperatively decided the manner of taking the vote to solve the doubt.

The Chair stated the question to be, Shall the decision of the Chair stand?

Mr. Dean referred to a change in the rule on this question, which was considered by the Committee on Rules and Orders this year, and he claimed that under the rules the right belongs to every member, if sustained by the requisite number, to have the question settled by the yeas and nays. That right was never closed under any circumstances. Even should the previous question be put, the strongest which could be had, it would not prevent the motion for the yeas and nays.

Mr. Brackett of Ward 10 sustained the views of the Chair, and the question he said was in this case simply the solving a doubt.

The Chair again stated the question to be, Shall the decision of the Chair be sustained?

Before a declaration was made of the vote, Mr. Flynn of Ward 7 called upon the Chair to enforce the rule, in requiring all the members to vote.

The vote was declared to be 26 in favor of the decision, 10 against.

Mr. Flynn doubted the vote and called for the yeas and nays on it.

The Chair ruled the motion to be not in order.

Mr. Flynn wished to know if the Chair refused to entertain his motion.

Mr. Shaw proceeded to inquire—

The Chair declared the gentleman to be out of order, and ordered him to take his seat.

Mr. Flynn moved that Mr. Shaw be allowed to proceed in his remarks.

The Chair ruled that it would not be in order.

Mr. Flynn wished to know if they were both out of order.

The Chair declared that they both were, the only question pending being that of solving a doubt.

Mr. Flynn said he was about moving—

The Chair repeated that there was no motion pending, but to solve a doubt, and stated the question.

Mr. Barnes of Ward 11 wished to know what the question was.

The Chair stated that the question was on ordering the order to a second reading.

The vote was taken, and the question of a second reading of the order was carried by a vote of 29 to 14.

ADDITIONAL FOURTH-OF-JULY APPROPRIATION.

The report and order for an additional appropriation of \$5000 for the celebration for the Fourth of July, was read once, and the question being stated as being on its second reading—

Mr. Denny of Ward 9 wished to know what this additional expense was for?

Mr. Wilbur of Ward 9 replied that of this sum, \$3000 was for a balloon excursion, and \$2000 for fireworks.

Mr. West of Ward 16 stated that when that order was passed, it was believed \$15,000 would be sufficient for the Fourth-of-July celebration, and unless he could be shown that it was not sufficient, he could not vote for this order. If \$15,000 sufficed, as was supposed, why not take out of that sum sufficient for a balloon ascension and fireworks.

Mr. Denny of Ward 9 stated that when the committee came together there was a strong feeling in favor of fireworks, and it was voted in favor of them and in favor of a balloon ascension; but as all the other objects had been cut and pressed down, it was found that there could be no fireworks or balloon without an additional appropriation. It was asked that there be an appropriation of \$3000 for a balloon, in which to try an experiment.

Mr. Harrington of Ward 8 believed that the gentleman from Ward 9 had a wrong impression, and that it was not as he states it. A proposition was made for \$3000 for the balloon to go to Europe, but it was voted to give \$1000 for a balloon ascension, in which the parties might go to Europe or anywhere else. The expenditure for the rowing regatta was cut down, and it was not \$3000 to go to Europe—not at all.

Mr. Wells of Ward 3 stated that when he offered the order for the Fourth-of-July celebration, he said the sum of \$15,000 was not enough. The rowing and sailing regattas and the children's festivals were all put down to the lowest point, and the fireworks and balloon were left out. Many of the committee wanted fireworks, and a certain portion wanted a balloon ascension. If the appropriation of \$3000 is made on which the balloon is to go to Europe, he would vote for it. It should be remembered that the balloonist wished to take two or three members of the Council with him, and that is a consideration.

Mr. Flynn said the gentleman from Ward 9 expressed the general feeling of the committee, but the gentleman from Ward 8 did not. He voted to ask for \$3000 for the balloon ascension, provided that the man does what he agreed to, and it was with that expressed understanding that he voted for it.

Mr. Barnes of Ward 11 said the gentleman had expressed the views of the committee, which was for an appropriation of \$2000 for fireworks on the Common and nowhere else. Professor Donaldson came here with a proposition for a balloon backed by Professor Henry. The opportunity afforded to Boston should be availed of if possible, and if \$3000 is needed for it, it will be expended. A sub-committee was appointed to make conferences on the subject, and they will not expend more than \$3000. He had in his hand a postal card from Professor Wise, who was well known, which, with the permission of the Council, he would read. [The contents of this card have been published.] He believed the committee could safely be trusted with \$3000 in their hands, and that it would be properly guarded. It would be an earnest endeavor to show that at a height of 1½ miles the wind blows only in one direction.

Mr. West of Ward 16 said it had been the impression that an expenditure of \$20,000 or \$21,000 for a Fourth-of-July celebration was not economical, and he could not vote for an additional appropriation of \$5000 unless convinced that it was a judicious expenditure and was needed.

Mr. Pease of Ward 1 asked to have the question divided.

Mr. Bowles of Ward 12 wished to know what an experimental trip in a balloon had to do with the Fourth of July. One thousand dollars would be enough for a balloon ascension, and if hereafter it is necessary to test an experiment, let it be brought before the City Government on its merits alone, when it may be fully discussed. He was willing to vote for what was proper and right for a Fourth of July celebration, but nothing more.

Mr. Pease withdrew his motion.

Mr. Shaw said there were some people who believed there should be an expenditure on the Fourth of July for a balloon ascension. When the original order was up, he voted against making it \$21,000, and now he was in favor of an increase, for reasons which he would give. When the committee met the other branch was fully represented, and this subject was not lightly but fully and freely discussed. A sub-committee reported upon the division of the \$15,000, which did not include fireworks. This produced considerable dissatisfaction, and it was suggested that an increased appropriation be asked for. It was suggested also that a scientific man wished to make an experiment of navigating the air to the Old World. The programme and principles of the proposition were stated, and that it was in the nature of an experiment. He was at first in favor of a certain sum of \$1000 for a balloon ascension, and believed the project to be a visionary one.

On further reflection, he believed the feat could be accomplished. It was in the interests of science, and it would be well to aid in the attempt to establish its truth. Perhaps it would not require \$3000, but it would be better, if we do anything, to appropriate enough to make it a success, than by stinting it to make it a failure. It was the character of all great discoveries that they were at first looked upon as foolish, before demonstrated as sound. The idea of attempting to go to Europe in a balloon will attract thousands to this city, and there will be ten for every one otherwise who will be drawn here to see such a novelty. This experiment would be a gratification of the people, and what are the ringing of bells, the firing of cannon and other things, but to gratify the people? It would be a great novelty, and no less so even though he should come down in Chelsea, Lynn, Marblehead or Swampscott. But he feels confident, and comes here because he believes this to be a scientific place. If he was satisfied the project was feasible, he would make the appropriation as much as was necessary.

Mr. Daegy of Ward 2 said he voted against the appropriation in committee, and he should vote against it here. Admitting that the project is feasible, why not allow scientific men to put it through. Money would be put out, and the balloon would probably land in Lynn. The city should not invest in such projects, and it was no argument to say that it would draw crowds of people, for there were plenty of humbugs which could do the same.

Mr. Burditt of Ward 16 said that when they voted \$18,000, it was from motives of economy. He did not believe this was in the interest of science, and there was no evidence that men of science back it up. He moved to amend the order by making it \$2500 instead of \$5000.

Mr. Pease would not vote that sum for the balloon ascension, for he would not be guilty of aiding men to commit suicide.

Mr. Flynn hoped the order would not be amended. If it was designed to cut off the balloon ascension, why not make the sum \$2000, for if that was to be struck out, why not do it man fashion, and not beat round the bush?

Mr. Burditt said he wished to have a fair appropriation for fireworks, and a moderate one for the balloon ascension; he did not propose to beat round the bush, for he would not cut off either.

Mr. Dean of Ward 12 said that when the balloon project came up, he looked upon it much as did the gentleman from Ward 1, yet he should not be surprised to find it to be successful. He was not in favor of an aerial trip, yet he was in favor of an increase in the appropriation. Much to his surprise, it was very difficult, if not impossible, to get along under the appropriation. Everything had been stopped at the lowest point, and the committee were on the whole of the opinion that they could not get along without more money. It would perhaps be a better way to give \$5000. There could be no doubt that it will be well expended; for if not satisfied the committee will not expend it. His judgment was much as was that of the gentleman from Ward 5, but it had been carried against his will.

Some persons might wish to use the appropriation for different purposes from what he would. All the members of the committee were not satisfied without an increase of the appropriation; they want to celebrate the day for the gratification of all the citizens. The celebration was for the purpose of having a good time, for cheerfulness and pleasure and to forget that we have had a great fire. In a good many of the divisions of the celebration the appropriations are too small. They were all cut down, and not only cut down to meet the size of the cloth, but there was not cloth enough.

Mr. Brackett of Ward 10 hoped the amendment would be voted down and the amount of appropriation asked for would be granted. A balloon ascension for the Fourth of July was a perfectly legitimate object of expenditure. What was the object of such expenditures but to entertain the people? A large class are not now entertained, but seek to leave the city. A large class would be entertained by the proposed ascension—men of science and others, who would like to see the experiment tested. With regard to coming down in Chelsea, even should it prove so to result, it would not be conclusive against the theory to be tested. Every new invention designed to facilitate the progress of mankind is at first stigmatized as visionary. So it was with the use of steam and railroads. Even at the rate of eighteen miles an hour, it was said that a man might as well be shot out as a congreve rocket, and the first steamboat which crossed the Atlantic brought with it a treatise demonstrating that such a trip could not be made.

It was, perhaps, on this account that he was rather inclined to favor schemes which were called visionary, because people were badly taken in by their opposition to them. If this succeeded it would be of much credit to those who aid it, just as in the past aid had been given in any invention for the welfare of man. Let us give our aid to the project, if those who engage in it think they will succeed.

Mr. Suaw referred to the early days of railroads, when the projectors in this country designed only to use horses as a motive power, and when he was first in the Common Council great opposition and ridicule was made to the use of the first steam-fire engine, the Miles Greenwood. The starting of the first train of cars was witnessed as a wonder of the age, and he believed the air would be navigated. He should regret to see the balloon land at East Boston, yet he doubted not the gentleman from Ward 1 would give all the aid he could should the aeronaut come down on that island.

Mr. West of Ward 16 said he was in favor of expenditures to a reasonable amount for gratifying the people. The gentleman from Ward 5 opposed the expenditures of last year, as to a considerable amount not for the benefit of the people. If it was but a reasonable amount it would be nothing to him; but he objected to fooling away of the people's money. The fooling away of \$1000 last year might just as well have been saved.

Mr. Boardman of Ward 6 said the history of inventions was not the question, that question being purely one of a scientific nature. In the expenditure proposed \$3000 was for going to Europe, and could not be considered as an expenditure solely for the Fourth of July for spectacular appearances. The balloon would soon be out of sight, and so far as the spectacle was concerned for the gratification of the people, an ordinary ascension would afford the same gratification. There would be the same attraction as

in going to Europe, and he did not, therefore, think the appropriation was germane to the celebration of the Fourth of July.

Mr. Bowles of Ward 12 said he desired to be put on record as loyal to the Fourth of July, but not for such appropriations as this was designed for. It was not for them to make a Fourth-of-July appropriation to test a scientific question. He desired to be recorded in favor of the full sum of \$5000, not to test a scientific question, but to celebrate the Fourth of July and interest all the people.

Mr. Caton of Ward 11 moved the previous question. The Chair stated the question to be, "Shall the main question be ordered," and it was carried.

The first question was on the amendment of Mr. Burditt, to reduce the appropriation to \$2500, on which the yeas and nays were ordered on motion of Mr. Flynn of Ward 7.

The amendment was rejected by a vote of 19 yeas to 33 nays, as follows:

Yeas—Adams, Blackmar, Boardman, Burditt, Burt, Caton, Cudworth, Dacey, Darrow, Holmes, Kingsley, Loring, Page, Pease, Perkins, Powers, Train, Warren, Woodward.

Nays—Abbott, Anderson, Barnes, Bleiler, Bowles, Brackett, Dean, Denny, Edwards, Flatley, Flynn, Hall, Harrington, Hine, Hughes, Kelley, Lamb, Marston, Martin, McCue, McKenney, Morse, Prescott, Risteen, Shaw, Thacher, Upham, Wells, West, Weston, Whiston, Wilbur, Woods.

The question was put on the question of ordering the order to a second reading, which was carried, by a vote of 30 to 17.

Mr. Barnes, of Ward 11, moved a suspension of the rules for the second reading of the order, which was declared to be lost, by a vote of 29 in favor, 16 against—not two-thirds.

Mr. Flynn raised a question as to the count, he having made but 15 in opposition, and moved its verification by yeas and nays.

The Chair stated that he counted himself as voting in opposition, making the 16.

Mr. Flynn doubted the vote.

The Chair stated that a decision had been made.

Mr. Flynn wished its verification by yeas and nays.

The Chair stated that a decision had already been made; that the yeas and nays could not be taken on a verification of the vote, and it could not be except by general consent.

Mr. Dean stated that when this question was up before, he could not get access to the book on parliamentary law, and he proceeded to read from Cushing to show that the yeas and nays could be called on verification of votes, and giving the origin of the motion.

The Chair stated that if a verification was wished he would take another count; and a count being taken, the vote was 33 to 18—not two-thirds.

The following additional papers from the Board of Aldermen were acted upon:

The petition of Emma H. Crosby was referred, in concurrence.

The following orders were passed, in concurrence:

Order to allow Thomas W. Carter to make an alteration to a building on the hospital wharf.

Order that the estimates for the widening of Beach street, of May 4, 1868, be taken from the files and referred to Committee on Streets.

UNFINISHED BUSINESS.

The order to allow and pay the salaries of Normal School teachers up to June 1, 1873, was read a second time and passed.

The following orders were severally laid on the table: Order authorizing a transfer of not exceeding \$3000 from reserved fund to the amount authorized for a horse house at corner of O and Fourth streets, South Boston.

Order for a joint committee to be appointed to arrange for music on the Common and in other parts of the city, at a cost not exceeding \$3000.

The order to transfer and assign to William Smith & Co., the city's interest in three insurance policies effected by said Smith & Co., on a building which they had contracted to erect as a smallpox hospital, and which was destroyed by fire before it was delivered by the contractors; and for City Clerk to attach a copy of the above order to each of said policies, was read a second time and assigned to half-past eight o'clock next meeting.

ORDERS FROM THE SCHOOL COMMITTEE.

Ordered, That the Bowditch Grammar Schoolhouse on South street be surrendered to the City Council July 2, 1873, and that the grammar pupils of this district be transferred to the Channing building on Cove street, at the beginning of the next school year.

Ordered, That the old Franklin Schoolhouse on Washington street be surrendered to the City Council July 2, 1873, and that the Boylston-School District be discontinued from and after that date.

Severally referred to the Committee on Public Buildings.

ANNUAL REPORT OF TRUSTEES OF MOUNT HOPE CEMETERY.

To the Honorable City Council—The Trustees of Mount Hope Cemetery have the pleasure to submit

their annual report, it being the fifteenth since the cemetery became the property of the city. As will be seen by the financial statement presented herewith, the receipts for the sale of lots, graves, and for labor during the year, amount to \$22,400, which is \$5000 in excess of the receipts of any previous year. This increase is due to the more equitable prices obtained for the lots, as well as to a greater number having been sold. It was the policy of former Boards of Trustees to have one uniform price for lots in the cemetery; this policy was continued until a recent date, when a graded scale of prices was fixed upon, lots favorably situated being held at higher rates than those not so well located. This change has been of great benefit to the city, and has met the approval of those purchasing lots in the cemetery. The present prices are, however, far below those in any of the older cemeteries near Boston. This fact, together with the natural beauty of the grounds and the fostering care of the city, will ever commend Mount Hope to those desiring to secure a resting place for their dead.

Nothing adds so much to the general attractiveness of the cemetery as the frequent cutting of the grass, and extra labor bestowed upon the ground within the enclosure of the lots. To secure this, the Trustees have recently invited the attention of all the proprietors of lots, whose addresses could be ascertained, to the importance of making provision for the annual or perpetual care of their respective lots. This suggestion has already met with a gratifying reception, and the Trustees feel confident that their effort to secure a permanent fund for the care of the cemetery grounds will be entirely successful.

Since the last annual report, the amount of labor performed in the cemetery exceeds that of any previous year. This work covers important improvements on Greenwood, Union, Elmwood and Walnut avenues, as well as the usual miscellaneous work upon all the avenues, walks and grounds throughout the cemetery.

During the year twenty-three half lots have been made upon Lowell walk, and sixty-seven full-size lots have been laid out between Central and Channing avenues, and will be completed early in the coming season.

About 140 tablets, headstones and monuments have been erected during the year; many of them of beautiful design and workmanship.

The number of interments made during the year, exclusive of those in the City Cemetery, was 775. The total number to May 1 was 6140.

In conclusion the Trustees acknowledge with pleasure the generous cooperation of the City Council by their appropriation for the maintenance of the grounds the ensuing year, thereby enabling them to make this cemetery one of the most attractive of the many beautiful "gardens of the dead" with which the vicinity of Boston abounds.

The Trustees mention with satisfaction their recognition of the valuable services rendered by their superintendent, Mr. Samuel A. B. Bragg, and those of Mr. N. A. Apollonio, the City Registrar, who is *ex officio* secretary of the Board.

For the coming season, additional facilities for conveyance to the cemetery have been made, and the Trustees believe that the increased accommodations will meet the wants of the public.

The report of the Committee on Accounts of this Board is appended.

S. B. STEBBINS, President,	} Trustees of Mt. Hope Cemetery.
ALANSON BIGELOW,	
CHARLES DARROW,	
GEORGE L. BURT,	
CHARLES CAVERLY, JR.,	
JOSEPH P. PAINE,	

The balance in the treasury May 1, 1872, was \$2188 32. The appropriation of the City Council was \$16,000; received for sale of lots, \$12,975; graves in Maple Grove, \$2778; digging graves \$4546 50; care of lots \$1077 50—with other receipts making an aggregate of \$40,596 80. The expenditures were \$23,173 24 for labor; salary of superintendent \$1800; repairs, carpenters work, \$2103 92; Metropolitan Railroad Company, running coaches, \$750—with other items making a total of \$33,729 38. Balance on hand, \$6867 42.

Ordered to be sent up.

REPORTS OF COMMITTEES.

Mr. Dean of Ward 12, from the Joint Standing Committee on Ordinances, to whom was referred the petition of Henry W. Dutton & Son, in relation to areas under sidewalks, made a report recommending that the petitioners have leave to withdraw. Accepted.

Mr. Dean, from the same committee, to whom was recommended the report and ordinance in relation to the Law Department, reported the ordinance in a new draft, fixing the salaries as follows: City Solicitor, \$6000; First Assistant, \$3000; Second Assistant, \$2500; Third Assistant, \$2000; Clerk, \$1500.

The report was accepted and the ordinance was passed.

Mr. Caton of Ward 11, from the Joint Standing Committee on the Survey and Inspection of Build-

ings, to whom was referred the petition of Joseph D. Fuller, for leave to locate a wooden building at a less distance from another wooden building than allowed by the ordinance in relation to the regulation and inspection of buildings, made a report, recommending that the request of the petitioner be granted. Accepted.

Mr. Caton, from the same committee, to whom was referred the petition of J. T. Gurney, for leave to erect a hoistway and platform on Warren street, Ward 13, outside his store on Warren street, of a size larger than allowed by the ordinance in relation to the regulation and inspection of buildings, made a report, recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to J. T. Gurney to erect a hoistway and platform on Warren street, Ward 13, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted and the order was passed.

Mr. Caton, from the same committee, to whom was referred the petition of Tileston & Hollingsworth, for leave to erect a wooden building on River street, Ward 16, of a size larger than allowed by the ordinance in relation to the regulation and inspection of buildings, made a report, recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Tileston & Hollingsworth to erect a wooden building on River street, Ward 16, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted and the order was passed.

Mr. Caton, from the same committee, to whom was referred the petition of Torrey & Co. for leave to erect a shed for storage purposes at their marble yard on Medford street, Ward 2, within the building limits, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Torrey & Co. to erect a shed at their marble yard on Medford street, Ward 2, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted and the order was passed.

Mr. Caton, from the same committee, to whom was referred the petition of Samuel G. Snelling for leave to erect a wooden building on Taylor street, Ward 16, of a size larger than allowed by the ordinance in relation to the regulation and inspection of buildings, made a report, recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Samuel G. Snelling to erect a wooden building on Taylor street, Ward 16, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted and the order was passed.

Mr. Caton, from the same committee, to whom was referred the petition of John S. Weeks for leave to erect a wooden building on Weeks's wharf, Ward 1, of a size larger than allowed by the ordinance in relation to the regulation and inspection of buildings, made a report, recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to John S. Weeks to erect a wooden building on Weeks's wharf, Ward 1, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted and the order was passed.

Mr. Caton, from the same committee, to whom was referred the petition of S. S. Woodcock, for leave to erect a wooden building on Adams and Gibson streets, Ward 16, of a size larger than allowed by the ordinance in relation to the regulation and inspection of buildings, made a report, recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to S. S. Woodcock to erect a wooden building on Adams and Gibson streets, Ward 16, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The report was accepted, and the order was passed.

Mr. Shaw of Ward 5 moved a reconsideration of the vote by which the order in Doc. No. 73 on the small-pox hospital claims was adopted, and that the motion to reconsider be laid on the table. Carried.

On motion of Mr. Brackett of Ward 10, the reports on the Burrill claim were assigned for consideration on Thursday evening next, at nine o'clock.

On motion of Mr. Page of Ward 9, an order was read once, that the Board of Directors for Public Institutions be authorized to construct a line of telegraph from their office to the institutions at South Boston; the expense of the same, not exceeding \$1200, to be charged equally to the appropriations for the House of Correction and the Lunatic Hospital.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JUNE 3, 1873.

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

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers, without pay—Benjamin Heath, Jr., for Paving Department; George Fowler, North Cemetery, Ward 16; William J. Johnson, City Point; W. McArthur, John M. Collins, Thomas Tync, Hartford & Erie Railroad Station; John S. Moulton, for Commercial street; Thomas Boyle, "burnt district"; Lawrence Curtis, State street and its vicinity; S. Clarence Ellis, Charles C. Perkins, Charles Morton and Charles W. Drake, in connection with their duties in the Surveyor's Department; Frederick P. Moseley, George A. Clark, James M. Torrey and Elisha Moseley, for Crescent avenue, Ward 16.

PETITIONS PRESENTED AND REFERRED.

William Barton, for compensation for damages by the raising of the grade of Quiney street, Ward 14.

Augustus Parker and others, that edgestones be set and gutters paved on Blue-Hill avenue, from Warren to Schuyler street.

James Donnelly, for compensation for damage to his property by reason of lowering the grade of Regent street.

Thomas Kenney, for compensation for damages by the lowering of the grade of Regent street.

R. A. Ballou, Francis B. Snow and others, that Melville avenue, Ward 16, may be graded and macadamized.

James D. Thompson and others, that Wigglesworth and Worthington streets be paved with wood.

Referred to the Committee on Paving.

Thomas C. Amory and others, against the proposed erection of a stable by J. W. Rollins at 89½ Carver street.

Silas H. Sherman, for leave to occupy a wooden stable for two horses on D street, southeast corner of Eighth street.

Edward Whiting, for leave to occupy a wooden stable for three horses on Tileston avenue.

Henry McElroy, for leave to occupy a wooden stable for two horses on Villa court.

William R. Cavanagh and others, against the erection of a stable on D and Eighth streets.

Severally referred to the Committee on Health on the part of this Board.

Emanuel Downing for a sewer in Lexington street as far as Eagle street.

William Bassett and others, for a sewer on Bennington street from Brooks to Putnam street.

Severally referred to the Committee on Sewers.

Newton Morton, for leave to erect a wooden building exceeding the legal dimensions on K street, near First street.

Suffolk Kindling Wood Company, for leave to erect a wooden shed on First street, near K street.

Severally referred to Committee on Survey and Inspection of Buildings.

Robert T. Swan and others, that the proposed addition of \$5000 to the Fourth of July appropriation be expended for other purposes, to defray expenses consequent upon the fire of May 30. Ordered to be sent down.

Charles E. Wiggin and others, for the appointment of a commission to prescribe some method of preventing or rapidly extinguishing fires in this city. Referred to the Committee on Fire Department.

Chency & Hunt, that their stand at the corner of South Market and Commercial streets may be allowed to remain till October 1. Referred to Committee on the Market.

COMMUNICATION FROM THE MAYOR RELATING TO THE FIRE DEPARTMENT.

The following communication was laid before the Board:

EXECUTIVE DEPARTMENT,
CITY HALL,
BOSTON, June 3, 1873.

To the City Council of the City of Boston: Gentlemen—In my address at the inauguration of the present City Government, I called attention to the importance of increasing the efficiency of the Fire Department by providing additional apparatus, enlarging the water supply, and making such changes in the organization of the force as might upon examination be found necessary.

In view of the disastrous fire which occurred on Friday last, I deem it my duty to ask your attention to this subject again, and to urge immediate action, more particularly in providing additional apparatus for the protection of property in the business portion of the city. It is evident that the present means are insufficient. This fact has been recognized by your honorable body in making the appropriations necessary to enlarge the force. In order that the proposed increase may be made without further delay, I recommend that temporary accommodations be furnished at suitable points until permanent stations can be established.

The organization of the department is a matter which requires careful revision. The present system is clearly defective. Some changes in its details have already been recommended, but they are not sufficiently comprehensive to meet the emergency. To secure proper training and discipline, it is necessary that the officers and members of the department should be appointed for a term of years or during good behavior, and that the management should be placed upon a more permanent basis than is afforded under the present system. In my opinion the public interests would be subserved by increasing the permanent force of the department so that there shall be a sufficient number of men always on duty to work the apparatus on all ordinary occasions. When they are not attending fires, the hosemen can perform the duties of a fire patrol and also furnish much valuable information to the chief officers in regard to unsafe and dangerous buildings.

The recent act of the Legislature amending the Building law provides among other things that if any building in the city of Boston shall appear upon examination by the inspector of buildings to be specially dangerous in case of fire, by reason of insufficient thickness of walls, overloaded floors, defective construction or other causes, such building shall be held and taken to be dangerous, within the meaning of the provisions of the act, and the inspector of buildings, besides proceeding as in ordinary cases, may affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of the building. Unless provision is made for such examination by members of the Fire Department, it will be necessary to make a temporary increase, at least, to the force in the Inspector's department, in order to furnish this information within a reasonable time.

Every effort should be made to induce the owners and occupants of buildings used for manufacturing, mechanical or public purposes, to provide additional safeguards against the spread of fire. The use of portable apparatus should be encouraged, and information as to the manner of using it to the best advantage by those employed in private establishments, should be disseminated as widely as possible. In many instances where serious loss has been occasioned in this city, it might have been prevented by timely action on the part of those who first discovered the fire, either in giving the alarm, or making a determined and intelligent effort to extinguish it. It is necessary that public opinion as well as the influence of the municipal authorities should be brought to bear to arouse a more general feeling of personal responsibility in this matter.

Among the most serious disadvantages under which our department labors at present is the inadequate supply of water in cases of emergency. In the old portion of the city many of the street mains, which were laid when water was first introduced, are too small to meet the requirements of the present time. They have become reduced by corrosion. The buildings they were designed to supply were two or three stories in height. A large portion of the territory is now covered by warehouses from five to seven stories in height, and filled with combustible materials. Even this inadequate supply of water is not used to the best advantage. It is furnished to the department through the old-fashioned hydrants, one of which is capable of supplying only a single steamer. The pipes and hydrants should be of such capacity as to discharge the requisite quantity of water to meet every emergency in every locality. Any measures adapted to these ends will receive my hearty approval and coöperation.

HENRY L. PIERCE,
Mayor.

Alderman Brown moved that the communication be referred to the Committee on the Fire Department.

Alderman Clark hoped that if it should be so referred, it would be with instructions to the committee to report on the origin of the fire, and the efforts made for its suppression.

The motion to refer was carried.

ANNUAL REPORT OF THE OVERSEERS OF THE POOR.

The annual report of the Overseers of the Poor was laid before the Board in print. The report states

that the duties of the office have been about the same as usual, somewhat increased by the growth of the city and the great fire, but not so much from the latter as might have been anticipated, owing to the efficiency of the Relief Committee, and the abundant funds so generously put into their hands by our citizens. They say, "Another year we may feel more sensibly in our department the effect of the fire, if any considerable number of the sufferers have become permanently poor through its influence; but so far, as has already been intimated, no large expenditures have been caused on this account. There is, however, a considerable increase from year to year in the military settlement of cases growing out of the late war. By recent acts of the Legislature, a soldier or sailor who served a year on the quota of any city or town, and received an honorable discharge, thereby acquired a legal settlement in the place to which he was credited. This carried with it, of course, a claim for relief for his widow and children if they should be in want."

The action of the City Government, extending Washington street, caused the taking by authority the market estate in Elm street, in which the Overseers of the Poor have an interest from the gifts of David Sears, known as the Fifty Associates Charity, and the Searstan Charter House. The question growing out of the title led the board, in connection with the heirs of Mr. Sears and the Fifty Associates Corporation, to a re-examination of the whole subject, with a view to a final determination of the respective rights and prerogatives of all parties. While engaged in this friendly conference, we were called to lament the sudden death of Mr. David Sears, the eldest son of the founder, and there has been a delay of the settlement in consequence. It is hoped that during the present year we may be able to adjust the matter in conformity with the benevolent intentions of the generous donor, and for the lasting benefit of the poor of the city.

During the year, through the vigilance of the City Solicitor, we have come into possession of some real estate on Cambridge and Joy streets, bequeathed "to the city of Boston for the benefit of the poor," by Mrs. Lucy Bullman, by her will dated Dec. 26, 1828, and the present income from the estate is about \$1860 per annum.

The special reports of the Secretary and Treasurer, which are included in this document, present in detail the receipts and expenditures for the past year, with some statistics as to the class of persons assisted, which may be of interest.

The total amount of all expenditures is—

From city appropriation.....	\$73,065 40
From income of various trust funds (not including investments).....	12,557 26
Total.....	\$85,622 66

It should be remembered, however, that the first amount is more than the actual cost to the city, as it is our duty to advance the sums necessary to meet the wants of those who have settlements elsewhere in the State, and also of those State paupers who are too sick to be removed to the almshouse, which sums are repaid to us and afterwards returned to the city treasury. During the past year, \$24,387 77 was paid back from this and other sources, so that the net expenditure of the city for our department was but \$43,677 63.

The board state that in addition to their duties as Overseers of the Poor, of expending money raised by taxation, they have in charge certain trust funds, amounting April 30, 1873, to \$301,793 15, exclusive of the Bullman estate, which has been given by charitable individuals for the relief of the poor, particularly for those who have seen "better days." To some of these funds are annexed certain conditions, while others are left to the discretion of the board. The Boylston Fund is divided into two parts; one for relief to adults, and the other for the education of destitute children. The income from the first is annually distributed. But a small portion of the second is used, it being the policy of the board to leave it to accumulate until its capital shall amount to such a sum that the income will be sufficient to carry out, in an efficient manner, the wishes of the donor.

The number of beneficiaries on the trust funds is 293, of whom 105 are between 60 and 70 years, 113 between 70 and 80, 32 between 80 and 90, 2 of 90 years, and 1 of 93 years.

The statistics of the Temporary Home do not vary materially from those of last year. Great care is used that it shall not degenerate into a city poorhouse, with permanent inmates. The definitive purpose of its establishment as a Temporary Home is always kept in mind in the administration of its affairs and in the control of its inmates. Of the admissions, there were 216 American females, 853 foreign females; 548 children under 12 years of age, and 6 births, mak-

ing a total of 1623. There was one child adopted, 215 lost children restored to parents or guardians, 23 nurses furnished with situations, 421 persons furnished with employment, 38 adults and 41 children sent to Tewksbury, 134 persons sent to their friends, and 6 deaths. There were 12,644 single meals furnished.

The societies occupying rooms in the Charity Building are the same as last year; with the addition of the German Emigrant Aid Society, which was admitted in March. This society affords relief to those of German birth needing assistance, the more affluent of this nation with commendable pride seeking to aid their own countrymen rather than that they should be thrown upon the Provident Association or other of our local societies.

It is stated that some expense will be necessary for whitening, painting and other repairs, and alterations are contemplated in the Home, so that the inmates may be more secure of safety in case a fire should occur at night.

"The system of a thorough examination of all cases receiving aid is continued, with satisfactory results. We have now seven thousand three hundred and thirty-four papers, giving in brief an account of the personal history of the applicants, with their immediate ancestors. To these reference is made when successive applications for aid are presented. In addition to this an occasional call is made by one of our visitors, so that their present condition may be ascertained. During the year three hundred and ninety-eight new papers have been filled to meet the claims of new applicants. A tabular statement of the social condition of the families represented in these papers is appended to this report."

The Board of Overseers close their report with a feeling that the interest committed to their charge is in as satisfactory condition as the nature of the work will warrant."

In regard to begging and indiscriminate alms the board say they are limited by the laws which gave them an existence, and remark, "In the progress of time the laws of settlement may be so modified by the Legislature as to extend and enlarge the class entitled to its benefits, but at present we must conform to the existing statutes of the Commonwealth, without any power on our part to change them. The great problems of poverty and crime and their relations to each other, especially in the great centres of population, are not foreign to our thoughts, and we sympathize with those who are investigating their causes and seeking a remedy for their evils. We feel encouraged in our own city that poverty at least does not increase in a ratio corresponding with its municipal growth. A stop has been put in a great measure to begging, formerly so common in our streets, and we do not believe, if it is true in England, it is the same with us, 'the fewer beggars, the more robberies.' Work, in this community, is generally furnished to those who seek it; the real poor are those who by the infirmities of age are deprived of the strength to earn their livelihood, or those of middle age struck down by disease with a family of children dependent upon their exertions. To aid such is not only our duty but cheerful pleasure. 'Out-door relief' does not deprive the recipients of their homes or break up their families, but enters their dwellings and administers to the comfort of their inmates in their great extremity."

In the number aided directly from the office there were 612 having tax settlements in Boston; 371 having military settlements in Boston, and of those aided elsewhere there were 77 having tax settlements and 69 military settlements in Boston, making a total of 1129 cases having settlements here; 300 were aided residing here, having settlements elsewhere, which aid was refunded; 359 sick paupers were aided, which aid was refunded by the State, and 65 non-settlement cases temporarily aided, making the whole number 1841, representing 5532 persons.

The amounts of the several trust funds are now as follows: Pemberton or General Fund, \$96,342 74; Boylston Education, \$80,775 11; Boylston Relief, \$18,856 07; Mason Fund, \$8009 80; Dexter Fund, \$2065 26; Jeffries Fund, \$1831 31; total, \$208,156 39, showing an increase during the year of \$5839 96.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice on the proposed construction of sewers in Alpine street and in Fruit street; also on the petition of David R. Whitney for leave to locate and use a steam boiler and engine on New street, East Boston, were severally taken up. No person appeared in relation thereto, and the several reports were recommitted.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order for Committee on Common, etc., to contract for watering the streets around the Common and Public Grounds, at an expense not exceeding \$1000.

Order to pave Salem street, from Parmenter street to Prince street, with granite blocks, at an estimated cost of \$4500.

Order to pave Beverly street, from Travers street to Causeway street, with granite blocks, at an estimated cost of \$7000.

Order to set edgestones, repair sidewalks, and pave the roadway of Prospect street with wood, at an estimated cost of \$1800.

Order to pave Haverhill street, from Charlestown to Causeway streets, with granite blocks, at an estimated cost of \$13,000.

Order to pave Merchants' row, from North Market street to Union street, with granite blocks, at an estimated cost of \$1300.

Order to pave North street, from Union street to Blackstone street, with granite blocks, at an estimated cost of \$5500.

Order to repair sidewalks of Harrison avenue, from East Brookline to East Newton street; and of Sharon street, near Harrison avenue; and to repave roadway of that portion of Harrison avenue, at an estimated cost of \$2000.

Report and order to settle claim of Henry Doherty for filling Madison square, by the payment to him of of \$746 98 as a final adjudication therefor.

PAPERS FROM THE COMMON COUNCIL.

The fifteenth report of trustees of Mount Hope Cemetery (City Doc. No. 78) was ordered to be placed on file.

The orders from the School Committee surrendering to city the Bowditch and Old Franklin school-houses were referred to Committee on Public Buildings, in concurrence.

The following reports were severally accepted, in concurrence:

Report (leave to withdraw) on petition of Henry W. Dutton & Son, for leave to occupy areas under Washington street, near Milk street.

Reports from Committee on Survey and Inspection of Buildings granting leave to—

Joseph D. Fuller to locate a wooden building on Langdon street, at a less distance from another building than the legal limits.

J. T. Gurney, to erect a hoistway and platform on Warren street, Ward 13, on the outside of his store.

Tileston & Hollingsworth, to erect a wooden building on River street, Ward 16, beyond the legal limits.

S. S. Woodcock, to erect a wooden building on Adams and Gibson streets, Ward 16, beyond the legal limits.

Torrey & Co., to erect a shed for storage purposes at their marble works on Medford street, Ward 2.

Samuel G. Snelling, to erect a wooden shed on Taylor street, Ward 16, beyond the legal limits.

John S. Weeks, to erect a wooden building on Weeks wharf, exceeding the legal dimensions.

REPORTS OF COMMITTEES.

Alderman Power, from the Committee on Steam Engines, reported in favor of the petition of Patrick Donahoe for leave to locate and use a steam engine and boiler in his building on Boylston street. Accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: Mrs. R. K. Stoddard, to exhibit spiritual manifestations at Nassau Hall, June 9; Murray's Circus Company, to give exhibitions in the city proper, East Boston and South Boston; to John A. Jones, as an auctioneer; to sundry persons, as victuallers, to keep billiard saloons, wagon licenses, and for a transfer of a wagon license. Severally accepted.

The same committee reported leave to withdraw on petitions for license as victuallers, as follows: George W. Reynolds, 317 Hanover street; Owen Head, 121 Cambridge street; Edward Carrigan, 806 Washington street; John F. Beck, 1190 Tremont street; John Klein, 44 Harrison avenue; Lot Boody, 241 Hanover street; William H. Bullard, 202 Hanover street; Cyrus Jones, 61 Richmond street. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of petitions for stables, as follows: John D. Lane, to occupy a brick stable for two horses on Trenton street, rear No. 90; John L. Tewksbury to occupy a wooden stable for one horse on Entaw court, No. 3; J. Dinsmore to occupy a wooden stable for two horses on Trenton street, No. 143, conditioned upon its being shingled, clap-boarded, and painted; Edward P. Maguire to build a wooden stable for one horse, at No. 3 Heath place. Severally accepted.

The same committee reported leave to withdraw on petitions as follows: John H. Marshall, to occupy a wooden stable for two horses on Trenton street, rear No. 82; Thomas White, to occupy a wooden stable for eighteen horses on Wiswell's wharf, No. 250 Federal street. Severally accepted.

Alderman Quincy, from the Committee on Ordinances, to whom was referred so much of the Mayor's address as relates to the appointment of a commission to revise the city charter, made a report recommending the passage of the accompanying order:

Ordered, That his Honor the Mayor be requested to appoint a commission consisting of five persons, to examine the act incorporating the city of Boston, and all other general and special statutes now in force concerning the government of the city, and report in print to the City Council what, if any, changes are or will become necessary or expedient in view of the prospective increase in the area and population of the city; the expense attending such examination and report to be charged to the appropriation for Incidentals.

Alderman Quincy read that portion of the Mayor's address which referred to the revision of the charter, and stated that the reasons of the Mayor in respect to a revision of the city charter were well founded, in view of the proposed addition to the city by annexation. The committee do not assert what changes are necessary, but believe it to be a subject for a commission, rather than as work for the committee, even if they had time for it. It was believed to be properly work to be done outside of the City Council, and whatever might be reported upon, it bound them to nothing.

The order was passed.

DISCHARGE OF CANNON ON THE COMMON.

Alderman Quincy offered the following order:

Ordered, That the Committee on Ordinances be instructed to report an ordinance prohibiting the discharge of cannon on the Common unless authorized by vote of the City Council.

In support of the order, Alderman Quincy addressed the Board as follows:

I am aware, Mr. Chairman, that the measure which I advocate will excite no small displeasure in many quarters. But having convinced myself that the time has arrived when in the interest of the public the step should be taken, it seems to me that I should not decline the responsibility of taking the initiative—the rather, perhaps, as it has been suggested that those of us whose ears are known to have been somewhat accustomed to the sound will have the advantage of not being suspected of weak nerves or want of patriotism.

I was present last Wednesday on the parade ground and watched the artillery evolutions and practice with great interest and pleasure. If in military appearance the batteries hardly came up to the standard which I was taught to require when it was part of my duty to inspect artillery, yet the pieces were excellently handled and the firing by battalion admirable, and all the more objectionable on that account. Why, Mr. Chairman, no such concussion as that is heard on the field of battle. If much artillery is engaged a solid roar fills the air, but as the firing is at will it never happens that twelve or more guns close together go off at the same instant. When the Common and Public Garden were only inclosed on three sides by brick walls, and the sound waves at least in one direction had free course, it was bad enough then, but now that it is corked up in all four quarters by dwelling houses, the continuance of the practice becomes, in my opinion, an outrage and an absurdity.

I repeat, Mr. Chairman, that, in a military point of view, I was much pleased with the firing of Major Follett's command on Wednesday last, and that which I heard yesterday, and presume was executed by that larger artillery organization, of whose services we, conservators of the jury box, know something, I doubt not, was equally creditable to them. But if, sir, it is made to appear that artillery firing in the heart of a city is no longer justifiable even to train and exercise our soldiers, it certainly follows that for the anniversaries of any private associations it is still less admissible.

There remains then the question of the patriotic salutes ordered by us for the celebration of the Fourth of July, and other national anniversaries. It must of course remain in the power of every City Council to determine where they shall be fired, and I therefore only venture to express the hope that we or our successors may find, if not now, at some future time, a more appropriate spot. I would suggest, for instance, that from the commanding eminence of Parker Hill, which we recently visited, cannon would be heard farther and by more individuals than those fired on the Common

and would, in point of fact, give more pleasure and less pain to the citizens. Be that as it may, the power of the City Council to regulate, or, if necessary, to abolish entirely the use of the Common by the militia has been declared to be undoubted by our City Solicitor. The services of the batteries have, as is well known, been obtained to celebrate party triumphs as well as private anniversaries, and thus to embitter political strife by dining the victor's exultation into the ears of the vanquished—a use to which, in my opinion, neither the Mayor nor even the Governor should have the right to devote our Common. I would spare them the disagreeable task of refusing such requests by simply putting the whole power where it belongs—in the hands of the City Council, without whose direction artillery firing should, in my opinion, be absolutely prohibited upon Boston Common.

That this is the appropriate moment for the City Government to take action in the matter results from the fact that we can now do so without any apparent antagonism to the military authority of the Commonwealth. Under the new Militia law the old May training on the Common is done away with and the question of where and how the newly organized force is to be trained is an open one. Now then, as the old custom has ceased and the new departure is not yet entered on, it is the opportunity for us to decide, without any disrespect for the State authority, that this use of our Common by the Commonwealth's soldiers must not be resumed, without our consent.

The order was passed.
Alderman Sayward, from the Joint Standing Committee on Public Buildings, to whom was referred the order to procure plans and estimates for the erection of two primary schoolhouses in the Chapman and Prescott districts, made a report, that they have had plans prepared and procured estimates for doing the work, and find that the sum of \$80,000 will be required for the two buildings. In view of the limited accommodations in the above school districts, the committee would recommend the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be authorized to erect two primary schoolhouses in East Boston, for the accommodation of the Prescott and Chapman School districts, at an estimated cost of \$80,000.

Ordered, That the Auditor of Accounts be authorized to borrow, under the direction of the Committee on Finance, the sum of \$80,000, the same to be applied for the erection of primary schoolhouses, East Boston.

The orders were read twice and passed.
Alderman Sayward, from the same committee, to whom was referred the order to procure plans and estimates for a city stable on land belonging to the city on Highland street for the accommodation of the Health and Paving departments, made a report that they have procured estimates for doing the work, and submit the lowest, which will be \$85,000. They would recommend the passage of the accompanying orders:

Ordered, That the Committee on Public Buildings be authorized to erect a stable on the city lot on Highland street, for the accommodation of the Health and Paving departments, at an estimated cost of \$85,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$85,000; the same to be applied for the erection of a stable on Highland street.

Alderman Clark wished to know what necessity there was for this stable, and whether its erection could not be postponed, for if it was not absolutely required, and they could save \$100,000 at this time, it was their duty to do so.

Alderman Sayward replied that there was a necessity for this stable both for the convenience of the Health and Paving departments, and there had been for several years. There was also a necessity for accommodations for these departments at South Boston, but it was not proposed to ask that they be provided for at present. The committee would not have come here with this report if there was not an urgent necessity for the construction of the buildings.

The orders were passed.

ORDERS PASSED.

On motion of Alderman Gibson—

Ordered, That the Superintendent of Fire Alarms, under the direction of the committee on that department, be directed to place a clock on the tower of the Ticknor Schoolhouse, Washington Village, at an expense not exceeding \$1000; the same to be charged to the appropriation for Fire Alarms, Bells and Clocks.

On motion of Alderman Sayward—

Ordered, That the Committee on Public Buildings

be authorized to sell at public auction the old City Hall and other buildings remaining in the city lot, in order that the building of the schoolhouse for the Dudley District authorized may be commenced, the proceeds of said sale to be paid the City Treasurer.

On motion of Alderman Clark—

Ordered, That there be paid to Seman Klous \$10,656 for land taken and all damages occasioned by the widening of Summer street; also to pay Seman Klous \$20,990 for land taken and all damages occasioned by the widening of Devonshire street, upon the usual conditions; the same to be charged to the Burnt District Loan.

ADDITIONAL APPROPRIATION FOR FEDERAL-STREET BRIDGE.

The Committee on Bridges would respectfully report that an additional appropriation of \$5100 will be required for the widening of Federal-street Bridge.

The cost of the repairs and widening of the bridge, and of building two draws, will be as follows:

F. A. Richardson's contract.....	\$79,500 00
New trucks under draws.....	1,659 76
Extra track stringers, strengthening trusses, protecting machinery, repairing old office, strengthening easterly pier, and various smaller items.....	6,585 24
Gas pipe and plumbing.....	214 70
Printing and advertising.....	66 30
Engineering.....	1,531 24
Changing gear to quicken motion of one draw, and duplicates of parts most likely to be broken (estimated).....	512 76

Appropriation..... \$90,100 00

Deficiency..... \$5,100 00

This deficiency has been occasioned mainly by the following variations from the original design and additions thereto:

1. The substitution of trucks of an improved pattern for those furnished under the contract.
2. The laying of an additional set of track-stringers, made necessary by changes in the position of the foundation piles to meet the requirements of the Harbor Commissioners.
3. The strengthening of one truss of each draw and also of the most exposed part of the easterly pier.
4. The substitution of new material for old, in repairing the bridge to a greater extent than was considered necessary at the time the appropriation was made.

The plan of building two draws side by side is entirely new, and their construction involved many small expenses not foreseen and provided for in the estimates.

It is also designed to procure and keep on hand duplicates of the parts of the draw machinery most liable to accident.

The committee would, therefore, respectfully recommend the passage of the accompanying order, authorizing a transfer of \$5100 from the Reserved Fund.

For the committee, L. R. CUTTER, Chairman.

Ordered, That the Auditor of Accounts be authorized to transfer the sum of five thousand one hundred dollars from the Reserved Fund to the appropriation for Widening Federal-street Bridge.

The order was passed.

ORDERS RELATING TO THE RECENT FIRE AND FIRE APPARATUS.

Alderman Clark offered the following order, which was passed:

Ordered, That the Committee on the Fire Department be requested to investigate the cause of the fire which occurred in this city on the 30th ultimo, and the efforts made to suppress it, and report the results of their investigation to the City Council.

Alderman Power offered the following order:

Ordered, That the Board of Street Commissioners be requested to report to the City Council plans and estimates for the widening of Washington street to sixty feet, between Summer street and Essex street.

Alderman Stebbins inquired if he understood aright that the order proposed widening from Summer street to Essex street. If the widening was from Avery street he was in favor of it, but not from Summer street, which would cost millions of dollars.

Alderman Power replied that the order referred to the widening from Summer street, for it was desirable that it should be done to prevent other fires; but if it was thought best to wait until the whole distance was burnt down, then perhaps it would be better to wait. But for the narrowness of the street, there was no doubt that millions of dollars of property

would have been in existence which was not now. If they did not wish to have more extensive fires, then it would be well to have their attention turned to it, and that the street be made wide enough to have it safe. The order called for plans and estimates of the cost, and as no harm could come from obtaining them, he could see no objections to passing the order.

Alderman Clark said there could be no objection to getting estimates except that the Street Commissioners have now more work than they can do, nor would it make any difference if they were made every thirty days, for it was not likely that such a widening would be made this year or the next. Plans have been already drawn for the widening of Washington street from Essex street to Avery street, and it would be putting labor uncalled for upon the Commissioners. Such a widening as was proposed by the order would cost nothing short of \$2,000,000 or \$3,000,000, and to put that on top of the \$5,000,000 or \$6,000,000 now required could hardly be warranted. There could be no objections to making estimates for widening all the streets; School street, for instance, and Tremont street, which needed widening as much as any street, and would cost but \$25,000 or \$30,000. To devote thirty or sixty days to a widening job which they could not carry out would be labor wholly unnecessary.

Alderman Power said he was not arguing for wider thoroughfares, but for the safety of the city. The cry and fear throughout the city was for some means to be taken for the public safety, and there was no way so surely to meet that want as in widening Washington street and all others like Washington street. When the subject of widening Washington street was up before, the necessity for the widening was very apparent, but much more so was it now. If they chose to wait until the rest of Washington street was burnt up, then do so, and the responsibility would rest where it belonged. There was no street which needed widening so much as Washington street, even if there was no fire, but it would prove to be very costly should it be burnt down. The general desire was to have the street widened, and he hoped the rules would be suspended and the order would be passed. If it should cost \$2,000,000 or \$3,000,000 for the widening, it would not be much more than the loss by the late fire, and if high buildings were again put up there, further danger may be expected in burning over the territory again.

Alderman Clark said it was contemplated to make the street sixty feet in width where the late fire was. But until more effective means were taken to prevent such fires, the widening of streets would be of little avail. So long as buildings are allowed to be put up six or seven stories in height, two hundred and twenty-five feet in depth, with rooms filled with varnish, naphtha, excelsior,—the buildings put upon leased lands with thin walls, etc.,—it could not be expected that they would be safe. In this case the walls fell on the other side of the street and set fire to the buildings on the opposite side, and no power on earth could have prevented the spread of the fire. There have been other fires on Washington street where the walls were good and substantial, and the fires have been confined to them.

The widening of Washington street will go on as fast as it is possible to do so, but not the whole length at once, which could be done only at an enormous expense, and it would hardly be proper to expend such an amount this or the next year. The idea thrown out that there will be expensive buildings put up on the line of the burnt buildings was entirely gratuitous and unwarrantable, for he had himself given notice to the Inspector of Buildings not to issue permits for rebuilding until action had been taken on the subject of widening the street.

Alderman Gibson said he believed the widening as proposed would be equal to a third fire, and worse than the others, producing more suffering. He was not disposed to go so far in the proposed widening. The late fire was a money-making operation, for nearly all the insurance was in foreign offices. So far as related to the spread of the late fire, a gale of wind was blowing at the time, and it was in such a position, so difficult to get at it, that a hundred steam fire engines could not have put it out. The water as it went up was spread and turned to steam before it reached the fire. The building was too high and too combustible, and engines every ten feet could not have put out a fire in a building so high and filled with combustible materials.

It was true they might have engines of eighty tons, with corresponding apparatus, but no ordinary engines could put out fires on such high buildings, and the fire burned until it reached buildings two stories lower, when it was stopped. If all the buildings had been as high, the fire would not have stopped until it got to the water. In this case it was the same as in the great fire, which, as it approached State street

where the walls were lower and better, it was stopped. At the last fire the atmosphere never was drier. The Street Commissioners have now all they can attend to in the widening of streets, and the cost would be enormous, besides putting business men to great inconvenience in cutting off their stores. They were suffering enough from the great fire.

Alderman Power said that under ordinary circumstances, the expense of the proposed widening would frighten the community, yet now there was a general willingness to stand any sacrifice to preserve us against such another fire. As to fire engines, he believed we were as well equipped as any city in the Union, and as long as we have high buildings on narrow streets, we could not prevent serious fires. Our only protection was in making our streets wider. It would be prudent and wise to tear down buildings to widen streets, and we should not delay an hour in doing so. We could not restrict the business of Haley, Morse & Co. on the ground of danger from combustible material, for it was no more dangerous than the goods of Jordan, Marsh & Co. Should we drive them out of the city on that account, we should have no need of fire engines. Business was necessary for the city, and it would be folly to drive it out; for it was as much benefit as was the cost of widening its streets. There was no matter more important than the widening of Washington street, and he hoped the order would pass and be sent to the Street Commissioners.

The question was taken and the order was declared to be rejected.

Alderman Power raised a doubt, and asked for the yeas and nays in solving the doubt.

Alderman Clark said the question of yeas and nays in solving a doubt was very thoroughly discussed in the Council at its last meeting, and he did not think it was needed here, yet he would not object, for he was ready to record his vote against this order.

Alderman Gibson said it would give him great pleasure to record his vote against it.

The yeas and nays were ordered and the order was rejected, by a vote of 2 to 9, as follows:

Yeas—Power, Sayward.

Nays—Bigelow, Brown, Clark, Cutter, Emery, Gaffield, Gibson, Quincy, Stebbins.

Alderman Gaffield, pending the amendment of another order, made some remarks in relation to the construction of buildings and the management of fires. Formerly, he said, the buildings were not so high and the walls were better. The Fire Department he believed to be good, but he wished to make it better.

Alderman Sayward, from the Joint Standing Committee on Public Buildings, to whom was referred the accompanying petition and request from the City Council for a hose house at Longwood, made a report that they have considered the same, and find that a lot of land can be bought for the purpose, which will be satisfactory to the Committee on the Fire Department, on the corner of Longwood and Brookline avenues, for the sum of one dollar per square foot, said lot containing 4800 square feet more or less. The committee would recommend the passage of the accompanying orders:

Ordered, That the Committee on Public Buildings be authorized to purchase of H. P. Gerrish 4800 square feet of land at the corner of Longwood and Brookline avenues at a price not exceeding \$1 per square foot, and erect thereon a hose house at an estimated cost, for land and building, of \$28,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$28,000, the same to be applied to the purchase of a site for and the erection thereon of a hose house at Longwood.

The orders were passed.

Alderman Sayward offered the following order:

Ordered, That the Committee on Public Buildings be authorized to provide temporary accommodations in Parker street, near Beacon street, for a steam fire-engine, and the men and horses connected therewith; the expense to be charged to the appropriation for the Fire Department.

A question was raised as to the authority for locating a steam fire engine on the territory in question, supposed to be in Ward 15, the words "near Beacon street" not being in the order, to which Alderman Sayward replied that the request came from the Committee on Fire Department, and the accommodations were for an engine already provided.

Alderman Clark said the land in question was not situated in Ward 15, as was supposed, but near Beacon street, and could be leased for two years. It was designed to cover the Back Bay territory, the nearest engine to which was in Charles street. There were no hydrants on Beacon street, and the attention of the Water Board had been called to the necessity of providing them. The neglect as to provisions for fire

was chargeable upon the Water Board as well as upon the Fire Department. New hydrants, pipes, etc., were needed on Beacon street, and these could be put in at small expense. The Committee on Public Buildings were also to be called upon to provide a temporary building for a steam fire engine on the burnt district, to be built of wood and corrugated iron, near the Fort Hill territory, where a permanent building was to be put up, which would require four or five months. This was advisable, and as the city own the lot, the cost would be only for the erection of the building.

Alderman Gaffield said he wished simply to remark that he did not design to throw blame on the Water Board or the Committee on Fire Department. The trouble was that for years past the design had been for the city business to be carried on in an economical manner. While they spent much time in discussing the question whether they should raise the salaries of heads of departments to \$3300, the same class of officers in New York were paid from \$8000 to \$10,000. It had been the policy to go to these departments to induce them to get along with as little as possible, which was not always for the best, but was false economy. This was true not only of the Water and Fire departments but of the Health Department, and when other departments use water it is made chargeable to the expense of that department.

It was time to drop this false economy, and to practise it no more. When the Chief-Engineer says he wants more engines or other apparatus, give them to him, and he did not doubt the citizens would back them in all the expenditures required. We had a good Fire Department, but it should be better, and it was equally applicable to the Water Department, that their calls for improvement should be heeded.

The order was passed.

Alderman Bayward said he did not propose to wait for a request from the Committee on Fire Department in another matter, and would offer the following order:

Ordered, That the Committee on Public Buildings be authorized to purchase, hire or erect upon lands owned by the city within the burnt district, so called, a temporary building suitable for the accommodation of a steam fire engine and the men and horses connected therewith; the expense to be charged to the appropriation for the Fire Department.

Alderman Gibson inquired if this lot of land was large enough for the erection upon it of a permanent building while occupied by the temporary one.

Alderman Clark stated that the lot was large enough for a house for a steam fire engine, hook and ladder carriage and a hose carriage. The city owned two lots, and there was a small lot between them which it would be necessary to purchase. The lot was 30 by 60 feet, and a temporary building could be put up at a cost of from \$3000 to \$5000. Provision had been made for only three additional steam fire engines, while in his opinion the force should be doubled. Six steam fire engines in the city proper were not enough and had not been enough during the last five years, and for this section of the city they should be doubled. The time has been when complaints were made against the City Government for extravagance, and there were persons now who deery the City Government for negligence who as members of the Government opposed these necessary measures for its protection.

It was suggested two years ago that larger pipes should be put down in Summer street, and parties were told to mind their own business, for the Water Board knew their business and the Fire Department theirs. This city he believed should do as is done in New York. Pay the firemen for their whole time, and not make it necessary that a man should work at his business as a carpenter or mason, and be at a great distance from a fire on its breaking out. The sum of \$300 was not enough for a man in risking his life, and wasting half his time at fires. The assistant-engineers should be paid for their entire services.

All of this will add largely to the expenses of the city, and may drive a large number more of heavy taxpayers from the city, but such persons should feel ashamed of themselves, for there was nothing more contemptible than for those who come to the

city poor, and made all their money here, to leave the city to escape taxation. It was believed that not less than \$20,000,000 of property escaped taxation by that class of men going out and paying their taxes elsewhere. This may drive out others, yet these men come here and cry the loudest to have the expenses increased for the protection of their property, while they pay taxes for their personal property elsewhere.

Alderman Gibson said his inquiry had not yet been answered, whether there was room for a temporary building, and for the putting up of a permanent one on the same lot?

Alderman Clark replied that there was a lot alongside of the same kind, which could be had, and the building could be put up in thirty days.

Alderman Power said he was not opposed to the erection of the building if necessary, and inquired whether there were not a number of buildings now there which were about to be vacated. It was presumed that the citizens would find fault if proper precautions were not taken, and he was disposed to do all that was required, but there were buildings on the spot which might be had. In regard to the fire apparatus, he believed we had as good as any in the world, and nothing more could be done but to increase the size of the engines. There was no foundation for the complaint in regard to the condition of our fire engines.

Alderman Clark suggested an amendment to make the order read "lease or erect," which was accepted, and he said he was glad that the Alderman said what he did in regard to the condition of the Fire Department. It was well known that we had the best engines we could procure, but to satisfy the community of the fact, an order was put into this Board to authorize the Committee on Fire Department to visit the various establishments for the manufacture of fire engines, but it was not designed to expend much money in doing so. The days of extravagance had ceased, and as a member of the committee he failed to see where there was any ground of complaint that there was any unnecessary expense in expenditures upon fire apparatus.

There had been a backwardness in providing the means required by the Fire Department, as in the case of the fire boat, which was not built for two years after it was demanded, and since it had been in use it had saved five times its expense in cost. So it was with many other cases of complaint of eternal and everlasting expense. That expenditures must be made, even should taxpayers grumble, was true, and, in connection with the subject, he quoted an article in the Transcript which met the question fully in his view.

Alderman Quincy believed we could not afford to save by delay, and he agreed that the members of the Fire Department must be paid fully for their whole time. This question of service settled, and we could see whether we could not dispense with the system of public fire alarms, which was a bad one. In London and Paris and in some other cities, there are no public alarms. Stations are provided in various places, to which the alarm is communicated, and it is telegraphed from there to the fire brigades who are always on duty. In this way the alarm is given, which is not attended by an excitement or crowd, and the work is done better.

The order was passed.

On motion of Alderman Clark, the report of Committee on Streets on the occupation and improvement of the South Boston Flats (City Doc. No. 7), was taken from the table.

Alderman Clark said he supposed the members of the Board must have become familiar with the provisions of the report, which were in fact the same which were passed by both branches of the City Council last year, the delay in carrying out which was caused by the fire.

The indenture appended to the report was passed.

ORDERS OF NOTICE.

On the petition of J. F. Kenting for leave to locate a steam engine and boiler at No. 32 Lancaster street. Hearing Monday, June 23. 4 P. M.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,
JUNE 7, 1873.

The regular weekly meeting of the Common Council was held this evening at eight o'clock, E. O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The annual report of the Overseers of the Poor (City Doc. No. 75, 1873), was ordered to be placed on file.

The petitions of Robert T. Swan and others, Suffolk Kindling Wood Company, Newton Morton, and Charles E. Wiggin and others, were severally referred, in concurrence.

The reference to Committee on Fire Department of a message from the Mayor recommending an increase of the efficiency of said department, was concurred in.

The order authorizing temporary accommodations to be provided for a steam fire engine, and men and horses connected therewith, on Parker, near Beacon street, being on its passage,

Mr. Jones of Ward 10 moved to amend by striking out the provision making it chargeable to the Fire Department, and substitute therefor "Public Buildings."

Mr. Caton of Ward 11 opposed the amendment, believing the expense should be chargeable to the Fire Department.

Mr. Jones replied that providing such buildings was properly chargeable to Public Buildings.

The amendment was adopted, and the order was passed.

The order to purchase, hire or erect upon city lands in burnt district a temporary house for a steam fire engine, and the men and horses connected therewith, was amended in the same manner, and passed.

The following orders were severally read twice and passed:

Order authorizing sale by public auction of old Roxbury City Hall and other buildings on the city lot, in order that the building of the schoolhouse for Dudley District may be proceeded with.

Order for Committee on Fire Department to investigate the cause of the fire on May 30, and the efforts made to suppress it, and to report to the City Council.

In relation to the last order, Mr. Perkins of Ward 6 said he hoped the committee would give a public hearing.

Report and order authorizing the erection of two primary schoolhouses in East Boston, for Prescott and Chapman districts; and for a loan of \$80,000 to be applied therefor.

The following orders were severally read once:

Order authorizing a contract to be made for watering streets around the public grounds at a cost not to exceed \$1000.

Order authorizing a clock to be placed in tower of Ticknor Schoolhouse, at a cost not to exceed \$1000.

Report and order to allow and pay to Henry Doherty \$746 98, for loss on account of settling of earth deposited on Madison square.

Report and order for Mayor to execute, in behalf of the city, an indenture as annexed to said order, with the Commonwealth of Massachusetts, and other parties named therein, concerning the occupation of South Boston Flats. (Printed City Doc. No. 71, 1873.)

Report and orders authorizing 4800 feet of land to be purchased on corner of Longwood and Brookline avenues, at not exceeding \$1 per square foot, and the erection thereon of an engine house at an estimated cost, for land and building, of \$28,000; and for a loan therefor.

Request and order authorizing a transfer of \$5100 from Reserved fund to appropriation for Widening Federal-street Bridge. (Printed City Doc. No. 80, 1873.)

REVISING THE CITY CHARTER.

The report and order for a commission of five persons to be appointed to examine the act incorporating the city and all other general and special statutes for government of the city, and report what changes are necessary or expedient in view of prospective increases in area and population, were considered.

Mr. West of Ward 16 stated that the committee was not full when this subject was considered, and he moved that it be recommitted, when it will receive the consideration which it should.

Mr. Flynn of Ward 7 believed the reason to be a poor one to recommit the matter because all of the members were not present. It had already passed the Board of Aldermen, and was recommended by the Mayor, and he believed the measure was a very proper one.

Mr. West replied that the report was by a majority of the committee, and he moved a recommitment at the desire of those who were not present.

Mr. Dean of Ward 13 hoped the report would be recommitment, for it was very important, and it should be discussed fully in committee before passed. If

called upon to act now, he should oppose it, for as far as can be ascertained, no reason can be given in favor of it. The Mayor was called upon and could not give any reason, and no one else could give any; but if, on examination in committee, there should be particular reasons for a revision, he should favor it.

Mr. Dean again stated that the measure should be fairly considered, and when the Mayor was asked for a reason he could not say why a revision should be made; he had not thought of any special reason, but thought that it should be passed because we had outgrown the city charter. If there should be any alterations, he asked what should such alterations be, for members of the City Council should be able to tell better than any other persons what may be necessary as affecting them, or the provisions making them a corporation. The Board of Aldermen have the power of County Commissioners, and the elections of Mayor and members of both branches of the City Council embrace nearly all which constitutes the city charter.

If it was believed to be desirable to lessen or increase the number of members of the Common Council or of the Board of Aldermen; the measures to such an end can be carried out without revising the city charter. Such matters would relate to the size rather than the organization or charter of the City Government. Having every desire to do everything which might be necessary, it was asked of the Mayor what was wanted in order that a reason could be given when a report was made, and the only answer was that a Board of Public Works might be desirable. If such a board was necessary, why not pass upon it directly? We now have Street Commissioners, a Board of Health, Trustees of the Public Library and Trustees of the City Hospital, and why not establish a Board of Works in the same manner?

Why, then, should there be a commission to revise the charter? The provisions of the city charter have been settled for many years, and the courts know all about it. It would be a most unwise thing to revise it unless there was a special object for so doing, for then when anything relating to it comes up, they must go to the courts to determine what it means. This was not a question requiring haste, and he would like to have the committee go over it and see whether there was anything which may be called up to pass upon. When he was in the Council in 1856, the Committee on Ordinances were directed to provide for an election of members of the Council for two years, two to be elected each year in every ward, but it came to nothing.

Mr. West stated that the gentleman from Ward 12 was one of the absentees from the committee, and the motion to recommit was to enable him as well as others to give his views on the subject.

Mr. Flynn said if gentlemen were unable to attend meetings of committees, that was no reason why delay should take place. Now was the proper time to take action on the order, and when the report is made it will be time enough to argue upon the matter. It appeared to him that the gentleman was a little ahead of his time.

Mr. Dean replied that the reason of the gentleman was not the best in the world. The subject did not receive full consideration in committee because some of the members were not present. There were various reasons which were not laid before that committee.

Mr. Holmes of Ward 6 said he would not object to recommit it if the gentlemen desired it, but the statement made was not a fair one. The subject was fairly considered, and after debate it was the opinion of every one present that the order should pass.

Mr. Perkins said that it was not the functions of the committee to examine and revise the city charter, but the object of the reference was simply to provide some means by which the city charter and ordinances could be revised. He hoped that not all the statutes relating to the city would be revised.

Mr. Dean said it was not the purpose of making such a revision.

The motion to recommit was carried.

The order for Committee on Ordinances to report an ordinance to prohibit discharge of cannon on the Common without authority of City Council was considered.

Mr. Mahan of Ward 5 moved as an amendment that the committee consider the expediency of such an ordinance.

Mr. Perkins replied that it was to the same effect, for it must be reported to the City Council for final action.

Mr. Mahan said it was usual, courteous and parliamentary to consider the expediency of a measure, and he desired to conform to the established usage. The expediency should first be considered, but if it should be discussed now he should oppose it. Some persons seemed to have such delicate nerves that they could not allow anything on the Common which was not under their control.

The amendment was carried.

Mr. Loring of Ward 12 moved to amend by includ-

ing all "other public grounds," which was carried, when the order was passed.

The report and orders for erection of a stable on city lot, Highland street, for Health and Paving departments, and for a loan of \$85,000 to be applied therefor, were considered.

Mr. Perkins of Ward 6 inquired if there was any reason for this expenditure for a stable.

Mr. Denny of Ward 9 replied that this was the first time he had seen the order; and as to the necessity for a stable he did not know. In the early part of the season the attention of the committee, as individuals, was called to the necessity of increased accommodations, but it was never brought before them as a committee.

Mr. Perkins moved a reference of the order to the Committee on Health of the Common Council.

Mr. Denny suggested that it be referred to the Joint Committee on Health.

Mr. Perkins amended his motion.

Mr. Caton of Ward 11 said this matter was referred to this City Government as unfinished business of last year.

The motion to refer was carried.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order authorizing the erection of an iron fence around the square on Commonwealth avenue, between Dartmouth and Exeter streets; and to raise the grade of said square, cover it with loam and sods, and to lay out walks over the same; the cost not to exceed \$8000.

Report and order authorizing the grading of Madison square, and the erection of a wooden fence around it, at not exceeding \$3000.

Order authorizing the removal of the foot bridges over Boston & Providence Railroad, at West Canton street and Berwick park, and for that purpose to sell the same by public auction.

Order to authorize the Directors for Public Institutions to construct a telegraph line from their office to the institutions at South Boston, at an expense of \$1200.

Orders to rescind order (Nov. 1, 1872) authorizing purchase, for \$7500, of land on Adams street, from Old Colony & Newport Railroad Company, as a site for Police Station Eleven; and in lieu of said purchase, authorizing the purchase of 7500 feet of land, at not exceeding \$1 per foot, of J. H. Robinson, as a site for said station.

RESERVOIR ON PARKER'S HILL.

The report and orders for a loan of \$115,000 for extension of water pipes in Wards 13, 14, 15 and 16; also for a loan of \$161,000 for Parker's-Hill Reservoir; also to authorize the Cochituate Water Board to take the land necessary for construction of reservoir, etc. (City Doc. No. 77), were considered.

Mr. Shaw of Ward 5 wished for information on the subject, for he had yet to learn the necessity for this new reservoir. The statement of the Water Board gave some figures which to him were wholly unsatisfactory. He had the honor, with other members of the City Council, to visit the premises, and heard a statement from the City Engineer, which did not satisfy him. It was stated in the report that the land could be purchased at fifteen cents a foot, while the figures of the Engineer give an estimate at a rate of sixty cents. If there is to be such an uncertainty, and we are to be led on statements which will involve an expenditure of millions, instead of \$160,000, it would be best to know it. We should do differently from what had been done in the past, and while he admitted that we needed more water, he believed also that we need better means of handling the water, but that he should not discuss at this time. At that time he took the liberty to make some inquiries, and was told that the high service was a success. An estimate was made for a supply of five million or six million gallons, which he thought was too small for such an expense. But he thought we could get a higher head of water, and he asked why we could not go somewhere else. To this it was answered we could go nowhere else under the law.

Referring to the law, he said that when under consideration in the Legislature, he asked the question why an alternative place was not placed in the bill, and was told that nowhere but on Parker's Hill was it desirable to go. He asked why not go to Corey's Hill, and was told that it was too high. Yet Corey's Hill was but forty-three feet higher than Parker's Hill, and land could be purchased there at one quarter of the cost of land on Parker's Hill. But he believed there were higher hills in the vicinity of Boston, and that with the high service on such hills, a great part of the expense of throwing water at high points could be saved. He believed that from Powder-Horn Hill water could be thrown over the State House.

Instead of spending money, or travelling about to ascertain where can be found more powerful engines,

he believed it would be better to make examination to ascertain where the highest head of water can be obtained. His own experience at a fire on Wednesday night was related, in which a stream from a little hydrant was sufficient to extinguish the fire. If a point higher than Parker's Hill can be found, he believed it was his duty to find such a place, and there should be no haste in passing the order until such an examination was made. He would be in favor of adopting the highest hill which could be found within a range of five miles of Boston.

Mr. Pease of Ward 1 explained in regard to the figures, that the owners of property on Parker's Hill found fault with being taxed at ten cents a foot, and it was believed to be fair to make the estimate at fifteen cents. The City Solicitor had given it as his opinion that as the will of the former owner of Parker's Hill was a peculiar one it will be necessary to take the land and leave the price to be settled in the courts. If such a settlement was made, it would be better not to allow the parties any advantage by an admission that the land was worth a great deal more.

Mr. Pease read a statement from the City Engineer, that the pumping engines for the high service are kept up nearly to their capacity, and that water is kept in the reservoirs at South Boston and on Beacon Hill to meet emergencies; that more engines will be necessary, or a reservoir be provided as proposed; and as the location of these engines must at some time be abandoned, it would be useless expense to make any large expenditure there. Parker's Hill was selected because it was the only place which could be had within the city limits, and it was the best place.

Aspinwall's Hill and Corey's Hill in Brookline had been considered, but Corey's Hill was too high, and if located there the reservoir must be on the side, and more expensive on that account. The place was more remote from the pumping engines, and in place of \$39,000 for the pipe, at Parker's Hill, the cost to Corey's Hill would be \$135,000, and if there is much rock cutting it would cost \$150,000. Eventually there must be three distinct points of distribution, and as to the objection that the expense of this reservoir would be but an entering wedge for a much larger sum, it is answered that the estimates are ample, although but one link in a chain of supplies, but this will be all that is required at present.

Mr. Shaw said he was willing to admit all that the Engineer says, but his statement did not meet his objection. He did not propose to interfere with the present high service, and would admit all his statements except in relation to Corey's Hill, which was not too high. They could not find a hill too high, for as judges of the Supreme Court differ so do engineers differ. In the supply of water he wished to provide for the future, and in its application to the extinguishment of fires he referred to a building on the corner of Hayward place and the Bellevue as dangerous buildings.

Mr. Jones of Ward 14 inquired whether it was designed to connect the high service with service outside of the present limits.

Mr. Pease replied that he did not know, and in answer to Mr. Shaw said a postponement would be equivalent to a putting off of the matter for another year, for we could not get any change in the law the present year.

Mr. Shaw said he would guarantee that a change in the law could be had in twenty-four hours, and he read an order to request an application to the Legislature for a change in the location of the reservoir.

Mr. Blackmar of Ward 11 hoped the order would be passed, for after an examination it was determined that Parker's Hill was high enough; the present engines would throw the water there, and that hill was the right place.

Mr. Denny of Ward 9 hoped the order would be passed, for a plain statement had been made in favor of the proposed location. The members of the Council had visited the place, and heard the statement of the Engineer, and they had also heard the other side from the gentleman from Ward 5. He believed, therefore, that they were ready to act upon the subject, and moved the previous question, which was ordered.

The order was passed by a vote of 46 yeas, 6 nays—the nays being Messrs. Bicknell, Dean, Hine, Mahan, Martin and Shaw.

On motion of Mr. Perkins of Ward 6, the order establishing the salaries of the officers of the Law Department was laid on the table.

BALLOON ASCENSION.

The report and order for an additional appropriation of \$5000 for the celebration of the Fourth of July was taken up.

Mr. West of Ward 16 hoped the Council would not pass the order, for he thought if they could not do any better than to expend so much money to go up into the air, they might expend it to buy a steam fire engine. The expenditure of \$15,000, he thought, was sufficient for the celebration of the Fourth of July.

The order was declared to be lost by a vote of 23 to 25, when Mr. Shaw asked for the yeas and nays, which were ordered, and the order was lost by a vote of 23 to 29, as follows:

Yeas—Abbott, Barnes, Brackett, Dean, Edwards, Flatley, Flynn, Hall, Harrington, Hughes, Jones, Madden, Marston, Morse, Shaw, Thacher, Train, Upham, Wells, Weston, Whiston, Woods.

Nays—Adams, Bicknell, Blackmar, Bleiler, Boardman, Bowles, Burditt, Burt, Caton, Collins, Cndworth, Dacey, Darrow, Davis, Denny, Hine, Holmes, Kingsley, Loring, Mahan, Martin, Pease, Perkins, Powers, Tower, Warren, West, Wilbur, Woodward.

VISITING STEAM FIRE ENGINE ESTABLISHMENTS.

The order authorizing the Committee on the Fire Department to visit the several steam fire engine establishments, to enable them to select the most efficient and approved engine, hose and hook and ladder carriages, at a cost not exceeding \$1000, was taken up.

Mr. Dacey of Ward 2 said he had given notice of a reconsideration of the vote ordering it to a second reading, and he would move such a reconsideration for the purpose of reconsidering the vote sustaining the decision of the Chair at the last meeting, being clearly of the opinion that the decision was wrong.

The motion to reconsider was carried.

Mr. Dacey moved to reconsider the vote by which the decision of the Chair was sustained.

The Chair stated the question to be on giving the order a second reading, and the motion would not now be in order, but could be made when a call was made for motions, orders and resolutions.

Mr. Dean of Ward 12 said the Chair may be right, but he thought the question was whether they should not go back to the question whether the doubt which was raised was not legally or properly solved. The yeas and nays were not called at a certain stage to solve a doubt, and the Council sustained the Chair in his decision. He believed they had a right to the yeas and nays, and to get at that right they must undo the vote ordering the order to a second reading. What that vote was has not been determined, and the vote was never passed, and it would be necessary to reconsider the vote sustaining the decision of the Chair before the question could be properly settled.

Mr. Perkins rose to a point of order that the gentleman was not in order.

The Chair ruled that the gentleman was not in order, for there was but one motion before the Council, and that was on giving the order a second reading, placing it now as though the vote had never been passed upon ordering it to a second reading. A reconsideration of the other question must be by itself.

Mr. Dean said the motion of the gentleman was in order to get at the erroneous decision, and to put the question where it was before the decision was made.

The Chair stated that however desirable it might be to arrive at that result, it was not in order.

The question being upon giving the order a second reading—

Mr. Blackmar believed it to be unnecessary for the Committee on Fire Department to visit steam fire engine establishments, for if it is given out that the city is in want of fire engines we shall be flooded with petitions, and they need not go to see them, for the manufacturers will bring them here.

Mr. Perkins believed that in the difference of opinion in relation to the management of the recent fire, the order had better not be passed.

Mr. Wells of Ward 3 said that gentleman seemed not to understand the object of the order. If they wished to see the best engines, they must visit the manufactories and see the working of the engines there. He hoped the order would pass.

Mr. Perkins asked for the yeas and nays on the passage of the order, which were ordered.

Mr. Jones of Ward 14 said it was their duty not only to visit manufacturing establishments to see the best engines, but to ascertain the working of fire departments. There were some engines not known here which were highly commended, and there were different kinds of hydrants. It was desirable not to reorganize the Fire Department, but to organize it, and to obtain all the means of benefiting it. Many things could be learned by the committee in making this visit.

Mr. Denny of Ward 9 said if there ever was a time when such a visit was needed, it was the present time. The committee would act in their discretion, and would not expend the money unless they believed it to be necessary.

Mr. West said if the visit was not to see engines alone, but to improve the department, he would vote for it.

Mr. Jones referred to some of the places and establishments which would probably be visited, from Manchester to Albany, thence west to Cleveland, Cincinnati and to Chicago. At Cleveland they had an improvement on the fire-alarm telegraph. The appropriation would not allow of an extended trip, from two to six hours in a place only would be occupied.

Mr. Blackmar was of opinion that \$1000 would not pay the expenses of such a trip as was mapped out. If manufacturers in Cincinnati had engines which they had faith in, they would no doubt send one here when they know we were in want of the best.

Mr. Pease of Ward 1 said the Chief-Engineer of the Fire Department had diagrams of the best-manufactured engines, yet it could not be told what the working of them would be by those diagrams. It would be an absurdity, also, to suppose that engines would be sent here, and the only way to satisfy the desires of the Mayor and the demands of the press and of the public for a better method of managing fires is to go where the machines are in operation, and not to wait for them to be sent here.

The motion on giving the order a second reading was carried, by a vote of 37 to 10, as follows:

Yeas—Abbott, Adams, Barnes, Bleiler, Boardman, Brackett, Burditt, Burt, Caton, Collins, Cndworth, Dacey, Darrow, Davis, Denny, Edwards, Flynn, Hine, Holmes, Hughes, Jones, Kingsley, Loring, Madden, Mahan, Marston, Martin, Pease, Thacher, Tower, Warren, Wells, West, Weston, Wilbur, Woods, Woodward.

Nays—Blackmar, Dean, Hall, Harrington, Perkins, Powers, Shaw, Train, Upham, Whiston.

Mr. Dean said the reasons given for the passage of the order in the action of the committee, and in the statement of the Chief Engineer in relation to the management of the fire are entirely opposite to those offered in the discussion.

The order was then passed without a count.

Mr. Dacey inquired if a reconsideration of the other question was now in order.

The Chair stated that it would properly come up under orders, resolutions, etc.

SPECIAL ASSIGNMENTS.

The special assignment for 8½ o'clock was taken up, it being the orders to transfer and assign to William Smith & Co. the city's interest in three insurance policies effected by said Smith & Co. on a building which they had contracted to erect as a Smallpox Hospital, and which was destroyed by fire before it was delivered by the contractors; and for City Clerk to attach a copy of the above order to each of said policies.

The question was stated to be upon the passage of the order, and the order was passed, in concurrence.

The special assignment for 9 o'clock, the reports of Committee on the Burrill Claim, was reassigned to Thursday evening next, 9 o'clock.

PETITIONS PRESENTED AND REFERRED.

Biglow, Kennard & Co. and others, that a steam fire engine be located on Mason street.

S. W. Hayden and others for a horse hose carriage in Ward 16.

Severally referred to Committee on Fire Department.

Samuel R. Russell, for appropriation to pay for expense of exhibition of his fire apparatus. Referred to Committee on Water.

Hannah Daley for compensation for injuries. Referred to Committee on Claims.

S. H. Russell, that the Common be not used for fireworks. Referred to Committee on the Fourth of July.

S. S. Lord, to be allowed to erect an addition to his blacksmith shop in Ward 12.

Referred to the Committee on Survey and Inspection of Buildings.

SMALLPOX HOSPITAL CLAIMS.

Mr. Barnes of Ward 11 moved a reconsideration of the vote passing the orders to transfer and assign insurance policies to William Smith & Co., and hoped the motion would not prevail.

Mr. Blackmar of Ward 11 hoped the motion would prevail, for the question was taken at a time when several members were not in their seats, and it places us in a ridiculous position, with a payment of \$5000 and an assignment of policies of insurance, with the passage also of another order designed as a substitute for this. Before the passage of this order the motion was perfectly right, and if more was received from the insurance policies it was to be paid to them.

Under the passage of these orders, in addition to the \$5000 which they have received, should the policies be paid, they will receive \$10,000 more, and they had no more right to assign these policies to them than they had to take money from the treasury and pay it to any one else. There was no legal claim for the demand, and, in face of this decision and opinion of the City Solicitor, they would virtually get their entire claim. With such a precedent it would complicate the difficulties in settling claims and rob the treasury. There were many claims before the Committee on Claims which were much stronger. If a member of the Council should contract for a building, and it should be burnt before it was delivered, he would consider it a misfortune of the builder; and if he should pay for it he should

admire his generosity, but he would not be obliged to do so.

Mr. Mahan of Ward 5 rose to a question of order that the gentleman was addressing the Council and not the Chair.

The Chair stated that he was not aware that the gentleman was out of order.

Mr. Blackmar proceeded with his remarks, and Mr. Mahan again raised the point of order.

The Chair ruled that the point was not well taken.

Mr. Blackmar repeated his statement in relation to individual liabilities in such cases, and if an individual was not legally bound to pay such a claim, they had no right to put their hands into the treasury to make such payments because a contractor was unfortunate.

Mr. Shaw wished to inquire of the gentleman from Ward 11 whether these parties were entitled to one dollar.

Mr. Blackmar replied that they were not.

Mr. Shaw believed the parties were entitled to payment, and with reference to the opinion of the City Solicitor, he said the opinions were not put and answered directly. As to the question of equity, he believed the parties had an equitable claim, and as he understood the facts, after they had nearly completed their work, the city stepped in and interrupted the work. In demanding the premises by the city for other work, he believed if Smith & McGarigle had not a legal, they had an equitable case. If the committee were bound to put proper questions to the City Solicitor and they were answered, why were they not put and answered, and reported to the Council?

Mr. Shaw believed the city was belittling itself, after interrupting this work, to refuse to pay the parties for their loss; and it appeared, also, that the city put in furniture in addition to this interruption. For these reasons, he hoped the reconsideration would not prevail.

Mr. Perkins said the gentleman had four times asserted that if these gentlemen had no legal claim, they had no right to its payment. His argument, too, was reason enough against the payment. Smith & McGarigle could not blow hot and cold at the same time, and could not claim that the building was delivered and get the insurance on it, after it passed from their hands. There was no show of law, equity or justice in the claim, and if the policies should be transferred to them, the \$5000 paid to them should be in the city treasury.

Mr. Mahan stated that the assignment of the question was to 8½ o'clock, and if gentlemen did not pay attention to what was going on, they had no right at this late hour to make objections. He believed the claim was a just one and should be paid, and as the subject was well understood, he moved the previous question, which was sustained.

The motion to reconsider was lost, by a vote of 17 to 29, as follows:

Yeas—Adams, Blackmar, Bleiler, Boardman, Brackett, Burditt, Denny, Hall, Hine, Holmes, Morse, Perkins, Powers, Train, West, Woods, Woodward.

Nays—Abbott, Barnes, Bicknell, Burt, Caton, Collins, Cndworth, Dacey, Davis, Dean, Flatley, Flynn, Harrington, Hughes, Jones, Kingsley, Loring, Madden, Mahan, Marston, Martin, Pease, Shaw, Thacher, Tower, Warren, Wells, Weston, Whiston.

Mr. Jones of Ward 14 moved to take from the table the several orders which had been ordered to a second reading, and were laid over for want of a sufficient number of members to pass them by a two-thirds vote.

The motion was carried, and the orders were considered.

Mr. Holmes of Ward 6 moved that when the Council adjourn it be to 7½ o'clock next Thursday evening, and that that hour be the time for meeting. Declared to be carried, but on a count it was lost—15 to 18.

The several orders which were taken up were passed as follows:

Orders authorizing the purchase of 7600 feet of land on Dudley and Forest streets, at not exceeding \$1 50 per square foot, as a site for Hook and Ladder House No. 4; and for a transfer from the Reserved Fund of \$12,000 for the purchase of said land, and for plans for such house.

Orders authorizing the erection of a police station house on city land on Fourth street, between K and I streets, at an estimated cost of \$45,000; and for a loan therefor.

Order to allow and pay \$600 per annum for rent of Armory of Company B, Ninth Regiment, M. V. M., in hall 577 Washington street.

Order authorizing a transfer of not exceeding \$3000 from Reserved Fund to the amount authorized for a hose house at corner of O and Fourth streets, South Boston.

Mr. Shaw of Ward 5 offered a resolve that in view

of the danger from fire from high buildings and narrow streets, it was the opinion of the City Council that no further permits should be issued, and all which were granted should be annulled until action should be taken on the subject of widening Washington street within the limits of the late fire.

Mr. Flynn of Ward 7 stated that at a meeting of the Committee on Streets yesterday, an order was passed that the Inspector of Buildings be instructed not to issue permits for building on that territory until action was taken by the City Council. He moved that the resolve be laid on the table, which was carried.

Mr. Blackmar of Ward 11 offered an order that the Committee on Survey and Inspection of Buildings be requested to consider the expediency of providing by ordinance that the floors of buildings be made fire proof. Referred to Committee on Survey and Inspection of Buildings.

Mr. Jones of Ward 14 offered the following orders:

Ordered, That the Committee on Public Buildings be authorized to purchase the estate late of Nathaniel Whiting, between Washington square and Washington place, containing 1523 square feet, more or less, for a sum not exceeding \$11 per foot; and also to erect upon said lot and the lots adjoining on either side, owned by the city of Boston, a building suitable for the accommodation of a steam fire engine and a hook and ladder carriage and the horses and men connected therewith.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$50,000, to be applied to the purchase of land and the erection of an engine and hook and ladder house in Ward 5.

It being stated in answer to a question that these orders came from the Committee on Public Buildings, Mr. Shaw said he would like to know by what authority a committee reported orders without any petition or instruction from the body to which they were responsible?

The Chair stated that there was no rule which prevented the offering of orders of this kind.

Mr. Shaw said that when he offered a resolution, his friend from Ward 7 moved to lay it on the table, and stated that his committee had given directions without any instructions from the Council for doing so. There were a plenty of lots on Fort Hill owned by the city, some of which were better fitted for this purpose than these lots were.

Mr. Pease stated that most of the lots owned by the city on Fort Hill were leased, and they could not be used for the purpose proposed at present.

Mr. Wells of Ward 3 believed they could wait, for the parties who were using certain newspapers which they could handle, did not know half what they thought they did in these matters. There was no occasion for going it blind on the subject of the extinguishment of fires.

Mr. Dean also objected to acting hastily on the subject.

Mr. Denny referred to action already taken with regard to providing further facilities for extinguishing fires in the burnt district, and moved that the orders be laid on the table, which was carried.

Mr. Jones offered the following order:

Ordered, That the Water Board be and they hereby are instructed to place Lowry hydrants on the several main water pipes of this city, and also upon each and every street crossing.

Mr. Jones advocated the order, as a necessary measure for extinguishing fires, and Mr. Loring of Ward 12 was of opinion that it might safely be left with the Water Board, to which two able members were recently added. He moved that it be laid on the table, which was carried.

Mr. Dacey of Ward 2 moved a reconsideration of the vote sustaining the decision of the Chair on a point of order at the last meeting, stating that, should it prevail, he would move to lay it on the table.

The motion to reconsider was carried, and the question of order was laid on the table.

Mr. Dean of Ward 12 offered the following order:

Ordered, That his Honor the Mayor be requested to communicate to the Commandant of the United States Navy Yard at Charlestown the thanks of the City Government and citizens of Boston for the very valuable services rendered by the marine corps in preserving order and protecting property during and after the fire of the 30th ultimo.

The order was amended to add thanks to the commandant of Fort Warren, and as amended was passed.

On motion of Mr. Wells of Ward 3, the order for a joint committee to be appointed to arrange for music on the Common and in other parts of the city, at a cost not exceeding \$3000, was taken from the table and assigned to Thursday evening next.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JUNE 9, 1873.

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

JURORS DRAWN.

Four grand and three petit jurors were drawn for the U. S. District Court.

APPOINTMENTS MADE AND CONFIRMED.

Weigher of Coal—Newell Butler.
Constable—David L. Wentworth.
Special Police Officers, without pay—Caleb L. Sturgis, Hotel Dartmouth and Dndley and Warren street; Benjamin F. Groton, Litchfield's wharf and its vicinity; Aaron Morse, Dock square and its vicinity; Joshua B. Fiske and Charles M. Blake, Boylston Market and its vicinity; D. Banks McKenzie, Young Men's Christian Association; Francis T. Bemis, West street and its vicinity; Charles C. Davis, Copp's Hill Cemetery; Arthur J. Lansil, New Fanenil-Hall Market; Redmond J. Allman, Lincoln street and its vicinity.

PETITIONS PRESENTED AND REFERRED.

Mary A. Drinan, administratrix, to be paid for grade damages on Blue-Hill avenue.

Anton Holz, guardian, and others, to be paid for grade damages on Cabot street.

J. B. Sanford and others, that Draper's lane be raised, graded, etc.

Atlantic Works, for a revised grade of Bremen street in their vicinity.

Alden Avery, that a street running from Albany street to Walnut avenue be called Albany avenue.

Severally referred to the Committee on Paving.

Phineas B. Smith, for leave to occupy a wooden stable for three horses on Marcella street, rear No. 30.

Thomas Wilkins, for leave to occupy a wooden stable for two horses on Green street, near old well in the street, Ward 16.

Maurice Lane, for leave to occupy a wooden stable for two horses on Longwood avenue, between Parker street and Bamstead lane.

Michael Doherty and others, against the erection of a stable for fifty horses on Cove street, as proposed.

Thomas White, for leave to occupy a stable for fourteen horses on Wiswall's wharf, Federal street.

Patrick Coyne, for leave to occupy a wooden stable for one horse on Eighth street, between M and N streets.

James K. Crowley, for revocation of the stable license granted to W. B. Wilbur on Fourth street.

Severally referred to the Committee on Health on the part of this Board.

C. D. Brooks, to be paid for grade damages in Purchase street. Referred to the Committee on Streets.

Eli Fernald, against the projection of a bay window on Newland street, at the corner of Upton street. Referred to Committee on Police.

John F. Bispham and others, for a sewer in West-ern avenue to Peabody street.

M. J. Ryder and others, for a sewer in Bolton street, from D to E street.

Trustees of the Sears estate, for a sewer in that part of Arch street formerly Morton place.

Uriel Crocker, for a sewer in Arch street, formerly Morton place.

Jonathan W. Glines and others, for a sewer in Clinton street, from Blackstone street to Merchants' Row.

Severally referred to the Committee on Sewers.

George B. Greeley, for removal of a tree from Ashland street, Harrison Square. Referred to Committee on Common on the part of this Board.

Stetson & Pope and others, for a steam fire engine near the lines of Wards 7 and 12. Referred to the Committee on Fire Department.

William Evans and others, that Tremont street be widened by taking a part of the Tremont-street mall. Referred to Joint Committee on Streets.

COMMUNICATION RELATING TO THE FIRE DEPARTMENT.

The following communication was received from the Mayor:

Boston, June 9, 1873.

To the Hon. the City Council of the City of Boston: Gentlemen—I have the honor to transmit herewith a communication from the representatives of various insurance companies, which sustained losses by the

fire of the 30th ultimo. I commend the suggestions which it contains to your careful consideration.

HENRY L. PIERCE, Mayor.

The communication is the same which has been published in full in the newspapers.

Referred to the Committee on Fire Department.

AUDITOR'S MONTHLY EXHIBIT.

The Auditor's monthly exhibit was laid before the Board in print, it being an exhibit of the general and special appropriations for the present financial year of 1873-74, as shown in the books in his office, June 1, 1873, including the June draft, being two months' payments of the financial year—exhibiting the original appropriations, the amount expended, and the balance of each unexpended at that date. A recapitulation gives the following result:

	Appropriations, Revenues, etc.	Expended.	Unexpended.
General.....	\$11,036,949 34	\$1,176,725 01	\$9,860,224 33
Special.....	7,991,272 21	1,632,562 37	6,358,709 84
	\$19,028,221 55	\$2,809,287 38	\$16,218,934 17

Ordered to be sent down.

WIDENING OF BROAD STREET.

A communication was received from the Street Commissioners, with a resolve and order for the widening of Broad street to one hundred feet, from Atlantic avenue to Summer street, at an estimated expense of \$780,887 25.

The several items of the cost are estimated as follows:

City of Boston, Belcher lane, 637 feet, no expense. Proprietors of Foster's wharf, 11,438 feet, \$5 50, \$62,909; damages, \$27,000; total, \$89,909. James and P. H. Power, Harris's wharf, 2625 feet, \$5 50, \$14,437; damages, \$4900—\$19,337 50. Heirs of John H. Pearson, Pearson's dry dock, 2574 feet, \$5 50, \$14,157; damages, \$2000—\$16,157. Heirs of James Otis, Otis wharf, 5056 feet, \$5 50, \$27,808; damages, \$2000—\$29,808. David Snow, Arch wharf, 4946 feet, \$5 50, \$27,203; damages, 19,600—\$46,803. David Snow, Packard's wharf, 4822 feet, \$6, \$28,932; damages, \$4800—\$33,732. William R. Clark, Fort Hill wharf, 4789 feet, \$6 50, \$31,128; damages, \$17,500—\$48,628 50. William Litchfield, Litchfield's wharf, 6492 feet, \$6, \$38,952; damages, \$3500—\$42,452. John L. Batchelder, Batchelder's wharf, 3088 feet, \$6, \$18,528; damages, \$6200—24,728. Heirs of John P. Dolbeare, Dolbeare's wharf, 2959 feet, \$6 25, \$18,493 75; damages, \$800—\$19,293 75. David Chapin, W. L. Prescott and others, Liverpool north wharf, 8870 feet, \$7—\$62,090; damages, \$250—62,340. Proprietors of Liverpool wharf, Liverpool south wharf, 5309 feet, \$6 50—\$34,508 50; damages, \$25—\$31,533 50. Herman B. Inches and others, Russia wharf, 10,827 feet, \$6 50—\$70,375 50; damages, \$2000—\$72,375 50. Heirs of William H. Prentice, Prentice's wharf, 9638 feet, \$6 75—\$65,056 50; damages, \$150—\$65,206 50. Heirs of Thomas Tileston, Tileston wharf, 7354 feet, \$7—\$51,478; damages, \$125—\$51,603. William T. Hart and C. P. Clark, Trustees Boston, Hartford & Erie Railroad, 5120 feet, \$7 50—\$38,400; damages, \$1500—\$39,900. Thomas F. Richardson, 8140 feet, \$9—\$73,260; damages, \$5500—\$78,760. Heirs of Solomon Piper, Federal street, 665 feet, \$8—\$5320—making a total of 105,349 feet of land, at an estimated cost of \$683,037 25; value of buildings before widening, \$130,200; value after widening, \$26,000; material to be cut off, \$8550; damages to buildings, owners and occupants, \$97,850—\$780,887 25.

Alderman Clark stated that the proposed widening had been before the Committee on Streets, who recommended that the widening should be made as proposed in City Document No. 67, and as the parties in interest are anxious to get their lines and build, if the Board are prepared to act upon the subject, he hoped the resolve and order would be passed at once.

The resolve and order were passed.

WIDENING OF PEARL STREET.

A resolve and order were received from the Street Commissioners for the widening of Pearl street, near Milk street, by taking a parcel of land, owned by S. S. Perkins, containing 101 square feet, at an expense of \$1414.

On motion of Alderman Clark, the resolve and order were referred to the Committee on Streets.

ANNUAL REPORT OF THE CITY REGISTRAR.

The annual report of the City Registrar was submitted in print for the year 1872, an abstract of which is as follows:

Births. There were 9270 births registered, showing an increase of 715, or 8.36 per cent. over the registered births in 1871, making the birth rate 1 in 28.59 of an estimated population of 265,000. Adding still born, 560, the rate is 1 in 27; preceding year, 1 in

27.51. A comparison is given of the last 24 years; the rate showing it to be uniformly the highest for the nine years ending with 1859, and the lowest during the war and subsequently. The variations of the 20 years were from 1 in 26.56 in 1850 to 1 in 38.14 in 1864. It is stated as beyond question that the birth rate of Boston for the last 12 or 15 years has been below the proper standard, and in no one of the years mentioned has it been so high as a healthy-minded community should exhibit.

Of these births 6224 (67.14 per cent.) of the children born had foreign fathers, and 6046 (65.22 per cent.) foreign mothers. Half of those recorded as of unknown fathers and mothers are embraced in each instance. This shows that while the foreign-born population makes but 35 per cent., the children born of such parentage makes 67 per cent. of the births. The Irish population is about 22 per cent. of the whole, while the children of Irish make 34.58 of all the births and 51.48 of all the children of foreign fathers. In contrast, it is shown that the American population, with nearly 65 per cent. of the whole, has but 32.84 per cent. of the births. The whole number of cases in which one or both parents were foreign born was 3869, or 41.74 per cent. of the whole number of births. Estimating the Irish population at 58,000, the ratio of births is 18.10, and the American population at 174,500, the ratio is 74.92.

The number of births in the several quarters was as follows: First quarter, 2213; second, 2138; third, 2477; fourth, 2442. The largest number of births in any one month was 851, in August, the smallest was 695, in April.

A table giving the number and percentages of births by wards, for 1871 and 1872, shows that the largest increase was in Wards 1, 12, and 15, the number being 446, or 62.38 of the whole increase. There was an increase of 108 in the four southern wards, making 15.10 per cent. There was an increase of 34 births in Ward 2, and in Wards 5, 8, 13, and 16 there was a decrease of 118 births. There were 1074 births in that part of Ward 7 lying in South Boston.

The number of colored births was 126, 47 less than the colored deaths. The colored population makes about 1.32 of the whole, and the percentage of births is the same. The birth rate is about 1 in 27.77 of the estimated population. During the last sixteen years the colored population has increased nearly 58 per cent.; due from immigration.

The number of twin births was 65 an increase of nine from the preceding year. The percentage was 1 in 142; in 1871, 1 in 115. In only ten instances were both the parents American, those of Irish parentage making nearly half the number. In one instance both parents were colored, and in another Indians. The still births exceeded those of 1871 by 17. There were 14 colored still births, making the ratio 1 in 9 of the whole number. Among the whites the ratio was 1 in 16.74 of the whole births. The still births of foreign parentage make 67.50 per cent. of the whole; Irish 43 per cent.

Marriages. There were 3762 marriages recorded, an increase of but 48, showing a ratio of 1 in 35.22 of the population; in 1850 the ratio was 1 in 27.14. The number of marriages during the autumn months make 31.50 of the whole, in the summer 23.76. Only 470 (12.49 per cent.) of the grooms were born in Boston; 511 (13.58) in other towns in the State; 809 (21.50) natives of other States. Less than 48 per cent. were native born. Of the brides, 718 (19.08 per cent.) were born in Boston; 475 (12.62) in other towns in the State; 644 (17.12) born in other States. The number of marriages in which both parents were foreign was 1578, 42 per cent., and in which one or both were foreign was 2319, 61.64 per cent. The above relative proportions of foreign and native marriages vary slightly from year to year.

Over 67 per cent. of the grooms were between 21 and 30 years of age, and 2.37 per cent. minors. Of the last, eight were eighteen years of age. There were nine minor grooms who married brides under 18 years. One of 19 married a maiden of 14; and one of 20 married a bride of 35. One man of 83 married a woman of 43, and another of 70 a bride of 43, one of 72 a bride of 43, and another of 77 a bride of 45. Two men of 35 and 36 married misses of 16 and 17. Over 70 per cent. of the brides were between 20 and 30 years, and but 2.87 per cent. above 40. In 448 instances the brides were older than the grooms. One bachelor married a widow three times before married, and two grooms three times widowed married a spinster and a widow. The number of colored marriages was 101, a decrease of 13 from the previous year.

Of the grooms the principal occupants were as follows: Laborers, 613; clerks, 395; carpenters, 264; merchants, etc., 198; mariners, 191; teamsters, 129; machinists, 121; painters, 98; shoemakers, 80—making more than half of the whole number. Of these

3215 were residents of Boston; 381 in other towns of the State; 166 in other places. Of the brides 3397 belonged in Boston, 229 in other towns, 136 other States. The number of certificates of intention of marriage issued was 4424, an increase of 136 over 1871.

The number of deaths in 1872 was 8090, an increase of 2203, or 37.40 per cent., a mortality of one death in 30.53 of the population of 265,000. In the last sixty years there were only three years in which the death rate exceeded or approximated that of 1872; in 1847, 31 in 1000; 1848, 28.50; 1849, 38 in 1000. During the two years first named, typhus fever and diarrheal disorders prevailed to a great extent, and in 1849 cholera, when the deaths were 658. The large mortality of 1872 was chargeable to smallpox, the number of deaths being 738, or 9.12 per cent. of the whole. Otherwise the mortality was in excess of that of 1871. In a comparison with other cities, it is shown that with the exception of Richmond and Cincinnati, there was an increase in each of the principal cities of the Union.

The excess of deaths of males over females in the first six months was 60; in the last, 284; making an excess of 344; in 1871 the excess was but 22; the average for ten years was 109. In a table showing the births and deaths for the last ten years, it is shown that the average births was 6337, an average of deaths 5030—showing an excess of births of 13,071 in the whole time; in 1872 the births exceeded the deaths 1180. Another table given shows that 68 per cent. of the decedents were native born, very nearly identical with the proportion of the preceding year. Of the foreign decedents, those of Irish birth made 64.14 per cent.; the preceding year nearly 70 per cent. Of the male 31.78, and female 32.50 were foreign born. There is but a slight variation from year to year in the character of the parentage of the decedents—those of native in 1872, making 29 per cent., Irish 48 and foreign entirely 67.

In another table it is shown that while the children born of foreign parentage make 67.14 per cent. of all the birth, the decedents of foreign parentage of all ages make no less than 71.25 per cent. of all who died—showing that the death rate of this class exceeded the birth rate more than four per cent. On the other hand, while the birth rate of American children was only 32.86 per cent., the death rate of the same class was four per cent. lower than that.

In another table it is shown that 26.66 per cent. of the whole number of deaths were under twelve months. In 1821, the deaths under one year were only fourteen per cent. of all who died; in 1825, 17.18 per cent.; in 1836, 22.57 per cent.; in 1846, 20.55 per cent. Since the last-named year the proportion has gradually increased, so that it has rarely fallen as low as in the last-named year. It is also shown that 42.20 per cent. of all who died were under five years, and that 45.33 per cent. failed to reach their tenth year, although only three per cent. died between five and ten. More than half—fifty-one per cent.—died under twenty years of age; there were 535 who were over seventy years of age, 6.61 per cent. of the whole number being females.

Another table shows that 126 died on the day of their birth; 1327 between one day and six months; 1257 between one and five years; 253 between 5 and 10; 127 between 10 and 15. The decedents of foreign parentage make 73.50 of the whole number. Of the number of deaths over 15 years, 4296,—53.10 per cent.—the Irish born make 39 per cent. The highest per centage in every decennial period was between 40 and 50, when the foreign decedents made 67.18 of all who died. Of all who died over 80 years, the native-born make 54.36 per cent. Of the decedents, 1143 males were married, 702 foreign born; and of females 892 were married, 345 foreign born. The number of colored decedents was 173—107 males, 66 females.

Of the causes of death the principal ones were the following: Accidents, 286; diseases of brain, 430; cancer, 107; cholera infantum and diarrhoea, 915—an increase of 250; consumption, 1161—an increase of 81, but with a smaller percentage; croup and diphtheria, 94—a decrease of 34; disease of heart, 270—an increase of 31; marasmus, 305—an increase of 88; nephritis and nephritis, 121; pneumonia, 517—an increase of 172; smallpox, 738—453 males, 285 females; in Ward 2, 222; Ward 7, 86; in hospitals, 210—57 per cent. children of foreign parentage. Less than six per cent. were between 5 and 15 years of age; scarlet fever, 258—an increase of 147; typhoid fever, 229—an increase of 53; meningitis cerebro spinalis, 60.

Of the deaths by consumption, 18.25 per cent. of the males, and 21 per cent. of the females, were under 20 years of age. Nearly 17 per cent. of the deaths were of children under 5 years of age. The 548 deaths embraced 103 laborers, and there were 118 whose employments were not given. There were 31 clerks, which was the next highest number.

Tables are given showing the localities of the deaths from cerebro-spinal meningitis, scarlet fever and typhoid fever. Of the first named there were 34 males, 26 females, and the greater portion of the deaths were at the South End, Roxbury and Dorchester. Of the whole number of deaths from smallpox, 222 were in Ward 2, and 86 in Ward 7, making 41.73 per cent, and 135 were at Gallop's Island. The natiivities were—261 born in Boston, 109 in Ireland, and 131 in British American provinces. Of the 420 native born, 265 were children of foreign parentage. Less than 6 per cent. were between 5 and 15 years. In Wards 1, 2 and 7, containing less than 32 per cent. of the population, the deaths by typhoid fever were 41 per cent. of the mortality in the wards. Ward 2, with 10 per cent. of the population, had 14.78 per cent. of the deaths, and Ward 7, with 12 per cent of the population, had 15.27 of the deaths. Scarlet fever was the most fatal in East Boston and in Wards 7, 12 and 15.

In Wards 1, 2 and 7, containing less than 32 per cent. of the population, the deaths were 41 per cent. of the whole; in Wards 4, 5, 6, 8, 9, 10, 11, 13, 14 and 16, with 48.48 of population, the deaths were 48.48. Ward 2 has ten per cent. of the population, while 14.79 of the deaths occurred there; Ward 7, 12 per cent. of population, 15.27 per cent. of deaths; Ward 1, 790 deaths, 11 per cent. of mortality, 10 per cent. of population. The daily average of deaths during the year was 22.16.

Ordered to be sent down.

HEARING ON ORDER OF NOTICE.

The order of notice on the petition of Francis Brown and others, that Waltham street be paved and the railroad tracks be removed from the street, was taken up.

Francis Brown, representing the petitioners, made a statement that Waltham street was paved with the ordinary cobble stone, and that no alteration in paving had been made since the street was laid out, except in occasional repairs. The laying of the railroad track was an injury to the street, and as the track was laid eight or nine years ago, and its use was continued for a year or two only, and been disused since, the switches being removed, there was no reason to the petitioners why the track should not be removed. The travel has greatly increased, and great annoyance is occasioned by the unevenness of the pavement.

Mr. Brown made further remarks, in which he said the attention of the residents was drawn particularly to the subject from the petition for repaving the street near the Franklin Schoolhouse with wood.

William Wallace and G. B. Pfitnam, the last-named master of the Franklin School, concurred with Mr. Brown as to the necessity of repaving the streets, removal of the tracks, and in relation to the great increase of travel through the streets, making it particularly noisy.

The report was recommitted.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to build a sewer in Harrison avenue, from Malden street to Union-park street.

Order to abate certain sewer assessments on Forest street and Conant street.

Order to allow Clifford R. Weld of Roxbury to take birds and their eggs for scientific purposes.

Order to pave Merrimac street, from Haymarket square to Causeway street, with granite blocks, at an estimated cost of \$30,000.

PAPERS FROM THE COMMON COUNCIL.

The petitions from Bigelow, Kennard & Co. and others, W. H. West and others, Samuel R. Russell, S. S. Lord, Hannah Daley, and of Samuel H. Russell and others, were severally referred, in concurrence.

The report and orders for erection of a stable on city lot, Highland street, for Health and Paving departments, and for a loan of \$85,000 to be applied therefor, coming up referred to the Committee on Health, the reference was concurred in.

The order for Committee on Ordinances to report an ordinance to prohibit discharge of cannon on the Common without authority of City Council, coming up amended so as to include "other public grounds," and for said committee to report on the "expediency" of the proposed measure, the amendment was concurred in.

The report and order for a commission of five persons to be appointed to examine the act incorporating the city and all other general and special statutes for government of the city, and report what changes are necessary or expedient in view of prospective increases in area and population, were "recommitted to the Committee on Ordinances," in concurrence.

The orders authorizing temporary accommodations to be provided for a steam fire engine and men and

horses connected therewith, on Parker, near Beacon street; also to purchase, hire or erect upon city lands in burnt district a temporary house for a steam fire engine and the men and horses connected therewith, coming up with amendments to charge the expense to the appropriation for "Public Buildings," instead of "Fire Department," the amendments were concurred in.

The following orders were severally passed, in concurrence:

Order to authorize the Directors for Public Institutions to construct a telegraph line from their office to the institutions at South Boston, at an expense of \$1200.

Votes of thanks to commandants at the United States Navy Yard and Fort Warren for valuable military services rendered on the occasion of the recent fire.

Order for the passage of an ordinance making it imperative to construct fire-proof floors in certain buildings. Referred to the Committee on the Survey, etc., of Buildings.

Orders authorizing the erection of a police station house on city land on Fourth street, between K and I streets, at an estimated cost of \$45,000; and for a loan therefor.

Order to allow and pay \$600 per annum for rent of armory of Co. B, Ninth Regiment M. V. M., in hall 577 Washington street.

Order authorizing a transfer of not exceeding \$3000 from Reserved Fund to the amount authorized for a hose house at corner of O and Fourth streets, South Boston.

REPORTS OF COMMITTEES.

Alderman Power, from the Committee on Sewers, reported leave to withdraw on the petition of John Mallay for abatement of a sewer assessment in Newman street, South Boston. Accepted.

Alderman Cutter, from the Committee on the Fire Department, on the part of this Board, to whom was referred the petition of Briggs & Shattuck for a license to keep and sell petroleum, etc. at No. 165 Milk street, made a report that a license be granted on condition that the petroleum be stored in the cellar and not in the yard of said premises. Accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: John M. Burke, to exhibit a panorama at Wait's Hall, June 20, 21; J. W. Pickering, to exhibit the "Fairy Sisters" at 176 Tremont street, from June 12 to July 5; Hugh Blakeney, to give concerts at 443 Broadway; J. D. K. Willis, as an auctioneer; also to twelve newsboys and three bootblacks; to sundry persons as victuallers and for wagon licenses, and for transfer of wagon licenses. Severally accepted.

Alderman Sayward, from the same committee, reported leave to withdraw on petition of P. J. Ryan for a license as a victualler corner of Beacon street and Western avenue; and of Morris Jones as a victualler No. 50 Beach street; also on petition of Henry Walton, for a hack stand in Lagrange street. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of petitions for stables as follows: Blanchard & Snow, to add sixteen stalls to stable on Endicott street, corner of Stillman street; Wilcutt & Grant, to occupy a wooden stable for one horse on Bowdoin avenue near Union avenue; Thomas Carbery, to build a stable of wood for ten horses at 1482 Tremont street; Henry Melbroy, to occupy a wooden stable for two horses on Villa court; Edward Whiting, to occupy a wooden stable for three horses on Tileston avenue; A. D. Gould, to occupy a wooden stable for two horses on Marcella street, between Centre and Highland streets; and leave to withdraw, as per request, on petition of Stillman Wilson to occupy a wooden stable for one horse on Third street, adjacent to No. 433. Severally accepted.

Alderman Gaffield, from the Committee on the Treasury Department, to whom were referred the City Treasurer's accounts of the Stoughton School and Poor Funds and the Gibson School Fund for the year ending April 30, 1873, made a report that they have carefully examined the several accounts and find them correct. Accepted.

Alderman Brown, from the Joint Standing Committee on the Assessors' Department, to whom was referred the order to refund certain taxes paid by Joseph H. Billings and another, special administrator, made a report recommending that the order be passed in a new draft, as follows:

Ordered, That the City Treasurer be directed to refund to Joseph H. Billings and William Gaston, executors of the Kingsbury estate, the sum of \$169 65 on account of taxes erroneously assessed upon them in 1872; said sum to be charged to the receipts for taxes.

The order was passed.

Alderman Brown, from the same committee, to whom was referred the petition of the Mercantile Savings Institution for the refunding of certain taxes assessed upon the property of said institution for the year 1871, made a report recommending the passage of the accompanying order:

Ordered, That the City Treasurer be directed to refund to the Mercantile Institution for Savings the sum of \$550 60, on account of taxes erroneously assessed upon said institution in 1871; said sum to be charged to the receipts from taxes.

The order was passed.

Alderman Brown from the same committee, to whom was referred the petition of Edward F. Thayer that the tax assessed upon Thayer & Brother in 1867 may be abated, made a report recommending that the petitioner have leave to withdraw; also leave to withdraw on petition of Sidney Fisher for an abatement of the tax assessed upon his personal estate in 1872. Severally accepted.

REGULATIONS RELATING TO FIRES.

Alderman Quincy offered the following order:

Whereas, The Legislature of this State did on the 16th day of April, 1873, pass an act in the words following, to wit:

"Section 1. The engineer of a fire department in command at a fire shall, to the exclusion of all other persons, have the power conferred upon firewards by the fourth section of the 24th chapter of the General Statutes.

Section 2. This act shall be in force only in those cities in which it is accepted by the City Council, and in those towns in which it is accepted by the legal voters":

Now therefore it is hereby

Ordered, That the above recited act be and the same hereby is accepted by the City-Council of the city of Boston, and the Committee of Ordinances are hereby instructed to report an ordinance in accordance therewith.

Alderman Quincy made the following remarks in explanation of the order:

The General Statutes empower three firewards or three engineers of a fire department to direct the demolition of buildings as they shall judge necessary to check a conflagration; and if the fire is thereby checked, or stops short of the building destroyed, the owner is entitled to compensation.

In addition to this statute right, which protects both the officers who exercise it and the owner of property sacrificed, there is the common law right, which protects neither. That is, any citizen may destroy property to check the spread of a fire, but if such destruction turns out to have been unnecessary, he is answerable in damages, and if necessary and the fire is thereby checked, yet the owner has no remedy.

Now the power which the statute gives to a majority of those persons to act on their own judgment at a crisis, with a knowledge that the owners will be saved harmless, should be, I submit, a one-man power, like that of a general in the field. The absurdity of calling a council of war at the turning point of a doubtful battle is evident. Now the only right which the engineer in command now has to destroy property is the common-law right of every citizen, which he exercises at his peril. The present act proposes to confer on him alone the statute authority by which his judgment will be protected and the property owner compensated for a sacrifice. The act was drawn at the suggestion of his Honor the Mayor, and if it commends itself to the City Council, certainly should be adopted with the least possible delay.

Alderman Clark said he did not sufficiently understand the character of the order to enable him to act at this time upon it, and he hoped it would be laid over.

On motion of Alderman Quincy, the order was referred to the Committee on the Fire Department.

SALE OF FIREWORKS.

Alderman Gaffield offered the following order:

Ordered, That the Board of Engineers of the Fire Department be requested to abstain from granting licenses during the present year for the keeping, storage or sale of fireworks in the city of Boston.

Alderman Gaffield asked for the second reading of the order at this time.

Alderman Stebbins inquired whether many licenses had not already been granted which would be effected by the order.

Alderman Gaffield replied that he did not know; yet it was a singular and absurd arrangement that the licensing of the sale of fireworks was intrusted to the same parties whose duty it was to put out fires. We had had fires enough already, and should have no more by the help of the Engineer's Department. Whether any licenses have been granted or not, there

should be no more licenses granted for the sale of fireworks by the Engineers of the Fire Department, and the expression of the Board would prevent further action.

Alderman Stebbins was of opinion that it should be ascertained whether licenses had been granted before passing the order.

Alderman Gaffield believed the sale of fireworks should be stopped, for the safety of the city, and referred to the great fire in Portland as having its origin in fire crackers, and a large fire in East Boston originated in the same way. As this was the special time for the sale of fireworks, the order should be passed before licenses were granted.

Alderman Power said he was opposed to the use of fireworks in the city, and in favor of all measures designed for the prevention of fires. There could be no doubt that a large amount of money had been invested in fireworks, which might be sold to go into the country, and he would not stop the sale for such purposes. The prevention of the use of fireworks was absolutely necessary within the city limits, but he would not prohibit the sale for use outside of the city. He did not know what course to propose, but believed that the order should be modified.

Alderman Clark said the suggestion of the Alderman from Ward 12 was a good one, for there were large quantities of fireworks which were purchased to be sent off to small towns. If a prohibition of the entire sale was made, it would cut off a large trade, and it would be better to prohibit the use of fireworks in the city than to attempt to cover the entire ground. It would not be fair to interfere with arrangements made to sell fireworks to be sent into the country, but to prevent the use of them in this city would be doing good service. He hoped the order would be laid over for the time being.

Alderman Stebbins said he had just learned that sixty-five licenses had already been granted for the sale of fireworks, and these licenses run till next May. He did not see how, under such circumstances, the order could be passed.

Alderman Quincy said he could not see how the storage and sale of such fireworks could be dangerous, but the regulations to prevent the discharge of them could not be too stringent. To interfere with the trade of wholesale dealers, who had provided for the sale of fireworks, would be too much like interfering with private rights. They might prevent the discharge of fireworks within the city limits, but it was not desirable to prevent the sale for use outside of the city.

Alderman Power believed it would be better to have the order lie over, for we have now all the law that is necessary to prevent the discharge of fireworks in the city.

Alderman Clark concurred in the remarks that we have law enough on the subject, and it was only necessary to have it enforced.

Alderman Gaffield said it appeared, then, that for the petty sum of one dollar for each, the Board of Engineers have issued 65 licenses, and if not prevented might grant 665, giving licenses to every corner grocery, and already thousands of fire crackers might be in the hands of little children. If it was believed there was no danger from fire, and the city had not already been sufficiently baptized with fire, then there might be delay in preventing the further sale of fireworks.

Alderman Power believed the law against the use of fireworks in the city, could not be too strictly enforced, yet they could not be justified in stopping the sale of fireworks, when thousands of dollars had been invested in the business. It would not be right to stop the sale by such persons without fair notice.

Alderman Gaffield moved to lay the order on the table, which was carried.

Alderman Gaffield subsequently offered the following order:

Ordered, That the Chief-of-Police be instructed to prosecute all persons who keep, store or sell fireworks in the city of Boston without a license; and also to prosecute persons who discharge fireworks, fire crackers or other explosive substances in any public street, square, lane or alley in the city of Boston, without a license so to do.

Alderman Gaffield said this order seemed to meet the views of the members of the Board, and he hoped it would be passed.

The order was passed.

ORDERS PASSED.

On motion of Alderman Brown—

Ordered, That a committee, with such as the Common Council may join, be appointed to make the annual examination of the bonds of the several city officers.

Alderman Brown and Bigelow were appointed the committee.

On motion of Alderman Stebbins—

Ordered, That the voting lists of this city for 1873-74 be prepared and revised under the direction of the City Clerk, who is authorized to employ such additional assistance as may be necessary, the expense of such preparation and revision to be charged to the appropriation for that purpose.

Alderman Gibson offered the following order:

Ordered, That the Cochituate Water Board be requested to report to the City Council upon the expediency of laying water pipes from the Beacon-Hill Reservoir through portions of Tremont, Washington, Devonshire and Congress streets, for the exclusive use of the Fire Department in the extinguishment of fires, and submit therewith estimates of the expense of laying such pipes.

Alderman Gibson stated, in explanation of the above order, that the Beacon Hill Reservoir was 135 feet higher than high-water mark, and by laying independent lines of pipes through the streets indicated it would give a supply of water on all that business territory exclusively, which would throw it over any buildings from its own force. When the Parker-Hill Reservoir shall be completed it will give the water a pressure of its own, so that every man may use a pipe from his own door to force the water to the top of his building. We shall then have a never-failing source of supply, far ahead of any stream which can now be thrown by any steam fire engine. This supply from separate pipes will give more water and an outside power, and will be of great service for fires.

Alderman Gaffield inquired if there would be room in the streets for another line of water pipes, with the present pipes, gas pipes, sewers, etc.

Alderman Gibson replied that there would be room enough, and it was the opinion of the Assistant City-Engineer that a pipe of eight inches would be sufficient.

Alderman Clark said he was not sufficiently posted on the subject to enable him to vote upon it, and hoped it would be laid over, for it would undoubtedly involve large expenditures.

Alderman Gaffield stated that it was simply an order of inquiry, to be referred to the Committee on Water.

Alderman Clark withdrew his objections, and the order was passed.

On motion of Alderman Clark—

Ordered, That the Chief Engineer be, and he hereby is authorized to organize and equip a horse hose company for Hose Carriage No 12, to be located at South Boston Point; the expense thereof to be charged to the appropriation for the Fire Department.

Ordered, That there be paid to Joseph G. Russell \$1700, for land taken and all damages occasioned by the widening of Milk street; also that there be paid to said Russell \$46,000, for land taken and all damages occasioned by the widening of Congress street, upon the usual conditions; to be charged to the Burnt District Loan.

Ordered, That there be paid to William Minot, Jr., trustee, \$900, for land taken and all damages occasioned by the widening of Arch street, upon the usual conditions; to be charged to the Burnt District Loan.

Ordered, That there be paid to the heirs of Hannah Allen \$5850, for land taken from the widening of Summer street, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to Charles A. Welch, trustee, \$1500, for land taken and all damages occasioned by the widening of Federal street, upon the usual conditions; to be charged to the Burnt District Loan.

Ordered, That there be paid to the President and Fellows of Harvard College \$42,050, for the land taken and all damages occasioned by the widening of Hawley street; also to pay said President and Fellows \$20,850 for land taken and all damages occasioned by the widening of Arch street, upon the usual conditions; to be charged to the Burnt District Loan.

Ordered, That there be paid to Mrs. Lucy Morse \$4258, for land taken and all damages occasioned by the widening of Warren street, upon the usual conditions; to be charged to the appropriation for Widening Warren Street.

Alderman Clark offered the following order:

Whereas, Certain statements and reports have been made in the public press and elsewhere to the effect that the steam engines, hose carriages, firemen and the necessary apparatus of the Fire Department of this city, have not the right of way in the public streets when proceeding in answer to a fire alarm towards the locality indicated thereby; that on their arrival at their posts at the scene of the fire they have not the exclusive right to the streets in the immediate vicinity; that they have no special rights to enable them to protect their lines of hose from being run over, cut, or otherwise rendered unserviceable; and, further, that in none of these cases have the police authorities a right to arrest those who thus interfere with and lessen the efficiency of the Fire Department; therefore, be it

Ordered, That his Honor the Mayor be requested to inquire of the City Solicitor what the laws are bearing on the following subjects, and to submit the reply to this Board:

First, Do the laws now in force grant to the fire engines and their necessary accompaniments, when hastening to a fire, the right of way through the public streets of this city? Is this right absolute? Or, if not, in what degree is it restricted? Moreover, if this right exists, is there any penalty, civil or criminal, to which those shall be subjected who, through wilfulness or carelessness, disregard it?

Secondly, Is there any penalty which shall be incurred by those who illegally drive private vehicles over lines of hose laid by firemen in the streets for the purpose of suppressing a fire, thereby materially injuring them?

Thirdly, In case of a fire, what right or authority has the representative of the Fire Department of this city over the streets in its immediate vicinity?

The order was passed.

On motion of Alderman Clark—

Ordered, That the Board of Street Commissioners be requested to notify the State Commissioners of Public Lands that the city is ready to accept the conveyance of Berkeley street, eighty feet in width, in accordance with the terms of the act approved June 9, 1873.

Alderman Clark stated, in offering the order, that he had just received information of the signing by the Governor of the act to convey Berkeley street to the city, and he wished to show the Legislature the willingness with which they would accept the street when it was what they asked for.

ORDER OF NOTICE.

On petition of Patterson & Lavender, for leave to locate and use a steam engine and boiler at their factory on Burke street. Hearing Monday, June 30, 4 P. M.

On the proposed construction of a sewer in Lexington street, between Prescott and Eagle streets. Hearing Monday next, June 16, 4 P. M.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

JUNE 12, 1873.

The regular weekly meeting of the Common Council was held this evening at eight o'clock, E. O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of William Evans and others and of Stetson & Pope and others, were severally referred, in concurrence.

The Auditor's monthly exhibit, June 7 (City Doc. No. 82, 1873), and annual report of City Registrar (City Doc. 72, 1873), were severally ordered to be placed on file.

The reference to Committee on Streets of a resolve and order from Street Commissioners, for widening of Pearl street, near Milk street, was concurred in.

The reference to Committee on Fire Department of the message from Mayor, transmitting a communication on the necessity of greater efficiency of the Fire Department from the representatives of various insurance companies which sustained losses from the fire of 30th ult. being under consideration—

On motion of Mr. Shaw of Ward 5 it was laid on the table.

The reference to Committee on Fire Department of a preamble and order for the acceptance of the act of the Legislature of 1873, giving the Engineer of the Fire Department the power conferred upon firewards by the fourth section of the 24th chapter of the General Statutes; and for Committee on Ordinances to report an ordinance in accordance therewith, was concurred in.

The following orders were severally read once:

Order authorizing a horse hose company to be established for Hose Carriage No. 12, at South Boston Point.

Report and order for the Treasurer to refund to the Mercantile Institution for Savings \$550 60, on account of taxes erroneously assessed on said institution in 1871.

Report and order, in a new draft, to refund certain taxes paid by Joseph H. Billings *et al.*

Report, resolve and order from the Board of Street Commissioners that Broad street should be widened to 100 feet from Atlantic avenue to Summer street, at an adjudged expense of \$780,887 25. (City Doc. No. 67, 1873.)

Mr. Burditt of Ward 16 moved a suspension of the rules for the passage of the last mentioned order at this time.

Mr. West of Ward 16 wished for the reason for a passage of the order now, believing there was no necessity for immediate action.

Mr. Burt replied that the necessity for this was as in other cases to give parties interested their lines so that they may build.

Mr. Shaw of Ward 5 opposed immediate action, believing that there was no necessity for haste, and that the rules should be complied with in laying the matter over, so that if any one should be opposed there would be an opportunity to be heard.

The motion for a suspension of the rules was lost.

The order for a joint committee to make the annual examination of bonds of city officers was passed, in concurrence, and Messrs. Blackmar of Ward 11, Darrow of Ward 9, and Holmes of Ward 6 were joined to the committee.

The order requesting the Water Board to report on expediency of laying water pipes from Beacon-Hill Reservoir through portions of Tremont, Washington, Devonshire and Congress streets, for exclusive use of Fire Department, and submit therewith estimates of the expense, being under consideration,

Mr. Loring of Ward 12 submitted a substitute, which was adopted, and the order, as amended, was passed, as follows:

Ordered, That the Cochituate Water Board be requested to consider and report to the City Council as soon as possible what alterations in and addition to the present system of water pipes and hydrants will be required to render them of such capacity as will afford an adequate supply of water for all necessary purposes, to include the number and kind of hydrants, size and quantity of pipes, and cost, including expenses of laying the same; first, for the city proper; second, for South and East Boston; third, for Roxbury and Dorchester; also what portions of the work could be completed during the present year, and whether any additional appropriation for the same will be needed.

Reports, leave to withdraw, were accepted in concurrence, as follows:

Of Sydney Fisher, for abatement of tax of 1872.

Of Edward F. Thayer & Brother, for abatement of tax of 1867.

The report of the Committee on Treasury Department, that they have examined the Stoughton School and Poor Funds and the Gibson School Fund, for the year ending April 30, 1873, and find the same correct, was accepted in concurrence.

The order requesting Board of Street Commissioners to notify State Commissioners that the city is ready to accept the conveyance of Berkeley street, eighty feet in width, in accordance with terms of act of June 9, 1873, was passed, in concurrence.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order authorizing a contract to be made for watering streets around the public grounds, at a cost not to exceed \$1000.

Order authorizing a clock to be placed in tower of Ticknor Schoolhouse, at a cost not to exceed \$1000.

Report and order to allow and pay to Henry Doherty \$746 98, for loss on account of settling of earth deposited on Madison square.

Report and order authorizing 4800 feet of land to be purchased on corner of Longwood and Bookline avenues, at not exceeding one dollar per square foot, and the erection thereon of an engine house, at an estimated cost, for land and building, of \$28,000; and for a loan therefor.

Request and order authorizing a transfer of \$5100 from Reserved Fund to appropriation for Widening Federal-street Bridge. (Printed City Doc. No. 80, 1873.)

Report and order for Mayor to execute, in behalf of the city, an indenture as annexed to said order, with the Commonwealth of Massachusetts, and other parties named therein, concerning the occupation of South Boston Flats. (Printed City Doc. No. 71, 1873.)

MUSIC ON THE COMMON, ETC.

The order for a joint committee to be appointed to arrange for music on the Common and in other parts of the city, at a cost not exceeding \$3000, specially assigned to 8½ o'clock, was taken up and passed, Mr. Bicknell only voting in the negative.

Messrs. Caton of Ward 11, Burditt of Ward 16, Prescott of Ward 9, Bowles of Ward 12, and Boardman of Ward 14 were appointed the committee.

PETITIONS PRESENTED AND REFERRED.

Mary A. Winn, to be compensated for personal injuries caused by an alleged defect in Temple street. Referred to Committee on Claims.

Joseph Bird, to be allowed to present to the City Council his plan for preserving property by putting out fires. Referred to Committee on Fire Department.

Michael Scanlan, that further time be granted him in building on land purchased of the city of Boston on Fourth street in 1871. Referred to Committee on Public Lands.

L. Felch, to be allowed to put up a wooden building larger than allowed by the ordinance. Referred to Committee on Survey and Inspection of Buildings.

COST OF WIDENING AND EXTENDING WATER STREET.

The following communication was received from the Street Commissioners:

Boston, June 12, 1873.

To the Honorable City Council—The Street Commissioners, in reference to your order of May 26, would state their estimate of the cost of widening Water street, from Congress to Broad street, to fifty feet, and extending it thence to Atlantic avenue, to be \$392,650.

Referred to Committee on Streets.

REPORT OF DIRECTORS OF EAST BOSTON FERRIES.

The third annual report of the directors of the East Boston ferries states that the boats John Adams, Daniel Webster, Ben Franklin, Lincoln and General Grant are in good repair and condition. On examination, the Jefferson was found wanting so many repairs that the directors considered it inexpedient to repair her, and shall ask permission of your honorable bodies to sell said boat as soon as the new boat now in progress is completed; when we trust we shall have all the boats required for the present, with ordinary repairs.

The buildings, drops and slips are in very good repair and condition; the new drops and slips, which have been delayed so much in consequence of the extremely hard winter just passed, will soon be completed.

He would like to know who paid for the Fire Department, the people or the underwriters? He looked upon the insurance officers as but policy dealers, and he as well as others had lost money by the late fires, in the increased rates of insurance. The more insurance companies the more fires there were, in his belief. He did not believe in more boards, for it was almost impossible to get access to the newly created Board of Health, and he feared a fire board would be more difficult to approach. It was not the Fire Department either that was in fault, but the obstructions to their operations, the kind of buildings put up, supply of water, etc., and he believed the order of the gentleman from Ward 12, which had been passed, covered the whole matter.

Mr. Blackmar of Ward 11 said there was little use in dwelling on this matter as had been so eloquently done by the gentleman from Ward 5, for on this subject there was no disagreement, and every one in the community believed that something must be done. The only question was—what is the best step to take? The gentleman from Ward 12 states that the whole subject is before his committee, and it must be agreed that there could not be a better committee. It is desirable to prevent a conflict in action, and as the matter must go to the Committee on Ordinances at some time, it would be as well to have it go to them at once.

Mr. West replied to the remarks of Mr. Shaw in relation to underwriters, that so far from their being applicable to Boston alone, he had it from those who knew, that the question under consideration by underwriters was the withdrawal of some of their risks from all large cities.

Mr. Shaw regretted to be compelled to speak again, and in doing so he said they were not there to discuss the merits of men, for every member was a peer of any other member. If the Council chose to dodge the responsibility relating to this matter by refusing the appointment of a committee, then they might do so, and he would have his record made. The gentleman from Ward 16 had denied that the convention proposed of underwriters had reference to policies in Boston, but with the consent of the Council he would read the article in the Advertiser.

Mr. Shaw read the article in question, and there was no reference in it, he said, to other cities. The proposed withdrawal of policies was on the ground of the incompetency of the Fire Department, and the parties represented in the proposed convention were connected with home and foreign insurance companies. Besides this, there had been a meeting in State street today, having reference to this same subject, and the protestations of underwriters have come up, and will continue to come up, showing a want of confidence in the Fire Department.

Mr. Mahan of Ward 5 said, as a member of the Committee on Ordinances, he had no pride as to having this matter submitted to them, and in fact would prefer to have it referred to a special committee. The gentleman from Ward 3 had stated the facts in the case, and he assured his colleague that the Daily Advertiser did not control him, much less the underwriters. The question was not here as one for the benefit of insurance companies and underwriters, for they can take care of themselves and rob the public. Neither did he believe that the matter was here because of any cry against the Fire Department, for he believed the city of Boston had one of the best fire departments in the country, and the man who had said otherwise two years ago would have been laughed at.

He repeated that there was no better fire department in any city in the country. Let the insurance offices abandon their policies and give up their offices and others will flock in and there will be more competition than ever. The fact that the City Government and the Legislature have taken action on the subject of fires, and better buildings are put up, all will induce them to come in here. The question of abandoning policies was all nonsense, and the question to be considered was, shall the motion to adopt the order be reconsidered. Both orders were passed and one had been reconsidered,—now shall the other be? Aside from the matter of courtesy to the Committee on Ordinances, which has the subject under consideration, is it an object to refer the question to another committee?

Mr. West, in reply to Mr. Shaw, said he got his information in what he stated from the agents of underwriters, while that gentleman got his from a communication in a newspaper.

Mr. Holmes of Ward 6 moved the previous question, which was sustained; when the motion to reconsider was lost, by a vote of 11 to 35.

The Chair appointed as the committee under the order, Messrs. West of Ward 15, Shaw of Ward 5, Dean of Ward 12, Denny of Ward 9, and Powers of Ward 4.

On motion of Mr. Jones of Ward 14—

Ordered, That the Water Board consider the expediency, and report the cost, of building five reservoirs at the intersection of streets, under the sidewalks, to contain about two thousand gallons each; the same to connect with a four-inch pipe from the street main.

Mr. Whiston of Ward 8 offered the following orders:

Ordered, That the order approved June 6, 1873, requesting the Committee on the Fire Department to investigate the cause of the fire of the 30th ult., be and the same is hereby rescinded.

Ordered, That a special committee, consisting of five members of the Common Council, with such as the Board of Aldermen may join, be appointed to investigate the cause of said fire and the causes of the subsequent fires which have occurred in this city and the efforts made to suppress them, and report the result of their investigation to the City Council.

Mr. Wells of Ward 3 moved that the orders be laid on the table. Rejected.

Mr. Flynn called for a division of the orders, and hoped the Council would be consistent in their action, and if so, the first order should be passed, when the other could be referred to the same committee which had been appointed. There could be no harm in rescinding the order.

Mr. Jones of Ward 14, as a member of the Committee on Fire Department, hoped the order would be passed, for there appeared to be an outside feeling that the Committee on Fire Department was disposed to whitewash everything connected with the department. Yet he would say that it was not so, and that Captain Damrell did not wish that any whitewashing should be done, but that the fullest investigation should take place.

Mr. Whiston moved to strike out the last part of the order.

The Chair stated that the last order was not under consideration.

The first order was passed.

Mr. Whiston said he would withdraw the other order.

The Chair stated that it was under consideration.

Mr. Page of Ward 9 moved its reference to the special committee which had been appointed.

Mr. Flynn inquired if the subject matter was not the same.

The Chair stated that it was not.

Mr. Jones did not think it necessary to appoint a new committee, which the order required.

Mr. Flynn moved to lay the order on the table, which was carried.

REPORTS OF COMMITTEES.

Mr. Bicknell of Ward 4, from the Joint Standing Committee on Public Buildings, having received the accompanying request from the Chief-Engineer and the Joint Standing Committee on the Fire Department, namely, to make such additions to the house of Engine Company No. 16 as are necessary to accommodate Hook and Ladder Company No. 6, made a report, as follows:

They have had plans prepared which have the approval of the Chief-Engineer, and received estimates for the performance of the work, the cost of which, as per estimates received, will amount to \$18,000.

The committee would recommend the passage of the accompanying orders, from the fact that the proposed addition furnishes accommodations for Hook and Ladder Company No. 6, now without shelter, and room for a horse hose carriage besides:

Ordered, That the Committee on Public Buildings be authorized to build such an addition as may be necessary to the house occupied by Engine No. 16 to accommodate Hook and Ladder Company No. 6, at an estimated cost of \$18,000.

Ordered, That the Auditor of Accounts be authorized to transfer from the Reserved Fund the sum of \$18,000; the same to be applied for building the addition to Engine House No. 16.

On motion of Mr. Wells, the orders were laid on the table.

Mr. Denny of Ward 9, from Joint Standing Committee on Health, to whom was referred the communication from the Committee on Public Buildings respecting the procuring of plans and estimates for a city stable on land belonging to the city situated on Highland street, with an order for the construction of said stable at a cost of \$85,000, after giving the subject a careful consideration, submitted the following statement:

The stable on Highland street used by the Health and Paving departments at the present time, is a one and one-half story building, about sixty-five feet long by thirty-five feet wide, containing thirty-six stalls, all of which are occupied at the present time. The building is of wood and an old structure, wholly in-

adequate for the present requirements of the Highland District. Enlarged accommodations and more teams should at once be supplied, in order that the work required may be performed.

It is proposed to erect a new brick stable on the present site, two stories high, 195 feet deep and 61 feet front, to contain therein sixty stalls. With this accommodation there will be ample room to meet the demands for some years.

The committee would therefore recommend a concurrence in the report and order passed by the Board of Aldermen.

The report was accepted, and the question being upon the passage of the order—

Mr. Wells of Ward 3 inquired if the stable was designed for any other purpose.

Mr. Denny replied that it was entirely for the use of the Paving and Health departments, for which it was much needed. It was a matter before a previous government, and came to this City Council as a part of the unfinished business of last year.

Mr. Wells of Ward 3 moved that the order be laid on the table, which was carried.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JUNE 16, 1873.

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

APPOINTMENTS MADE AND CONFIRMED.

Special police officers without pay—John A. Haven, Edward A. White, Thomas Gogin, Charles R. McLean, James W. Allen.

Orlando D. Cook, at Federal-street Bridge; Albert Smith, for Boston, Hartford & Erie Railroad; Patrick Feeley, Bryan Conley, for Glendon wharf and its vicinity; John K. Carlton, for Carlton's wharf and its vicinity; William H. Tebbetts, for West Boston Bridge; Arthur Dakin, for Boylston Market.

PETITIONS PRESENTED AND REFERRED.

H. B. Bowen and others, that Broadway, between Dorchester and I streets, be repaved.

John O'Donnell, that edgestones be set at the corner of Saratoga and Chelsea streets.

M. T. & W. Glynn and others, that the sidewalks on Gates street may be laid.

Edmund Gage, for sidewalks on Myrtle street, Ward 16.

D. N. Skillings and others, for plank sidewalks on Beacon street, from Gloucester to Parker street, on the northerly side.

Benjamin Franklin and others, for revocation of location of the Metropolitan Railroad Company on Dearborn street.

Nathan Cushing and others, that the sidewalks in Ash street be put in order.

Severally referred to the Committee on Paving.

John P. Squire and others, for a sewer in Jenkins street.

G. J. Roberts and others, for a sewer in Tudor street, between D and E streets.

Hannah M. Browne, for a sewer in Western avenue, near Park street.

John A. Medbury, for a sewer in F street, from Second to Bolton street.

Board of Health, that a sluiceway be constructed in Albany street, between Dover and Malden streets.

Severally referred to the Committee on Sewers.

John G. Hodgdon, for a wagon stand on Tremont street, near the Chapel Burial Ground.

William C. McCarthy, for renewal of wagon stand on Tremont street, at Chapel Burial Ground.

Severally referred to the Committee on Licenses.

D. W. Parmenter, for leave to erect a stable for three horses on Condor street.

J. F. Hooper, for leave to occupy a wooden stable for one horse on Buttonwood court.

John D. Campbell, for leave to occupy a wooden stable for one horse in the rear of Putnam street, Ward 1.

Severally referred to the Committee on Health on the part of this Board.

Phineas B. Smith, for leave to make a wooden addition to his house, No. 30 Marcella street, beyond the legal limits.

W. G. Preston and others, architects, that the several building acts and ordinances may be codified.

Severally referred to the Committee on Survey and Inspection of Buildings.

M. J. Flatley, for extension of time in which to build on East Newton street.

E. & R. W. Sears, for reimbursement of a portion of rent for City Hospital wharf.

Severally referred to the Committee on Public Lands.

Augustus Stevens, that the city would pay a portion of the cost of watering Maverick and Central square. Referred to Committee on Common, etc.

Jeffrey Richardson and others, for a hearing on Columbus-avenue extension. Referred to Joint Committee on Streets.

A communication was received from the Metropolitan Railroad Company, accepting the location of the Board of Aldermen, granted on the 19th May, in Shawmut avenue, from Cliff street to Bartlett street, for a single track in Bartlett street, and in Shawmut street, opposite the foot of St. James street. Ordered to be placed on file.

COMMUNICATION FROM THE GRAND JURY.

The Grand Jury of Suffolk County, having duly served their term and performed the duties required

of them, think it well before separating to make several recommendations to your honorable body.

They respectfully recommend that accommodations for tramps or casual homeless people be provided in connection with the police stations, separate and distinct from the quarters assigned persons arrested for crime; that female prisoners be not transported in the same vans with male prisoners; that freedom of conscience of all inmates of institutions under management or control of the city, be duly respected and religious services and practices, under proper regulations, but of a nature best calculated to influence and reform them, be provided or permitted there.

JOHN A. HAVEN,
HORACE B. FULLER,
SAMUEL TUCKERMAN,
Committee of Grand Jury.

Referred to Joint Committee on Public Institutions.

HEARING ON ORDER OF NOTICE.

The hearing on the order of notice on the proposed construction of a Sewer in Lexington street, between Prescott and Eagle streets, was taken up. No person appeared in relation thereto, and the report was recommended.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to construct a sewer in Alpine street, at its westerly end.

Order to construct a sewer in Fruit street, from North Grove street to Blossom street.

Order to pave Eighth street, between E and Dorchester streets, with granite blocks, at an estimated cost of \$9000.

Order to postpone the collection of an assessment on heirs of James McMahan, for a sewer in Eighth street.

Order to print for distribution ten thousand copies of the acts to annex Brighton, Brookline, Charlestown and West Roxbury to this city.

PAPERS FROM THE COMMON COUNCIL.

The petitions of Joseph Bird, L. Petsch, Michael Scanlan and Mary A. Winn were severally referred, in concurrence.

The third annual report of the Directors of the East Boston Ferries (City Doc. No. 81) was ordered to be placed on file.

Report from Board of Street Commissioners, that the estimated expense of widening and extending Water street to Atlantic avenue is \$392,650, was referred to Joint Committee on Streets, in concurrence.

The order to appoint a joint special committee to consider the expediency of reorganizing the Fire Department in this city was concurred in, and Aldermen Quincy, Power and Bigelow were joined to the committee.

The following orders were severally passed, in concurrence:

Order to rescind order of June 6, appointing the Committee on the Fire Department to investigate the cause and management of the recent fire.

Order for Water Board to report on the expediency and cost of building reservoirs, to hold 2000 gallons each, at the intersection of streets, and to connect the same with water pipes.

The following order was considered:

Order requesting the Water Board to report on the expediency of laying water pipes from Beacon-Hill Reservoir through portions of Tremont, Washington, Devonshire and Congress streets, for the exclusive use of the Fire Department, and submit therewith estimates of the expense, came up amended so as to require said board to report what improvements can be made in the system of supply pipes and hydrants to insure the delivery of water sufficient to extinguish fires; and to report cost of same for city proper, East Boston, South Boston, Roxbury and Dorchester.

Alderman Gibson said he offered the original order, not thinking it would lead to such a range as was contemplated by the substitute order, which would require much more expense than the taxpayers might be willing to pay for. Under the order offered by him, as he suggested, an engine would be provided at every man's door, with power sufficient to throw water 135 feet, over any building. He was not particularly opposed to the substitute, yet he did not believe the taxpayers would be willing to incur the great expense of relaying all the pipes.

Alderman Stebbins said that what they all desire is to get information in regard to the pipes necessary and the quantity of water required. In that respect it would make little difference as to which order was

passed, and both cover the same ground. To secure the information desired, it would be better to pass this order, to save the return of the subject again to the other branch.

The order was passed, in concurrence.

MUSIC ON THE COMMON, ETC.

The order for appointment of a joint special committee to provide music on the Common and other parts of the city, and to appropriate \$3000 therefor, being under consideration—

Alderman Power moved its indefinite postponement.

Alderman Clark hoped the motion would not prevail, for there was no expenditure made during the twelve months of the year which afforded more general satisfaction. It was nothing more than justice to ladies and children that these concerts should be given, and many of them should be in the afternoon for the special entertainment of those who are otherwise debarred from hearing them. He therefore hoped the motion would not prevail.

Alderman Power replied that as the City Council, from motives of economy, had struck out the appropriation for fireworks and a balloon ascension, which had always given more satisfaction than anything else, this had better be disposed of on the ground of economy and the expense be saved. There are a dozen bands which perambulate the streets, giving everybody an opportunity to hear that kind of music, and in no way could they more justly save \$3000 than in the appropriation for this purpose. If they want to spend more money let it be spent in the celebration of the Fourth of July for the enjoyment of citizens and others who assemble for that purpose. He hoped they would have no more expenditures for such concerts, and that they would stick to the saving of money and dispense with such expenditures.

Alderman Stebbins stated that there was this difference in the expenditures referred to. The expenditure of \$5000 for fireworks and balloon ascension was for gratification for a few hours in one day, while the proposed concerts would extend over several months. There were many persons who were unable to leave the city in the warm weather, and he was one of those, and these concerts were a source of much satisfaction to the people of the city and the outlying districts who were obliged to remain at home. If the people of South Boston were satisfied with the music of the perambulating bands, they might have it, but he and others preferred something better.

Alderman Power said he appreciated good music as well as others, but believed they had just as good a right to provide theatrical entertainments for the people as they had to furnish concerts. But if entertainments are to be provided at the public expense the Fourth of July is the day, and the people assemble on that day for the purpose of enjoying such entertainments. He believed there was something better which could be done with the money than to provide concerts, and that the taxpayers require that expenditures shall be confined to the legitimate wants of the city.

Alderman Clark stated that the discontinuance of the fireworks and the balloon ascension was not for economy's sake, but on account of a proposed experiment which invited the destruction of lives—one of the most unheard of schemes. The experiment, if carried out, would have been witnessed by 20,000 or 30,000 for half an hour; but in the expenditure of \$3000 for concerts, the people of all sections of the city, young and old, would derive enjoyment. When the Aldermen preach economy, he should be reminded that he urged the expenditure of \$5000 for a balloon ascension.

In relation to the failure of the appropriations for the usual fireworks and balloon ascension, he was sorry, because they are a part and parcel of the celebration of the Fourth of July; but, on the whole, he thought it was better to dispense with them. Fireworks were attended with greater danger than formerly, when there were not so many houses near the Common. Many of these dwellings are not occupied during the summer, and have glass upon their roofs, through which the rockets might enter. He was not aware, however, that the fireworks were discontinued on account of economy. There are many ways in which they might economize better than to discontinue these concerts, for there were thousands like the Alderman and himself who cannot leave the city, and can enjoy these concerts. He hoped they would concur in the passage of the order.

Alderman Power said he was not in favor of the appropriation for fireworks or for the balloon, and only advocated the appropriation for the balloon for the sake of killing the whole thing. He had expressed his opinion against the whole thing, and for the same reason he was opposed to this appropriation.

As he before said, he believed they had the same right to furnish theatrical amusements for the people as they had to furnish concerts. This was a small matter, and if they were not to throw away a dollar, it should be expended for legitimate wants and wants of necessity.

Alderman Sayward said he was not present at the discussion on the balloon, but as the Alderman said he favored that to kill it, he hoped he opposed this to pass it. He was in favor of providing music on the Common and in other sections of the city for the enjoyment of the people.

Alderman Cutter opposed the appropriation in a moral point of view, and he advised the Alderman who desired to take a lady to hear the concerts to go and get married and stay at home to a better entertainment at a less expense. He thought it was time to make a stand somewhere in stopping extravagant expenditures. Calling attention to figures, he said the cost of the Fire Department the present year would be \$150,000 more than last year, the increased expense for the police \$75,000, and for the Health Department \$118,000. Under such circumstances he believed it was time to begin to economize, and to begin now. The giving of concerts on the Common had caused much trouble to the Police Department, and it was only single men who wished to attend such concerts, and not the married, who go into the country with their wives and children. The expenditure proposed would almost buy a fire engine.

Alderman Sayward said he was not surprised that the Alderman favored the expenditure for a balloon ascension.

Alderman Cutter called the Alderman to order, there being nothing in the order relating to balloon ascensions.

Alderman Sayward replied that he spoke of balloon ascensions because the Alderman had done so, and if he was afraid of getting his morals corrupted by attending such concerts, he would invite him out into Ward 16, where there was no danger of that kind.

The question was taken on indefinite postponement of the order, which was lost, by a vote of 5 to 6, as follows:

Yeas—Brown, Cutter, Emery, Gibson, Power.

Nays—Bigelow, Clark, Gaffield, Quincy, Sayward, Stebbins.

The question being on the passage of the order, it was lost, the vote being 6 to 5, not two-thirds, as follows:

Yeas—Bigelow, Clark, Gaffield, Quincy, Sayward, Stebbins.

Nays—Brown, Cutter, Emery, Gibson, Power.

VETO BY THE MAYOR.

Alderman Cutter took the chair, when the following communication was received from the Mayor:

EXECUTIVE DEPARTMENT, CITY HALL,
BOSTON, June 14, 1873.

To the Honorable Board of Aldermen: Gentlemen—I am constrained to withhold my approval of the order directing the City Treasurer to transfer and assign to William Smith & Co. all the city's interest in certain policies of insurance on the building erected for a smallpox hospital, which was destroyed by fire on the 26th of December last, and return the same herewith to the branch of the City Council in which it originated.

It appears that Messrs. Smith & Co. entered into a contract with the City of Boston on the 16th day of November, 1872, to erect a building on Sweet street, in accordance with certain plans and specifications, to be used for the purposes of a smallpox hospital. The contract provided among other things that the building should be completed on or before the 28th day of December, 1872; that the contractors should insure the building as soon as the roof was put on and complete, for such an amount as the committee of the City Council having charge of the work should direct, and should increase the amount of insurance, from time to time, under the direction of the committee, the policy to be for the benefit of the City of Boston and to be made payable to the city in case of loss.

In consideration of the work to be performed by the contractors, the city agreed to pay \$16,200, at such times and in such sums as the chairman of the committee might approve. The provision in regard to insurance was in accordance with the established custom of the city; the purpose being to save the city from loss on account of any payments which might be made to the contractors during the progress of the work.

On the 18th of December the contractors insured their interest in the building for the sum of \$10,000, payable in case of loss to the city. On the 21st of December, the city paid the contractors \$5000 on account. On the 26th of December the building was destroyed by fire.

In their petition to be paid the full amount named in the contract, the contractors represent that the building was "substantially completed" at the time of the fire, and that they "intended to surrender it to the city of Boston on the morning of the 27th of December." It appears from this that the building was not completed, and that it had not been surrendered to the city at the time it was destroyed. Upon a statement of these facts, the City Solicitor has given an opinion that the contractors had no legal claim upon the city for work under the uncompleted contract. They entered into an agreement to do a specific job for a specified price, and they are not entitled to receive the price unless they have completed the job.

The effect of the order passed by the City Council is to allow the contractors \$5000 from the City Treasury in addition to the insurance of \$10,000 which they had obtained on the work and materials. Such an allowance is, in the opinion of the law officer of the city, illegal, and I cannot give it my approval.

HENRY L. PIERCE, Mayor.

The question being upon the passage of the order, the objections of the Mayor notwithstanding—

Alderman Brown moved that the subject be laid over, and that the communication of the Mayor and opinion of the City Solicitor be printed, so that they might understand it more thoroughly.

Mr. Stebbins opposed postponement.

The motion of Alderman Brown was lost, 2 to 7, when the question again recurred upon the passage of the order.

Alderman Power rose to a question of privilege, and wished for information whether there was not some limit in the charter to the time for action by veto.

Alderman Clark replied that the limit was ten days.

Alderman Power said it was his impression that eleven days had elapsed since the passage of the order.

The City Clerk stated that the order passed the Council on the 5th of June, after having passed this Board was received by him on the 6th of June, and was submitted by him to the Mayor on the same day, and this communication was received on the 14th of June.

The Chair ruled that the communication of the Mayor was received within the limit of time allowed by the charter.

Alderman Clark said he supposed it would be useless to expect to pass the order over the veto, because it would require eight votes to carry it. He regretted that he should be required to vote against the Mayor, but he could not do justice to himself or to the community, if he did not do so. The claim he believed to be a just one and he wished to vote "Yes" upon it. It should be passed to do justice to honest and faithful mechanics, poor men who had been kept out of their just dues for six months.

The order failed of a passage by a vote of 5 to 7, as follows:

Yeas—Clark, Emery, Power, Sayward, Stebbins.

Nays—Bigelow, Brown, Cutter, Gaffield, Gibson, Quincy.

The following communication was also laid before the Board:

BOSTON, June 16, 1873.

To the Board of Aldermen of the City of Boston: Gentlemen—I have received and transmit herewith the inclosed communication from the City Solicitor, in answer to your inquiries concerning the rights of the Fire Department in the public streets in times of fire.

HENRY L. PIERCE,

Mayor.

CITY SOLICITOR'S OFFICE,
2 PEMBERTON SQUARE,
BOSTON, June 13, 1873.

Sir—I have the honor to have received your communication, of the 10th inst., requesting me to answer the questions raised by an order of the Board of Aldermen adopted on the 9th inst., in regard to the rights of the Fire Department in the public streets, when it is called out to extinguish fires.

The act of the Legislature entitled "An act in addition to an act relating to the Fire Department of the city of Boston," passed yesterday, defines the rights of the department to the streets in such cases, and renders unnecessary a reply to the questions proposed.

It is, however, my opinion that this statute does not confer upon the Fire Department any new rights. The department had a clear right, independently of the statute, in proceeding to and extinguishing fires to use the streets, and to protect all their apparatus in such manner as the exigencies of each case required, and any person interfering with the exercise

of that right was liable to the penalty provided in the ninth section of the one hundred and sixty-first chapter of the General Statutes.

I am, with great respect,

Your obedient servant,

J. P. HEALY.

City Solicitor.

Hon. Henry L. Pierce, Mayor.

The communications were ordered to be placed on file.

REPORTS OF COMMITTEES.

Alderman Gibson, from the Committee on Police, made a report recommending the approval and confirmation of the appointment of Cyrus K. Thomas to be Sergeant of Police. Accepted.

Alderman Power, from the Committee on Sewers, reported no action necessary on the petition of William Bassett and others for a sewer in Bennington street, from Brooks to Putnam street. Accepted.

Alderman Emery, from the Joint Standing Committee on Public Lands, to whom was referred the petition of John S. Dunlap and Ivory Bean for release of conditions of land bought by them of the city of Boston, on Dedham street, east of Harrison avenue, May 1, 1871, having fully considered the same, made a report recommending that the petitioners have leave to withdraw. Accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses, as follows: W. B. Stacey, to give concerts at Tremont Temple, June 16, 17; also, licenses to sundry persons as victuallers, to keep a bowling saloon, and leave to withdraw on petition of John Glancy for a license as a victualler, No. 1404 Washington street. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables, as follows: Phineas B. Smith, to occupy a stable for three horses on Marcella street, rear of No. 30; James Brosman, to occupy a wooden stable for six horses on Franklin court, Ward 16; William B. Thomas, to occupy a wooden stable for fourteen horses on Earl street, near the Old Colony Railroad, provided said stable is placed on the rear of said lot; John O'Donnell, to occupy a wooden stable for one horse on Saratoga street, junction of Chelsea street. Severally accepted.

The same committee reported leave to withdraw on petitions of John W. Rollins, for leave to occupy a brick stable for one horse on Carver street, No. 89½; Silas H. Sherman, to occupy a wooden stable for two horses on D street, southeast corner of Eighth street; W. B. Pike, to occupy a wooden stable for six horses on Bolton street, No. 303. Severally accepted.

Alderman Clark, from the Committee on Streets, reported leave to withdraw severally on the petitions of C. U. Cotting for abatement of assessment for Shawmut-avenue betterments; Ann M. Harlow, for abatement of assessment for betterment on Purchase street; John Norton, for abatement of Harrison-avenue betterment; and no action necessary on petitions of T. L. Sturtevant and others, for abatement of assessments for betterment on estates 12 and 36 Edinboro' street, also for abatement of betterment on No. 118 Essex street. Severally accepted.

Alderman Cutter, from the Committee on Paving, reported leave to withdraw severally on petitions of Henry Homer and others that Fourth street be paved with wood between E and F streets; Alden Avery, that a street running from Albany street to Walnut avenue be called Albany avenue; Anton Holtz, guardian, and others, to be paid for grade damages on Cabot street; Mary A. Drinan, administratrix, for payment for grade damages on Blue-Hill avenue; James D. Thompson and others, that Wiggleworth and Washington streets be paved with wood. Severally accepted.

Alderman Clark, from the Committee on Common and Public Grounds, to whom was referred the petition of George B. Emerson and others, for the removal of the concrete covering on the malls and walks of the Common, made a report that the use of this material on the public grounds has been limited to the paths which could not otherwise be kept in a condition to accommodate the public travel. All the work contemplated on the Common during the present season has been completed. Every precaution has been taken to prevent injury to the trees, and the committee are assured by the superintendent that in no instance can it be shown that the use of concrete has been injurious to the trees, or that as at present used it is likely to be injurious to them in the slightest degree. Under the circumstances no further action upon the petition is necessary. Accepted.

Alderman Clark, from the Committee on Streets, made a report that an additional loan of \$50,000 will be required for the payment of unsettled damages occasioned by the extension of Columbus avenue to Park square.

The loan authorized by the order of the City Council approved July 3, 1871, was for the purchase of the property of the Boston & Providence Railroad Company only, and did not provide for damages occasioned by cutting off the "back yards" of the several estates north of Providence street, neither did it provide for interest to be paid the Boston & Providence Railroad Company, as required by the indenture between the city and that company.

The amount of the loan was \$475,000.

The amount paid the Boston & Providence Railroad Company to date was \$150,000; interest paid on the same, \$2250—\$152,250—leaving a balance on hand of \$322,750.

Columbus avenue was extended to Park square by a resolve approved December 29, 1871.

The estimated expense of damages to estates north of Providence street for which no provision was made was \$25,835. Balance due the Boston & Providence Railroad Company within sixty days from June 29, 1873, \$325,000—making an amount of \$350,835.

Balance of loan on hand, \$322,750—leaving a balance to be provided for of \$28,085.

The amount to be provided for, it will be seen by the above figures, is \$28,085, but to cover interest and all contingencies the committee would recommend the passage of the accompanying order, making an additional loan of \$40,000:

Ordered, That the Treasurer be and he hereby is authorized to borrow, under the direction of the Committee on Finance, the sum of \$40,000; the same to be added to the loan for the extension of Columbus avenue.

On motion of Alderman Clark, the report was referred to the Joint Committee on Streets.

Alderman Emery, from the Committee on Public Lands, made a report in relation to lots of land on Dedham street sold to Ivory Bean and John S. Dunlap, with their failure to comply with the terms on the extension of time on which to build on said lots, concluding with a recommendation of the passage of an order that the Treasurer be authorized to cancel the bonds given by said Bean and Dunlap, and that the Superintendent of Public Lands be directed to take possession of the aforesaid lots in behalf of and for the use of the city of Boston.

Alderman Stebbins inquired whether the course proposed was the best for the interest of the city.

Alderman Emery stated the circumstances of the purchase, the application for extension of time and the refusal to comply with the full conditions, and it was proposed to take the usual course in such cases, the parties to forfeit the ten per cent. purchase money which had been paid.

Alderman Stebbins stated that the parties were well able to pay, and he raised the inquiry whether it would not be better to enforce the conditions of the sale.

On motion of Alderman Power, the order was laid over.

ORDERS PASSED.

On motion of Alderman Gibson—

Ordered, That the Committee on the Survey and Inspection of Buildings be authorized to prepare and print a digest of the laws and ordinances relating to buildings in Boston; the expense therefor to be charged to the appropriation for the Survey and Inspection of Buildings.

On motion of Alderman Brown—

Ordered, That the Committee on the Market be directed to assign stands to the several applicants therefor upon the new market limits, near India wharf, and to charge therefor such rents per annum as they may judge expedient to reimburse the city for the outlay expended there.

On motion of Alderman Emery—

Whereas, The city of Boston did, on the 1st day of January, 1873, lease for a term of five years from said date to E. and R. W. Sears a lot of land and wharf on Albany street, opposite to the City Hospital, containing 30,000 square feet, at a rent of \$3200 per annum, to be made in quarterly payments on the 1st day of April, July, October and January, in every year during said term; and whereas the amount due on the 1st day of April, 1873, remains unpaid; therefore be it

Ordered, that the Superintendent of Public Lands be and hereby is authorized to enter upon and take possession of the said premises in behalf of and to the use of the city of Boston.

On motion of Alderman Power—

Ordered, That the Superintendent of Streets be directed to furnish and set the edgestones and pave the gutters on Trenton street, between Brooks and Eagle streets, at an estimated cost of \$5000.

Ordered, That the Board establish the grade of Bremen street, between Porter and Bennington streets, as shown on a plan and profile drawn by the

City Surveyor, dated June 16, 1873, and deposited in the office of said City Surveyor.

Ordered, That the Board establish the grade of Arch street, between Milk and Franklin streets, as shown on a plan and profile drawn by the City Surveyor, dated April 23, 1873, and deposited in the office of said City Surveyor.

Ordered, That the Superintendent of Streets be directed to grade Putnam street, between White and Condor streets, according to the established grade of said street, at an estimated cost of \$3500.

Ordered, That the Superintendent of Streets be directed to furnish and set the edgestones and pave the gutters on the southerly side of White street, between Brooks and Putnam streets, at an estimated cost of \$1000.

On motion of Alderman Quiney—

Ordered, That the Committee on Armories and Military Affairs be requested to consider and report what changes, if any, are necessary in the allowances for rent of armories in this city, on account of the recent act concerning the militia.

Ordered, That all sums in excess of \$5000, collected by the City Treasurer on certain policies of insurance on William Smith & Company's interest as contractors in the smallpox hospital on Swett street destroyed by fire, be paid over to William Smith and — MeGaragle, the contractors aforesaid.

Alderman Sayward subsequently moved a reconsideration of the passage of the above order, stating in doing so that he could not see how the city could pay money which it had not got.

Alderman Quiney replied that the order contemplated that when money was collected under the policies, in excess of \$5000, it should be paid over. It would not be denied by the Alderman that something was due them, and the passage of the order showed the attitude of the city towards them.

Alderman Sayward said he could not see the object of the order, for the city could just as well pay over the amount when collected. He could not conceive the object of the order unless it was to prevent the parties from obtaining it in court. They could pay it over when received without the order just as well as they could now.

Alderman Quiney again stated that it would show the attitude of the city in acknowledging the justice of the claim.

Alderman Sayward said he did not wish to show the magnanimity of the city in any such way, and he could not conceive the object in pressing the order.

The reconsideration was declared to be lost, by a vote of 5 to 5.

Alderman Sayward raised a doubt as to the count, to which the Chair stated that he counted himself in the vote which was taken.

On motion of Alderman Clark—

Ordered, That "an act to provide for the conveyance of Berkeley street to the city of Boston," being chapter three hundred and fifty of the statutes of the Commonwealth, passed in 1873, be and the same is hereby accepted by this Board.

Ordered, That there be paid to F. M. Johnson and Albert Thompson, \$7350 for land taken and all damages occasioned by the widening of Congress street, upon the usual conditions; to be charged to the Burnt District loan.

Ordered, That there be paid to Marshall P. Wilder the sum of \$235 60, for land taken and all damages occasioned by the widening of Columbia street, in Ward 16, by a resolve and order of this Board, approved October 11, 1870, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to Elizabeth Child the sum of \$5250, for land taken and all damages occasioned by the widening of Bedford street, by a resolve and order of the Street Commissioners, April 21, 1873, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to Mary Chism the sum of \$10,357, for land taken, and all damages occasioned by the widening of Bedford street, by a resolve and order of the Street Commissioners, April 21, 1873, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to Joseph Forristall the sum of \$800, in full compensation for all damages caused to his estate on Chambers street by the raising of the grade of said street, by order of the Board of Aldermen, Sept. 17, 1872, upon the usual conditions; to be charged to the appropriation for Paving.

Ordered, That the betterment assessed upon the estate of Moses Kimball, corner of Oliver and Sturgis streets, by an order of the Board of Street Commissioners of June 29, 1872, for the laying out and grading of Sturgis street, and amounting to \$4500, be and

the same is reduced by the sum of \$2250, leaving the assessment upon the said estate at \$2250.

Ordered, That the betterment assessed of \$50 laid upon the estate of Mary Burnham on Palmer street, for benefit thereto from the extension of Harrison avenue, by an order of this Board of November 5, 1872, be and the same hereby is for cause abated in full.

RECOMMENDATIONS IN RELATION TO THE FIRE DEPARTMENT.

The following communication was laid before the Board:

BOSTON, June 11, 1873.

To the Honorable City Council of the City of Boston: Gentlemen—At a meeting of the officers of the several companies of the Boston Fire Department, called for the purpose of considering what changes might be made for advancing the efficiency of the department, it was

Voted That we petition to the City Council to adopt for general use in the Fire Department a post hydrant similar in pattern to that known as the Hill hydrant, to be placed in the sidewalk, the location to be designated by a colored glass, in the nearest street lamp, for the following reasons, namely: In being above the sidewalk it does not get covered up in the winter by snow and ice; it is easy of access, requiring but a few seconds to make connections, whereas in using the Lowry hydrant as now constructed, requires a "chuck" which weighs about ninety pounds, and considerable time is taken up in making all the connections, while a post hydrant relieves the apparatus of this extra weight, saves valuable time and can always be seen by the driver of the apparatus as he approaches it, as it cannot be hidden from sight by people standing upon it.

It was also voted that the following changes be recommended: First, that the horse hose carriages now in use may be so altered, and all those that may be built in the future, be so constructed that they may carry the hosemen, so that they may arrive at the fire with the apparatus and be fresh for duty; second, that a horse hose company be placed in every engine house, carrying not less than 800 feet of hose, to be run in connection with the engines instead of the tenders now dragged behind them; and by adopting this plan we feel confident that much valuable time will be saved that is now occupied by us in running here and there looking for hose to make out a line, or to replace that which is defective; third, that more hosemen be appointed for each company, as the present number is not sufficient to handle the long lines of hose that are required on the high buildings we are called upon to protect; fourth, that some method be adopted for controlling the water by the hosemen at the pipe, to save time in passing the word to the engine, and also prevent the conflict of orders given from different engines; fifth, that when purchasing new hose the two-inch hose be substituted for the two-and-a-half-inch hose, now in general use, as it can be handled with more efficiency and promptness and will stand a greater pressure; sixth, the removal of all ropes and guys used for stretching flags and signs across the streets, as they greatly retard the progress of the laddermen in throwing their ladders on to buildings.

Signed by John B. Hill, J. F. Hewins, F. M. Hines, George C. Fernald, C. L. Rosemere, William Childs and Samuel L. Fowle, Committee.

Alderman Sayward moved a reference of the communication to the Committee on the Fire Department.

Alderman Stebbins suggested as more appropriate the special committee which had been appointed upon the subject of the reorganization of the Fire Department.

Alderman Sayward said the committee was not appointed for the purpose of considering matters generally pertaining to the Fire Department.

Alderman Stebbins believed that the order under which the committee were appointed had reference to the whole subject of reorganization of the Fire Department, the charge of apparatus, hydrants, etc., and the management of fires, and the committee was the only proper one to consider this communication from officers of companies.

Alderman Power said if everything relating to the Fire Department was to be referred to this committee, it would make it a standing committee, and it would have enough to do, while the Committee on Fire Department would have nothing to consider.

Alderman Quincy called for a reading of the order, his understanding of it being not that of the Alderman who wished to have this referred to the special committee. Should radical changes be proposed in the organization of the department, it may take the business entirely out of the hands of the Committee on Fire Department.

Alderman Sayward agreed with the Alderman that it was not designed to refer all matters relating to the Fire Department to the special committee, for if so, they might as well abolish the standing committee, as having no use for it.

Alderman Power agreed with the Alderman as to the understanding of the order, for if every thing which came in relating to the Department, was so referred, the committee would never be able to report on the special matter referred to them. He should prefer to report on that matter.

Alderman Stebbins said he made the suggestion to draw out the sentiment of the Board, whether the Committee on Fire Department were to have anything further to do.

The motion to refer to the Committee on Fire Department was carried.

Alderman Clark offered the following order:

Ordered, That the Joint Special Committee on the reorganization of the Fire Department be instructed to investigate the cause of the fire which occurred in this city on the 30th of May last, and report thereon in print to the City Council; the expense attending such investigation to be charged to the appropriations for Incidentals.

Alderman Clark said he offered an order like this at the last meeting, but as that had failed he offered this. If the origin of the fire should be completely investigated, it might answer the question as to the necessity of the reorganization of the department.

Alderman Quincy said his impression was that it might be the duty of the special committee to report upon the expediency of causing an investigation to be made into the cause of the fire, and that such an investigation, if made, should be made outside of the City Government, as in the case of the other fire. If this committee should be required, in addition to the object for which they were appointed, to take voluminous testimony as to the origin of the fire, they may not be able to report until the next winter.

Alderman Clark believed an inquiry as to the cause of the fire to be as important as anything. If anything, it is a part of the inquiry as to the reorganization of the Fire Department. Not wishing to shirk responsibility, he offered an order for an investigation of the origin and management of the fire, but in that order the other branch did not concur, and abandoned it altogether. He desired an investigation into all matters relating to the fire, and an investigation might show a state of things in relation to the combustible character of such buildings as would justify insurance companies not to take risks in them and to cancel such as they have in neighborhoods of that character.

Alderman Emery believed this was a proper inquiry for the special committee to make.

Alderman Sayward was of opinion that the first thing the special committee had to do was to ascertain the cause and management of the fire; then they would know whether there was a necessity for the reorganization of the department.

The order was passed.

Alderman Clark and Brown presented the following petitions asking for various changes in the Fire Department:

To the Honorable the City Council of the City of Boston—The undersigned, citizens and taxpayers of Boston, respectfully petition that a much larger number of steam fire engines, fully manned and equipped, be provided and placed in central locations; that a larger number be sent to each fire at the first alarm; that provision be made for a supply of water in all parts of the city sufficient and available in any emergency; that assistant-engineers and hosemen be employed, who shall devote their whole time to the interests of the department; that a disciplined force be organized to clear the streets and prevent theft in the vicinity of a fire; and that such other measures be adopted as will secure the highest efficiency of the Fire Department. And moreover, believing that such efficiency can only be secured by intrusting the control of the Fire and Fire-alarm Department, and other matters pertaining thereto, to an independent board, they ask that such a board be constituted, to consist of three persons, who shall be appointed for a term of not less than three years, by the Mayor, with the approval of the Board of Aldermen or City Council, and be removable by the Mayor; said board to have the appointment of the chief and assistant engineers, and to be paid such salaries as will secure the best available talent for the important duties to be performed. They further ask that these changes shall be made at the earliest practicable date.

The following are some of the principal names signed to the several petitions:

Jordan, Marsh & Co.	Spragne, Soule & Co.
Lawrence & Co.	G. H. Gray & Danforth
Upham, Tucker & Co.	and 150 others.
Wellington, Bros. & Co.	Edward Atkinson.
Fogg, Haughton & Coolidge.	Brewster, Sweet & Co.

Charles F. Parker & Co.
and 95 others.
Richard H. Dana, Jr.
George S. Hillard.
Maynard & Noyes.
Scudder, Rogers & Co.
J. Beck & Son.
Jno P. Putnam
and 160 others.
Goldthwait, Snow & Knight.
Macullar, Williams & Park-
er.
Marsh Brothers.
Pratt & Wentworth
and 109 others.
Josiah Quiney.
P. L. Everett.
William B. Spooner & Co.
Naylor & Co.
Burrage Bros. & Co.
E. & A. H. Batcheller & Co.
and 117 others.
Clafin, Allison & Somes.
Dane, Dana & Co.
Geo. W. Torrey & Co.
Lucius Slade.
Ames Plow Co.
and 115 others.
W. K. Lewis & Bros.
Spear, Gregory & Co.
E. D. Peters & Co.
E. D. Winslow & Sons.
E. Sampson
and 180 others.
Fairbanks, Brown & Co.
How, Bros. & Co.
Gardner Brewer & Co.
Keating, Lane & Co.
and 133 others.
H. & L. Chase.
William Jessop & Sons.
Foster & Cole.

Dodge, Collier & Perkins.
Lawrence, Wilde & Hull.
H. M. Whiting.
and 136 others.
Patrick Donahoe.
Jonas Fitch.
Henry Poor & Son.
Thayer, Brigham & Co.
and 181 others.
P. A. Collins.
Charles F. Donnelly.
Nash, Spalding & Co.
James Parker.
Walter Everett & Co.
and 151 others.
C. F. Hovey & Co.
Churchill, Watson & Co.
Spalding, Hay & Wales.
J. R. Osgood & Co.
Wm. P. Sargent & Co.
Shreve, Crump & Low.
Hallet, Davis & Co.
and 96 others.
Gardner Chilson.
B. W. Dunklee.
Geo. W. Gay.
Allen Leavitt & Co.
Ar-Showe
and 75 others.
H. H. Coolidge.
D. A. Goddard.
Wm. Minot, Jr.
Darwin E. Ware.
C. B. Goodrich.
F. O. Prince
and 143 others.
H. D. Parker.
John F. Mills.
Morris & Ireland.
F. M. Holmes & Co.
Abram French & Co.
and 113 others.

In all 2017 business firms and individuals, representing over 3000 citizens and tax payers.

The question being upon referring these petitions to the special committee, there was some further debate as to the extent of their labors.

Alderman Quiney referred to the investigation of the management of the other fire as being desired through a commission outside of the Board, and it might be thought advisable to have this also investigated in that manner, while the taking of testimony would involve great labor upon the special committee; yet if it was the sense of the Board that the committee should do this work he did not wish to shirk it.

Alderman Power said the only point was whether any delay would be occasioned by the labor put upon the committee, and whether the public outside of the Government might not desire an investigation by other persons.

Alderman Sayward believed, if the public had lost confidence in the City Government, the sooner they knew it the better.

The petitions were referred to the special committee.

ORDERS OF NOTICE.

On the proposed construction of a sewer in Arch street, between Milk and Franklin streets. Hearing Monday next, June 23, 4 P. M.

On the proposed construction of a sewer on Silver street, between A and B streets. Hearing Monday next, June 23, 4 P. M.

On the proposed construction of a sewer in Clinton street, between Blackstone street and Merchants' row. Hearing Monday next, June 23, 4 P. M.

On the proposed construction of a sewer in Bolton street, between D and E streets. Hearing Monday next, June 23, 4 P. M.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

JUNE 19, 1873.

The regular weekly meeting of the Common Council was held this evening at eight o'clock, E. O. Shepard, the President in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of W. G. Preston and others, Phineas B. Smith, M. J. Flatley, Augustus Stevens, Jeffrey Richardson and others, C. F. Hovey & Co., Jordan, Marsh & Co. and two thousand others, and a communication from officers of the Fire Department, were severally referred, in concurrence.

The following matters were disposed of, in concurrence:

Reference to Committee on Public Institutions, of report of grand jury suggesting improvements in care and transportation of prisoners.

Reference to Committee on Streets of a request for an additional loan of \$40,000, to pay unsettled damages occasioned by extension of Columbus avenue to Park square.

Acceptance of report no action necessary on petition of George B. Emerson *et al.* for removal of concrete covering on walks and malls of Common.

Acceptance of report leave to withdraw on petition of John S. Dunlap and Ivory Bean for release of conditions to eight lots of land on Dedham street and Harrison avenue.

The following orders were severally passed, in concurrence:

Order requesting Committee on Armories, etc., to report what changes are necessary in allowances for rent of armories under the recent act concerning the militia.

Order for the Committee on Survey, etc., of Buildings to prepare and print a digest of the laws and ordinances relating to buildings in Boston.

Order for Committee on Reorganization of Fire Department to investigate the cause of the fire of the 30th ult., and report thereon in print.

Order for the printing and general distribution of 10,000 copies of the Acts of 1873, relating to the proposed annexation of Brighton, Brookline, Charlestown and West Roxbury to the city of Boston.

The following order was considered:

Ordered, That all sums in excess of \$5000 collected by the City Treasurer on certain policies of insurance on William Smith & Co.'s interest, as contractors of the smallpox hospital on Swett street, destroyed by fire, be paid to William Smith & McGaragle, contractors aforesaid.

Mr. Perkins of Ward 6 inquired if an order identical with this was not now lying upon the table.

The Chair stated that the two were identical.

Mr. Shaw of Ward 5 thought it hardly proper that the order should be passed the second time. It was a matter in a delicate position, between the city and the contractors, and somebody ought to get the money. He had been assured that the time for payment of the policies had expired, and the insurance company had refused to pay the insurance. It may be necessary to instruct the City Solicitor to commence a suit. The matter was not clear, and it certainly seemed to be the same thing which had been acted upon.

The Chair again stated that the two orders were identical.

Mr. Shaw moved to lay the order on the table.

Mr. Denny of Ward 9 raised the inquiry whether the state of the question was not this? That the order first named was passed by this branch and was not on the table. The other order was then passed, and a motion to reconsider was laid on the table.

The Chair stated in explanation, as appeared by the records, that the order identical with that under consideration was passed, and a motion to reconsider was laid on the table.

Mr. Shaw withdrew his motion.

Mr. Train of Ward 14 rose for information, and stated as his understanding of the question that the order which was passed provided for the payment of the entire policies to Smith & McGaragle.

The Chair again stated the question, as before.

Mr. Perkins renewed the motion to lay the order on the table, which was carried.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Report and order for the Treasurer to refund to

Mercantile Institution for Savings \$550 60, on account of taxes erroneously assessed on said institution in 1871.

Report and order, in a new draft, to refund certain taxes paid by Joseph H. Billings *et al.*

Order authorizing a horse hose company to be established for Hose Carriage No. 12, at South Boston Point.

Report, resolve and order from Board of Street Commissioners that Broad street should be widened to 100 feet from Atlantic avenue to Summer street, at an adjudged expense of \$780,887 25. (City Doc. No. 67, 1873.)

PETITIONS PRESENTED AND REFERRED.

Austin C. Wellington & Co., for permission to construct two wooden buildings upon a wharf occupied by them, known as Drake's wharf. Referred to Committee on Survey and Inspection of Buildings.

Mr. Flynn of Ward 7 presented the petition of Campbell & Brooks for an investigation into the award of a contract by the directors of the East Boston ferries for the building of a ferry boat, setting forth that the contract was for \$27,678 37, and that their bid was \$1021 63 less than the parties to whom the award was made.

Mr. Flynn moved its reference to a joint special committee for the reasons that one of the members of the Committee on Ferries was a member of the Board of Directors of the Ferries; otherwise he should not object to its going to that committee.

Mr. Weston of Ward 1, a member of the Board of Directors of the Ferries, stated that he did not object to the proposed reference, and gave as an explanation of the contract that the specifications were for the building of the boat and its delivery in seventy days, at such place as might be designated for the receiving of the machinery. Although the price of Campbell & Brooks was the lowest, they would not agree to the conditions specified, besides which they had a contract last year for the building of drops, which were to be done in October, but which had not yet been completed, much to the inconvenience of the city. No director had any interest in any one man, and he should make no objection to the reference.

Mr. Flynn withdrew his reference, and moved a reference to the Committee on Ferries, which was carried.

Messrs. West of Ward 16 and Dean of Ward 12 presented petitions for the reorganization of the Fire Department, headed by signatures, as follows:

Lee, Higginson & Co.	Oliver Stevens.
Chas. Levi Woodbury.	Francis A. Osborn.
Hooper, Lewis & Co.	B. W. Gilbert.
Daniel S. Curtis.	Theophilus Metcalf & Co.
Geo. Wm. Bond & Co. and	Cutter, Tower & Co. and 155
185 others,	others.
Silas Peirce & Co.	James M. Byland.
Joseph Nickerson & Co.	Albert Thompson & Co.
Hinckley Bros. & Co. and 97	George W. Lovett.
others,	Hecht Brothers and 161
Perry, Cook & Tower.	others.
Braman, Dow & Co.	William H. Baldwin.
Clement, Colburn & Co.	Miles, Burr & Co.
H. L. Daggett & Co. and 168	Barr, Brown & Co.
others,	Thomas E. Moseley and 227
Freeman, Carey & Co.	others.
Chas. A. Smith & Co. and	Blake Brothers & Co.
181 others,	Lee, Danforth & Co.
E. R. Mudge.	Richard Briggs,
W. R. Emerson.	Cook & Aldrich
Bowker, Torrey & Co. and	and 189 others.
150 others,	Henry Callender & Co.
Edward G. Tileston & Co.	Charles E. Jenkins.
Richardson, Hill & Co.	John D. Williams.
George Shiverick.	Winchester, Talbot & Co.
H. Harris	and 161 others.
and 72 others,	Dwight Foster,
Geo. F. Blake & Co.	William P. Hunt,
Boston and Maine Foundry	Charles B. Hall,
Co.	Rice, Kendall & Co.
Homer, Lane & Co.	and 143 others.
Braman, Shaw & Co. and	Whitney & Sampson,
160 others,	Homer, Bishop & Co.
Fuller, Dana & Fitz,	Plumer & Co.
Parker, White & Co.	Josiah M. Jones.
Manning & Bro.	and 179 others.
Rogers & Sheldon and 122	G. W. Chipman.
others,	Chase, Merritt & Blanchard
	and 80 others.

These were signed by 2470 firms and individuals representing more than 3000 citizens and taxpayers.

REPORT OF DIRECTORS FOR PUBLIC INSTITUTIONS.

The sixteenth annual report of the Directors for Public Institutions was laid before the Council in print.

The expenditures of the several institutions under the charge of the Directors were as follows during the past year:

House of Industry, current expenses.....	\$162,846 45
House of Industry, alterations and repairs at	
Rainsford Island.....	18,642 92
House of Correction.....	70,012 97

Lunatic Hospital.....	55,303 00
Steamboat Henry Morrison.....	13,927 05
Pauper expenses.....	11,135 18
Office expenses.....	6,993 10
	<u>\$341,860 67</u>

Items of expenditure for House of Industry, House of Correction and Lunatic Hospital, classified:

Subsistence.....	\$106,092 02
Salaries.....	49,452 41
Repairs and alterations.....	29,424 98
Clothing and bedding.....	29,316 34
Fuel and lights.....	23,478 95
Furniture and utensils.....	11,358 47
Agricultural Department.....	7,249 42
Sewing machines and trimmings.....	6,229 90
Medical Department.....	5,483 39
Water rates.....	4,127 56
Soap and soap stock.....	3,357 90
Printing and stationery.....	929 34
Miscellaneous.....	11,662 04
	<u>\$288,162 42</u>

House of Industry.....	\$162,846 45
House of Correction.....	70,012 97
Lunatic Hospital.....	55,303 00
	<u>\$288,162 42</u>

The income for the several institutions, the steamboat Henry Morrison, and pauper expenses for the financial year 1872-3, has been as follows, viz.:

House of Correction.....	\$73,560 96
House of Industry.....	19,087 35
Lunatic Hospital.....	3,364 76
Steamboat Henry Morrison.....	2,000 00
Pauper expenses.....	380 96
	<u>\$98,394 03</u>

This sum has been paid into the City Treasury, and shows a decrease of..... \$9,050 87 from the income of the previous year.

In a comparison of income with that of the preceding year, it is shown that there was an increase of \$1119 59 in the House of Correction, and a decrease of \$1466 81 in the House of Industry, \$3318 61 in the Lunatic Hospital, \$52 14 in pauper expenses, and \$5332 40 in the quarantine department. This income was from sources, as follows: Labor of prisoners in the House of Correction, \$71,737 23; labor of female prisoners in the House of Industry, \$7628; sale of farm products, \$4007 53; from the State for the support of State pauper, \$3616 61; board of patients in the Lunatic Hospital, \$3064 76; rent of wharf, \$2000.

Further statements show the following results:

Running expenses, 1872-73.....	\$247,014 63
Less gain of House of Correction over expenses.....	3,547 99
	<u>\$243,466 64</u>
Total expenditures.....	\$341,860 67
Income.....	98,394 03
	<u>\$243,466 64</u>
Expenditure 1872-73.....	\$341,860 67
Expenditure 1871-72.....	303,892 47
Increase of expenditure 1872-73.....	<u>\$37,968 20</u>
Actual running expenses 1872-73.....	\$243,466 64
Actual running expenses 1871-72.....	196,448 07
Actual increase in running expenses 1872-73.....	<u>\$47,018 57</u>

The expenditures have increased and decreased as follows, viz:

House of Industry, current expenses increased.....	\$25,554 62
House of Industry, alterations at R. I.....	18,642 92
House of Correction.....	9,480 87
Pauper expenses.....	5,880 06
Steamer Henry Morrison.....	1,637 66
	<u>\$61,196 12</u>
Lunatic Hospital, decreased.....	\$6,305 91
House of Correction, extra expenses account of fire, decreased.....	3,164 00
Quarantine department, decreased.....	13,285 81
Office expenses, decreased.....	472 02
	<u>\$23,227 92</u>
Total increase.....	<u>\$37,968 20</u>

The following special appropriations have been made: For new Bakery at Deer Island, \$16,000 00 and the building erected at a cost of \$15,947 95; leaving an unexpended balance of \$52 05. For Engineer's House at Deer Island, \$9000 00. The house has been built, costing \$8959 28, leaving a balance of \$40 72; a new wharf has been built at Deer Island costing \$11,966 24, for which an appropriation of \$12,000 00 was made, leaving the amount \$33 76 unexpended. For repairing House of Correction the City Council appropriated \$48,000 00; a brick building has been built and arranged for workshops

and chapel. The amount expended has been \$47,977 33, leaving a balance of \$22 67.

The expenditures on account of new Lunatic Hospital for financial year has been \$516 72; paid town of Winthrop for tax on land for 1872.

The expenditures on account of new Lunatic Hospital, new Bakery, Engineer's House and repairing House of Correction, are not included in the aggregate of expenditures or in any comparisons with the former year.

The number of inmates in the several institutions were as follows: House of Correction, 486—an increase of 131; House of Industry, 725—an increase of 178; Almshouse, 288—an increase of 34; House of Reformation, 270—an increase of 6; House of Reformation (girls), 31; Lunatic Hospital, 193—a decrease of 40. The average number shows 1827—an increase of 89, and a decrease of 35.

The following table shows the average expenditure for each inmate of the several institutions during the year, and the actual cost of the same for the year and per week:

	Average Expenditure.		Actual Cost.	
	Pr Y'r.	Pr W'k.	Pr Y'r.	Pr W'k.
House of Correction.....	\$172 42	\$8 31½	\$8 76	\$0 16½
House of Industry.....	135 15	2 60	119 30	2 29
Almshouse, and.....				
Houses of Reformation.....	256 03	4 92	240 45	4 62½
Lunatic Hospital.....				

The Directors say the tables show an increase of \$37,000 in the expenditures of the year, which is accounted for by the large increase of the number of inmates remaining in the House of Correction and House of Industry as compared with the numbers remaining one year ago, and by the additional expense involved in preparing the buildings at Rainsford Island for the reception of the adult male inmates of the Almshouse. The decrease in the amount of income for the year has been caused principally by the transfer of the Quarantine Department to the custody of the Board of Health, and a decrease of more than \$3000 in the income of the Lunatic Hospital, caused by the discharge or death of patients who were wholly or partially supported by friends. The usual high standard of discipline has been maintained in all the institutions. They have been remarkably exempt from epidemic disease, and as regards effective, economical management, leave nothing to be desired.

Deer Island. The report states that many of the improvements suggested in the report of the previous year have been completed or are now in progress. The transfer of the adult male paupers to Rainsford Island in October last afforded partial relief to the overcrowded House of Industry, but the large increase in the number of commitments has already filled the space thus obtained, and the directors are satisfied that there can be no permanent relief until the entire main building shall be devoted to the House of Industry. This is not a sudden conviction, but has been for a long time considered. When it was contemplated to erect a Home for the Poor at Deer Island, as proposed, and for which an appropriation was granted three years ago, it was then suggested that if hereafter it should be decided to permanently locate that institution elsewhere, before a site could be selected and a building constructed, the structure then asked for erected at Deer Island would be required for the female prisoners of the House of Industry, leaving the entire main building for the male department and the House of Reformation. The number of commitments during the past year was 5670 against 2371 five years ago, an increase of 140 per cent. and upwards of 25 per cent. more than the number committed the previous year. The average number of inmates of the House of Industry for the past year was 654 against 369 five years ago; an increase of more than 70 per cent., and there is no reason to suppose that the number will decrease. On the contrary, the annexation of territory, and the increase of population, will cause at least a corresponding increase in the number of inmates of these institutions.

It is believed also that there will be a demand for the removal of the House of Reformation, and this has received the serious consideration of the Board. That portion of the building now used for this purpose admits of no suitable classification of the boys, composed of truants and stubborn children, juvenile vagabonds and juvenile offenders.

Lunatic Hospital. Reference to the report of the superintendent shows the number of patients remaining in the hospital at the close of the year to be 193, or 40 less than one year ago. During the year but 15 patients have been admitted, and these were cases of emergency, eight having been admitted by the Judge of Probate on account of extreme old age, or physical weakness rendering them unable to bear

the journey to Taunton. Seventy-one patients, who have a legal settlement in Boston, and who under ordinary circumstances would have been admitted to this hospital, have been sent to Worcester or Taunton. Though in most cases the Judge of Probate has adhered to the request of the Council, contained in the order of December, 1871, yet he has admitted several cases to the South Boston Hospital upon the written application of the Board of Aldermen. As a natural result of sending the city insane to the State hospitals, the number of inmates at South Boston has materially decreased, while the State institutions have been more crowded and uncomfortable than before. We believe that the number of inmates in our hospital could be increased, and forty more patients accommodated here, knowing there are many cases likely to be committed during the year who can be better provided for at South Boston than in the crowded hospitals of the State.

House of Correction. The board are gratified to be able to report that, under the faithful and economical administration of the master, this institution has continued, as for four successive years, to be not only self-sustaining but profitable, having, the past year, realized an income of more than \$3500 above its expenditures.

During the year the new chapel and workshop building has been completed, and has proved to be well-adapted to the purposes for which it was constructed. The project of heating the entire prison by steam, which has been discussed in former reports of the board, has, during the year, been carried into effect, and this much desired improvement gives great satisfaction, being more comfortable, cleanly, and economical than the former method of heating by stoves in the prison corridors.

Especial attention is called to the great lack of proper cell accommodation for the prisoners. There are now one hundred and fourteen more male prisoners than cells; forty of these prisoners are lodged in the dormitory over the brush shop, and the remainder are crowded into a low, unventilated attic, where they are not only uncomfortable, but where they can communicate with each other and offend against the rules and discipline of the prison. Though the attention of the City Council has been called to this condition of the institution, in the reports of the board, for several years past, and in special communications, yet the Directors feel that they would be derelict in the discharge of their duty should they fail at this time to again present the subject in its true aspect. The plans for alterations of the present structure, submitted to the City Council in the summer of 1871, contemplated the erection of a block of cells in the rear of the centre of the present prison, which would accommodate one hundred and thirty-six male prisoners; the building of a house in front for the master and officers, providing a guard room and steam-heating apparatus for the entire prison, remodelling the basement, the removal of the hospital from its present position, and the erection of a new chapel and workshop. This latter building has been erected and steam-heating introduced, but the remainder of the plan failed to receive the sanction of the City Council. The directors have been assured by the parties who, in 1871, estimated the expense of this improvement, that the work can be completed at the present time for the same amount as then. The present practice of confining the prisoners in the attic and dormitory is contrary to the statutes of the Commonwealth, is dangerous to the officers and the institution, and should be speedily discontinued. Even in the event of an early removal of the institution to some other locality, the proposed enlargement will be required to properly provide for the prisoners during the occupation of the present site. There are now 160 more prisoners than at the date of the last annual report, and the number is steadily increasing.

In the Almshouse Department there were remaining 1st of May, 135 men, 71 women, 52 boys and 30 girls; the largest number during the year was 351; smallest 227; average 280. The adult males were removed to Rainsford Island on the 22d October last. The buildings have been crowded and more accommodations will be needed. The females have been comfortably provided for as in former years. The children are comfortably situated and the general health has been good.

In the House of Industry Department, there are 441 males, 269 females—total 710; children of sentenced mothers, 15. The commitments for the year were 5670; discharged, 5507. The offences were mostly for drunkenness; the terms of sentence being from 1 to 18 months, 4585 being sentenced for nonpayment of fines and costs.

The amount of fines and costs paid was \$7614 61. The principal farm products were 105 tons of hay, 50

tons of corn fodder, 5 tons squashes, 8500 bushels beets, 4600 bushels onions, 2500 bushels carrots, 800 bushels potatoes, 600 bushels turnips, 3000 cabbage heads; and from the dairy they had 13,800 gallons of milk, consumed in the institution; 1820 pounds of butter were made, but a small portion of which was sold.

The report of the Resident Physician shows 40 deaths in the Almshouse, 12 of consumption,—and there were two births. In the House of Industry there were 20 deaths; and in the House of Reformation 3; the daily average in the hospitals was 65 patients.

In the Lunatic Hospital there were 22 deaths, 55 were discharged, 11 recovered, 13 improved, and 9 not improved. The general health of the patients has been good.

In the House of Correction there were remaining April 30, 486. The commitments have numbered 858; discharges 724; 286 males are employed in making shoes, 135 in brush making, 93 on sewing machines, and 38 in the yard; females on contract work 80; washing and ironing 24. The number of males was 676; females 182; there were ten deaths.

Ordered to be sent up.

REPORTS OF COMMITTEES.

The Joint Standing Committee on Public Instruction, to whom was referred the request of the School Committee that the City Council would purchase a lot of land and erect thereon a primary school building in the vicinity of Blue-Hill avenue and Quincy street, made a report recommending the passage of the accompanying orders:

Ordered, That the Committee on Public Instruction be authorized to purchase, as a site for a primary schoolhouse, a lot of land on Quincy street, near Blue-Hill avenue, belonging to Charles Mann, and containing 15,777 square feet, more or less; also, a lot of land adjoining the same, belonging to W. S. Edmunds, and containing 7681 square feet, more or less; the price paid for said lots not to exceed forty cents per square foot.

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 purchase of land for a primary schoolhouse on Quincy street, near Blue-Hill avenue.

The orders were read once.

Mr. Flynn of Ward 7, from the Joint Committee on Streets, to whom were referred the resolve and order for the widening of Pearl street, by taking land owned by S. S. Perkins at an expense of \$1414, made a report that the resolve and order ought to pass.

The report was accepted, and the resolve and order were passed, in concurrence.

Mr. Jones of Ward 14 moved to take from the table the report and orders authorizing the building of such an addition as may be necessary to the house of Engine-Company Sixteen, to accommodate Hook & Ladder Company Six, at an estimated cost of \$18,000; and for a transfer therefor from the Reserved Fund.

The motion prevailed, and in answer to an inquiry as to the necessity for the measure, Mr. Jones stated that the hook and ladder carriage had been without a house during the last year, stored two hundred and fifty feet from where the horses were stabled, and was liable to injury in its present place.

The orders were passed.

On motion of Mr. Shaw of Ward 5, the orders for the purchase of the estate of the late Nathaniel Whiting, between Washington square and place, containing 1523 square feet, at not exceeding \$11 per foot, and to erect on said lot and those on each side, owned by the city, a building for a steam fire engine and a hook and ladder carriage, and the horses and men connected therewith; and also for a loan of \$50,000 to be applied therefor, were taken from the table.

Mr. Shaw stated that the motion to lay on the table was made by him, but on examination of the Fort-Hill territory he was satisfied that the proposed purchase was the best thing which can be done.

Mr. Perkins of Ward 6 said the land leased by the city on Fort Hill would be at their disposal on the first of July, and he could see no necessity for purchasing land for an engine house.

Mr. Burt of Ward 16 stated that the land proposed to be purchased was but a narrow strip between two lots owned by the city, the most suitable which could be had for the purpose, and the house to be built would be designed to accommodate a steam fire engine, a hose carriage and a hook and ladder carriage.

Mr. Jones of Ward 14 made a similar statement, the accommodations being for two engines besides the other carriages. A sub-committee on the subject had given great attention to a location, and found this desirable from being on three streets, of the right depth, with light on each side, and available in

moving either way with the engines or carriages. There was no lot which can be had which is so available as this.

Mr. Flynn of Ward 7 inquired the situation of the lots.

Mr. Jones replied that they were on Washington square and Hamilton street.

Mr. Shaw said the lots were near the centre of Fort Hill, as it was. If the gentleman from Ward 6 had been present the last evening he would have heard the severe criticism which he made as to the location, but he had examined it since that time, and was satisfied that it was the best location in that vicinity. The lot of Mr. Whiting contained about 16,000 feet, between two lots belonging to the city, and it would give a hook and ladder carriage a chance to swing either way. He was satisfied the lot was one of the best which could be had at present.

The city had several acres of available land in that vicinity, but as that would be available for sale, nothing would be lost by this purchase. It was designed, also, to place another engine in Ward 5, and as this was the best which could be had under the circumstances, he hoped the orders would pass, so that the work can be commenced immediately.

Mr. Perkins desired to see the plan to know the situation of the lots, and on his motion the orders were laid on the table.

The orders were subsequently assigned to Thursday evening next, 8½ o'clock.

DIGNITY OF THE COUNCIL.

Mr. Shaw of Ward 5 offered the following resolution:

Whereas, It appears by the reports in the morning papers of this day that exceptions were taken by members of the School Committee at their meeting last evening to the action of the President of the Common Council in his capacity as a member ex-officio of said committee in advocating the cause of and voting for the reelection of Master Crampton; and whereas, in the opinion of the Council it is not only the right (regardless of what may have been the practice), but the duty of the President as such member, to take part in the doings of said committee, the Council without entering into or expressing any opinion upon the merits of this individual case, hereby declares its approval of his course in taking such action in the premises as his own judgment dictated to him to be right and proper.

Mr. Shaw read from the Advertiser the portion of the proceedings of the School Committee which related to the reflections upon the conduct of the President of the Council, and stated that he offered the order for the purpose of vindicating the dignity of the Council by sustaining the course of the President as a member of the committee representing the Council.

Mr. Denny of Ward 9 thought the Council was unprepared for action on the question, and he did not agree with the mover as to the necessity of passing the resolution. He did not think they were called upon to act, and it would be in bad taste to do so, inasmuch as the action of the School Committee sustained the course of the president, and vindicated him from the aspersions of one member. The vote of the committee was a very proper one, and it covered the whole ground. It would hardly be proper to take up the criticism of one member when all the others were opposed to his course.

Mr. Flynn of Ward 7 said that while he sympathized with the gentleman from Ward 5 in regard to the honor and dignity of the Council, but as the President had sustained that honor and dignity there was no need to pass the resolution, and he hoped it would be indefinitely postponed.

The Chair stated that the objectionable remark was made by one member only, and the apology for it was that it was made through ignorance of the right of the President of the Council as a member. It was so understood by the whole board. The Chair defended the dignity of the office, instantly, without delay, and his defence received the approval of the committee.

Mr. Perkins of Ward 6, in view of the feelings of the Chair in regard to the resolution, moved its indefinite postponement.

Mr. Shaw said he offered the resolution not without reflection, and in view of the principle involved, in which the same indignity might be repeated, applied equally to the Mayor, he thought the resolution should be passed in vindicating the dignity of the Council. It was quite time, he believed, such reflections should be stopped. It was due to the President of the Council that he should act according to the dictates of his own conscience, because it was right.

Mr. Pickering of Ward 6 believed it quite unnecessary to take action upon the subject, since the

President vindicated his position, and that ended the whole controversy. It would then be in poor taste to take any part in such a controversy. He did not consider the President to be especially the representative of the Council, in the committee, but as on a footing with other members, and his reply vindicated his rights as a member of the Council much better than they could do. There was no difference of opinion on the subject, and there was no necessity for passing the resolution.

Mr. Mahan of Ward 5 did not think it necessary to pass the resolution, because the President was competent to take care of himself. He had tested his competency under the same blanket and in the same tent, and no one would be more glad than himself to indorse the President if there was any necessity for it. "Where ignorance is bliss 't is folly to be wise," and as the President is amply able to take care of himself, he moved the previous question, which was sustained, when the motion to indefinitely postpone was carried without dissent.

On motion of Mr. Train of Ward 13, the reports of the Committee on the Burrill Claim were taken up, and their consideration assigned to Thursday evening next, nine o'clock.

Mr. Collins of Ward 2 offered an order, which was read once, authorizing the erection of a clock tower on the Ticknor Schoolhouse, at an expense not exceeding \$100.

REORGANIZATION OF THE FIRE DEPARTMENT.

On motion of Mr. Page of Ward 9, the reference to Committee on Fire Department of message from the Mayor, transmitting a communication on the necessity of greater efficiency of the Fire Department from the representatives of various insurance companies which sustained losses from fire of 30th ult., was taken from the table.

Mr. Page moved to amend by referring the message to the Joint Special Committee on the Subject of the Reorganization of the Fire Department.

Mr. Pease of Ward 1 called for the reading of the Mayor's message and the communication of the underwriters, and after they were read he said he believed they should be referred to the Committee on the Fire Department, where most of the subjects referred to had been discussed.

Mr. West of Ward 16 cited the action of the Board of Aldermen as being in favor of the reference to the Committee on the Fire Department after the subject had been discussed there.

Mr. Jones hoped the motion to refer to the special committee would not prevail. Already nearly all the matters suggested by the underwriters had been considered by the Committee on the Fire Department, and that committee was mainly composed of those who had seen service in the department and knew its wants, weaknesses and shortcomings. It would not be long to get at all of the matters, and if it should lie over they would not long see the necessity for any action.

Mr. Perkins said he should vote against the motion, because the joint special committee had one subject under consideration, that of the reorganization of the Fire Department. Everybody was sick and tired of the Fire Department, and he would not refer the question of hydrants to the special committee, for such things would only bring delay, when they wanted rapid and intelligent action.

Mr. Jones said the Committee on Fire Department had referred several essential matters to the Committee on Ordinances, who had not, as he supposed, found time to consider them; but which would increase the efficiency of the department, which the gentleman so much desired. The Committee on Fire Department were alive to the interests of the city, as much so as any other committee, and as a member he had worked hard for the better government of the department. Let these little matters be done to make up the whole aggregate of efficiency as he had done, and there would not be so much complaint.

Mr. Mahan of Ward 5 hoped they would not distrust a committee of the Council, by taking their proper work away from them. When a member of a committee says the committee have acted upon certain subjects, it should be sufficient; and he could not believe the Council would refuse a reference of this matter to that committee. On the committee there were four practical firemen, and he did not believe the people were sick and tired of the Fire Department, as the gentleman from Ward 6 had said they were. There were no braver or more determined set of firemen to be found than were those of the Boston Fire Department.

Mr. Mahan further vindicated the character of the Fire Department, and believed it wrong to say the people were sick and tired of them. It might be well enough for the white-vest and silk-gloves citizens to find fault, but none who knew the firemen and had

worked with them would deny that they were the finest set of men. It was shameful and wrong for one man to attempt to dictate what should be done, when the Committee on Fire Department know best what should be done. Let the gentleman talk with those who pile up their stores so high, to get more money, as to make them dangerous in cases of fire, and he will be of more service. It was not in accordance with decency and courtesy so to malign the firemen.

Mr. Perkins said he was not disposed to take back any words which he had used, but, in speaking of the Fire Department, he meant the head of it. At the meeting of underwriters, the Chief is reported as having said that he had no fault to find with the Committee on Fire Department, but the difficulty was with the red tape of the City Council. In his experience of three years in the Council he had never known of a vote of the Committee on the Fire Department which was not adopted, but the Chief lets the committee alone and throws the results of his incapacity upon the Council.

Not satisfied with that statement here, some admirer of the Chief made a similar statement in New York, that the inefficiency of the Fire Department was due to the City Council. He had always tried to vote intelligibly upon all measures for the improvement of the department, and had never voted against any recommendations of the committee. The people demanded changes in the department, and the Chief should resign and give way to some one in whom the people had confidence. He had never climbed ladders or held the hose, but meant to do his duty and criticise whatever deserved criticism.

Mr. Pease of Ward 1, as an instance of failure to follow the recommendations of the committee, stated that the Council cut down the appropriation last year \$40,000.

Mr. Jones said it was likely Mr. Damrell might have done wrong sometimes, but it was true that he had for years made recommendations for the improvement of the efficiency of the department, many of which were unheeded. His reports would show that. Abuses had been showered upon the Fire Department by those who had not swallowed smoke nor chewed cinders, but he assumed they were as efficient as any firemen in the country. The Chief could not report over the committee, and if his suggestions were not carried out, he had only to repeat them from year to year.

Mr. Shaw did not believe there was any necessity to get into fever heat in defence of the firemen, as his colleague had, for not even the gentleman from Ward 6 had said anything against them. The order offered by him was upon a reorganization of the Fire Department, and did not refer to persons. Yet he proposed hereafter to refer to names. He believed, however, this matter should go to the Committee on Fire Department. The special committee has under consideration the subject of reorganization, on principle and measures, and not a reference to men. In his inquiries on the subject he had learned that the Fire Department of Boston, for 300,000 inhabitants, cost more than that of London, of £78,000, for 3,000,000 inhabitants.

If such is the fact, that we have so expensive a department, it may be a question whether the money is properly expended. The question as to measures and not who shall be the head is the one before the committee; the mode of reorganization, but not the steps to correct and change certain matters not affecting organization, are to be considered by them. One question is, whether it is not absolutely necessary to have a higher head of water, as was suggested by him when the reservoir on Parker Hill was considered. He had been told by a practical engineer, that in the draft upon a hydrant in front of the City Hall

today, by a two and one-half inch pipe, there was a failure in the supply of water.

The special committee were to receive light from the people as to what is necessary to make the department efficient. To get light he had sent to other cities to ascertain facts about the organization and cost of departments. This department might be reorganized, although even every man in it should be retained. It was not necessary in that respect to discuss Mr. Damrell.

Mr. Page said he made the motion to refer to a special committee, not thinking it would produce such a debate, but because he thought it appropriate to the committee. He would, however, withdraw his motion.

The reference to Committee on Fire Department was concurred in.

ORDER PASSED.

On motion of Mr. Shaw of Ward 5—

Ordered, That the Joint Special Committee on the Reorganization of the Fire Department be and hereby is authorized to send for persons and papers, and to employ a stenographic reporter; the expense of the same to be charged to the appropriation for Incidental Expenses.

Mr. Burt of Ward 16 offered the following order;

Ordered, That the Joint Standing Committee on the Fire Department be and they hereby are authorized to make the necessary repairs and alterations on the fire-boat William M. Flanders; the expense thereof to be charged to the appropriation for the Fire Department.

Mr. Flynn of Ward 7 inquired the necessity for the proposed expenditure.

Mr. Burt replied that guards were required about the deck, and two more berths were proposed, the expense of which would not be heavy.

Mr. Pease stated that another propeller was desired, besides the putting up of guards.

Mr. Flynn moved a recommitment to the committee with instructions to report the cost, which was carried.

On motion of Mr. Dean of Ward 12, the order establishing the salaries of the officers of the Law Department was taken from the table.

Mr. Perkins of Ward 6 believed the original order to be preferable to that under consideration, and that the service of the assistants would not be better performed by classifying them and of making a distinction between the salaries of the first and second assistants. One of them was senior by the length of time as an assistant, while the other, who it was supposed would be senior, conducts the cases in courts, and it would devolve upon the City Solicitor the unpleasant duty of making a choice between the elder in office and the elder at the bar. He did not think it would be necessary to designate the assistants, as proposed, and it would be better to allow it to remain as it is, to determine whether the new arrangement works well. He moved to substitute the original order for that under consideration.

Mr. Pickering of Ward 6 said it was stated when this subject was up before, that the second assistant received certain perquisites in writing out deeds, which made his pay equal to that of the first.

Mr. Dean of Ward 12 said the matter had been subject to a lengthy discussion, and the grades were believed to be necessary on account of having three assistants. Such perquisites as were received by Mr. Stackpole were divided among all the assistants, while those received for making deeds belonged entirely to the one who makes them.

Mr. Perkins withdrew his motion, and the order was passed fixing the salary of the City Solicitor at \$6000; for the Assistant, \$3000; Second Assistant \$2500; Third Assistant, \$2000; Clerk, \$1500.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
JUNE 23, 1873.

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

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers, without pay—Oliver A. Perry, Church of Christian Evangelist; Charles W. Payne, Dorchester avenue and Swan street; Bailey Wardwell, Roby and Goodnow's wharves; Jonathan Pierce, Long Island Steamboat Company; Richard T. Bolton, the same; Isaac R. Hart, David Clapp, Oscar W. Cobb, Robert White, Charles Porter, John M. Irvin, Freeman Merriam, for Washington Market; John J. Murphy, new market, India street; C. B. Patten, Savin Hill; George W. Peck, Congregational House; Erving L. Eastman, Pine street and its vicinity; Charles W. Barton, Boston, Hartford & Erie Passenger Depot; George H. McDonald, Pearl street and its vicinity; Henry T. Butler, Linden Park and its vicinity; George O. Carpenter.

Members of the Fire Department—John Brown, Jr., Edward L. Barnes, Benjamin W. Dean, Edwin B. Swardkins, as hosemen; Daniel H. Twist, as driver; John Winnett, as hosemen—severally to take effect 1st July, 1873.

Weigher of Coal—Robert Hale.

PETITIONS PRESENTED AND REFERRED.

J. W. Kimball, for leave to occupy a wooden stable for three horses on Paris street, near Porter street.

O. D. Dana, for leave to occupy a wooden stable for one horse on Story street, near Fifth street and near G street.

Amos A. Stevens and others, against the occupation of a stable by D. W. Parmenter, at 81 Condor street.

G. H. Barker, for leave to occupy a wooden stable for three horses on Saratoga street, between Moore and Byron streets.

W. R. Gerrish, for leave to occupy a wooden stable for five horses on Atlantic street, west side.

Severally referred to the Committee on Health on the part of this Board.

R. G. Norris and others, that the portion of Broad street within the burnt district may be watered by the city.

Isaac P. Langworthy and others, that Beacon street be renumbered from Tremont street to Somerset street.

Wilder M. Bush and others, that curbstones and concrete sidewalks be laid on Autumn street.

Michael McNamara and others, that edgestones be set on Broadway between N and O streets.

C. Schwaar and others, for the removal of the steps at No. 47 Maverick square.

A. S. Bemis, that Waltham-street sidewalks between Shavmut avenue and Tremont street be widened to protect the trees.

Ogden Codman and others, that the name of Lindall street be changed to Exchange place.

James Townsend and others, that edgestones be laid on White street, from Putnam to Trenton street.

Francis C. Hersey and others, that the name of Dorchester street be changed to Summit avenue.

Severally referred to the Committee on Paving.

George C. Patterson and others, for leave to form an engine company in Ward 6. Referred to Committee on Fire Department on part of this board.

J. R. Bigelow, for leave to erect a wooden building beyond the legal limits. Referred to Committee on Survey and Inspection of Buildings.

Alderman Quincy presented the following petitions for a reorganization of the Fire Department:

Pierce, Hardy & Co.	J. C. Burrage & Co.
Marsh Brothers, Pierce & Co.	Prescott, Wood & Dyer.
Co.	Williams & Everett, and 174 others.
Litchfield & Pope.	
Knowles & Leland, and 163 others.	Boston Gas Light Co.
James L. Little & Co.	Rand, Avery & Co.
Francis Jaques, and 198 others.	Henry F. Miller.
Peter C. Brooks.	Parsons & Torrey, and 170 others.
Nathaniel Thayer.	Little, Brown & Co.
William F. Weld, and 165 others.	John B. Alley & Co.
Doe & Hunnewell.	Sewall, Day & Co.
James A. Riedell & Co.	Thomas E. Proctor, and 172 others.
Willecox & Gibbs Sewing Machine Co.	Henry J. Nazro.
Smith American Organ Co., and 132 others.	Lake, Cushing & Daniels.
Ordway, Blodgett & Co.	Charles C. Holbrook, and 221 others.
D. C. Griswold & Co.	Daniel N. Haskell.
Rhodes, Ripley & Co.	A. W. Austin.
James S. Stone & Co., and 144 others.	Benjamin James.
Oliver Ditson & Co.	Wainwright & Amory, and 256 others.
Francis W. Palfrey and 176 others.	Augustus Russ.
	Samuel Wells.
	Edward Bangs, and 211 others.
	John H. Pray, Sons & Co.

In all 2214 business firms and individuals, and representing over 2500 citizens and taxpayers.

Referred to Committee on Reorganization of Fire Department.

ABATEMENT OF A NUISANCE.

The following communication was received from the Board of Health:

To His Honor the Mayor and the City Council of Boston: Gentlemen—From separate reports coming to us from various persons, and of our own knowledge, we are satisfied that there now exists an offensive and dangerous nuisance, consisting of stagnant water, on territory situated southwesterly from Ruggles street, and between Parker and Tremont streets, in Ward 15. We are of the opinion that immediate measures should be taken to abate said nuisance, and we earnestly recommend that the City Council take action at once by putting in force Chapter 312 of the acts of 1872; that being, in our opinion, the only way of abating said nuisance.

Referred to the Joint Special Committee on the Suffolk-street and Ruggles-street districts.

REPORT OF THE GAS INSPECTOR.

The following report was submitted in reply to an order of the Board in regard to the standard of gas in this city:

OFFICE OF GAS INSPECTION, }
BOSTON, June 18, 1873. }

To the Honorable the Mayor and Aldermen of the City of Boston—In compliance with your request of May 12, I present the following report on the gas furnished by the various companies within the limits of the city of Boston:

Name of Co.	Candle Power.	Sulphur.
Boston.....	18.3 candles,	20.1 grains per 100,
South Boston....	15.4 "	13.1 cubic feet of gas.
East Boston.....	14.4 "	18.5
Dorchester.....	15.6 "	26.0
Roxbury.....	15.4 "	—

In taking the "candle power" of a gas it was burned in an Argand burner with a seven-inch chimney, and at the rate of five feet per hour, and was compared with a standard candle burning at the rate of one hundred and twenty grains per hour. The minimum legal "candle power" is twelve candles. The gas of the Boston and East Boston companies was tested at a point about one mile distant from the works. The gas of the other companies was tested at the works, which is a less desirable place for testing.

As carbonic acid (CO₂) is an impurity only so far as it affects the candle power, it was not determined, as the candle power was found above the legal standard.

Only traces of sulphuretted hydrogen (H₂S) were discovered in any of the gases examined, the sulphur existing in some other form, probably as bisulphide of carbon (CS₂) or possibly as some sulphuretted hydrocarbon. The maximum amount of sulphur allowed by the London referees is twenty grains per one hundred cubic feet of gas. Sulphur is the most objectionable impurity that coal gas contains, and it is very difficult to remove it entirely from gas. The sulphur in the gas manufactured by the Roxbury company was not determined, as their meter prover, which is necessary in making the determination, was out of repair.

The amount of ammonia (NH₃) has been determined only in the Boston gas, as the determination is tedious and as I had considered that a small amount of ammonia would be quite unobjectionable. Quite lately, however, I have made experiments which show that a small part of the ammonia is converted into one of the higher oxides of nitrogen, which are quite corrosive. The Boston gas contained eight (8) grains of ammonia (NH₃) per one hundred feet.

It is perhaps proper to add that during the past winter the amount has been two and three grains per one hundred feet of gas. Judging by the colorations produced on litmus paper the other gases contain as much and probably more ammonia than the Boston gas.

I have the honor to remain,

Your obedient servant,

CHARLES W. HINMAN,

State Inspector of Gas and Gas Meters.

Ordered to be placed on file.

COLUMBUS-AVENUE EXTENSION.

To the City of Boston and the Honorable the Mayor and Aldermen of said City—The Boston & Providence Railroad Corporation gives notice that it is now ready to surrender and does hereby surrender to the city of Boston all the remaining lands conveyed by said company to said city by their indenture dated September 30, 1871, the occupation whereof has been heretofore reserved by said corporation, under the provisions of said indenture;

And thereupon said corporation respectfully asks payment of the sum of \$325,000, the balance due under said indenture;

And also that said city convey to said corporation all the right, title and interest of the city in that part of Church street lying between the northerly line of Columbus avenue extended and Providence street,

heretofore discontinued, as provided in said indenture.

BOSTON & PROVIDENCE RAILROAD COMPANY.
By W. G. RUSSELL, its Solicitor.

Ordered to be sent down.

Alderman Clark offered the following order:

Ordered, That there be paid to the Boston & Providence Railroad Corporation the sum of \$325,000, being the balance due said corporation in full for land purchased for the extension of Columbus avenue, as set forth in the indenture between the city of Boston and said corporation, dated Sept. 30, 1871; said corporation to give the city a receipt for the same satisfactory to the City Solicitor, and said sum to be charged to the appropriation for the Extension of Columbus avenue.

Alderman Clark stated that the conditions relating to the indenture with the railroad company expire on the 29th June, and as the money had been appropriated, and the interest would amount to \$50 a day, he asked for its passage at this time.

The order was passed.

The following order was also passed:

Ordered, That His Honor the Mayor be and he hereby is authorized to release and convey to the Boston & Providence Railroad Corporation all the right, title and interest of the city of Boston in that part of Church street between Columbus avenue and Providence street, which was discontinued by the Board of Street Commissioners by a resolve of Nov. 10, 1871, in accordance with an agreement of the city contained in its indenture with the Boston & Providence Railroad Corporation, dated Sept. 30, 1871; said conveyance to be satisfactory to the City Solicitor.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the several orders of notice on the proposed construction of sewers in Arch street, between Milk and Franklin streets; in Bolton street, between D and E streets; in Clinton street, between Blackstone street and Merchants' row; and on Silver street, between A and B streets, were taken up. No person appeared in relation thereto and the reports were recommitted.

The hearing on the order of notice on petition of J. F. Keating, for leave to locate a steam engine and boiler at No. 32 Lancaster street, was taken up. A remonstrance was presented from A. M. Vance and others, against the said location of a steam engine and boiler, on the ground that it would so increase the rates of insurance that they would be obliged to abandon the premises now occupied by them.

E. W. James appeared for remonstrants, stating that if the petitioner be allowed to put up a steam boiler and engine, as proposed, the occupants of buildings in the vicinity would not be able to obtain insurance at less than five per cent. The petitioner had already been burnt out four times, and should not be allowed to use a boiler and engine except in a secure brick building.

A. M. Vance, a remonstrant, stated that he was a dealer in lumber, second-hand doors and other articles, and, to make his own business more secure, had reconstructed the building occupied by him, and, as there were many other buildings, stores, dwelling houses, barn for storage of hay and a schoolhouse in the vicinity, the whole neighborhood would be endangered by the location. It was a question whether insurance could be obtained on his building under such circumstances, and it would be against the interests of the city to grant the petition.

Mr. Spinney, owner of the building occupied by Mr. Vance, did not doubt he should be obliged to pay double his present rates of insurance, now 2½ per cent., and stated that Mr. Keating had applied to Mr. Washburn for the use of his building, but was refused on account of his misfortunes from fire.

Mr. James further stated that he had been assured that eight per cent. would be charged as insurance on Mr. Vance's property, should this petition be granted. He was satisfied, however, that should the committee of the board visit the premises, the petition would not be granted.

The report was recommitted.

UNFINISHED BUSINESS.

The report and order to cancel bonds held by Ivory Bean and John S. Dunlap for certain lots of land on Dedham street, for non-compliance with conditions of sale, on motion of Alderman Emery, was recommitted to the Committee on Public Lands.

The following orders were severally read a second time and passed:

Report and order to notify the Metropolitan Railroad Company to remove their tracks from Waltham street, and put the said street in good order.

Order to pave Fleet street, between Hanover and Commercial streets, with small granite blocks, at an estimated cost of \$10,000.

Order to pave Pleasant street, from Park square to Tremont street, with small granite blocks, at an estimated cost of \$17,000.

Order to expend a sum not exceeding \$2000 for

water and gas pipes and repairs to machinery on Broadway Bridge.

Order to set edgestones, pave gutters and gravel the roadway on Emerson street, between Fourth and L streets, at an estimated cost of \$3000.

Order to set edgestones and lay sidewalks on Gold street, from B to C street, and from D to E streets, and to pave roadway with wood, at an estimated cost of \$8000.

Order to set edgestones, lay sidewalks and pave the roadway on Bowen street with wood, at an estimated cost of \$4000.

Order to pave roadway of Waltham street adjacent to the Franklin Schoolhouse with wood, at an estimated cost of \$1700.

Order to set edgestones, lay sidewalks and pave roadway with wood on Silver street, from Dorchester avenue to B street, at an estimated cost of \$8000.

Alderman Gibson raised the question as to the policy of paving the streets in South Boston named in the above orders, with wood, believing that such paving, not burnettized, would not last more than three or four years.

Alderman Power replied that the streets in question were but twenty-foot streets, and the principal reason for paving them with wood was of a sanitary character. The streets had been nuisances for years, and as narrow streets it was believed they were just the ones to be paved with wood, if wood pavement was to be used anywhere. There was but little travel on such streets except by milk carts and other carts for household supplies.

Alderman Gibson stated that he had noticed a large quantity of cobble stones, convenient for use, at one of the bridges to South Boston, and further objections were made by him to the use of wood pavement.

PAPERS FROM THE COMMON COUNCIL.

The petitions of Lee, Higginson & Co, and 2500 others, A. C. Wellington & Co. and of Campbell & Brooks were severally referred, in concurrence.

The annual report of Directors for Public Institutions (City Doc. No. 76) was ordered to be placed on file.

An order for Committee on the Fire Department to make repairs on steam fire boat William M. Flanders was referred, in concurrence, to the Committee on the Fire Department, with instructions to report the estimated cost.

The following orders were severally passed, in concurrence:

Order for Committee on Reorganization of the Fire Department to employ a shorthand reporter, and to be empowered to send for persons and papers.

Report of Joint Committee on Streets in favor of the widening of Pearl street, and passage of resolve and order to widen Pearl street.

Order establishing the salaries of City Solicitor's office, as follows: City Solicitor, \$6000 per annum; First Assistant, \$3000; Second Assistant, \$2500; Third Assistant, \$2000; Clerk, \$1500.

In answer to an inquiry of Alderman Stebbins, it was stated that the increased salaries take effect from the 1st April last.

Report and orders authorizing the building of such an addition as may be necessary to the house of Engine Company Sixteen, to accommodate Hook and Ladder Company Six, at an estimated cost of \$18,000; and for a transfer therefor from the Reserved fund.

REPORTS OF COMMITTEES.

Alderman Bigelow, from the Committee on Licenses, reported in favor of a license to Edward N. Mullen to exhibit a pedestrian match at the base-ball grounds July 2, and to sundry persons as victuallers. Severally accepted.

Alderman Bigelow, from the same committee, reported in favor of renewal of licenses as auctioneers, as follows: Samuel Hatch & Co., N. A. Thompson & Co., J. K. Porter & Co., George R. Highborn & Co., Cowing & Hatch, Samuel A. Walker, John H. Lester, George B. Farnce, Holbrook & Fox, Sullivan & Maedonald, George F. Hunting, Charles C. Homer, Newman & Perin, Patrick Kilroy, Charles S. Blood; also for a license to David S. Roberts. Severally accepted.

Alderman Clark, from the Joint Standing Committee on Streets, to whom was referred the request of the Committee of the Board of Aldermen on Streets for an additional loan of \$40,000, to be added to the loan for the extension of Columbus avenue, made a report that the order ought to pass.

The report was accepted, and the order was passed.

Alderman Clark, from the Committee on Streets, to whom was referred the petition of William Evans and others that Tremont street be widened by taking a part of the mall on the Common, made a report that in their opinion the public travel on Tremont street would be greatly facilitated by removing the sidewalk adjoining the Common and putting that portion of the street in a proper condition for the passage of vehicles. The committee would there-

fore respectfully recommend the passage of the accompanying order:

Ordered, That the Superintendent of Streets be directed to remove the sidewalk on the westerly side of Tremont street, between Park street and Boylston street, and put that portion of the street in a proper condition for the passage of vehicles.

The order was read once.

Alderman Power, from the Committee on Paving, reported leave to withdraw on petitions of Pratt & Wentworth and others, that Pyncheon street be paved, from Heath to Tremont street, and of Benjamin Franklin and others for a revocation of location of the Metropolitan Railroad Company on Dearborn street. Severally accepted.

Alderman Emery, from the Joint Standing Committee on Public Lands, to whom was referred the petition of M. J. Flatley for an extension of time in which to build on East Newton street, made a report recommending the passage of the accompanying order:

Ordered, That the time for building upon two lots of land on East Newton street, as purchased of the city by M. J. Flatley, be extended to July 1, 1874, upon his paying to the Superintendent of Public Lands the sum of \$200 within ten days from the passage of this order.

The order was read twice and passed.

Alderman Emery, from the same committee, to whom was referred the petition of Michael Scanlan for an extension of time in which to build on Fourth, near N street, made a report recommending the passage of the accompanying order:

Ordered, That the time for building upon the lot of land on Fourth near N street, as sold by the city to Michael Scanlan July 1, 1871, be extended to July 1, 1874, upon his paying to the Superintendent of Public Lands the sum of \$100 within ten days from the passage of this order.

The order was passed.

Alderman Emery, from the same committee, to whom was referred the petition of Howard A. Doe, for an extension of time in which to build on Broadway, between L and M streets, submitted a report as follows:

The committee learn, from the statement made to them by the petitioner, that he has been prevented from building within the time required of him from the imperfect manner in which the walls of the building erected on the adjoining lot were built, as it was very unsafe for any one to be at work near the same while in said condition. That a portion of the wall did fall down, and the delay occasioned thereby is the reason of his asking for further time in which to build.

The committee, in view of the facts as set forth by the petitioner, believe that he is entitled to an extension and also to a reduction in the amount required to be paid, and, therefore, recommend the passage of the accompanying order:

Ordered, That the time for building upon a lot of land on Broadway, between L and M streets, as sold by the city and now owned by Howard A. Doe, be extended to July 1, 1874, upon his paying to the Superintendent of Public Lands the sum of \$50 within ten days from the passage of this order.

The order was passed.

The Committee on Finance made a report asking for the passage of the accompanying order, for the purpose of facilitating the early collection of taxes:

Ordered, That in pursuance of the authority of chapter 225 of the acts of 1873, all taxes assessed for the purpose of providing for the expenditures of the city of Boston and county of Suffolk, and for paying the city's proportion of the State tax, shall be due and payable on the first day of November, and if the same shall remain unpaid interest at the rate of 6 per cent. per annum shall be charged upon all such taxes as shall not be paid at that date; and upon all taxes that shall remain unpaid on the first day of January next ensuing after the same have been assessed, there shall be charged interest at the rate of 12 per cent. per annum, and all the interest that shall become due from and after the above-named date shall be added to and be a part of such taxes; provided, however, that the taxes assessed by authority of chapter 315 of the acts of 1873, upon the shares of national banks and of other corporations shall be due and payable on the first day of November, and interest shall be charged as provided in said act upon all such taxes as remain unpaid after that date, at the rate of 12 per cent. per annum.

The order was read once.

REPORT ON FIRE DEPARTMENT.

The Joint Standing Committee on the Fire Department, to whom were referred (1) the message from his Honor the Mayor in relation to increasing the efficiency of the department; (2) a communication from the representatives of various insurance companies which sustained losses by the fire of May 30; (3) a communication from the officers of the Fire Department, suggesting certain changes in apparatus, hy-

drants, etc., having carefully considered the subject beg leave to submit the following report:

The suggestions and recommendations contained in these communications were substantially covered in the Mayor's inaugural address, and they have received the constant and earnest attention of the committee since the beginning of the present municipal year. On the 13th of March last, a report was made to the Government stating that it was proposed to increase the department so as to include 29 steam engines, 13 horse hose carriages and 8 hook and ladder carriages. The means for making the increase were not furnished until the 1st of May, the beginning of the present financial year. A portion of the additional apparatus had already been purchased when the fire occurred, and steps had been taken to procure the remainder as soon as suitable accommodations were provided for it. In their report, above referred to, the committee pointed out several changes which in their opinion were calculated to secure a higher degree of efficiency in the organization of the department, and in conclusion recommended the passage of the accompanying order:

Ordered, That the Committee on Ordinances be requested to report amendments to the ordinances relating to the Fire Department, providing that the Assistant-Engineers shall be nominated by the Chief-Engineer and appointed by the Mayor and Aldermen; that the foremen and assistant-foremen of engine, hose and hook and ladder companies shall be nominated by the Board of Engineers and appointed by the Mayor and Aldermen; and that the Committee on the Fire Department shall have jurisdiction of all violations of the ordinances or rules and regulations, committed by members of the department; also, to report an amendment to the tenth section of the ordinance concerning public buildings, by which the Committee on Public Buildings will be relieved from the purchase of land for engine, hose and hook and ladder houses.

The order was not passed by the City Council, but referred to the Committee on Ordinances, and there it has since remained, no report having been made to the City Council on the subject. On the 5th of June the committee recommended the purchase of land on Washington square for the purpose of locating thereon a structure to accommodate two steam fire engines, one horse hose carriage and one hook and ladder truck. That recommendation is still before the City Council. If the committee receive the necessary authority they propose to organize a permanent force for service in connection with this apparatus, the hosemen to perform patrol duty when not attending fires. By this arrangement the business portion of the city will efficiently be protected at all hours of the day and night. During the delay in furnishing permanent accommodations the committee have recommended that temporary structures be erected at Fort Hill and on Parker street; and the Committee on Public Buildings has been instructed by the City Council to provide such structures. Arrangements have also been made for the immediate location of a steam fire engine on Mason street. The committee are now considering the question of increasing the number of men permanently employed in connection with the engines and hose carriages. The extent to which it would be advisable to make such an increase will be reported upon at an early day. The new horse hose carriages will be made to carry a portion of the hosemen so that they can be taken to the scene of the fire in the shortest possible time and be in a condition for effective service. It is proposed to detach the hose reels connected with the steam engines and provide separate carriages to convey the hose to fires, the accommodation for these carriages to be furnished in the engine houses. In regard to the supply of water, although the committee have no direct control over the matter, it may be well to state briefly the improvements which are being made. The new conduit from Sudbury River, involving an expense of about \$5,000,000, and work upon the new reservoir at Parker Hill will be entered upon at once. In the appropriation for the present year the sum of \$85,000 was allowed for new pipes and hydrants in the burnt district. Lowry hydrants are being placed wherever the Board of Fire Engineers request, and where in the judgment of the Water Board they are needed. The annual report of the Water Board, soon to be published, will contain important recommendations from the city engineer in regard to changes and new connections to be made in the water pipes now in use, so as to secure a larger and more uniform supply of water in case of fire. In reply to the request of the chairman for information in relation to the statements concerning the erection of unsafe structures on the burnt district, a communication has been received from the Inspector of Buildings, to the effect that the statements are entirely unfounded, and that the buildings now being erected in Boston are greatly superior, both as re-

guards strength and safety, to those which were destroyed by the fire of November last. A copy of the communication is appended hereto. The extensive street widenings made by the city, at a cost of five or six millions of dollars, has, of course, greatly diminished the liability to serious conflagrations.

In view of the recent comments of the underwriters doing business in this city, it may not be improper to state in this connection that if the insurance companies compete for and take as first-class risks high buildings surmounted by wooden roofs, the city is not bound to insure them against loss under their policies. With the increase of the fire apparatus, and the changes in the organization of the department which have been recommended, the committee believe the force will be adequate to any emergency, and as reliable and efficient as the department of any other city.

L. R. CUTTER, Chairman.

The following communication from the Inspector of Buildings accompanied the report:

L. R. Cutter, Chairman of the Committee on the Fire Department: Dear Sir—Your favor of the 21st, asking for information relative to the statements made through the public press to the effect that many of the buildings now in process of erection on the burnt district are improperly constructed, is received, and in reply I beg to say that the statements are entirely unfounded, and undoubtedly originated with some one totally ignorant of building matters. To any one at all familiar with the construction of buildings, a personal inspection of the buildings now being erected in Boston will show at once their great superiority both as regards strength and safety to those which were destroyed by fire, and the almost certain impossibility of such another conflagration. The increased thickness of walls, the separation of floor timbers by brick work, and the construction of battlement walls render it almost impossible for a fire to communicate from one building to another, while the abolition of wooden exterior finish, and the substitution of iron and other incombustible material therefore, secures immunity from flying sparks and cinders. I do not mean to convey the idea that the buildings now constructed are fireproof, for as long as wooden floors and wooden interior finish are used, buildings will burn; but I believe that a fire occurring in any one of the buildings which conform to the requirements of the present Building law can be confined to the building in which it originates. As regards unsafe buildings, this department is doing all in its power to secure the safety of the public. Since January 1 between fifty and sixty buildings have been labelled as unsafe, and have either been demolished, rebuilt or secured. It should be understood, when speaking of unsafe buildings, that this department has no control over old buildings, which are unsafe by reason of combustible material stored therein, or the inflammable nature of the buildings themselves, and therefore, though often requested so to do, cannot order the demolition of the old wooden buildings with which some portions of our city are infested. A large number of buildings in which operatives are employed have been examined in relation to the means of egress in case of fire, and up to the present time over two hundred notices have been issued ordering the furnishing of fire escapes, etc., on buildings which were found deficient in that respect, and the work is still going on. As a general thing the owners of buildings readily comply with the requisition of the department. In conclusion, I beg to say that as far as this department is concerned the statement that our city has failed to profit by the lesson of the great fire is, in my opinion, without foundation.

Respectfully yours,

DAVID CHAMBERLIN,

Inspector of Buildings.

Alderman Clark, from the Joint Standing Committee on Fire Department, to whom was referred the petition of Charles E. Wiggin and others for the appointment of a commission to prescribe some method of preventing or rapidly extinguishing fires, made a report recommending that the same be referred to the Joint Special Committee on the Reorganization of the Fire Department. Accepted.

Alderman Clark, from the same committee, to whom was referred the order of the City Council of June 9, made a report recommending the passage of the order, as follows:

Whereas, The Legislature of this State did, on the 16th day of April, 1873, pass an act in the words following, to wit:

Section 1. The Engineer of the Fire Department in command at a fire shall, to the exclusion of all other persons, have the power conferred upon the firewards by the 4th section of the 24th chapter of the General Statutes.

Sec. 2. This act shall be in force only in those cities in which it is accepted by the City Council and in those towns in which it is accepted by the legal voters.

Now, therefore, it is hereby

Ordered, That the above-recited act be and the same hereby is accepted by the City Council of the city of Boston, and the Committee on Ordinances are hereby instructed to report an ordinance in accordance therewith.

The order was passed.

Alderman Clark, from the same committee, to whom was referred the petition of W. H. West and others for the location of a horse hose carriage in Engine House No. 20, made a report and are of the opinion that the prayer of the petitioners ought to be granted, and respectfully recommend the passage of the following order:

Ordered, That the Chief-Engineer of the Fire Department be and he hereby is authorized to purchase and equip a horse hose carriage for Engine House No. 20, at an estimated cost of \$1500; the same to be charged to the appropriation for the Fire Department.

The order was passed.

Alderman Clark, from the same committee, made a report recommending that additional accommodations be furnished for Hose Company No. 5, located on Shawmut avenue, and ask for the passage of the following order:

Ordered, That the Committee on Public Buildings purchase a lot of land on the corner of Shawmut avenue and Upton street, at a cost of \$14,000, and erect thereon an engine and hose house.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$30,000, to be applied to the purchase of land, on the corner of Upton street and Shawmut avenue, and the erection thereon of an engine and hose house.

The order was passed.

Alderman Clark, from the same committee, to whom was referred the petition of Bigelow, Kennard and others, that a steam fire engine be located on Mason street, having carefully considered the subject, are of the unanimous opinion that the prayer of the petitioners ought to be granted, and would respectfully recommend the passage of the following order:

Ordered, That the Committee on Public Buildings be requested to procure estimates for the purchase of a lot of land on Mason street, or in the immediate vicinity, and for the erection thereon at the earliest possible moment, of a building suitable for the accommodation of a steam fire engine, horse hose carriage, and the horses and men connected therewith; the expense to be charged to the appropriation for Public Buildings.

Alderman Gathfield suggested that as the city have property in Mason street the committee would do well to consider whether some of that property might not be used for the purpose.

Alderman Clark replied that it was the design of the committee to consider whether some of that property may not be utilized for this purpose.

The order was passed.

Alderman Clark, from the same committee, offered the following order, which was passed:

Ordered, That the Chief-Engineer be and he hereby is authorized to substitute horse hose carriages for the tenders connected with the steam fire engines now in use in the Fire Department, and that said hose carriages be so constructed that five horsemen can ride to the fires; the expense thereof to be charged to the appropriation for the Fire Department.

Alderman Clark, from the same committee, offered the following order:

Ordered, That the Joint Standing Committee on Fire Department be and they hereby are authorized to purchase (as per estimated appropriation for new apparatus in the annual appropriation for the Fire Department for 1873) four first-class steam fire engines, at an estimated cost of \$18,000; also five horse hose carriages, at an estimated cost of \$4500, and one hook and ladder truck, at an expense of \$1800; the same to be charged to the appropriation for the Fire Department.

The question being on the passage of the order—

Alderman Gibson inquired whether it was proposed to continue the present hose carriages.

Alderman Clark replied that it was not designed to do away with the present hose carriages, but to have those attached to the steam fire engines entirely independent of the engines, drawn separately by a horse. It had been found that those which were connected with the engines were a serious interference in getting to fires, and the Board of Engineers had advised their doing away with them. The means of paying for them had been provided in the General Appropriation bill.

Alderman Gibson wished to know why the present horse hose carriages should not be transferred to the engine houses instead of purchasing new ones.

Alderman Stebbins stated that it was designed not to increase the number of hose carriages, but to substitute a horse hose carriage for the reel attached to the steam fire engine, and to provide measures by which the hosemen may get earlier to fires.

Alderman Gibson renewed his inquiry whether it would not be better to make a transfer of the hose carriages from the separate houses to the houses of the steam fire engines, for unless such a change was made now, it would be difficult to make it hereafter, as it was often said that the Fire Department run the City Government. It once took three years to locate a fire engine, and now was the only time when this change could be made, for with additional hose carriages they could never get rid of any of them. It would be a mistake to purchase more hose carriages when they had enough of them.

Alderman Clark replied that it was not designed to have additional hose carriages in these cases, but to substitute horse hose carriages for those attached to the engines. It was intended merely to establish such a number as is necessary, and do away with the reels attached to the engines. There would not be any more hose carriages on that account. The Committee on Fire Department had made such suggestions in relation to the election and appointment of hosemen as were thought necessary, but until there was a change in the ordinance there could be no change in their appointment; but when changed it was believed the Fire Department could be improved. If the Fire Department had run the City Government it was the fault of past Governments and not of this. This and other changes were constantly asked by citizens, and it should be done at once before more petitions are presented. What changes are required and additional engines are needed should be provided immediately.

Alderman Power said both gentlemen had omitted some things in relation to the proposed change. It was designed to obviate the existing evils in the necessity of dragging a ton or two of extra weight which caused delay in getting the engines to the fires. It would facilitate the means of getting to fires, but would not necessitate providing more hose carriages. The reason given by the Alderman from Ward 1 might come in when additional engines were provided.

Alderman Clark replied that the terms of the order were sufficiently explicit, not providing additional hose carriages, but substitutes for the tenders attached to the engines.

Alderman Gibson said they now run with the engines but a moderate amount of hose, and did not depend upon a large amount being taken with them. Why increase the number of horse hose carriages when there are enough? for it would be a good deal easier to arrange matters now than when new hose carriages are established. He repeated the statement in relation to the Fire Department running the City Government, and gave as his experience that the firemen were the hardest set of men we had to contend with. In many cases the committees finding themselves in a tight place are obliged to make a poor excuse to get out of it. If additional engines are not needed where there are hose carriages alone, then a transfer should be made or the horse hose should be abandoned.

Aldermen Quincy believed that the present horse hose carriages, as they are situated, could not be dispensed with. It was often the case that they are the first to get to a fire and put it out before an engine arrives. In the change proposed, it was thought that in the future horse hose carriages would be better than the carriages attached to the engines. The efficiency of the engines is weakened by connecting the carriages with them, and the necessity of light apparatus is claimed as one of the advantages of the system of Mr. Bird.

Alderman Gibson said the complaint was that they could not get water by the hose company when a steam engine was playing near them. He believed the procuring of additional hose carriages was entirely uncalled for, and that extra carriages could do no more than is now done. The expenses of the department should be kept where they are, for when increased, it will be for all time, and can never be reduced. Many of the expenditures of the city were now enormous, and economy should be looked for somewhere. He was not prepared to vote for an increase when the department was now double that of New York, and three times as large as that of Baltimore. As to the demands of the insurance companies, he was willing to stand the losses by fire and pay the bills. If they were not less excited and liberal in their expenditures they would lose more taxpayers, when the taxes would fall entirely upon real estate. If they thought best so to travel, then do so, but he thought it would be better to transfer the hose carriages instead of getting additional ones. The city had been liberal to a fault in regard to the Fire Department, and the means now provided were entirely ample.

Alderman Quincy said he did not wish to increase the expenses of the department unnecessarily, but it was true that the horse hose carriages were often the first at a fire. If incorporated with the engines they will arrive at a fire at the same time with them. This was not the time to dispense with the separate horse hose carriages.

Alderman Gibson cited the authority of the Chief-Engineer, that horse hose carriages were entirely unnecessary when there are carriages connected with the engines. There were now five horse hose carriages, and they might be transferred to the houses of the steam fire engines. Why not put them with the engines instead of buying more?

Alderman Clark said it was supposed at the commencement of the year that an additional number of engines would be called for. It was not on account of the late fire, neither was it on account of the action of insurance companies. It was believed that additional engines would be required and were provided for, and the committee now ask for the right to make the purchase. The object of the order is simply to substitute horse hose carriages for the reels attached to the engines. It was something new, but would not incur additional expense or increase the expenses except for apparatus and for the horse.

Alderman Clark further said that he supposed the Alderman meant in saying that the department was larger than in New York, that it was proportionately larger. He forgets that the department was nearly as large in Dorchester as in the city proper, and costs nearly as much, and that the whole department covers a vast extent of territory. There might be leaks in the expenditures for the Fire Department, but he failed to see them. As to taxpayers leaving the city, he was sure that many citizens will leave unless proper measures are taken to protect their property. There no doubt was some talk made for the purpose of raising the rates of insurance, yet he knew of no insurance companies which propose to withdraw their agencies from the city. He doubted whether there were any better paying companies than some which are now in existence in this city, but, aside from that, it was our duty to protect the city from fire and enlarge the Fire Department.

More engines had been needed in years past, but from the complaint of everlasting expense they had not been provided. It had been charged that the Fire Department was most extravagant, but there had been but six engines for the city proper when there should have been double that number. Other improvements would be recommended and most likely would be adopted. There will be no extra expense under this order for the appropriation has already been provided for, and this is to empower the committee to purchase additional steam engines and the necessary apparatus.

Alderman Gibson, in the comparison with New York, said we had twenty-seven engines, but not fifteen miles range of territory which the forty-two engines in New York had, and which would make ours double compared with the distance and the population. The department in Baltimore is not so large as our own, with a larger population.

Alderman Power said there could be no doubt we were behind the times in the present mode of attaching the hose carriages to the engines, which retarded their progress. It was well known that in South Boston a horse hose carriage had often been the means of putting out a fire. With additional steamers it may perhaps be well to locate them in the same houses with the hose carriages.

Alderman Gibson further urged the transfer of horse hose carriages, and stated that a location was secured for an engine on East street, while it required but three-fourths of a minute to reach that point by a horse carriage. In Ward 12 he said an engine was procured after a struggle of three years, when the Chief-Engineer and the chairman of the Committee on Fire Department stated that it was not wanted, and when procured it was stored for some time. He believed it would be better to settle this matter as we go along, for when an increase of hose carriages was made they could not be reduced.

Alderman Power did not believe it was a fair criterion to judge in this case as in that of procuring an engine at South Boston, when it was difficult to get anything there. If the Fire Department ruled the Government when the Alderman was connected with it, it was not much to his credit. It did not run this Government, and they had but to do their duty and get what apparatus is necessary according to their own judgment, and not be frightened or intimidated by the Fire Department. A slight attempt was made at the last election, which did not amount to much. Neither should they be actuated by the outside talk that they were afraid of the Fire Department because they did not remove Mr. Durrell. Let them show the right sort of man for the place, and he would not hesitate to make a change.

Alderman Gibson said he did not refer in his remarks to the present City Government as having been run by the Fire Department, yet the test of that was to come.

Alderman Quincy said he should not object to a transfer of hose carriages, where not needed, but so much had been saved by them in many instances as would more than pay the expense. This was not the time to weaken the department by consolidating it.

Alderman Gibson said he would not put new engines where wanted with the hose carriages, and transfer

Alderman Quincy remarked as the difference that by having them located together, they would each arrive at the fire at the same time.

Alderman Power said he would not be driven into any measures by the action of underwriters, for he had little respect for what they had to say or do. The citizens should have little compassion for them and not be actuated by their threats. This measure was proposed immediately after the great fire, and its adoption was contemplated before the recent fire, an appropriation for which was asked for. He thought the Alderman was mistaken as to the territory over which the New York Fire Department operated, and that instead of being fifteen miles it was but eight miles to the Harlem Bridge. New York had been peculiarly fortunate in regard to great fires, yet their number was treble those of this city, and because they were fortunate it was no reason why the rates of insurance should be advanced in this city.

Alderman Gibson said he was not opposed to increasing the fire engines, but believed it would be better to transfer the hose carriages to make it square as we go along. He would put the four horse hose carriages with the four new engines instead of buying new ones.

Alderman Clark said there were no more hose companies than were needed. It was proposed to put one engine and hose carriage on Parker street to protect the property on the Back Bay; to put another engine and hose carriage on Fort Hill; the third on Mason street, and the fourth, with the two also in the same house in Ward 14. These would take four of the five. It would not do to remove the hose carriage from Grove street, in which section the people would think they were illy protected.

At the present time the steam engines in Charles, Bulfinch, East and Wall streets are relied upon to protect most of the property in the city proper, while twelve with the necessary apparatus would not be a large number. He was not aware that the fire territory in New York extended fifteen miles, and whether there were forty-two or forty-seven engines he could not say. He knew nothing of the fire departments of other cities, but supposed the committee would have had a chance to look them over. It was clear that there was not a force large enough in this city, and that they should expend money liberally to render the department efficient.

Alderman Gaffield said he could not agree with the Alderman that they should have no respect for underwriters, for he had great respect and sympathy for them—sympathy for the widows and orphans who had lost their all by the great fire. He had great respect for those who were now willing to take risks and save us from further losses. As had been stated before the Board today, there were risks so great that it was proposed to charge eight per cent. The foreign and American insurance companies, whether rightly or not, had contemplated raising their rates in this city, and we should heed the requests and the petitions of our citizens, and spend money for apparatus where it is needed. As to the charge of extravagance, the additional expense would be saved in the percentage of insurance.

As to the reference to political influence, which the Alderman made, on the reorganization proposed the department cannot be made a political machine. He was in favor of a good commission for the control of the department, and hoped the order would pass to provide all the engines which are necessary, and that confidence would be restored, and we should be blessed hereafter with a freedom from fires.

Alderman Power said he had great respect for honest men and those who paid their debts, but he could not have respect for corporations which had got rich and when a great fire occurred paid but a little towards the loss. They had not lost one dollar for the hundreds made by them, and they had laid by thousands for one paid. As to the question before us, they needed only to provide such additional apparatus as was necessary.

Alderman Gibson withdrew an amendment proposed by him for the transfer of hose companies, and the order was passed.

ORDERS PASSED.

On motion of Alderman Gibson—

Ordered, That Edward S. Ellsworth be appointed a field driver and pound keeper for the vicinity of Police Station No. 11.

Ordered, That the Committee on Bridges be authorized to repair Dover-street Bridge at an expense not exceeding \$1500; to be charged to the appropriation for Bridges.

On motion of Alderman Power—

Ordered, That the Superintendent of Streets be directed to grade and gravel Columbus-avenue extension, from Ferdinand street to Park square, at an estimated cost of \$10,000.

Ordered, That the Superintendent of Streets be directed to furnish and set the edgestones and pave

the sidewalks, where required, on Milmont street, between Lambert avenue and Highland street, and to report to this Board a schedule of the expense thereof.

Ordered, That the Superintendent of Streets be directed to furnish and set the edgestones and pave the sidewalks on Gates street where there are none, between Dorchester and Telegraph streets, and to report to this Board a schedule of the expense thereof.

Ordered, That the Superintendent of Streets be directed to pave the sidewalks on Vernon street, between Shawmut avenue and Washington street, and to report to this Board a schedule of the expense thereof.

Ordered, That the Superintendent of Streets be directed to furnish and set the edgestones and pave the sidewalks on Lewis park and Highland avenue, where there are none, and to report to this Board a schedule of the expense thereof.

Ordered, That the Superintendent of Streets be directed to grade Norfolk avenue, according to the established grade, at an estimated cost of \$4000.

Ordered, That the Superintendent of Streets be directed to pave the sidewalks on a portion of Thomas street between G and Old Harbor streets, and to report to this Board a schedule of the expense thereof.

Ordered, That there be paid to Julia Hurley the sum of \$100, in full compensation for all damages caused to her estate on Chambers street, by the raising of the grade of said street, as ordered by the Board of Aldermen, September 17, 1872, upon the usual conditions; to be charged to the appropriation for Paving.

On motion of Alderman Clark—

Ordered, That there be paid to John L. Batchelder the sum of \$24,728 for land taken and all damages occasioned by the widening of Broad street, by a resolve and order of the Street Commissioners, upon the usual conditions; to be charged to the Burnt District Loan.

Ordered, That there be paid to David Chapin, W. L. Prescott and others the sum of \$62,340, for land taken and all damages occasioned by the widening of Broad street, upon the usual conditions; to be charged to the Burnt District Loan.

Ordered, That there be paid to Maria T. Tileston the sum of \$51,603, for land taken from and all damages occasioned the estate of the heirs of Thomas Tileston by the widening of Broad street, upon the usual conditions; to be charged to the Burnt District Loan.

Ordered, That there be paid to George N. March the sum of \$3080, for land taken and all damages occasioned by the widening of Hawley street, upon the usual conditions; to be charged to the Burnt District Loan.

Ordered, That there be paid to A. O. Bigelow, trustee, the sum of \$96,165, for land taken from S. P. Tuckerman, A. O. Bigelow, trustee, and all damages occasioned by the extension of Washington street to Haymarket square, upon the usual conditions; to be charged to the appropriation for the Extension of Washington Street.

Ordered, That there be paid to Henry Frothingham the sum of \$3050, for land taken and all damages occasioned by the widening of Harrison avenue, by order of the Board of Street Commissioners, June 12, 1873; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to Helena C. Mendon the sum of \$350, for land taken and all damages occasioned by the extension of Washington street to Haymarket square, by a resolve and order of the Street Commissioners September 9, 1872, upon the usual conditions; to be charged to the appropriation for the Extension of Washington Street.

Ordered, That there be paid to Elizabeth P. Gray the sum of \$34,500, for land taken and all damages occasioned by the extension of Washington street to Haymarket square, upon the usual conditions; to be charged to the Washington-street Extension Loan.

On motion of Aldermen Stebbins—

Ordered, That the Committee on the Suffolk-street District be requested to report what action, if any, is necessary, on the part of the City Council under the provisions of Chapter 340 of the acts of the year 1873, authorizing the raising of the grade of certain lands in the city of Boston, for the purpose of preserving the public health.

Alderman Stebbins presented a communication from Zenas E. Smith, resigning his office as an Assistant-Engineer in the Fire Department. The proper course, he said, would be to refer it to the Committee on Nomination of Engineers, but in view of the valuable services of Mr. Smith, being one of the most efficient assistant-engineers, he hoped it would be referred to the Committee on Fire Department, and that he might be induced to withdraw his resignation. The communication was referred, as proposed.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

JUNE 26, 1873.

The regular weekly meeting of the Common Council was held this evening at eight o'clock, E. O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of J. R. Bigelow & Co., of Little, Brown & Co., and 2214 others, the report of the Committee on Health respecting a nuisance, and the communication of Zenas E. Smith, were severally referred, in concurrence.

The communication of the Boston & Providence Railroad Company, containing a notice of surrender of land, was ordered to be placed on file.

The recommitment of a report and order to cancel the bonds given by Ivory Bean *et al.*, for certain land on Dedham street, between Harrison avenue and Albany street, as described in said order, was concurred in.

The following reports were accepted, in concurrence:

Report referring the petition of Charles E. Wiggin and others, for the appointment of a Fire Commission, to the Special Committee on Reorganization of the Fire Department.

Report of Committee on the Fire Department on the subject of increase of efficiency of Fire Department, to whom was referred the message of the Mayor and of the representatives of the various insurance companies on the subject, and the communication of the officers of said department, suggesting changes in apparatus, hydrants, etc.

The following orders were severally passed, in concurrence:

Order appointing Edward S. Ellsworth as a Field Driver and Pound Keeper for vicinity of Police Station Eleven.

Order for Committee on Suffolk-street District to report what action is necessary under chapter 340 of acts of 1873, for raising the grade of certain lands, for preservation of public health.

Report and order for extension of time for building on two lots of land on East Newton street, purchased of the city by M. J. Flatley, to July 1, 1874.

Report and order for extension of time to July 1, 1874, for Michael Scanlan to build on a lot of land on Fourth, near N street.

Report and order for extension of time to July 1, 1874, for Howard A. Doe to build on a lot of land on Broadway, between L and M streets.

Report recommending the passage of the preamble and order for the acceptance of the act of the Legislature of 1873, giving the engineer of the Fire Department the power conferred upon firewards by the fourth section of the twenty-fourth chapter of the General Statutes; and for Committee on Ordinances to report an ordinance in accordance therewith, with the passage of said order.

Order authorizing hose carriages to be substituted for the tenders of steam fire engines, and to be so constructed that five hosemen may ride to fires.

Order authorizing the Mayor to release to the Boston & Providence Railroad corporation the city's right and title to that part of Church street, between Columbus avenue and Providence street, discontinued by resolve of 10th of November last, in accordance with the indenture of September 30, 1871.

The following orders were severally read once:

Report and order authorizing a horse hose carriage to be purchased and equipped for Engine House No. 20, at an estimated cost of \$1500.

Order to pay the Boston & Providence Railroad Corporation \$325,000, being the balance due for land purchased for extension of Columbus avenue, as set forth in indenture of September 30, 1871.

The report recommending the passage of the order for an additional loan of \$40,000 for the extension of Columbus avenue being under consideration, on motion of Mr. Flynn of Ward 7, it was laid on the table.

The report and orders authorizing a lot of land to be purchased on corner of Shawmut avenue and Upton street, at a cost of \$14,000, and the erection thereon of a hose house, and for a loan of \$30,000 to be applied therefore, were considered.

Mr. Marston of Ward 10 stated that there was some opposition to this location and doubt about the title to the land, and he moved that it be laid on the table, which was carried.

The report and order authorizing estimates to be procured for the purchase of a lot of land on Mason street, or in its vicinity, and for the erection thereon of a building for a steam fire engine, horse hose carriage, and the horses and men connected therewith, on motion of Mr. Shaw of Ward 5, was laid on the table.

The order authorizing four first-class steam fire engines to be purchased, at an estimated cost of \$18,000; five horse hose carriages, at an estimated cost of \$4500, and one hook and ladder truck, at an expense of \$1800, was read once, and a motion was made by Mr. Denny of Ward 9 for a suspension of the rules for its passage at this time.

Mr. Dean of Ward 12 hoped the rules would not be suspended, for while there was so much excitement on the subject, there should be no hasty action on the part of the Council, for they should act with judgment to show that they are so far from being crazy as possible.

Mr. Denny replied that the action was not hasty, but a simple proposition to purchase engines, the sites for two of which had already been provided, on Fort Hill and Parker street, and as there could be no question relative to increasing the number of engines, the order should be passed. If passed, it would be the first completed action relative to the Fire Department since the fire in November, and the delay only illustrated the objection to leaving such matters to so large a body for disposal. The appropriation for them had been made, and this would be the first action which had actually got through.

Mr. Wells of Ward 3 said he was in favor of an increase in the number of engines, but he could not see what was to be done with five new ones. There were two engines now in No. 7's house, one of which was not manned, and he could not see the need of a hurry to buy five. Let the committee first man this extra one and put it into service.

Mr. Jones of Ward 14 replied that the committee had performed their duty by reporting the order. An appropriation of \$18,500 had been made, and in relation to the disposition of them, the new house on Warren street would be ready for one by the time they received it, and two others were to be located on Fort Hill and on Parker street, where temporary engines are to be placed. Another hook and ladder carriage is needed, a deficiency which had existed for the last five years.

Mr. Dean said there was no matter so easy to get luna upon as this upon the Fire Department. There were now considering the subject of increasing the efficiency of the Fire Department, the Committee on Fire Department, the Special Committee and the Committee on Ordinances, and all manner of propositions were before them. One order of the committee, which had been referred to the Committee on Ordinances, had been severely criticised through want of action, in the report of the Committee on Fire Department, which had been accepted. That order provides that the Committee on Fire Department shall have jurisdiction of all violations of the ordinances, a matter which is cognizable by the courts, and proposed to take from the Committee on Public Buildings the purchase of land for engines, etc. The Committee on Public Buildings now act only as approved by the Fire Department. These suggestions were reported simply because there was a call for something.

In these matters he trusted they would consider, and look before leaping. Some time ago he urged such a change in the organization of the department, that the Mayor might appoint the Chief Engineer, and he believed that if it had been done there would have been no call now for a fire commission. When the report of the special committee is made, whatever shall prove to be the best should receive his voice and his vote; but when it will require months to procure these engines, then the order should go through the regular rules. Anything which should best promote the efficiency of the department he should favor, because he had no peculiar fancies, and he had no love for a commission. He favored the making of appointments by the Mayor because one can do what sixty could not do.

Mr. Dean referred to the action on the subject of the order relative to filling the South Boston flats, a matter which he had made himself somewhat familiar with, but which passed with little time to understand it, and a motion to reconsider was lost from the absence of one who was to make it. This, too, came up suddenly, and was not the true way for action, and it might lead to regrets hereafter. They were all anxious to do right the first thing, but should take time to be sure they are right.

Mr. Denny said his feelings were with those of the gentleman from Ward 12 in regard to the suspension of the rules ordinarily, but he thought he should be negligent of his duty in not acting now upon this. The report of the Commission, if it had any weight,

recommended an increase of engines, and there was no reason why they should not have had them long ago. On the 13th of March last, that report was made, and its suggestions relative to an increase of engines could not be said to be hasty. When recommendations were made in December and March, and the gentleman desires more time to consider it, and reflects and hesitates, he was willing to give him more time if he needed it, but feared it was because of opposition to the measure.

Mr. Pease of Ward 1 said it was a peculiarity of crazy persons to think every one else crazy. The Committee on Fire Department in March last asked for authority to purchase more engines, and there was no reason why it should not be done now, or the fault would be at our door.

Mr. Jones stated that as it was intended on the 1st May to purchase four new engines, the sooner it was done the better.

Mr. Wells said he was on the Committee on the Fire Department when No. 7 was removed from Purchase street, for the reason that it was thought the land was too valuable for an engine house, and it was located in East street. That land is in the locality where an engine is wanted, and the land is worth twice as much as it was sold for. It is now proposed to put an engine on the city's land, but the lot is not deep enough. So in another case, he was informed by a gentleman who had a lot not two hundred feet from a hose house, which could be had at easy rates, and hundreds of thousands of dollars could be saved by proper economy.

Mr. Brackett of Ward 10 believed they had been grossly negligent in not taking measures for an increase in the number of engines, and he did not think there was anything loony about this. It was clearly nothing sudden, for it passed the Board of Alderman on Monday, and they had had time enough to consider. If there had been too much consideration or delay, and this was the first opportunity to take sound action upon the subject, and he hoped the order would pass.

Mr. Dean denied that this was the first tangible proposition for increasing the efficiency of the Fire Department. It was not so. The first was when the report of the Commission came in, and he proposed to change the system by having the appointments of Chief and Assistant Engineers made by the Mayor. If that had been passed, there would probably have been no call now for a commission. Every consideration of the Commission was discussed until smothered by another fire. Although we had had great fires, the Fire Department was as good as for many years, under which the city had flourished, and the changes had been similar to the contest in marine gunnery and marine armor. There were bigger guns, then thicker armor, then bigger guns and thicker armor, alternating from one to the other.

Go down to the wharves where buildings were put up many years ago, and the walls were thick and carried above the roof. When steam engines were introduced then bigger buildings were put up, and insurance officers sought out such high buildings with granite walls as the best risks. Nobody thought we should have such great fires, and when the fires got to the old buildings they stopped. We were now as well off as we were before the fires, and insurance companies have no reason to complain. We have not lost sight of the lesson, and we have put up such buildings that such fires will never again occur. When the agent of an insurance company hesitates in taking risks, he is loony. He did not charge the Committee on Fire Department with being loony, for the benign countenance of the gentleman from Ward 1 would be the last to charge with being loony.

These two great fires have created a general lunacy, not in the Committee on Fire Department, but outside. An outside demand has been made for changes. He was content for an increase in the efficiency of the department, and if he was satisfied that a commission would be the best, he should vote for it. It was economy to make a proper expenditure. It was not the fault of the rest of the Council that the subject of increase of the force was not up before. If the committee were familiar with it, they should remember that others were not. It was only a question whether a matter of so much moment should be brought into the Council and they should go it blind.

Mr. Jones read from the report of the Chief-Engineer of the Fire Department, in which he asked if the means provided were adequate to the emergency.

Mr. Denny said that this was not a new question, for every intelligent member of the Council knew that an increase of the Fire Department was called for. They could not do much if the subject was considered six months. It would take four months to get the engines, and he presumed it would be six months before they could get their location.

Mr. Wells did not wish to have it thought that he was opposed to an increase in the department, but what use, he asked, was the increase of new steamers if they did not man what they had? Why not man the steamer in No. 7's house?

Mr. Jones replied that as soon as they could get temporary engines, it would not be ten minutes before they would be manned. In further advocacy of the location on Fort Hill territory, he said a person giving an alarm, could easier give it at the engine house than to go to any box.

Mr. Pease stated that the manning of a hose company had been before the committee. In New York they have twelve men to each company at salaries of \$1000 apiece. If Boston was ready to stand it, then the committee had no objection to make.

Mr. Shaw of Ward 5 said if he were a member of the committee or Chief-Engineer, he should supply such sections as were needed from others where engines could be spared. There were seven in the city proper and six in Dorchester, and why not take two from Dorchester and place them where they were most needed and where the property is? As to waiting six months, he believed the committee could get them within one month. It was understood that the Amoskeag Company gets out one a week. While there is danger, why not place the engines where they ought to be?

Mr. Jones replied that the engines in Dorchester were just as necessary there as engines were anywhere, and he wished him to point out where one could be spared. As to the Amoskeag works, he should not vote for their engines unless they were best. They had propositions for building engines which would be lighter, and before buying, they wished to see the best in the country.

Mr. Wells said he had a petition in his possession which asked for an engine in Charles street, but they do not need it there. Referring to the several locations in the city proper, he thought they could reach the burnt district in three or four minutes. If new steamers were to be placed in the burnt district he would vote for it.

Mr. Jones stated that one was to be located on Warren street, one on the burnt district, the third in Ward 9 and a fourth in Mason street.

Mr. Perkins said this might be amusing and instructing, but he would move the previous question.

The motion prevailed, when the rules were suspended, and the order was passed.

On motion of Mr. Shaw of Ward 5, the special assignment for half-past eight o'clock was taken up and passed, it being the following orders:

Orders for purchase of the estate of the late Nathaniel Whiting, between Washington square and place containing 1523 square feet, at not exceeding \$11 per foot, and to erect on said lot and those on each side, owned by the city, a building for a steam fire engine and a hook and ladder carriage, and the horses and men connected therewith; and also for a loan of \$50,000 to be applied there for.

THE BURRILL CLAIM.

On motion of Mr. Harrington of Ward 8, the special assignment for nine o'clock—the reports of Committee on Claims on petition of Charles Burrill (City Doc. No. 70, 1873)—was taken up.

The Chair stated that there was no report of the committee, but individual reports.

Mr. Brackett of Ward 10 moved that the order on page 25, printed document, to pay the assignee of Charles Burrill \$40,000, take its first reading.

Mr. Dacey of Ward 2 objected to paying the claim from the appropriation for Incidental Expenses, which only required a majority vote, on which account the claim had been defeated by an overwhelming vote each time it had been up. Every time the order had been in a proper form he had voted for it and should do so. Should it be passed in this form, there would be all manner of claims pressed under the same form of payment. The friends of Mr. Burrill would do more injury to the claim by asking for its passage by a majority vote than could be done in any other way.

Mr. West of Ward 16 said he had always voted for the payment of this claim, but not by a majority vote; but if his views should continue to change as they had for the last month, he should be disposed to vote against the payment, for he had received new light on the subject.

Mr. Wilbur of Ward 9 moved to substitute the order on page nine, to pay the assignee of Charles Burrill \$15,000.

Mr. Pickering of Ward 6, moved to amend the order by providing that the payment be made from the "Reserved Fund," instead of from the appropriation for "Incidental Expenses."

In support of the motion Mr. Pickering said he agreed with the gentleman who had spoken, that the

order should require a two-thirds vote, because they could not pay the smallest claim, or the rent of \$100 for an armory, without such a vote, while here it was proposed to pay \$40,000 or \$15,000 by a majority vote. As the gentleman from Ward 5 said, there was no reason why we should suspend the rules in ordinary matters, so there could be no reason in favor of doing so when the sum was not a trifling one. This was the third or fourth year in which this claim had been urged for payment by a majority vote, and he was opposed to such action.

Mr. Perkins of Ward 6 wished the ruling of the Chair whether the motion to substitute the order for the payment of the smaller sum was in order as an amendment to the larger sum.

The Chair stated that this case was different from that in filling blanks, when the rule required taking the question on the larger sum first.

Mr. Brackett cited cases to show payments of claims by a majority vote, that of Thomas Richardson and others, and stated that this was settled by action of the Legislature, and was simply carrying out the action of the previous Government. If right, why not vote for it, but if not they could vote against it.

Mr. Harrington of Ward 8 said he had always been in favor of paying Mr. Burrill the larger sum named, and knew something about the matter and the difficulty of getting recruits. He was in hopes the President would have ruled in favor of voting upon the larger sum first. He should vote against the smaller sum.

The Chair ruled that another amendment would not be in order.

Mr. West of Ward 16 said there was no question that the claim was an illegal one, and had been so decided by the courts. There might be an equitable claim for some sum, but whatever payment should be made should be in the usual manner and paid from the Reserved Fund.

Mr. Train of Ward 13 stated as the feeling of the committee that they were indifferent whether the payment of whatever sum should be agreed upon should be by a majority or a two-thirds vote. He was willing to go for the lower sum fixed upon, but believed, as recommended by Mr. Blackmar and myself, that interest should be allowed.

Mr. Pickering said in regard to the amount which Mr. Burrill fairly and honorably spent, that it never was and never will be known. The amounts vary in the sums proposed to be paid from time to time, from \$800,000 to \$15,000, and they were all arbitrary. There was no question that Mr. Burrill did work and was entitled to compensation, but whether he should be paid \$15,000 or \$40,000, it should be by the usual vote of two-thirds.

Mr. Perkins said he was entirely in favor of the payment from the Reserved Fund, and he suggested as the most philosophical mode to vote upon the larger sum first and, to do so, that all of the pending amendments be withdrawn.

The amendments were withdrawn, when the order submitted by Mr. Brackett was considered.

Mr. Perkins proposed amendments, in the language of the order, to relieve it from ambiguity.

Mr. Flynn stated that there were not members enough to pass the order, and moved its further assignment to next Thursday evening, at 8½ o'clock—which was carried.

UNFINISHED BUSINESS.

The order authorizing the tower of the Ticknor Schoolhouse to be raised, at a cost not exceeding \$700, was read a second time and passed.

The report and orders for purchase as a site for a primary schoolhouse of two lots of land on Quincy street, near Blue-Hill avenue, at a cost not exceeding forty cents per square foot; and for a loan of \$10,000 to be applied therefor, being under consideration—

Mr. Train of Ward 13 inquired what necessity there was for the proposed schoolhouse, for, living not far from this locality, he did not think it was needed, and it could only be for the accommodation of a few people. The schoolhouse opposite Warren avenue was one of the largest, and while they were spending so much money on engine houses, and he was not opposed to building schoolhouses where needed, he could see no necessity for this house.

Mr. West of Ward 16 said he was on a sub-committee to investigate this matter, and found the schoolhouse on Warren avenue crowded, and the children to be provided for could not get to school except by going round the road for a mile. It was the unanimous opinion of the committee that the seven or eight lots selected were most available for the purpose, and that there was a necessity for providing for 100 pupils at once, which would soon be increased to 150.

Mr. Perkins of Ward 6 said there were not enough members present to pass the order, and moved to lay it on the table.

Mr. West moved to amend by making the payment from the Reserved Fund instead of by a loan, which was carried, when the order was laid on the table.

PETITIONS PRESENTED AND REFERRED.

Trustees of grammar school, Boston Highlands, for permission to erect an addition to the school building on Kearsarge avenue, without the addition of a brick wall.

Pearson Brothers & Co., for leave to erect a building larger than the ordinance permits.

Severally referred to the Committee on Survey and Inspection of Buildings.

REPORTS OF COMMITTEES.

Mr. Wilbur of Ward 9, from the Committee on Claims, reported leave to withdraw severally on petitions of Emma H. Crosby to be paid for injuries received on the sidewalk on Tremont street on the 21st of February last; of George S. Keyes, to be paid for damages alleged to be done to his property by the erection of an engine house on Bulfinch street; and of John Burns, to be paid for damages done to his dock on Condor street, East Boston, by the caving in of a street adjoining said dock. Severally accepted.

Mr. Caton of Ward 10, from the Joint Standing Committee on Public Buildings, acting upon an order from the City Council to procure plans and estimates for a grammar schoolhouse to be erected on land owned by the city on Houghton place, made a report as follows:

They have had plans prepared which have the approval of the Committee on Public Instruction, and have submitted the same for estimates, and find that the estimated cost for a building such as the district requires will be \$105,000.

The committee find that the Comins District is very much in need of additional school accommodations. At present very many children are deprived of school instruction from the fact that buildings suitable cannot be hired within the limits of the district. The temporary accommodations already provided are in dwelling houses, which are but illy adapted for the purpose, a high rent is demanded for the same, and a heavy expenditure in the way of alterations. In view of the fact that the present schoolrooms in the district are crowded beyond the maximum number, and the prospective demand for school accommodations being so great, the committee would recommend the passage of the accompanying orders:

Ordered, That the Joint Standing Committee on Public Buildings be authorized to erect a grammar Schoolhouse on Houghton place, Ward 15, for the accommodation of the Comins District, from plans approved by the Committee on Public Instruction, at an estimated cost of \$105,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$105,000, the same to be applied for the erection of a grammar schoolhouse, Houghton place, Ward 15.

The orders were read once.

Mr. Caton of Ward 11, from the Joint Standing Committee on the Survey and Inspection of Buildings, reported leave to withdraw on the petition of the Suffolk Kindling Wood Company, for leave to erect a wooden shed on First street, near K street; and no action necessary on the petition of A. C. Wellington & Co. for leave to build two wooden coal sheds on wharf No. 240 Federal street, the matter being placed under the control of the Inspection of Buildings, under the provisions of section 1 of chapter 260, laws of 1872. Severally accepted.

Mr. Caton, from the same committee, to whom was referred the petition of S. S. Lord, for leave to build an addition to the blacksmith's shop at No. 312 Dorchester avenue, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to S. S. Lord to erect an addition to Building No. 312 Dorchester avenue, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The order was passed.

Mr. Caton, from the same committee, to whom was referred the petition of Prescott & Chapin, for leave to erect a wooden building on Liverpool wharf, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Prescott & Chapin, to erect a wooden building on Liverpool wharf, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The order was passed.

Mr. Caton, from the same committee, to whom was referred the petition of Frank J. Downes, for leave to erect a wooden building, situated on Albany street, corner of Stoughton street, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Frank J. Downes to erect a wooden building, situated on Albany street, corner of Stoughton street, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The order was passed.

Mr. Caton from the same committee, to whom was referred the petition of L. Petsch for leave to erect a wooden building beyond the legal dimensions at 1545 Tremont street, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to L. Petsch to erect an addition to building 1545 Tremont street, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The order was passed.

Mr. Caton, from the same committee, to whom was referred the petition of Phineas B. Smith, for leave to make a wooden addition to his house, No. 30 Marcella street, made a report recommending the passage of the following order:

Ordered, That the Inspector of Buildings be authorized to issue a permit to Phineas B. Smith to erect a wooden addition to his house, No. 30 Marcella street, according to an application on file in the office of the Department for the Survey and Inspection of Buildings.

The order was passed.

Mr. Dean of Ward 12 offered the following order:

Ordered, That the Mayor be directed not to execute or deliver the contract relating to the occupation of the South Boston flats contained in city document of 1873, No. 71, unless the following amendment shall have been inserted in said agreement at the end of the fourth line on page twelve of said document, namely:

"And further, that said party of the fourth part

may from time to time lay out Eastern avenue and L street, or any part or parts thereof before the same are filled as public streets, without incurring any land damages for so doing, and that when so laid out as public streets, said party of the fourth part shall have a conveyance of the said territory within the limits of said avenue and street, and shall be paid therefor by the party of the first part:

Provided, however, that said party of the first part shall not be required to pay therefor before the land adjoining said avenue and street shall be filled, nor at a greater price than the cost of said filling to the party of the first part, if filled by the party of the first part according to the provisions contained in this agreement; and provided, also, that said avenue and street, if constructed before the adjoining flats shall be filled, shall be so constructed as not to prevent the passage of scows for the purposes of filling the land on either side of said avenue and street."

Mr. Perkins characterized the proposed action as doing in an irregular way what could not be accomplished by reconsideration. The two branches of the City Council had acted upon it, and if the Mayor finds it objectionable he will not sign it.

Mr. Dean defended the proposed action in its effect on the laying out of new avenues and the relief of the city from land damages until the entire territory was filled in, while it would not effect the Commonwealth in any particular.

Mr. Perkins said there could be no harm in having the matter laid over.

Mr. Dean inquired if the gentleman could give assurance that the Mayor would not meantime sign the indenture.

Mr. Perkins replied that he could not.

The order was laid on the table.

Mr. Pickering of Ward 6 offered an order to pay John L. Cook, police officer, for extra services performed, provided it is approved in the usual manner.

In answer to an inquiry, he said it was but for a small sum, for distribution of mail matter in connection with the City Hall.

The order was read twice and passed.

Adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JUNE 30, 1873.

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

JURORS DRAWN.

Twenty-two grand jurors and thirty-six traverse jurors were drawn for the Superior Court, criminal business.

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers without pay—Amos Dodge and John H. Terry, for new market grounds, India street.

A. A. Lothrop, S. S. Putnam & Co., Neponset; Daniel Burnett, Cutter's wharf, Commercial point; J. H. Green, Bankers' and Brokers' Electric Protective Co.; A. J. Clough, Bird street, Ward 16; George W. B. Lawrence, Village street and its vicinity; Hiram A. Wright, Boston Highlands; J. C. Frank, J. D. Foster, Michael Meleedy, George E. Bontelle, Frank Thayer, J. Charles Frank, severally for Long Island Steamboat Co.; Daniel Donovan, Rogers Brothers' wharf, First street; A. G. Chase, Pfaff's Hotel, Park square; William T. Gunnison, David Atkinson, for Bennington street and its vicinity.

PETITIONS PRESENTED AND REFERRED.

Orsamus Nute, for leave to occupy a wooden stable for thirteen horses, rear of Plymouth street, for temporary use.

James Nash, for leave to occupy a wooden stable for two horses, on Bolton street, between E and F streets, Ward 12.

A. Burrell, for leave to occupy a brick stable for four horses, on Third street, near M street.

Severally referred to the Committee on Health.

Martin Lennon, to be paid for land taken to widen Dearborn street and Hartopp place. Referred to Committee on Streets.

Isaac P. Clark and others, for a sewer in Longwood avenue.

F. W. Dahl and others, for a sewer in Folsom place.

Selectmen of Brookline, notice of a hearing on a proposed diversion of Muddy River.

John P. Morrison, for a sewer in Chelsea street, between Marion and Brooks streets.

P. S. Briggs, for a sewer in First street, from K to L streets.

Severally referred to Committee on Sewers.

G. E. Lothrop, for leave to open an anatomical museum at 161 Court street.

David C. Sisson & Co., for license to keep an intelligence office at No. 15 School street.

Severally referred to Committee on Licenses.

Catharine McCully, to be paid for damages occasioned by raising the grade of Brighton avenue.

Henry Souther, for the removal of the tracks of the South Boston Railroad into the centre of Emerson street.

Blackstone National Bank and others, that Haymarket square be paved with granite blocks.

J. H. Hathorne and others, that Northampton street be repaved with wood or granite blocks.

Severally referred to Committee on Sewers.

Henry N. Stone, that salt water be used through the Holly system for extinguishment of fires.

The petitioner requests that independent main and branch pipes be laid in the principal business streets, with a sufficient number of hydrants to be supplied with salt water to be forced by one or more stationary engines on B. Holly's automatic system, which has already been successfully introduced in thirty or more cities. The petitioner says he offers it after consultation with the City Engineer, who is acquainted with the system and approves of it, if confined to the independent pipes, as being "well adapted to fire purposes," and "feasible if the city is willing to pay the expense."

Statements are given of the cost of such works in other cities, as follows:

Peoria, Ill., cost \$440,000, 25½ miles, 200 double hydrants.

Binghamton, N. Y., \$180,000, 19 miles, 200 hydrants.

Columbus, Ohio, \$353,309, 26 miles of main and sub-main pipes, 154 hydrants.

The several costs of running these works is as follows: Peoria, \$12,000; Binghamton, \$12,000, including salaries; Columbus about \$16,000.

Referred to Committee on the Fire Department.

HEARINGS ON ORDER OF NOTICE.

The hearings on orders of notice on the petition of Patterson & Lavender, for leave to locate and use a steam engine and boiler at their factory on Burck street; also on petition of Frederick Bleiler, for leave to locate and use a steam engine and boiler in Heath place, were severally taken up. No person appeared in relation thereto, and the reports were recommitted.

WIDENING OF ESSEX STREET.

A resolve and order were received from the Street Commissioners, for the widening of Essex street, from Washington street to Harrison avenue, at an estimated expense of \$82,138. The several items of expense are estimated as follows: H. Hollis Hunnewell, corner of Washington street, 949 feet of land, \$35, \$33,215; damages, \$600—\$33,875. Pleg W. Chandler, Nos 16 to 24, 583 feet, \$23, \$13,409; damages, \$500—\$13,909. Heirs of Sara A. Brown, No. 26, 294 feet, \$21, \$6174; damages, \$263—6437. Aaron C. Baldwin, No. 32, 511 feet, \$17, \$8687; damages, \$500—\$9187. Asa P. Morse, 36 to 38, 318 feet, \$17, \$5407; damages, \$264—\$5670. Aaron C. Baldwin, 40 to 42, 313 feet, \$20, \$6260, damages, \$6800—\$13,060. Total, 2968 feet of land, \$73,151; damages, \$8987—\$82,138.

Alderman Clark stated that the subject had been in the hands of the Committee on Streets, who were unanimously in favor of the widening.

The resolve and order were passed.

WIDENING OF WASHINGTON STREET.

A resolve and order were received from the Street Commissioners for the widening of Washington street from Boylston street to Avery street, at an estimated expense of \$144,474. The several items of expense are as follows:

Heirs of Mary Boylston, corner of Boylston street, 257 feet of land, \$40 per foot, \$10,280; damages to buildings, \$12,500—\$22,780. John I. Brown, Nos. 427-25 Washington street, 442 feet, \$30, \$13,260; damages, \$12,000—\$25,260. Francis B. Hayes, Nos. 423-19, 482 feet, \$67, \$13,014; damages, \$440—\$13,454. Gardner Brewer, Nos. 415-13, 525 feet, \$25, \$13,125; damages, \$467—\$13,592. Massachusetts Baptist Convention, Nos. 413-11, 409 feet, \$24, \$9816; damages, \$330—\$10,146. James Parker, Nos. 409-5, 629 feet, \$23, \$14,467; damages, \$600—\$15,067. John Roessle, Nos. 401-397, 713 feet, \$23, \$16,399; damages, \$440—\$16,839. W. C. Murdock and Seth Turner, trustees, Nos. 395-389, 487 feet, \$28, \$13,636; damages, \$13,700—\$27,336. Total, 3944 feet, \$103,997; damages, \$40,477—\$144,474.

Alderman Clark made a similar statement in regard to this proposed widening, and the resolve and order were read twice and passed.

EXTENSION OF WEST CHESTER PARK.

A communication was received from the Street Commissioners, with a resolve and order, for the extension of West Chester park to Beacon street, at an estimated cost of \$15,335 10.

The estimate provides for taking land as follows: 5940 square feet of land belonging to the Boston & Providence Railroad Company; 54,209 feet owned by F. Haven and others, trustees; 11,475 feet belonging to unknown owners; 73,769 feet, Boston Water Power Company; 17,039 feet, William Gray, 90 cents per foot, \$15,335 10; 75,303 feet, Boston Water Power Company; 5743 feet, Boston & Albany Railroad Company; 34,187 feet, Boston Water Power Company; 8522 feet, unknown owners; 69,956 feet, Boston Water Power Company,—making a total of 347,143 feet of land, at a cost of \$15,335 10.

Alderman Clark said he supposed the Aldermen fully understood the circumstances in relation to the proposed extension of West Chester park. It was necessary to take the land in the proposed extension to enable Mr. Munson to fulfil his contract with the city in the filling and laying out of the street.

The resolve and order were passed.

UNFINISHED BUSINESS.

The report of Committee on Finance, with order for collection of interest on unpaid taxes of the current year, was accepted, and the order was passed.

REMOVAL OF SIDEWALK ON TREMONT STREET.

The report and order for Superintendent of Streets to remove the sidewalk on Tremont street adjacent to the Common, and put the street in condition for passage of vehicles, were considered.

Alderman Quincy wished for more information on the subject as to the necessity for this measure before voting for it. By removing the sidewalk outside of the fence he feared it would follow that the fence itself would be removed and that it would be but the entering wedge for further encroachments upon the Common. Two years ago, when this subject was brought up, the Chief of Police was directed

to report upon the subject of travel on Tremont street, and the blocking of travel, and on this report the measure failed.

Alderman Quincy read from the report of the Chief-of-Police, from which it appeared, he said, that of the blockings of the streets alongside of the Common, eight of them originated north of Park street. The measurement of the street in various places showed that the narrowest part was north of Park street, and while the statement was made of the blockings below, how many times the street was blocked above they did not know. They only knew how many times there were blockings north of Park street. He wished to introduce a similar order for the Chief-of-Police to ascertain the blocking of the street in its different sections, before taking action on this order. He moved that the order under consideration be laid on the table.

Alderman Clark said he hoped the motion to lay the order on the table would not prevail, for there was no need of directing the Chief of Police to ascertain whether there was any blockade in Tremont street, for anybody could ascertain that in fifteen minutes. From eight o'clock in the morning to five o'clock, there was not a street in the city more crowded. From Bromfield, Winter, Temple and West streets, there is a constant stream of travel into Tremont street, causing a continual blockade. We are now spending \$5,000,000 or \$6,000,000 for street improvements, while here is an opportunity to widen a street from six to eight feet, without costing more than \$25,000. No place in the city more needed widening than Tremont street.

While it was not proposed to do more than remove the sidewalk, he would go further and remove the fence, then lay a curb stone two or three feet further back. It was only proposed to remove the sidewalk, so that it will give room for the passage of vehicles between the fence and the car tracks. If it was a measure requiring a street widening not more necessary, at a cost of \$300,000, they would vote for it. But here was a case in which it was necessary merely to remove the sidewalk to secure a valuable improvement. To ask the Chief-of-Police to ascertain whether there were blocks in the street would be to spend time for nothing, for it was well known that there is a complete blockade in the street from nine to five o'clock. He hoped, therefore, that the order would not be laid on the table, but that the Superintendent of Streets would be directed to remove the sidewalk without delay.

Alderman Quincy said he had no doubt there were blocks in the street, but he wished to know whether the blocks were not now as in 1871, eight out of ten originating north of Park street. If that is the case still, he could see no necessity for this measure. If there is to be a widening, it is necessary to widen the street north of Park street, and to remove the hacks and wagons which now obstruct the street before taking other action.

Alderman Clark said the Committee on Streets have initiated the measure that no more licenses shall be granted for wagons or coaches to stand in Tremont street. That portion of the street north of Park street cannot be widened except at a very large expense. There was no doubt the time would come for the widening of Tremont street from Park street to Scollay square. When improvements are made in the Tremont House, as no doubt some time there will be, the widening may be made. But here is a widening which can be made at no expense. The same objections were made to the cutting off of the corner of the mall at Boylston street, and the improvement was made in the night. When it was done, every one was surprised at the benefit, and wondered why it was not done before, and so it will be in this case. It was their duty to make such improvements when it can be done at no expense, and let other matters which require enormous expenditures, remain for the future.

Alderman Gibson hoped the order would not be laid on the table, for there was no good reason for it. The space now occupied by a sidewalk outside of the fence was entirely useless, and by taking away of the sidewalk it would allow another line of vehicles to pass outside of the railroad track, and thus relieve the street from blocking. Three-fourths of the people now walk inside the fence on the mall, and it will be no hardship for the other fourth to walk inside on the gravelled mall. With a good width the street will never be blocked. It was one of the most necessary improvements, and it will not be a week after it is done before the people will wonder it was not done before.

The Chair now stated that the motion to lay on the table was not debatable, but by general consent the debate was continued.

Alderman Clark stated that during the winter the sidewalk outside of the fence was covered with snow

and ice and was comparatively unnecessary. In the winter plank walks may be laid down the mall as on other walks. They did not ask to encroach upon the Common, but to take up a useless sidewalk, to provide for the passage of vehicles, at no expense.

Alderman Emery said he should be happy to vote for the order, for it was time that the widening of the street in that manner should be done. The Alderman who opposed it suggested that there were clogs north of Park street. Doubtless there were, yet that was no reason why this portion of the street should not be widened. It could be done at a trifling expense, and it should be done. Where the street can be widened it should be, and the order should be passed.

The motion to lay the order on the table was lost, when the order was passed.

PAPERS FROM THE COMMON COUNCIL.

The petitions of trustees of Grammar School, Roxbury, and of Pearson Brothers & Co., were severally referred, in concurrence.

The following reports were severally accepted, in concurrence:

Reports from Committee on Claims (leave to withdraw) on petition of John Burns, for damages to his dock on Condor street; of Emma H. Crosby, for personal injuries on Tremont street, and of George S. Keyes, for damages on account of erection of an engine house next his estate.

Reports from Committee on Survey, etc., of Buildings, granting leave to Phineas B. Smith, S. S. Lord, Prescott & Chapin, Frank J. Downes, and L. Petsch, to make additions to their buildings, etc.

Report (no action necessary by the City Council) on petition of A. C. Wellington & Co., for erection of coal sheds.

On motion of Alderman Emery, the report (leave to withdraw) on petition of Suffolk Kindling Wood Company, to erect a shed on First street, near K street, was laid on the table.

The following orders were severally passed, in concurrence:

Order to pay bill of John L. Cook, police officer, for extra services.

Orders for purchase of the estate of the late Nathaniel Whiting, between Washington square and place, containing 1523 square feet, at not exceeding \$11 per foot, and to erect on said lot and those on each side, owned by the city, a building for a steam fire engine, and a hook and ladder carriage, and the horses and men connected therewith; and also for a loan of \$50,000 to be applied therefor.

The order authorizing the tower of the Ticknor Schoolhouse to be raised, at a cost not exceeding \$700, was a subject of inquiry as to its origin, Alderman Gibson stating that as a member of the Committee on Public Buildings he was not aware that it had been before that committee.

Alderman Clark suggested that it be referred to that committee.

Alderman Sayward said he had no objection to the reference, but knew nothing of the matter.

Alderman Power replied that the Superintendent of Public Buildings knew something of it, if the committee did not. He had been trying to find the committee to consider the subject. The Superintendent of Fire Alarms had consulted with him about it, and as a clock had been ordered for the schoolhouse some time ago, the Superintendent of Public Buildings believed it would be necessary to raise the tower. To him it was fully understood.

Alderman Sayward said he was not aware that a clock had been ordered to be placed in that schoolhouse, and it might be that the Superintendent of Public Buildings understood the matter, but the committee did not. If all the applications which came here for such purposes were granted, and clocks are put up in various places where they are not needed, and where few look at them, the appropriation for Public Buildings will come much short of what is called for. They could not provide for every thing, in furnishing every schoolhouse, jail, and other buildings, with clocks.

Alderman Power did not see any impropriety in the Committee on Public Buildings not being called upon any more than the Committee on Clocks. If a clock was needed anywhere, it was on that house, for there was none in that vicinity. It could not be put there without an alteration in the tower, and there were not many improvements more needed for a similar purpose than this.

Alderman Sayward did not think so many clocks were needed, and he thought the order had better be referred to the committee to learn their opinions.

The order was passed, in concurrence.

REPORTS OF COMMITTEES.

Alderman Power, from the joint special committee appointed to make the annual examination of the

bonds of the several city officers, made a report that they find all the bonds to be correct in form and the sureties of each sufficient. Accepted.

Alderman Emery, from the Committee on Public Lands, on the part of the Board, to whom was referred the petition of E. & R.W. Sears for reimbursement of a portion of rent for City Hospital wharf, made a report recommending that the petitioners have leave to withdraw. Accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of the petition of David R. Whitney, for leave to locate and use a steam boiler and engine on New street, East Boston. Accepted.

Alderman Sayward, from the Committee on Health, reported in favor of stables as follows: Thomas Wilkins, to occupy a wooden stable for two horses on Green street, near old well; D. W. Parmenter, to erect a stable for three horses on Condor street; Patrick Coyne, to occupy a wooden stable for one horse on Eighth street, between M and N streets; G. H. Barker, to occupy a wooden stable for three horses on Saratoga street, between Moore and Byron streets; John D. Campbell, to occupy a wooden stable for one horse rear of Putnam street, Ward 1; and leave to withdraw, on petition of Maurice Lane, for leave to occupy a wooden stable for two horses on Longwood avenue, between Parker street and Bumstead lane. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of licenses as follows: E. W. Wiggins, for leave to exhibit the "Giant Couple" at the Meionon for ten days from July 1; also licenses to John N. Brown and John Glancy as auctioneers; and licenses to sixteen newsboys and three bootblacks, to one hundred and eighty-three dealers in second-hand articles, sixty-six pawnbrokers, and to thirty-six persons to keep intelligence offices, as victuallers and innholders, etc.

Severally accepted.

The same committee reported leave to withdraw on petition of G. E. Lothrop, to open an anatomical museum at No. 161 Court street, and on petitions of Nicholas Bessey, Holmes & Rowerth, Margaret Lambrecht, Michael G. Minon, 31 Lagrange street, Margaret Savage, 29 Lagrange street, and John Fleming, No. 1013 Tremont street, for licenses as victuallers. Severally accepted.

On motion of Alderman Sayward—

Ordered, That hack licenses numbered from 1 to 637 inclusive, except Nos. 98, 111, 120, 129, 151, be granted for one year from July 1, 1873.

Ordered, That wagon licenses numbered from 1 to 3338 inclusive, except Nos. 306, 309, 523, 567 and 1451 be granted for one year from July 1, 1873.

Alderman Cutter, from the Committee on Paving, reported leave to withdraw severally on petitions of Minerva W. Houghton, to be paid for grade damages at 493 Tremont street; Francis Chickey's heirs, to be paid for grade damages at 35 Warrenton street; C. E. Jackson, to be paid for grade damages at No. 124 Essex street; Stephen M. Allen, for a sewer in Centre street, near Marcella street; Samuel B. Hopkins and others, that West Dedham street be paved with wood or granite blocks; Eben Jackson and others, that Fourth street be paved from A street to Dorchester avenue; Ralph Haskins's executors, that their right of drainage through Blue-Hill avenue be restored. Severally accepted.

The same committee reported no action necessary on the several petitions of John C. O'Callahan, to be compensated for damages caused by surface water on Columbus street, Ward 16; Samuel Downer and others, for abatement of a nuisance near Creek street, Ward 16, said nuisance having been abated; Bartholomew Roach and others, that a nuisance near Creech street may be abated, the nuisance having been abated; Timothy McCarthy, for the grade of Tremont street between the Boston & Providence Railroad and Tremont street; and no action necessary during the present season on petition of H. G. Flinn and others, that some street in East Boston be assigned for coasting purposes. Severally accepted.

Alderman Sayward, from the Joint Standing Committee on Public Buildings, made a report that they have received a communication from the Overseers of the Poor, requesting the consideration of certain needed repairs upon the Central Charity Bureau Building and Temporary Home; also that some means of safety may be provided for the inmates of the Temporary Home, in case of fire.

The committee have considered the request of the Overseers and are of the opinion that the same should be granted; the cost of said repairs and improvements being estimated at \$3000. In order that the work may commence as speedily as possible, they would recommend the passage of the accompanying order:

Ordered, That the Joint Standing Committee on

Public Buildings be authorized to make such repairs and improvements as may be needed in the Central Charity Bureau Building and Temporary Home; also to provide a fire escape for the Temporary Home, at an estimated cost of \$3000; all of said repairs and improvements to be subject to the approval of the Overseers of the Poor, and the expense to be charged to the appropriation for Public Buildings.

The order was passed.

NUISANCE IN THE HALLECK-STREET DISTRICT.

Alderman Cutter, from the Joint Special Committee on the Suffolk-street District, to whom was referred the communication from the Board of Health in relation to the abatement of the nuisance caused by the imperfect drainage of the territory between Tremont, Ruggles, Parker and Prentiss streets, having carefully considered the subject, made a report, as follows:

This territory, known as the Halleck-street district, covers an area of about twenty-eight acres, of which twenty-six acres are less than eighteen feet above mean low water. The grade of the streets varies from twelve to twenty-eight feet, and the general grade of the vacant lands in the interior is about ten feet. In 1872 the City Council petitioned the General Court for authority to take the land with the buildings and other fixtures thereon and abate the nuisance in the same manner that similar nuisances had been abated in the Church-street and Suffolk-street districts. The authority to take the property was granted, but, instead of requiring the parties who failed to agree with the city upon the damage done by the taking to join in a simple bill in equity and have the matter passed upon in the first instance by three commissioners appointed by the Supreme Court, the act allows any or all of the parties in interest to apply directly for a jury in the same manner and subject to the same provisions of law as if the property had been taken for a street.

By proceeding under this act the city would be involved in expenses which are not warranted by the circumstances. The estimated expense for raising the territory, raising and underpinning the buildings, paving the streets, and building sidewalks, sewers and cess-pools, is \$389,000. Following the precedents established in the cases of Church street and Suffolk street, the owners would expect the city to do the whole or the greater portion of this work, and reconvey the estates without charging any betterments. There is no obligation resting upon the city to abate this nuisance except in the usual way, that is, at the expense of the owners of the estates on which the nuisance exists. The impaired drainage on the Church-street and Suffolk-street districts was the result of action to which the city for certain valuable considerations gave its assent, and although there was no legal liability on the part of the city to make good the damage, the parties in interest had a strong claim in equity, and it was upon that ground that the improvements upon these districts were made.

In the present case, the purpose sought to be accomplished, namely, the immediate abatement of a nuisance, could not be effected by proceeding under this act of the Legislature. It is necessary that accurate descriptions of the estates should be made before the city can proceed to take them. Some progress has been made by the City Surveyor in preparing these descriptions, but considerable time will still be required to complete them. Further time would be consumed in making contracts and beginning the work of filling, so that with the utmost energy nothing could be accomplished in the way of abating the nuisance until the necessity for action had passed.

It appears from a personal inspection of the premises that although the whole district is at a low grade, only a small part of it is in a condition to be injurious to the public health. Some of the owners have already filled their lands sufficiently to abate any nuisance, and if the others neglect or refuse to do the same, the Board of Health has ample power to do it at their expense and without delay. For these reasons the committee are of opinion that it would not be expedient for the City Council to exercise the authority granted by the Legislature.

The question was stated to be on the acceptance of the report.

Alderman Clark remarked upon the position of the question, that the Board of Health had referred the matter to the Joint Committee on Health to abate the nuisance complained of, on the ground that it was nothing that concerned them, and this committee, after looking at it, said it was nothing that concerned them. The evil complained of was a consummate nuisance, and it was never worse than it is now. The filling up, as proposed by the Board of Health, would not affect it. He rode around in the vicinity, on Parker street, on Saturday night, and ascertained what

the nuisance was. In the change of direction of the sewer, the contents flowed over a space of two hundred or three hundred acres, and the exhalations caused the nuisance complained of.

Instead of constructing a channel for the sewerage to deep water, the sewage empties itself upon the flats, and just so long as it is allowed to evaporate there, they would have the smells. It was not the space in the Halleck-street District nor Miller's River, but this evaporation from the sewer which caused the nuisance every where complained of on the Back Bay, and the filling up as proposed by the Board of Health would not remedy the evil. The sewer empties itself on the right hand of Parker street, and was the source of all the smells at the West and South ends. It would be necessary in providing a remedy that a sewer should be constructed of a sufficient capacity to carry the contents to deep water. Until this was done the city would be liable to cholera, yellow fever and other pestilences, in spite of the Board of Health or of the Health Committee.

Last year a complaint was made on account of this nuisance, and an act of the Legislature was passed which it was supposed would remedy it. We are now, on the 1st of July, nowhere nearer the abatement of the nuisance than we were last year at this time. With the exception of getting rid of the smallpox and the vacation of a few tenement houses we have gained little by the establishment of a Board of Health. With all the boards of health or of special committees we shall not get rid of the nuisance until we have a sufficient sewerage system to drain the city.

Alderman Sayward said he desired to understand the subject, and as he could not, he moved that the report be laid on the table and be printed.

Alderman Power did not think it necessary to print every document which was reported to the City Council. If anybody had power to abate this nuisance, it was the Board of Health, for they had all the power given to them which was possessed by the Board of Aldermen as a Board of Health. It was proper to refer back the report, or make any other disposition of it, so far as that was concerned.

Alderman Sayward believed there was no doubt the Board of Health had all the power that was necessary, to abate nuisances, but thought if the matter originated from sewers, it might be referred to the Committee on Sewers. The Suffolk-street Committee might have done better than to refer it to the Board of Health, who had not the power to build sewers.

Alderman Power said the Board of Health could require the proper means to be used to abate the nuisance. It was time for the Committee on Sewers to act when their attention was called to it.

Alderman Quincy inquired whether the matter had been before the Board of Health, and called for the reading of the order to which the report related.

Alderman Clark said he supposed the report was made up on the advice of the City Solicitor, or his assistant. The smell, he repeated, did not come from Halleck street, but from where the sewer empties upon the flats. The Board of Health should have found out where it came from and suggested a remedy. Complaint was made in the public press about the nuisance, which induced the Board of Health to call attention to it. But where, he asked, was the press which last year made such a complaint against the Board of Aldermen as a Board of Health? They should have asked ere this, Have we a Board of Health?

For the last fortnight the stench had been so great in many places on the Back Bay that the people were obliged to close their windows, but the press had been silent as to the remedy. It was their duty to stir up the Board of Health as they did the Board of Aldermen last year. It was a part of their duty to do such things. The Board of Health should have inquired whether the systematic drainage of the city was necessary to the removal of the nuisance. The Superintendent of Sewers, he understood, had changed the course of the sewer for some purpose, and tomorrow would turn it back, and the Board of Health would probably go up with a barrel of disinfecting powder to disinfect the nuisance, but it would require more than one barrel to do it, for it was caused by evaporation on the flats.

Alderman Quincy, on examination of the report, said the committee give reasons why the act to which the Board of Health referred would not remedy the evil. If such is the fact that the act cannot be put in operation, then the Board of Health should tell us how the nuisance shall be abated. He moved that the report be accepted, and referred to the Board of Health.

Alderman Brown said the committee visited the locality in person, and found the condition of it to be such that the nuisance should be abated at once.

Under the act it would require until September to make an inventory of the property preparatory to taking it, while the Board of Health has all the power necessary for abating such nuisances, and they reported it back to the board to act at once. They believed the board was instituted for certain purposes, and to fulfil the purposes for which it was created, it was referred to the board for their adjudication.

Alderman Sayward said he believed in the Board of Health, although he was opposed to its organization, and believed it had done all that was in its power for the public health, and that it will abate this and all other nuisances.

Alderman Gibson did not see how they could abate this nuisance, for they could not cart earth upon three hundred acres of flats. They might build up a dike to keep the flats flowed with salt water, but that would be a job of months. It would require a long time to get such a space sweetened.

Alderman Brown stated that a point castelry of Parker street was pestilential in character. There was one section of eighteen or twenty acres which would cost from 12½ to 20 cents per foot to fill it, and under the act of filling would be chargeable to the abutters, the owners of the property. The taking possession of the land would require until fall to do so, while the Board of Health could abate the nuisance at once.

Alderman Gibson stated that three years ago, when they began filling in of a portion of the Back Bay, there was a disagreeable stench, and a water course was opened which flowed it. Possibly this might be done so.

Alderman Stebbins said there were particular points which the Board of Health referred to as causing the nuisance, and those were not bigger than this room, and \$1000 for each place on either side of Halleck street would be sufficient to fill them up. A notice of three days was all that was necessary for the Board of Health to give, when these special points could be covered in ten days. As to sewerage, there was no doubt a better system would be needed before many years. The Superintendent of Sewers would remove the temporary dam tomorrow, and much of the smell would disappear.

Alderman Clark said the committee did right in reporting the matter back, for the City Government, under the Legislative act, would be put to great expense, which should be borne by abutters. Yet the locality in question was not the source of the nuisance. If the Board of Health had been indefatigable in their duties, they would have found out the cause of the nuisance. Last year it was impossible to be near this sewer five minutes without being sick, and no doubt this was the same trouble which was complained of twelve months ago. The Board of Health should have known it did not originate in the Halleck-street district, but in a district over a large area of flats.

The water is let out and filled up once or twice a day, but the sewerage is not carried off. The same is true of a sewer which extends under the Public Garden and empties into the river near Beacon street. The Roxbury canal was complained of twelve months ago, and was deepened, yet it is about as bad as ever. The sewerage of all that part of the city is bad, and never can be kept healthy in its present condition. The Board of Health should have devised some system of drainage, in the discharge of the sewage at deep water on one side of the city or the other, but nothing had been done nor suggested by them. It was neither one side of the city nor the other, nor Miller's River which was the cause of the stench, but this nuisance which was stated by him.

Alderman Stebbins said an application was made to the last Legislature for authority to construct a circular wall in the river at Beacon street, to cause a better flow of water, but some of the residents opposed it, it was defeated, and they must endure the smell.

Alderman Sayward withdrew his motion to print, when the report was accepted.

ORDERS PASSED.

On motion of Alderman Brown

Ordered, That the expenses for grading and planking the territory hired by the city of the India and Central Wharf corporations for a vegetable market be charged to the appropriation for Markets.

On motion of Alderman Gibson—

Ordered, That the Superintendent of Fire Alarms, under the direction of the committee on that department, be authorized to have suitable notices printed, giving information of the location of the nearest signal box and key to the same, for distribution in the vicinity of the signal boxes, at a cost estimated not to exceed \$400; the expense to be charged to the appropriation for Fire Alarms.

Ordered, That the Superintendent of Fire Alarms,

under the direction of the committee on that department, be authorized to extend the telegraph lines, repaint poles, etc., at an estimated expense of \$2500; the same to be charged to the appropriation for Fire Alarms.

Ordered, That the Committee on Fire Alarms be authorized to expend a sum not exceeding \$500 in each case for apparatus, or making such extensions, alterations and repairs as may at any time be necessary, said sums to be charged to the appropriation for Fire Alarms.

On motion of Alderman Gaffield—

Ordered, That the City Surveyor be authorized, with the approval of the Joint Standing Committee on the Surveyor's Department, to make such purchases of supplies, instruments and materials, and to incur such other expenses as may be necessary for his department from time to time during the present municipal year.

On motion of Alderman Sayward—

Ordered, That so much of the Annual Report of the Directors for Public Institutions as relates to accommodations for the inmates of the several institutions under their charge, be referred to the Joint Standing Committee on Institutions.

On motion of Alderman Power—

Ordered, That the Superintendent of Streets be directed to furnish and set the edgestones, pave the gutters and macadamize the roadway of Dorchester avenue, between Glover's Corner and Field's Corner.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Bolton street, and report a schedule of the expense to this Board, according to law.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Lexington street, between Prescott and Eagle streets, and report a schedule of the expense to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Arch street, between Milk and Franklin streets, and report a schedule of the expense to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Silver street between A and B streets, and report a schedule of the expense to this Board.

On motion of Alderman Clark—

Ordered, That the expense of extending West Chester park to Beacon street—\$15,335 10—be charged to the appropriation for Laying Out and Widening Streets.

Ordered, That the Mayor be, and he is hereby authorized to contract with parties owning estates on the Fort Hill territory, so called, adjoining land of the city of Boston, to build party walls, one-half of said walls to stand on the city's land and to be paid for by the city or its assigns where used.

Ordered, That there be paid to the heirs of William H. Prentice the sum of \$65,206 50, for land taken and all damages occasioned by the widening of Broad street, upon the usual conditions; to be charged to the Burnt District Loan.

Ordered, That there be paid to Henry Poor & Son the sum of \$9000, for land taken and all damages occasioned by the widening of Congress street, upon the usual conditions; to be charged to the Burnt District Loan.

Ordered, That there be paid to Warren A. Rogers the sum of \$4562, for land taken and all damages occasioned by the widening of Bedford street, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to George A. P. Darling the sum of \$3240, for land taken and all damages occasioned by the widening of Harrison avenue, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to Martha M. Jenkins the sum of \$1334, for land taken and all damages occasioned by the widening of Cottage street, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to the heirs of James H. Foster the sum of \$3935, for land taken and all damages occasioned by the widening of Bedford street, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to the heirs of William H. Monroe the sum of \$4771, for land taken and all damages occasioned by the widening of Bedford street, upon the usual conditions; to be charged to the appropriation for Widening Streets.

Ordered, That there be paid to Horatio G. Hall the sum of \$1400, for land taken and all damages occasioned by the widening of Cove street, upon the usual conditions; to be charged to the appropriation for Widening Streets.

MUSIC ON THE COMMON, ETC.

Alderman Clark offered the following order:

Ordered, That two members of the Board of Aldermen, with such as the Common Council may join, be a special committee with authority to make arrangements for furnishing music on the Common and in other sections of the city at an expense not exceeding \$2500; to be charged to the appropriation for Incidentals.

Alderman Clarke in support of the order, urged that it was one of the duties of the City Government to alleviate the sufferings of the poor, and to provide for the reasonable entertainment of the multitude. Many members of the Board were in favor of the former order, and he hoped there would be more for the passing this to appropriate the trifling sum of \$2500 for the entertainment of poor people who could not afford to purchase tickets for musical entertainments. Many members of the Board could pay their fifty cents to \$2 for concerts and \$4 to go to an opera, but there were thousands who could not spend such sums for amusements. He did not expect to hear these concerts, but there were those in his family who would, and there were many in the outlying wards who would attend them.

Alderman Power said the order was precisely the same as that which had been considered, and he had nothing more to say than he did when that was up, and he had not changed his mind. They had cut down the appropriations for the Fourth of July, a day especially set apart for such entertainments and when it is expected, and they had cut down all other expenditures not necessary, and not justified in other days. He believed as he had stated before that they had as much right to furnish free theatrical amusements as they had to furnish music. If allowed, they would not know where to stop in such expenditures, and they should be left to the Barnums and the theatrical managers. It had been said that the sum appropriated would buy a steam fire engine, and it was true, and they should save it, and feel the necessity of saving the expense of such injuries as we could once afford.

Alderman Gibson said that we were spending \$70,000 or \$80,000 for improvements on the Common and public grounds, and why not spend the trifling sum of \$2500 to enable the people to enjoy music? Since the last order was up he had been carefully looking over the matter, and believed that such an expenditure was as good as any money which could be spent this year. Such an expenditure was for the benefit of the poor, and he hoped it would receive an unanimous vote. People had complained and found fault with his vote against the former order, and he had felt guilty ever since. He was sorry, and believed this would be one of the best expenditures this season.

Alderman Power said he was willing to forgive the Alderman if he was sorry, but he doubted whether these concerts were for the poor exclusively. Were any of them given in the South Cove, or in North street, or Joy or Phillips street? They were given in such places as West Chester park, Independence square, or other select places. Such expenditures were made on great holidays, but it was a question in a moral point of view, whether these concerts were beneficial. As to the matter of beautifying public squares, everything of that kind was conducive to health, morals and good taste, but it was not so in this case. But the expenditure was objectionable on the ground of economy; this pressure for music was not from the taxpayers, who think economy necessary.

Alderman Quincy said he was in favor of economy, yet he feared that in this case it was like saving at the spigot and losing at the bung hole. It was a legitimate expenditure in providing amusement for the poor, and it may be, as suggested, that enough was not appropriated for the celebration of the Fourth of July. It was true that in providing concerts there might be some wrong mingling with them, for so it must be always; yet, in providing for the enjoyment of the many, should there be a few cases in which vice shows itself, it would be no reason why the enjoyment should not be allowed.

Alderman Clark said it was evident the Alderman could never get over that balloon ascension on the Fourth of July. Yet he could assure him that these concerts were not confined to the parks named by him. Last year there were one or two in North square and some elsewhere, which were enjoyed by many in those localities as much as did the Alderman at the Apollo Club, for which he paid \$15. So it was in South Boston not on Independence square, and so in Roxbury, Dorchester and in East Boston. The Alderman claims, and no doubt he pays great attention to music, and to that in part he is indebted for what he is.

If the objection was a good one, that these concerts would be a resort for the immoral and vicious, it would do away with the Public Library, the Institute of Natural History and other institutions. Perchance

there would some resort to them not to enjoy music, but that would be no reason why they should not be given, any more than that the places named by him or churches should not exist. The Alderman argues with tremendous force and labor, yet never more did he go against his own convictions of duty in opposing these amusements for the poorer classes. Last year the custom of a harbor excursion which cost \$3000 or \$4000 was dispensed with, and that was economy in a right direction, which he hoped would be followed this year. There were other expenditures which affect the rich and not the poor, but this was the only direct one for the benefit of the people. He was not sure but what they could go further in providing entertainments which elevate and refine them. These concerts were of an elevating tendency, and they should do what they can to provide entertainment for those who cannot afford to pay for expensive amusements.

Alderman Power said it was true "music hath charms," but he did not suppose it would have such an effect as to cause the Alderman from Ward 1 to basely retrograde from his former position, and he hoped no other Alderman had so changed.

Alderman Gibson, exhibiting a package of tickets for Fourth July amusements, said that with them they could not provide one in ten who wished them, and it must be a godsend to such persons to be allowed to attend concerts without tickets. He did not believe they could make any better expenditures, and while it was better to start back when one does wrong, there were those who were not willing to give it up that they are wrong. It was a small sum to expend, when so much was appropriated for the care of the Common and squares.

Alderman Power said he was well aware it required more courage to make an apology for a wrong than to sustain it, but in this matter of expenditure, they had just as much right to establish a free refreshment saloon in every ward as they had to furnish free music. There would be some substantial good in providing food for the needy.

Alderman Gaffield said it was evident enough after the eloquent remarks which had been made that "music hath charms" and he hoped it would prove that it had Power, also, and that he would face the music and vote for the order.

Alderman Clark, in reply to Alderman Power, said that the city every winter furnished food free, and no man, woman or child need go hungry.

Alderman Power believed there were those who were just as hungry in summer as in winter, yet there was no comparison between furnishing the poor with music and with food. The principle of the expenditure was wrong, and had been so decided by the City Solicitor.

Alderman Clark remarked that they continued to have their sailing regattas and to provide refresh-

ments in their excursions on the Henry Morrison, and which, he asked, was the most sensible, legal or humane? The sailing regatta kept the attention for sixty to eighty minutes of 500 to 800 persons, while 50,000 would enjoy the concerts which cost but \$2500. He regarded it as a great bugbear, to cite the opinion of the City Solicitor in a case in which the convictions of the consciences of the entire city were in favor of an expenditure.

Alderman Power said it was well established that they had the right to expend a certain percentage of the taxes for Fourth of July celebrations, but on other days they had not the same right to expend money for entertainments. This had often enough been stated by the City Solicitor.

Alderman Gibson believed no taxpayer would object to the expenditure, and that the Alderman had no constituent who would oppose it, or would dare show his head who did so. He would be willing to give something to see such a man. Ninety-nine out of a hundred would support him in such an expenditure, and he did not doubt the Alderman felt sensibly the reason for the expenditure, but found it hard to yield.

Alderman Power replied that the Alderman was supposed to have lost his courage, but whether there were any others to be added to the list he did not know. He could see no reason to change his opinion, and knew people and taxpayers who oppose such expenditures.

Alderman Clark doubted whether the Alderman would be willing to face his constituents after voting against the order.

Alderman Quincy said it was a duty to provide food for the needy, but that was not a reason why they should leave the other thing undone. Music, flowers, sunshine have an elevating influence, and while there were some who were too proud to receive food while in need, there would be none who may attend these concerts but what would feel that they are as good as many who are able to pay high prices for their amusements.

The reading of the order was called for, and a two-thirds vote being required, it failed of a passage, by a vote of 7 to 4, as follows:

Yeas—Bigelow, Clark, Gaffield, Gibson, Quincy, Sayward, Stebbins.

Nays—Brown, Cutler, Emery, Power.

ORDERS OF NOTICE.

On petition of W. L. Deland, for leave to locate and use a steam engine and boiler at No. 22 Congress street. Hearing Monday, July 21, 4 P. M.

On the proposed construction of a sewer in Tudor street, between D and E streets. Hearing Monday next, July 7, 4 P. M.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

JULY 3, 1873.

The regular weekly meeting of the Common Council was held this evening, E. O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Petition of Henry N. Stone, that salt water be used through the Holly system for extinguishment of fires. Referred to the Committee on Fire Department, in concurrence.

The following orders were passed in concurrence:

Order that so much of the annual report of the Directors for Public Institutions as relates to accommodation for the inmates be referred to the Committee on Institutions.

Order for the purpose of facilitating the early collection of taxes.

Order for the purchase of supplies, instruments, and materials for the City Surveyor's Department, and to incur such other expenses as may be necessary.

Order to authorize suitable notices of the location of the fire-alarm signal boxes and keys to be printed and distributed, at an expense not exceeding \$400.

Resolves and orders from the Street Commissioners that West Chester Park be extended from its present terminus at the Boston & Providence Railroad to Beacon street, at an adjudged expense of \$15,331 10.

The order having been read once, Mr. Perkins of Ward 6 said the matter had been before the Street Commissioners for a year or more. It would be no expense to the city treasury, and he would therefore move that the rules be suspended and the order put upon its passage.

The rules were suspended and the order was passed, in concurrence.

The resolve and order that Washington street be widened between Boylston and Avery streets, at an adjudged expense of \$144,474 (City Doc. No. 86).

On motion of Mr. Harrington of Ward 8, the rules were suspended and the order was passed in concurrence.

The resolve and order that Essex street be widened from Washington street to Harrison avenue, at an adjudged expense of \$82,138 (City Doc. No. 87).

On motion of Mr. Harrington of Ward 8, the rules were suspended and the order was passed in concurrence.

The following orders were severally read once:

Order authorizing extension of fire alarm lines, painting of poles, etc. at a cost not exceeding \$2500.

Order authorizing contracts to be made with owners of land on Fort Hill territory, whose estates adjoin the land of the city, to build party walls.

Order authorizing \$500 to be expended in each case where necessary for fire-alarm apparatus and such extensions and alterations and repairs as may be needed.

Order authorizing the making of such repairs and alterations as may be needed in Central Charity Bureau and Temporary Home, at not exceeding \$3000.

Report of committee to examine bonds of city officers, that they find the same to be correctly drawn and the sureties sufficient. Accepted in concurrence.

Report (inexpedient) in detail of Committee on Suffolk-street District, to whom was referred the communication of the Board of Health in relation to the abatement of the nuisance caused by imperfect drainage of territory between Tremont, Parker, Ruggles and Prentiss streets, Ward 15. Report accepted, in concurrence.

UNFINISHED BUSINESS.

Order authorizing a horse hose carriage to be purchased and equipped for Engine House No. 20, at an estimated cost of \$1500.

Mr. Shaw of Ward 5 moved to amend the order by requiring the purchase to be made under the direction of the Joint Standing Committee on the Fire Department.

The motion prevailed, and the order, as amended, was passed.

Orders to authorize the erection of a grammar schoolhouse on Houghton place, Ward 15, and for a loan of \$105,000 to be applied therefor. Passed—yeas 46, nays 0.

Order authorizing the Mayor to release to the Boston & Providence Railroad Corporation the city's right and title to that part of Church

street, between Columbus avenue and Providence street, discontinued by resolve of 10th of November last, in accordance with the indenture of September 30, 1871. Passed in concurrence.

Mr. Caton, from the Joint Standing Committee on Public Buildings, acting upon an order of June 9, to erect a station house on Fourth street, between K and I streets, South Boston, reported that in using the same plans as in the erection of Station House Nine, quite a saving of money can be made, and a building well adapted for police purposes, but the lot will not be sufficient to give the building the needed light and air. A lot can be had adjoining, giving twenty feet front on Fourth street, and containing about 2500 square feet, and at an estimated cost of \$2800. The committee recommended the purchase of the lot, and reported an order authorizing such purchase by the Joint Standing Committee on Public Buildings, at an estimated cost of twenty-eight hundred dollars, the same to be charged to the appropriation for Station House in South Boston.

The order was read once and laid over.

On motion of Mr. Denny the report and orders for erection of a stable on city lot, Highland street, for Health and Paving departments, and for a loan of \$85,000 to be applied therefor, were taken from the table and passed—yeas 46, nays 0.

On motion of Mr. West of Ward 16, the report and orders for purchase as a site for a primary schoolhouse of two lots of land on Quincy street, near Blue Hill avenue, at a cost not exceeding forty cents per square foot; and for a transfer of \$10,000 to be applied therefor, were taken from the table and passed as amended—yeas 45, nays 0.

On motion of Mr. Pease of Ward 1, the order authorizing estimates to be procured for the purchase of a lot of land on Mason street, or in its vicinity, and for the erection thereon of a building for a steam fire engine, horse hose carriage, and the horses and men connected therewith, was taken from the table and passed.

On motion of Mr. Page of Ward 9, the report recommending the passage of the order for an additional loan of \$40,000 for the extension of Columbus avenue, was taken from the table and the order was passed—yeas 45, nays 0.

THE BURRILL CLAIM.

Mr. Blackmar of Ward 11 called up the special assignment, being the reports of Committee on Claims on petition of Charles Burrill (City Doc. No. 70, 1873).

The question being on the passage of the substitute of Mr. Perkins of Ward 6, Mr. Brackett of Ward 10 said he hoped the amendment would not prevail, the reasons for which he gave at the last meeting. He could not see how any friend of paying the claim could favor the substitute, for with it they could not get a two-thirds vote. He could well understand why the opponents of the claim could favor it, for if the amendment is adopted they would vote against the whole thing. We have forty-six members here tonight; it requires forty-three to pass the order. You therefore put it in the power of four men to defeat the whole thing in case you pass this amendment. If the majority believed this claim should be paid, why not pay it? Its legality has been settled by a higher power than this Council, by the decision of the Supreme Court and the act of the Legislature. As he stated the other night, there are precedents enough for the action proposed, and the fact that this claim is larger than many others, it seemed to him, should not change its course. It seemed to be a breach of good faith not to pass this order, in conformity with the order of 1870. The money was not paid at that time because of the injunction, which was simply to restrain the city from paying the money until the matter was settled. The barrier which prevented the payment of the money in 1870 has been withdrawn, and now what reason is there for not paying it? He hoped the amendment would not prevail, but that the action of the City Government in 1870 would be carried out.

Mr. Pickering of Ward 6 hoped the amendment would prevail. He also favored the Democratic principle that a majority should govern. We have a rule that money shall not be appropriated by a majority vote simply. We have taken votes by yeas and nays tonight, on the payment of money, and why should we try to avoid it? He should vote in favor of the amendment.

Mr. Perkins of Ward 6 reminded the gentleman from Ward 10 that this amendment was simply in accordance with the decision of the courts. A very warm friend of the present claim said he would never favor it unless it should come out of the Reserved Fund, and he should like to see what favor it would meet with if that principle be violated.

Mr. Dean of Ward 12 asked to be excused from voting on this question, he having been counsel in

the case that preceded the application to the City Government. The Council voted to excuse Mr. Dean.

The amendment was put, and the Chair decided that it had been carried, but a doubt being raised the yeas and nays were called and the amendment was carried—yeas 21, nays 17.

Mr. Brackett said it was useless to vote upon the order tonight. Owing to the small number in attendance, he would move that the order lie on the table.

The motion prevailed.

THE SOUTH BOSTON FLATS.

On motion of Mr. Dean of Ward 12, the order to amend the order relating to the contract for the occupation of the South Boston flats was taken from the table.

Mr. Dean said, In consequence of a conversation with a member of the Council in whose judgment I have a great deal of faith, and for the purpose of obviating one objection which arose in his mind in regard to this order—although, as I shall show, it is not a correct one in principle—I now move an amendment to this order, by adding, “and further that the party of the fourth part, after the first day of October, in the year 1878.” Of course, continued Mr. Dean, I need not call the attention of the Council to the fact that I am in favor of the contract that has been passed upon by the City Council, and that my constituents have perhaps a deeper interest in it and expect to derive a greater benefit from the occupation of the South Boston flats than the constituents of any other member. It interests them immediately. It is impossible that the flats shall be occupied without producing a benefit to the property of the section of the city which I represent. In the occupation of these flats anything that tends towards progress, whatever it may be, is for the benefit of my section of the city, and therefore I am in favor of the proposition. Therefore any amendment I may make is done for the purpose of getting the greatest benefit from any expenditure that the city or any other parties are expected to make on these flats. In this connection, I might, perhaps, call your attention to the fact that this matter of the occupation of the flats was started as early as 1851, when there was an act of the Legislature to incorporate Robert Rantoul and others to build Eastern avenue. In 1861 a lengthy report was made with a plan of Eastern avenue, in which this whole subject was gone over, and it was recommended that the public convenience and necessity of South Boston required a more central avenue to the city, and stating that South Boston had received a small expenditure of the money in laying out the streets. Although this may not be a legitimate reason for the expenditure, still it is something that can fairly call for the careful and kindly consideration of the City Government. And because members of the Council may not be aware of the facts, it will be permitted me to say that all the streets of South Boston were laid out and given to the city of Boston by the proprietors of the lands when the place was annexed to the city. Federal-street Bridge was built by contributions of the citizens, and it didn't cost the city a cent. Dover street cost the corporation thirty thousand dollars to build it, and it was conveyed to the city for \$3500. Dorchester turnpike was made free by contributions of the citizens of South Boston. And until you come to the Broadway extension, about which such a howl was raised, there has been no considerable expenditure for the benefit of South Boston.

Mr. Dean discussed the difficulties of securing expenditures for the outlying districts of the city, for which members would not vote until convinced of their necessity, where in the city proper avenues may be laid out and depots swept away, at an expense of hundreds of thousands of dollars, and nothing is said. The extension of Eastern avenue is entirely due to the agitation of the people of South Boston. As early as 1852, and again more fully in 1861, this subject was brought before the City Government, and various reasons were given for this project. Now the city has got some sixty acres of upland in South Boston, just exactly where this avenue will terminate, and when this piece of flats is filled in as far as B street, it will be only three-quarters of a mile to the sixty acres belonging to the city. What are those sixty acres worth? What will they be worth if they have this avenue extend directly to them? That they will be quadrupled there can, in my judgment, be no doubt. It will all be made taxable property. If the city should enter into the project for the purpose of making a hundred acres of taxable property, how much stronger is the reason for creating hundreds of acres of taxable property? Still another reason is that this avenue will be of great benefit to the harbor of Boston.

Run a broad avenue through these flats, and so far as the Commonwealth's interest is concerned it would be in exactly the same direction as the city's, namely, to increase the value of property at the termination of them. It will bring the line three quarters of a mile nearer City Hall, and give South Boston the same advantages for speedy transportation that other sections have.

Mr. Dean said that if there was any certainty about the time that the flats would be filled up he would not be disposed to offer the amendment, but there is danger that it may not be done for a great many years. Congress street has been widened for this very purpose, and by this contract we decide to expend sixty thousand dollars, and a bridge for Eastern avenue is a part of this very improvement. Now shall a barrier be placed in the way of this improvement? And what is the barrier? It has turned out that every reason in favor of it has justified the statements made. The necessities of the city call for it; and notwithstanding all this we are discussing the question whether we shall have a barrier to it. We find an agreement put in here which is against its being carried out, and is for a distinct and fatal purpose. This provision we ask to be taken out, so that we shall be in the same position as other sections of the city. The Commonwealth has different objects and interests from the city. It may make its estimate for filling the flats so large that it will not be filled up until a purchaser comes to take up a large portion; it may wait until the property is worth dollars per square foot before undertaking to deal with it, and the city should ask that this great length of time should not be taken. In October, 1875, this hundred acres will be filled, and he called it 1878, to allow three years after that improvement is carried out; he wanted them emancipated some time or other, so that if any future City Government should think fit to carry out this improvement he wanted them to be able to do so without being burdened with a great and inordinate expense. He asked no change on the part of the Commonwealth, nor one cent more money to be paid than has been; nor did he ask any interference with the rights of the Boston Wharf Company or the Boston & Albany Railroad.

Mr. Dean called attention to the danger of traveling to South Boston; no one can go over Federal street without being in danger at certain times of the day. The street is jammed and crowded to death. The line of travel is unknown to the benighted gentlemen who live so far off. Mr. Dean discussed the effect of the amendment, contending that the Commonwealth could not oppose it, and the only opposition is from the Boston Wharf Co. The only reason he could assign for this is that the wharf company do not want any other lands to compete with theirs. He begged the kindly consideration of members to this matter, which does not alter the agreement, but gives greater control of the matter of laying out streets to the City Government. If defeated it would be a great wrong to the city of Boston, which is already expending thousands of dollars to meet it by the widening of Congress street. If the gentlemen have any objection to this amendment, let them propose another that will accomplish the purpose. If it is desired, said Mr. Dean, in conclusion, he would move that this matter be specially assigned for the next night at half past eight o'clock.

Mr. Perkins of Ward 6 said the reason it would be unwise for this matter to lie over is that we are losing precious time. The last meeting of the Governor's Council occurs day after tomorrow, and if the indenture is not sent to the Council it will have to lie over until next fall. The Mayor is keeping the indenture on his table simply out of courtesy to the Common Council, and, although he felt that it was important that time should not be lost, he allowed it to lie on his table at least a week.

Mr. Perkins thought the order asking the Mayor to withhold his signature is out of order, and the Mayor is certainly showing consideration for the feelings of the Council, but the Council was not showing consideration for the feelings of the Mayor. The Council is attempting to instruct the Mayor to do a thing which is out of their power. The indenture is on the Mayor's table, and that seems to be a good reason that it should stay where it belongs—in the hands of the Mayor. Secondly, I am opposed to the amendment for the reasons as stated by the Harbor Commissioners in the letter from Mr. Ware, that the State will not agree to the proposition which the gentleman makes. He has stated that this will not cost the Commonwealth anything. If that is so it will apply equally after the indenture is signed as before. The argument proves too much. I object to this mainly on the ground of the enormous expenses attending this project. The plan will re-

quire rip-rap walls from where the hundred acres terminated, away out to L street. The city has got to build that expensive wall and the expensive bridge over the channel because the rights of the riparian owners have not been bought up. It may not be necessary to build this bridge at all, for we shall have the avenue. He was in favor of adopting the indenture which was adopted by every voice except three, and which has been approved by the Mayor. I look on this mainly as an improvement of Boston Harbor, but I have no objection to South Boston being benefited. This plan is primarily for the benefit of Boston Harbor, and Congress street was not made sixty feet wide because it was opposite to this point where this great street comes. Since 1861 South Boston has had the Broadway extension, and now we propose that Eastern avenue be extended and filled at the expense of the Commonwealth, so as to give another avenue to South Boston. The spirit shown by the Commonwealth has been very liberal. Mr. Ware has had the interests of the Commonwealth at heart.

Mr. Dean—Does the gentleman mean to say that the Mayor opposes the amendment?

Mr. Perkins—I can reply that the Mayor told me he had delayed it because he had a press of business, and because he wished to study and make himself master of the subject before he signed it. In his annual address the Mayor said a slight change was necessary and that has been made. The Mayor told me that he was satisfied with the indenture, and only delayed because there is an order in the Common Council.

Mr. Dean said he had a conversation with the Mayor and he was decidedly in favor of it. The Mayor would be the last man in the world who would say that the city should not have control of its own streets. I know that when this went through before, the effect was not understood and not known. I doubt whether there is any member of the Council who understood the bearing of this matter we are discussing. It was not understood that there was to be a barrier upon it for all time. Now is there any objection to taking it away. Emergencies may arise which will make it a matter of primary importance. I want to secure to the City Government the rights which the city ought to have.

Mr. Shaw of Ward 5 thought Mr. Dean had stated the true position of this case. He would venture the proposition that not five members present know the provisions of that indenture. The gentleman has introduced a proposition that it may be understood. This has been done scores of times in the Legislature of Massachusetts. We had better recall it a thousand times than have a misstep. The proposition is simply that we have made a misstep. It is nothing else but a proposition to deter and postpone the building of Eastern avenue. When this proposition was made, twenty years ago, the population of South Boston did not exceed fifteen thousand, and today it is not less than sixty thousand, and constantly increasing. One-half of my district have moved to South Boston in the last three years. When the gentleman argues that it is not necessary to have another avenue to South Boston, he mistakes the interest and present condition

of that community. Anything that will deter the finishing of that avenue is detrimental to the interests of this whole city. To say that this should be passed through now is simply misleading the Council. If the Council has been too hasty, it is better to retract and not go on further. I venture the assertion that the gentleman from Ward 6 has not read that contract. If we are to pass blindly upon this important matter, which will be for all time, without one word or delay or without its provisions being understood, the sooner we retrace our steps the better. And the only way we can do so is through the proposition of the gentleman from Ward 12.

Mr. West of Ward 16 could see but two objections to the order offered by Mr. Dean. One is the extra expense that will have to be incurred by the city in building rip-rap walls, and the other is whether or not the passage of this order would not prejudice the commencement of the work. He had the best reasons for knowing that the Commonwealth will not agree to the indenture with this proviso in it. The city should have control of its streets, the limit of time is a very proper one, and he thought that if five or ten years hence the Commonwealth had not got much done, the city would be justified in going ahead and building it.

The vote being taken on Mr. Dean's amendment, it was adopted.

Mr. Perkins of Ward 6 hoped this important subject would be disposed of.

The order as amended was then passed with but one dissenting voice, and a motion to reconsider was lost.

NEW STATION HOUSE.

Mr. Caton of Ward 11 offered the following:

Ordered, That the Joint Standing Committee on Public Buildings be authorized to erect a station house for the Eleventh Police District on land recently purchased for that purpose of John H. Robinson on Adams street, Ward 16, from plans subject to the approval of the Committee on Police, at an estimated cost of \$40,000.

Mr. Caton also offered the order authorizing the Treasurer to make the necessary loan.

The orders were read once and laid over under the rule.

Mr. Caton offered the following:

Ordered, That the Committee on Public Buildings be authorized to sell by public auction the old Mather Schoolhouse, Meetinghouse Hill, Ward 16, in order that the grounds around the new school building now approaching completion may be graded, said building to be removed under the direction of the Superintendent of Public Buildings and the proceeds of the sale to be paid to the City Treasurer.

The order was passed.

Mr. Hall of Ward 10 presented the remonstrance of S. S. Perkins and thirty others against the location of an engine house on the corner of Shawmut avenue and Upton street. Referred to the Committee on Fire Department.

On motion of Mr. Wilbur of Ward 9, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JULY 7, 1873.

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

GRAND JURORS DRAWN.

Ten grand jurors were drawn for the Superior Criminal Court for the July term.

HEARING ON ORDER OF NOTICE.

The order of notice for constructing a common sewer in Tudor street, between D and E, was taken up; no objection being offered the order was recommended to the Committee on Sewers.

PETITIONS PRESENTED AND REFERRED.

Of James Collins *et al.*, that sidewalks be laid on Broadway, between N and P streets.

Of George Darling *et al.*, that Blackstone street, from North to Hanover street, be paved with granite blocks.

Of John P. Squire *et al.*, that Blackstone street, from North street to Clinton street, be paved with granite blocks.

Of Thomas F. Stevens *et al.*, that Cambridge street be renumbered from Bowdoin square to Temple street. (Referred with power.)

Of Cummings & Carlisle *et al.*, that Albany street be paved forthwith.

Of Alphens M. Stetson, to be paid for grade damages at 148-150 Fourth street.

Of S. S. Rowe *et al.*, for the removal of freight cars which are allowed to remain on Albany street, between Dedham and Newton streets. The petition sets forth that the continual occupancy of the street by freight cars is a great detriment and inconvenience to the business of the street and a great obstruction to travel, and that occupants of wharves frequently cannot get on to or off from their premises with loaded teams, in consequence of the street being occupied by cars and teams placed across the street and by the sides of the cars.

Of Metropolitan Railroad Company, for leave to extend their location by construction of tracks in Stoughton street, from Hancock to Hudson streets, Ward 16

Severally referred to the Committee on Paving.

Of Edward McDonnell, for leave to occupy a one-story building stable for one horse at 677 Saratoga street.

Of A. D. Pattee, for leave to occupy a stable for sixty-four additional horses, at 260 Hanover street, by altering the present building, which now contains thirty-six horses. A remonstrance against the granting of the petition was presented, signed by W. H. Caessman, owner of the estates Nos. 250 and 254, and Walter W. Dearborn, Aaron Hook and Patrick E. Campbell, tenants.

Of F. O. Clark, for leave to occupy a wooden stable for one horse, between Columbia and Hancock streets.

Of James F. Clary, for leave to occupy a wooden stable for two horses on Eighth street, near O street.

Of Joseph H. Clough, for leave to occupy a wooden stable for two horses at No. 7 Dexter street.

Of Thomas Mulrennan, for leave to occupy a wooden stable for one horse on 612 Parker street (Ward 15).

Severally referred to the Committee on Health.

Of Company D, First Battalion of Infantry, for approval of armory at the corner of Springfield and Washington streets.

Of Company F, First Regiment, M. V. M., for appropriation for fitting up armory.

Severally referred to the Committee on Armories.

Of J. D. K. Willis *et al.*, for a sewer in Myrtle street, Ward 16. Referred to Committee on Sewers.

Of Thomas Carbery, for leave to erect a range of wooden sheds at 1482 Tremont street, beyond the legal limits. Referred to the Committee on Survey of Buildings.

Of Cummings & Carlisle, for leave to erect and use a stationary steam engine of sixty-horse power at the corner of Albany and Sharon streets. Referred to Committee on Steam Engines.

REPORT OF WEIGHERS AND INSPECTORS OF LIGHTERS.

The report of the Weighers and Inspectors of Lighters, for the quarter ending June 30, was submitted; three hundred and twenty-two lighters and their cargoes, amounting to twenty-five thousand six hundred and seventy-five tons, have been inspect-

cd. the fees for which amounted to \$1335 85; expenses of office, \$73 93; leaving a net income of \$1261 92 to be divided.

Read and sent down.

APPOINTMENTS MADE AND CONFIRMED.

Weighers of Coal—Ebenezer Curtis, James Regan. Special Police Officers Without Pay—James C. McKie, Rowe's wharf and vicinity; William Appleton, Young Men's Christian Association; John Bartley, at George B. James's wharf; Jacob Beals and Henry A. Doane, Long Island Steamboat Company; Richard K. Vaughan, Myrtle street, Ward 16

STATE AID.

The quarterly report of Reuben Peterson, Jr., paymaster of the Soldiers' Relief Committee, was submitted as follows:

Balance on hand April 1st.....	\$630 00
Received from the Treasurer of the city of Boston at various times during the quarter.....	19,500 00
	<hr/>
	\$20,130 00
Disbursed to disabled soldiers and sailors and their families.....	19,176 00

Balance on hand July 1st..... \$954 00

The number of applicants was 1162 in April, 116 in May and 1161 in June, a total of 3492.

Read and sent down.

QUARTERLY REPORT OF THE CHIEF OF POLICE.

The quarterly report of Chief-of-Police Savage was submitted, and presents the following statistics: Arrests 7293—males 5730, females 1563, Americans 2430, foreigners 4863, non-residents 1780, minors 1319; commitments 5069; lodgers 9800—males 8538, females 1262, Americans 4000, foreigners 5800, non-residents 7967, minors 1281; amount of property taken from prisoners and lodgers and restored to them, \$16,937 33; amount of property reported stolen in the city, \$15,801; amount of property recovered which was stolen in and out of the city, \$16,263 34; amount of fines imposed by the courts, \$20,270; amount of imprisonment by the courts, 473 years 4 months; days spent in court, 4402; witness fees earned, \$4884 34; larcenies reported in the city, 716; arrests for the same, 482; amount received for dog licenses, \$7514 75. The expenditures of the department for the quarter were \$165,210 88.

Placed on file.

AUDITOR'S ANNUAL REPORT.

The annual report of Alfred T. Turner, Auditor of Accounts, was received in print, accepted and sent down.

UNFINISHED BUSINESS.

Report and orders for the erection of a primary schoolhouse corner of Newbury and Exeter streets, at a cost of \$40,000; and for a loan to that amount, were, on motion of Alderman Gaffield, referred to the Committee on Public Instruction.

PAPERS FROM THE COMMON COUNCIL.

Petitions were referred in concurrence.

Remonstrance of S. S. Perkins *et als.*, against the proposed location of an engine house on the corner of Upton street and Shawmut avenue. Referred to the Committee on the Fire Department, in concurrence.

Report and orders for purchase as a site for a primary schoolhouse of two lots of land on Quincy street, near Blue Hill avenue, at a cost not exceeding forty cents per square foot; and for a transfer of \$10,000 to be applied therefor; passed in concurrence, 11 yeas, 0 nays.

Report and orders to authorize the erection of a grammar schoolhouse on Houghton place, Ward 15, and for a loan of \$105,000 to be applied therefor.

Alderman Clark inquired where the schoolhouse is to be located, and if it were not almost out of the limits of the city.

Alderman Sayward replied that it was about a quarter of a mile beyond Hogg Bridge; the lot had been bought at the request of the local committee, who were satisfied that this was the proper place for the schoolhouse. The plans were laid aside for a while to see if the building could be built somewhat cheaper, and now they find that it can be, by several thousand dollars.

The order was passed in concurrence—11 to 0.

Report from the Committee on Health, that the orders for erection of a stable on city lot, Highland street, for Health and Paving departments, and for a loan of \$85,000 to be applied therefor, ought to pass; and passage of said orders.

The report was accepted and the order passed in concurrence, 9 to 2.

THE FIRE DEPARTMENT.

The report and order authorizing a horse hose carriage to be purchased and equipped for Engine House No.

20, at an estimated cost of \$1500, came from the Common Council, with an amendment providing that the purchase be made "under the direction of the Committee on the Fire Department." The question being on concurrence.

Alderman Gibson said, "It seems to me we ought not to be increasing the Fire Department at this time; we have already gone too far in this direction; we have got men enough if we had the right man to handle them. I move to lay the order on the table."

Alderman Clark—It seems to me hardly proper to begin to economise just now. An order has already been passed to put horse hose carriages in the houses, and now that we have decided that they are an improvement on the old system it is hardly fair that we should refuse to appropriate the money to do what we have voted to do.

Alderman Gibson—The present department of Boston is large enough. The city of Baltimore, with a population much larger than Boston, has only ten steam engines. If we are going to make a new department let us see where we are and then put our department in proper condition. If it is necessary to have more engines let us have them, but first let us make proper use of what we have got. The present inefficiency of the Fire Department is not for the want of apparatus—there is no question about that.

The motion to lay on the table was defeated, and on the question of concurrence with the Council, Alderman Power said—

I don't desire to waste the time of the Board, but as the gentleman has referred to the alterations in the Fire Department, I will say that so far as the committee have received any information, it is the wish to dispense as soon as possible with the horse carriages on the steam engines and have them drawn by horses altogether. I think that the change will come and I don't think the money will be thrown away.

Alderman Quincy—The question is not a general one, whether the taxpayers do not get their money's worth for what we pay for the Fire Department. The question is whether we need this apparatus. The taxpayers will not hesitate to make the Fire Department better than it really is, and this could not be done better than by purchasing horse hose carriages.

Alderman Gibson—I think it is not best to go ahead and keep constantly increasing the department. Our expenses are more than three times what any other city's are of the same size, and the vast surplus is unquestionably large enough to put out all the fires that will occur in the city. We had better wait till the opportunity offers. I don't know what we shall do since they have raised the rates of insurance.

Alderman Clark—I believed that the underwriters testified that the rates of insurance are lower in Boston than in most places in New England, certainly in New York, Hartford, Providence or Portland. So this is not the worst city in the world to get insurance in at the present time. Twenty thousand persons have signed petitions for a Fire Commission, and to have the apparatus for extinguishing fires increased. They have asked to have the efficiency of the department increased after the apparatus is furnished. I am not prepared to say whether this is the best department in the world, but there are very good reasons why the cost of running this department is greater per head than in New York. In New York there are half a million people living in tenement houses, while in Boston there are not twenty thousand. The population of New York is more densely crowded together. It costs as much to take care of Ward 16 as it does the city proper. There were the same number of engines in Ward 16 when it was annexed as there are today, and you can't do away with one of those engines. There is a large territory out there to take care of, and they have no more than they need. The expense per man is the same as here,—that is one item. Then East Boston is a department in itself. There are many good reasons why this is an expensive department to take care of, but that has nothing to do with putting horse hose carriages into the engine houses. We have decided that the old plan is not the best, and having decided to put in the horse hose carriages, an order comes up for just what we have decided to do, and we refuse it! I am not disposed to think that it requires so much more to take care of the Boston department in the city proper.

Alderman Stebbins—The facts in relation to this particular matter are these: An order was reported in response to a petition from citizens residing near where this engine house is located. The nearest engine to this point is two miles away, and that engine covers a district on which are lumber wharves and quite a large village. The weight of the hose car-

riage is 7450 pounds, and it has to be drawn by the engine. Many of the citizens wanted a horse hose carriage for that district, and the committee reported in favor of putting them on all the others.

Alderman Gibson—I only know until the changes which have been made are settled we are anticipating work that is to come. Now it is well known that every day or two a crowd is in the other room across the hall who have got ideas about now the Fire Department should be run. What business have we to do anything now, just as it is going out of our hands? If the department is to come under other heads let them do it.

Alderman Stebbins—We all know that the petitions at the other side of the hall are manufactured to order. Here is a petition for a horse hose carriage sent in from citizens.

Alderman Gibson—Why, are not all our petitions manufactured to order? Gentlemen may think it very serious, but I suppose they are bound to have the commission.

Alderman Quincy—I don't see the necessity of mixing up this question with the general one of reorganizing the Fire Department. The simple question is whether this particular measure will add to the efficiency of the department. If it be true that this order will enable an engine and hose carriage to reach a fire sooner, we may soon save enough to pay for them all.

Alderman Power—I suppose the citizens of Boston send us here to attend to these matters, regardless of any pressure from any quarter. We have thought that some apparatus should be added to the Fire Department, and this is only carrying out the plan that was in contemplation before this other matter came up at all. I don't think we should be governed by them at all, but should act on our own knowledge as to what we think is for the best interest of the city of Boston. If, after deliberation, we decide that this is the proper conclusion, we should act upon it. This old system has greatly impeded the engines in getting to fires, and they ought not to be delayed a single instant.

The motion to concur prevailed.

SOUTH BOSTON FLATS.

The order directing the Mayor not to execute or deliver the contract relating to South Boston Flats, came from the Common Council with an amendment inserted—relating to the prospective laying out of Eastern avenue and L street after October 1, 1878, without incurring land damages therefor, and before the flats adjacent thereto are filled.

The question was on concurrence with the Council in adopting the amendment.

Alderman Clark—I hope the Board will not concur with the Common Council in this amendment, inasmuch as it will cause delay in the commencement of one of the most important improvements which have been contemplated in the last twenty years. If this amendment is adopted by us it necessitates its going back to the Legislature, and the whole subject will consequently have to lay over another year.

It is well known that this same amendment was attempted to be introduced into the original indenture, and the State positively refused to allow this provision to be engrafted into it. It came before the committee and they did not think it advisable that this clause should be inserted. The indenture has already been signed by the Boston Wharf Company and the Boston & Albany Railroad Company, has been approved by the Harbor Commissioners and the Mayor. Tomorrow the Governor and Council meet, one of the purposes of which is to complete this indenture, so the whole subject is in a fair way to be completed and the work commenced at once. This amendment provides that Eastern avenue may be extended before the flats are filled. It commits the city to the extension of Eastern avenue down to South Boston Point, at an expenditure of two or three hundred thousand dollars before the flats are filled, and before there is any necessity for the extension of Eastern avenue, and the State is required to pay a certain proportion of the building of this avenue through these flats.

This is a matter which can be arranged by a supplementary agreement between the city and the State, if in the judgment of all parties it is thought best to lay out that avenue. As the indenture now stands the city agrees to build Eastern avenue and extend Northern avenue through these flats whenever this territory is filled. The principal objection to the amendment offered by Mr. Dean of South Boston is the delay which will be necessitated if we concur in its passage. I should not like to see this improvement, for which we have all labored so anxiously during the past year, carried over to another year. I understand that as soon as the indenture is signed by all parties the Boston & Albany Railroad are all

ready to commence the erection of their wharves. The appropriation of four hundred thousand dollars which has been granted by the Legislature expires during this year, and if it goes to another Legislature we stand a great risk of losing it. There is no way of getting this amendment ingrafted into the present indenture. It is simply for us to say whether or not we will vote for this amendment, and thereby kill the whole project for 1873. I hope the subject will be indefinitely postponed, for it will surely kill the whole project.

Alderman Power—I should be sorry to do anything that would endanger the ultimate carrying out of this plan, but as the gentleman opposite has said that a supplementary article can be drawn up and signed by the Governor and all parties interested, I don't see why they won't consent that it be put into the original article as well as in a supplementary agreement. As the carrying out of this improvement is of the very greatest importance to the district which I have the honor in part to represent, I should be sorry to do anything that would endanger its passage. But I think I have heard within a very short time that all parties interested may agree to this amendment offered by Mr. Dean in the Council. I understand that this matter has not to go to the Legislature again, and that the Governor and Council have full power to settle this matter; and I don't know any reason why it can't be decided in a very few days. So I hope this amendment will not be indefinitely postponed.

I am free to say as one of the committee of last year that I think,—although we did our best according to the knowledge we had on the subject—we were hardly up in the knowledge of the subject to those with whom we had to contend in the settlement of this matter. When it left our hands once before we had omitted some very important things that ought to have been put in, but were overlooked. As the State ultimately agrees to carry out this improvement I don't see how they can object to this amendment. The city means simply to enforce this agreement; it simply says that when the State does not go ahead and carry out this improvement the city shall have that power. I should be very sorry to do anything to defeat that project, as it is the most important of any measure that has come before us. But I don't see why any parties acting in good faith with the city should fail to vote for that amendment.

Alderman Clark—It is very true that a supplementary contract can be signed, if both parties agree to it, but whether they will is the question—and a very serious question, in my mind. In the meantime let this indenture go on; let us not run the risk of losing what we have already got and which is to enhance the value of lands at South Boston Point. It is committing the city to building the street down to South Boston Point, at an expense of half a million dollars, to improve private property. That is what this amendment means. It was attempted last year to do the same, and the State absolutely refused to have it engrafted into the indenture. I have good reasons—the very best reasons—for believing that, if this indenture is not executed, the whole subject of improving those flats will be abandoned for the present year. The Harbor Commissioners have no authority to agree to pay out a single dollar for the building of any streets over this territory.

But they have the right, as these flats are filled, to deed this land to the city of Boston as a public street, while they cannot spend a single dollar to build a street, and that is the reason it is to go to the next Legislature. The city of Boston has the right to lay out Eastern avenue from Fort Point Channel to Eastern Point; that right was given by the Legislature. Now the whole matter lies right here. If this amendment is insisted upon, so far as the State and city are concerned, it goes over to another year. It is for you to say whether, to help carry out private speculation, you will prevent the citizens of Boston from being benefited by one of the greatest improvements ever attempted in this city, or whether you will have it commenced immediately.

Alderman Emery—I, for one, hope this Board will not indefinitely postpone, but will rather concur in this matter as it came from the Council. I should be the last one to do anything that would endanger the safety and completion of this whole project, and would deprecate any step that would endanger it. At the same time I am very much in favor of this amendment, and think it can be carried out. The principal objection raised by the Alderman from Ward 6 seems to be that we are committing the city to something; that the city by accepting this amendment is committing itself to something. I beg to differ entirely from the gentleman. This amendment does not commit the city in the least to anything. It is provided, as you all see, that if the Commonwealth does not go on and make this improvement, the city shall have the right to do certain things.

The Commonwealth stipulates to do certain things with the city, and the city shall have the right to do the same if the Commonwealth fails to carry out their portion of it. Who is harmed by it? Is the Commonwealth harmed or made to pay out a dollar more in consequence of the concurrence of the Board in this amendment? Not at all. It only gives the city an opportunity to accept that right hereafter if she chooses. They might say you have compelled us to expend a large amount of money, and now you have partly built this avenue, perhaps you will never build the rest of it. Shall the city have the right to go on and complete the avenues? Other parties may place their lands on the market as fast as they can be built, but the city cannot. Now what harm can come to any one from giving the city this right? I can see no harm to the Commonwealth unless it is to deprive it of an advantage.

The city has only the right to come in, provided other parties do not perform their stipulations, and perform them at the same expense as the original party. Can any one tell me where the harm can come from? The city is reserving its right only. If I thought it was going to endanger the whole project I should not vote for the amendment. We don't ask the Commonwealth to pay anything, but that the city be allowed to do what the others shall fail to do. If the time allowed is not long enough, make it longer.

Alderman Clark—The Harbor Commissioners have certain rights delegated to them, and they have no right to expend a single dollar to filling up those flats, and no other right to make this agreement than is given by the Legislature. This is why it has got to go to another Legislature. I would be glad to have the State of Massachusetts give to the city all the territory that it owns in South Boston, and I would be glad to have the State build those avenues.

But the very best terms were obtained from the Harbor Commissioners that could be. But in this amendment we are asking for things that the Harbor Commissioners have no right to make. As a Boston merchant, I am decidedly anxious to see this improvement commence at once. The Boston, Hartford & Erie Railroad are anxious to begin work. The Hoosac Tunnel line is coming in here, and what inducements have we to offer to European ships to come here? We need this avenue, but the Harbor Commissioners have not the right to expend a single penny for its extension. They have the right to expend four hundred thousand dollars, and as this territory is filled up they have authority to deed these streets to the city of Boston as they are built.

The city don't need to have this right inserted in the indenture. It already has the right to take this land and build it up. The Harbor Commissioners have not the power to build Eastern avenue. The indenture is made as perfect as it is possible to get one made, and it has been attended with considerable anxiety. It has been signed by the Western Railroad and the Boston Wharf Company, who have no objection to it. It only awaits the signature of the Mayor and Council of the city of Boston. But there is danger of delay, in that if we concur with the Council this whole matter goes over for the year 1873. That is what it amounts to, and I don't want the city to be the means of throwing any obstacle in the way of this improvement.

Alderman Quincy—I don't undertake to argue this case on its merits. This amendment was presented to the committee, but its adoption was not deemed advisable. After it had passed the other branch, no motion was made to reconsider. After neglecting to offer the amendment and neglecting to move to reconsider, the only way to get at the matter was to order the Mayor not to execute this indenture unless a certain amendment was incorporated into it. The only thing to be done is to show some good reason for thinking it ought to pass.

Alderman Emery—This matter ought to have been attended to during its passage through either this Board or the other. I undertook to read it over, but it was a very intricate document. Now if that was the proper time and we did not do it, we must take the only opportunity that will be offered in the next ten years.

There is one thing I would like very much to hear from the gentlemen on that committee. They say this thing was talked about, suggested and opposed in committee; I would like to know on what ground the provisions of this amendment were opposed; I cannot conceive of any ground for opposition. As soon as you begin to oppose it, you want to look into it and see what you are voting for. You can't persuade any one to get up and oppose the principle of the amendment, which allows the city to do what the Commonwealth should fail to do. Here is a thing to be done some time or other, we can't tell when. There is a chance for people to speculate, to take ad-

vantage of a matter that will extend over a great many years. This is a gigantic undertaking, and we don't know what changes may take place. We don't know but the policy of the present commissioners may be changed, and they might not give us the rights which others would. I have heard no reason why that amendment can hurt any one except that you feared it would put off the work. I should like to see the time extended.

Alderman Clark—Mr. Ware has told me within a week that the adoption of this amendment, asking the State to pay for this street before the flats are filled, would prevent the commencement of this improvement for the present year. The right to extend this street was granted to the city by the State years ago. We don't want that right. The Alderman from Ward 12 says there has been no reason given. My reasons are simply the delay. This is an immense project, and it will take many years to have six or seven hundred acres filled up. It is for the purpose of having this project commenced that I do not wish to see this amendment adopted. No members of the committee opposed this amendment; but when the committee did take this action the State positively refused to have it incorporated in the indenture, because the commissioners had no right to make this agreement.

If this amendment had been incorporated in it, the Governor and Council would have refused to sign it. Make a provision of this character in the indenture and the Governor and Council have no right to sign it. The committee have endeavored to make the agreement as perfect as possible. It was made under the superintendence of the City Solicitor, the Mayor and last Mayor being present. They all witnessed it and had something to say about it. It is not perfect, of course, but it is as perfect as it is possible to get an indenture, and if we wish to have this work commence during the present year we must accept it as it is. I think, Mr. Chairman, I have stated very fully the reasons why it is impossible to have this amendment incorporated in this indenture. You may get it incorporated in it, but you will never get it signed this year. The appropriation of four hundred thousand dollars expires on the first of next January. We have been years getting this appropriation, and if we refuse to use this four hundred thousand dollars, it seems to me we will do what we have no right to do.

Alderman Power—I was a member of the committee last year that had charge of this matter. The committee labored at a great disadvantage; they had to contend with gentlemen thoroughly conversant with the city and State for very many years. The gentlemen acting for the State tried to drive as close a bargain as they could. They were seemingly anxious to take charge of the city in the bridge question. We did the best we could with the limited knowledge we had on the subject, but it is very fortunate that the order they recommended did not pass. Those points were simply considered after a hard fight. Then again it was not the fault of the city that the matter was delayed to this year. It was simply because some of the other parties could not get all they wanted. It is a one-sided bargain. Everything is exacted for the State and for the Boston Wharf Company, and I can't see how they can refuse to have some limit put upon the time in which that filling must be done.

Some people here can understand better than others why South Boston can take a great interest in this matter. If this improvement is made, and nothing else is done, you ruin the whole water front of South Boston, which is very valuable. It is important that something be done to give them back that water front. Gentlemen talk about private speculation. Why would there be any improvements made if it was not supposed that some one would be benefitted by it? I don't think this thing should be thrown aside on that argument. I can't see wherein the State of Massachusetts can refuse to accede to this request. It is nobody but Mr. Ware, one of the Harbor Commissioners, and a very active one, and the State chose wisely when he was made its representative.

Where we labored at a disadvantage was in not having some gentleman thoroughly posted on the legal matters; but we had not, and we did as well as any committee from the City Government could have done. But I have not seen where the State has refused this request. It is simply Mr. Ware says "We won't." That is all I know about it. I think it is proper that we should try to get the State to make this concession, if you choose to call it so, but I don't say that it is a concession. We simply ask them to put some limit on the time in which they propose to do this work. It is proper to lay this matter on the table till we have had some official communication with the State.

Alderman Gibson—I don't know which side is right,

and therefore move the question be specially assigned for next Monday afternoon. I want time to look into it.

Alderman Clark—There is no sum of money at stake, except so far as the money agreed to be expended in bridges. I will remind the gentleman (Mr. Power), of the document he signed last year.

Alderman Power—I don't deny that I signed the document.

Alderman Clark read a portion of the report of last year's committee, and continued: They have called attention to the fact that these were the best terms that could be obtained, they show conclusively that we had urged for this same thing last year, and could not obtain it. The fears now are simply on account of delay. Twelve months hence we might get this indenture altered, but not during the year 1873. This matter was before the committee last year, and again this year.

The Harbor Commissioners were the only proper authority for us to confer with in regard to the agreements so far as the South Boston flats are concerned, or any other flats in this neighborhood. The commissioners know what powers have been conferred on them by the Legislature, and they have no right to exceed those powers; and those powers do not allow them to expend a single dollar for bridges or avenues. The whole thing hinges on this: Do we want this improvement commenced this year or next? If you wish to have delay, ask for an amendment to suit some one now and another to suit some one else. That has been the matter with this project for the last twenty years. It is no new thing. It is what I first heard of when I came to Boston. I can't afford to wait twenty-five years longer to derive any benefit from this improvement. I own no property there, but I am interested in seeing this project carried out, and, I trust, we shall vote, on this subject tonight, and vote as in my opinion it is desirable for us to vote; that is, accept the amendment and vote not to instruct the mayor to withhold his signature.

Alderman Gaffield—I should urge the members to vote for this indenture just as it now stands, hoping that the people of South Boston would be content with half a loaf, and trusting to next year. It is no new matter. We can build northern and eastern avenues today or tomorrow if we wish to construct riprap walls. We now have an offer from the State to build it without expense to us. The gentleman from South Boston proposes that the city build riprap walls and the State "pay for the filling." If the city feels rich enough, and it needs them, I have no doubt we shall pass a vote to make that expense when it is needed. But if we incorporate it in the indenture now, I am afraid it will kill the whole measure for the present year. I beseech the gentlemen, if they have any interest in the improvement of South Boston, I beseech them to indefinitely postpone this amendment, so that it can be signed, and I guarantee that the citizens of South Boston will get all they want in due time.

Alderman Power—I care no more for the interests of South Boston than for East Boston, and I think my conduct here does not show anything to the contrary of what I assert. I speak for the interests of Boston. The city has the right to build streets anywhere she sees fit, but the State agrees to build streets here at its own cost, and I don't see how the State can refuse to have it inserted in the agreement that the city can have the right to go on and complete this street when it sees fit. We don't ask to build riprap walls. No bridges are needed. The original plans have been altered. There is to be no inside channel. It is simply to continue the inside walls, and not have any riprap walls. It is simply binding the State to carry out its agreement at some time or other so as not to deprive South Boston of all its wharf privileges.

I think they cannot in reason refuse to place some limit to the time in which they will complete the job, and it is very reasonable that the people of South Boston should see the necessity of this, and that it should be more obvious to them because they are familiar with the importance of the wharf privileges. It is the same to her that it is to East Boston, where the wharf fronts are the most valuable property, and it is very reasonable that they should see the necessity of engraving this agreement with the indenture more than others who are not familiar with the subject. In all this we have never met the Harbor Commissioners as a body. It was simply Mr. Ware, and he said what they would and would not do. I think there are questions of some importance which were left out at first. How quick the Boston & Albany Railroad were to quibble when they found that they could not have the privilege of running their tracks across the territory. They looked out very closely for their interests, and are quite willing that this should go through, because they have got everything

they want. It only forces them to do what they offered to do in some specified time. I don't know that any one asks to have them agree to build riprap walls. The amendment don't; for the walls will not be needed.

Alderman Clark—I see that the gentleman don't understand the position of these South Boston flats, although he is a resident of that part of the city. They have been obliged to buy this land. It is n't proposed to take away the wharf property from any abutters, and leave a channel through it, so that arrangements have got to be made with the abutters before they can be deprived of a single foot of their property. It is well known that one member of the Harbor Commissioners has one department to look after and another another. It fell to Mr. Ware to look after the South Boston flats, and he gave it more attention than any of the others, and that is why we came in contact with him more than any of the others. In the first place the State has no right to deprive the riparian owners of their rights. The only way that it can be filled up is by purchase—buying the abutters off.

In regard to the Boston & Albany Railroad's quibbling, so far as they were concerned they had omitted to put into the indenture the right to cross Eastern avenue and Northern avenue; they had laid two tracks on Northern avenue, and as that street will be used almost exclusively for wharf purposes, the committee saw no objection to granting that right. The Board of Harbor Commissioners have no authority to sign the indenture with the condition of the proposed amendment. By attempting to attach this new project with the old one, a proposition will be raised which may defeat both. These are the facts, and I state them authoritatively.

Alderman Power—Will the gentleman state who is his authority?

Alderman Clark—D. E. Ware tells us [showing a letter] that the board has no authority—and gentlemen will please bear this in mind—to agree to the terms of this amendment. It has got to go back to the Legislature.

Alderman Power—I have had reason to inquire into that channel matter within the last year, and I find that it has been abandoned. The State owns the land to First street. I have investigated the matter in the pursuit of property which I proposed to purchase for my own interests. The State has purchased within two hundred feet of First street, and has purchased no wharf or water privileges beyond the point where the State sees fit to fill up. That project of the channel has been abandoned long ago.

Alderman Emery—Let the matter of filling up be as it may, we don't assume anything by concurring with the Council, but what the Commonwealth has the right to do. The gentleman from Ward 6 says the best time to get a supplementary contract is after the indenture has been signed.

Now as a man of business I beg to differ from the gentleman in that respect. If I want to get anything into an agreement, I think the proper time is before the completion of the agreement. It is better to get an extension of a note before and not after it becomes due. It is better to ask for this thing now than after the conclusion of the agreement. If they had any reason for withholding their assent to a proposition of this kind before, they certainly will have after the signing of the agreement. There must be something that we don't see. I have no disposition, if gentlemen wish to defer their decision on this matter, to have a vote taken on it. But I wish to state that I did not come here with any interest in this matter. I have not the slightest interest in those flats, nor in anything on that shore. Nor am I here as an Alderman from that part of the city. I hope I represent all parts of the city as well as South Boston.

Alderman Gibson—It seems to me that we have either got to take this indenture without the amendment or not at all. Is there a gentleman here who supposes that they are going to humbug the people? I have no doubt the State will deal justly and fairly. Here are four hundred thousand dollars appropriated to improve this land. We propose to delay it. Now will you lose four hundred thousand dollars or go ahead and trust the State to do what is right? I don't believe there is any question but that the State will do full justice. I shall have to support the proposition of the gentleman from Ward 6. Here are four hundred thousand dollars. If you don't take them this year you may not get them at all. We can well afford to trust the State authorities to do what is for their own benefit as well as our own.

Alderman Power—It is the simplest thing in the world. If they mean to carry out that agreement I don't see how they can object to the amendment, to have some time named within which it shall be done. All that we ask is that the city shall have the right to do this if she sees fit. We are not asking to build streets or anything of the kind; we are simply ask-

ing that if the representatives of the city see fit to continue that improvement, the city may have the right to do this thing at the same expense as the State.

Alderman Clark—It seems impossible to impress the fact upon the gentleman that the commissioners have no right to make this bargain. They have no right to exceed the authority given them by the Legislature. If the work is not commenced the appropriation of four hundred thousand dollars goes over to another Legislature. Then it will be said we had the money and did not use it. Years hence they may make another appropriation.

Alderman Gibson—It seems to me that is all there is to it. These parties have no authority to do it, and if the amendment prevails the matter goes by default.

Alderman Emery—The gentleman says that all this may be done afterwards by a supplementary agreement, and you can't get it in the committee, and that makes me suppose there is something wrong about it. It strikes me that rather than not carry this thing out they would grant this request.

Alderman Clark—Allow me to say that they have not the right to work this thing in. Another Legislature may do it, or a great many things that this Legislature would not. We may go before the Legislature and ask for a supplementary contract, but for the time being the Harbor Commissioners have no right to make one, although a future Legislature may give them that right. The great thing is delay. The year is already half past. It would be well if this thing could be passed today, and be signed by the Governor and Council tomorrow.

Alderman Quincy—If this amendment had been offered at the proper time it may be that it would not have endangered the whole thing for the year. This is reason enough to decide me to vote for a postponement.

Alderman Power—Nobody disputes that the Harbor Commissioners have the right to fill in that whole territory to the foot of L street, and if so, they certainly have the right to make a bargain when it shall be done. If they have the right to make a bargain with the city of Boston to fill in these flats, they certainly have the right to name the time when it shall be done. Now if the Harbor Commissioners, representing the State, had come here and said they didn't have the right to fill in the flats, we would have agreed to that. We would have said, Go back to the Legislature and get your power. It would have been our duty to have sent them back. It is well known to everybody here that if this improvement is carried out to South Boston Point, it will make every foot of land double and treble its worth if the connection is made. To carry it out we are asked to spend a million and the State is going to spend four hundred thousand. We are not going to get this back in taxes unless the connection is made with South Boston. I say it is very important that this should be done for the interests of the whole city, and if the commissioners have the power to make any agreement looking to the filling up of those flats it must have the power to name the time in which it shall be done.

Alderman Clark—There is no right allowed the Board.

The Alderman read a brief extract from Mr. Ware's letter sustaining his position.

Alderman Gibson withdrew his motion to postpone for one week, and the question of concurrence being put it was defeated—yeas, 3; nays, 8.

Yeas—Aldermen Carter, Emery and Power.

Nays—Aldermen Bigelow, Brown, Clark, Gaffield, Gibson, Quincy, Sayward and Stebbins.

A motion to reconsider the last vote, offered by Alderman Clark, who expressed the hope that it would be defeated, was voted down.

FIREMEN DISCHARGED.

A communication was received from the Secretary of the Board of Engineers, stating that for the reasons given the following-named persons had been discharged from the department by order of his Honor the Mayor, on the recommendation of the Board of Engineers: Engine Company No. 4, John G. Duffy, neglect of duty on May 30, by leaving the city when a fire was raging; Hook and Ladder No. 3, N. B. Whitman, want of interest in his duties, having remained in Boylston Hall for two hours during the fire of May 30, his excuse being that he supposed he had a substitute; Hose 8, William Blake, old age and worn out in the service. The communication was placed on file.

THE WATER SUPPLY.

The following communication was received from the President of the Cochituate Water Board:

The Cochituate Water Board, in reply to a recent order of the City Council, has directed me to transmit the enclosed report of the City Engineer. This

Board fully indorses the conclusions of the engineer as to the value of street reservoirs in portions of the high service districts, and in such parts of the low service districts as are not laid with larger pipes. Recent changes and improvements in the distributive system already authorized by this Board, may, however, render the construction of a large number of the proposed reservoirs unnecessary. The changes referred to are in brief as follows:

The laying of a sixteen-inch pipe from the pumping works to the Beacon Hill High Service District, thus releasing the thirty-inch pipe now performing that service and turning it on to the low service at the west and north sections of the city and the extension of the sixteen-inch main on North Charles street from Cambridge street to Leverett street, thus giving a very large additional supply to those sections; the laying of a new high-service main from Tremont street across Dover-street Bridge to South Boston, and turning the twenty-inch pipe from Dorchester now used for high service at South Boston on to the low service there, giving a largely increased and needed supply of low service to that territory; an increase of the size of the service mains along side of the twenty-four inch main through portions of Washington street, and a generally increased capacity of pipes through what is known as the "burnt district."

These improvements, with the conversion of the twelve-inch marginal mains in South Boston and some portions of the South End, are now being made, and all of which will be finished as rapidly as the pipe can be procured, will give the city a largely increased supply of water for fire purposes. Even without those additions, this city has today a better water supply for fire and domestic purposes than any other city of its size in this country, and with them completed, as they will be within a comparatively short time, the citizens should have entire confidence in the water supply for every probable emergency, especially if this supply is used with ordinary discretion and care.

The expensive additions already named are made with distinct reference to a greater supply of water for fire purposes, and in the opinion of this Board all expense for the proposed reservoirs should be met by an independent appropriation and not chargeable to the Water Works.

When the appropriations for the current fiscal year were made, the additions referred to were not contemplated, but this Board, in view of the feeling of insecurity so prevalent among the more timid of our fellow citizens, has not hesitated to inaugurate a liberal and judicious expenditure for the purpose of allaying these fears, while it is confident it is not departing from the careful and conservative policy which has governed the action of the Water Board during preceding years.

Following is in substance the report of the City Engineer on the subject of building fire reservoirs, appended to the communication from the Water Board:

The cost of the reservoirs for the purposes and of the capacity stated (2000 gallons each) would vary, depending upon such circumstances as the width of sidewalk, size of main pipe, location and depth of sewer, etc. I estimated that \$385 each, including cost of connection with street pipe and sewer, stop cocks and covers, is a fair average price for building such reservoirs within the limits of the old city. The advantages of these reservoirs are, first, allowing the concentration of a number of engines at one point; second, permitting the engines to get quickly at work, provided they have a sufficient pressure of steam; third, furnishing a supply to any engine, whatever may be its size of coupling, which is important when out-of-town engines are called into service; fourth, being more quickly accessible in times of deep snow than hydrants placed in the street; fifth, holding a quantity of water in store to compensate partially, at least, for want of capacity in street main to deliver an adequate supply.

The objections are, first, the occupation of valuable space more especially in the business portion of the city; second, the possible waste of water into the sewers, at times when waste would be seriously felt, by carelessness in regulating the flow with the stop cock; third, the great liability to cause damage to cellars and goods stored in them by leakage and overflow; fourth, not permitting the playing of a stream until the engine gets up steam; fifth, the cost.

For general use the City Engineer prefers the Lowry hydrant, but in the high service districts and at points in the low service territory where the pipes are of small calibre, the reservoirs would be judicious.

The report and communication were laid on the table to be printed.

FIRING SALUTES ON THE COMMON.

Alderman Quincy, from the Joint Standing Committee on Ordinances, who were instructed to consider the expediency of reporting an ordinance prohibiting the discharge of cannon on the Common or other public grounds, unless authorized by vote of the City Council, having carefully considered the subject, submitted the following report:

The artillery firing which has been customary hitherto on the Common and public grounds may be divided into three classes: First, the salutes fired by order of the City Government on national anniversaries and occasions of public rejoicing; second, those ordered and paid for by political or other associations to celebrate party triumphs, private anniversaries, reception of visitors, etc.; and, third, military firing for the purpose of drill by the militia.

By the ordinance of 1850 all discharge of firearms within the city limits was prohibited, excepting, however, "the use of such weapons at any military exercise or review." Prior to the ordinance of 1870, this exception had been practically constructed to include all firing by the organized batteries, whether by military orders or for hire, and no objection was made to the latter employment of the Commonwealth's soldiers and guns. By the ordinance of 1872, however, it was provided that all firing must be authorized "by the military authority of the Commonwealth, or by the City Council or by the Mayor of the city of Boston."

This ordinance, it will be observed, contemplates a continuance of both the civil and military practices of artillery firing on the Common, for drill by proper military authority—for hire when authorized by the Mayor or the City Council. But the committee cannot avoid coming to the conclusion that the time has arrived when this use of pleasure grounds now in the heart of a crowded city should cease, or at least be restricted to the fewest possible occasions. They will endeavor to show why in their opinion the danger of accidents, the damage to property and the suffering occasioned to sick persons of all classes imperatively demand the restriction proposed.

First, The danger of accidents by frightening horses. It is well known that the number of these has been steadily increasing with the increase of travel and business in the streets bounding the Common. Only one happens to have come to the committee's knowledge on the last May training—it was a case where a buggy was destroyed on Beacon street and a lady and gentleman were thrown out, but they fortunately escaped serious injury. The damage which a runaway team might occasion in Tremont street may be imagined.

Second, The damage to property. The committee have received a communication from Gardner Brewer, describing the damage sustained by the walls of his house by the January firing two years ago, when the ground was frozen, and he stated that he had taken evidence of its amount, with a view of holding the city liable. This is a single case, but it suffices to show that actual injury has been and may be again sustained.

Thirdly, The suffering occasioned to sick persons in the vicinity. Desiring to obtain the opinion of experts, the chairman communicated with several leading physicians, asking what to their knowledge, had been and would be likely to be the effect of the custom in question upon the condition of sick persons and invalids in the vicinity.

The committee give long extracts from the answers received to these inquiries, extracts from which are appended—

Dr. Edward H. Clark, 18 Arlington street—I have observed that such firing affects the majority of invalids and sick people in its vicinity unpleasantly; during the last artillery practice one of my patients rolled, with every shot, from one side of her bed to the other in a sort of agony. Twice during the past year premature confinements started with the firing and seemed to be induced by it.

Dr. G. H. Lyman, 121 Boylston street—I have no hesitation in characterizing the practice as injurious in the highest degree.

Dr. R. M. Hodges, 53 Mt. Vernon street—I could instance a number of persons whose illness has been aggravated by the firing on the Common on public occasions, and whose nervous systems are deranged by the same cause.

Dr. C. D. Homans, 90 Boylston street—Firing on the Common is a source of great annoyance and suffering to invalids and sick persons, particularly those prostrated by nervous diseases.

Dr. F. Minot, 7 Charles street—In cases of extreme illness and with patients of nervous temperaments it has a most injurious effect.

The committee are well aware that in very many many cases the preferences or the temporary comfort

of the few are rightly sacrificed to the interest or to the enjoyment of the many. Several worthy citizens were recently compelled to submit to the disagreeable vicinity of a smallpox hospital in order that the city might successfully combat an enemy within its walls. In like manner, were danger imminent from a foreign foe the necessity for training men and horses in actual firing would be paramount. But this not being the case, the committee must consider the question narrowed to one of enjoyment or suffering.

Is the enjoyment of the many such as should fairly be regarded as counterbalancing the suffering of the few? The committee cannot so regard it. Political firing pleases the exulting victors, but disgusts the conquered and embitters the strife, and in firing ordered by private associations it is evident that the number of sufferers may actually exceed that of those gratified or flattered thereby. It has been asked why not leave the power to authorize private firing with the Mayor, where it now resides? Because, giving him the power implies its exercise, and when once exercised the permission can hardly again be refused to respectable and influential applicants.

A few years since the City Solicitor gave an opinion, to be found in City Document No. 52, of the year 1870, to the effect that the City Council had the right to regulate, or if necessary to abolish, the use of the Common as a training field by the militia. The committee have come to the conclusion that the time has arrived when this right of regulation should be exercised by the prohibition of all artillery firing, unless specially authorized by the City Council. That it will be so authorized, according to the old custom on certain occasions, there can be but little doubt, but in time of peace the committee are of the opinion that not even the commander-in-chief should have power to continue the custom without the city's consent.

As the ordinances now in force apply to the whole city limits, and include musketry as well as cannon, it was thought advisable not to repeal them, but to make special provision for the subject under consideration; viz., artillery on the Common and public grounds, as there are already many places within the city limits to which the objections alluded to do not apply. The committee therefore recommend the accompanying ordinance:

"An ordinance in relation to the discharge of cannon upon the Common or public grounds.

No cannon or artillery shall be fired by the militia or others upon the Common or public grounds unless authorized by the City Council."

Mr. Dacey dissents from the majority, and reports that it is inexpedient to pass the ordinance.

The report and ordinance were ordered to be printed.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the petitions of Milton Austin for appointment as an auctioneer, at 29 Pemberton square; of Jonas H. French, for a license to manufacture and sell liquors, at 179 Essex street; of C. H. Graves & Sons, for a license to manufacture and sell liquors, at 35 Hawkins street; of Appleby & McClinch, for victualler's license, at 1350 Tremont street; of C. Harnes, for victualler's license, at 4 Bedford street; of Felton & Stone, for license to manufacture liquors, at 63 C street. Accepted.

The same committee reported in favor of renewing the licenses of thirteen intelligence offices. Accepted.

Alderman Sayward, from the Committee on Licenses, reported (leave to withdraw) on the applications of the following-named persons for victualler's licenses: Peter Alteri, 28 Ferry street; N. Ferretto, 131 North street; John Doherty, 123 Endicott street; Sarah Uran, 336 North street; Frank A. Caswell, 59 Shawmut avenue. Accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the petitions of J. F. Keating, 32 Lancaster street; Fred Bleiler, Heath place; Patterson & Lavender, Burke street. Accepted.

Alderman Cutter, from the Committee on Paving, made a report recommending that the petition of Otis H. Weed to be released from the service water which flows upon his estate on Heath street, be referred to the Committee on Sewers, and it was so referred.

Alderman Sayward, from the Committee on Health, reported in favor of granting the petition of J. W. Kimball for leave to locate a wooden stable on Paris street near Porter; of Orsamus Nute, for leave to occupy a wooden shed stable for thirteen horses on Plympton street, the latter for six months only. Accepted.

Alderman Power, from the Committee on Sewers, reported leave to withdraw on petition of Ira A. Med-

bury for a sewer in F street, and no action necessary on a notice from the town of Brookline in regard to the diversion of Muddy River. Accepted.

THE WIDENING OF TREMONT STREET.

Alderman Quincy moved to take from the table the motion to reconsider the vote by which the order was passed for the Superintendent of Streets to remove the sidewalk on Tremont street, adjacent to the Common, and to put the street in condition for passage of vehicles.

Alderman Quincy stated that he moved the reconsideration in order to give Aldermen who desired it an opportunity of recording their votes. He would, however, ask of the Committee on Streets whether they were willing to allow reconsideration to prevail in order to take the sense of the Board on an amendment which he would offer providing that two feet of the present sidewalk be allowed to remain outside the fence as a landing place for persons entering or leaving the cars on that side. If this were refused and the whole sidewalk thrown into the street, then, much as he deprecated encroachment on the Common, he hoped to see the fence go down before and not after life or limb had been sacrificed. Passengers would continue to stand on that side to take the outward cars; they would continue to alight on that side; and, as a gentleman in business on the opposite side who came here to remonstrate against this measure, said, What would happen if a smartly driven team, or, worse still, a fire engine came along before pedestrians had time to plaster themselves in single rank against the fence? The Alderman continued to be of the opinion that the proposed widening, not being at the point of stricture, would have little effect in preventing blockades. The evil was the double track and the station between Park and School streets. In his opinion the double track should commence at Boylston street, and cars go in one direction only through the northerly part of Tremont, as they do through the narrow part of Washington street. The Alderman then read a protest from General John S. Tyler against the proposed removal of the sidewalk, taking similar grounds in regard to the convenience and safety of pedestrians, and the inefficiency of the measure to prevent blockades, which originate as a rule north of Park street. In concluding, Alderman Quincy called for the yeas and nays on the question.

Alderman Clark—If the gentleman will say that he is ready to cut into the mall two or three feet, I have no objection to his making an amendment to that effect. I am glad to have the opportunity to record my vote in favor of one improvement that will cost nothing. No doubt the Superintendent of Streets will so arrange the curbstone and sidewalk that people can go to the horse cars just as easily as they do now. Unless this street is to be made wider, I hope this reconsideration will not prevail. A good start has been made in this direction for an improvement, and I have no doubt that we will all see the benefit of it. There is a very large amount of travel that comes into Tremont street from Bromfield, Temple and West streets. Another fact is that we cannot abolish horse railroads which accommodate the public.

Alderman Sayward—I should be in favor of reconsideration if the fence can be cut down. I don't see any reason for cutting down the trees at all. By removing the fence a little it would be a relief to travellers and answer every purpose of a sidewalk.

Alderman Clark—I should not be in favor of cutting down a single tree, but I do not think the present curbstone would be sufficient. There is no occasion to take the fence away unless it is to set it back.

Alderman Power—I have no objections to taking the fence down. I think it will be absolutely necessary when the sidewalk is removed, but I decidedly object to taking one inch from the present size of the Common. In voting to take away the sidewalk I simply voted to restore the street to its original width, which I can remember myself. It there was a reason thirty years ago for the street being that width there is decidedly more reason now. If there is an inch to be taken off the Common I shall not give my vote for it. There is nothing so absolutely necessary as this in the city—nothing so conducive to the health of Boston as the Common, and I should therefore object to taking off one inch of it. But I do think that the fence should be taken down, and a handsome curb put on so that people can step from the Common to the cars. I believe that the sidewalk there is of very little use; that the need of a wider street and extra accommodations there is very great, and I hope that we shall immediately take steps to prevent the horse cars from standing in Tremont street, and have them go to Scollay's square or somewhere else. I hope by the next meeting of this Board to have an order to offer looking to that end.

Alderman Clark—I hope we shall not reconsider that vote. The first move is to take up that sidewalk

and put the curbstone down. I agree with Alderman Power in his views of the beauty and usefulness of the Common in summer—in fact, I know of nothing of a more healthful character than it.

Alderman Sayward—That fence must come down, else the wheels of every carriage which passes it will be hitting against it.

The Board voted not to reconsider the vote—ayes 5, nays 6.

MUSIC ON THE COMMON.

Alderman Clark moved to take from the table the motion to reconsider the vote by which the Board rejected the order for appointment of a Joint Special Committee to provide music on the Common and in other sections of the city, at a cost of \$2500.

The Board reconsidered the vote, and on motion of Alderman Clark the order was laid on the table.

THE SALE OF FIREWORKS.

Alderman Gaffield offered the following:

Whereas, the use of fireworks on the Fourth of July and other public occasions in our large and crowded cities has led to disastrous conflagrations, and whereas, the immediate prohibition of their sale might work injustice to many innocent dealers who may have a stock on hand which they cannot dispose of without sufficient notice, it is therefore

Ordered, That due notice be given to all who have been hitherto licensed to sell fireworks, that the city authorities will at the next session of the Legislature take measures to procure the passage of an act to prevent the sale of fireworks except for the purpose of marine signals, giving the power to license such exceptional sales exclusively to the Board of Aldermen.

The order was passed.

On motion of Alderman Gaffield, the order to restrain the licenses usually issued by the Board of Engineers of the Fire Department for sale of fireworks was taken from the table and indefinitely postponed.

HOME FOR THE POOR.

On motion of Alderman Stebbins, the order for Committee on Public Institutions to report within one month on subject of "a home for the poor" was taken from the table and passed in concurrence.

ORDERS OF NOTICE ISSUED.

Orders of notice were issued returnable in one week for hearings on petitions for a sewer in Western avenue, between Longwood park and Longwood avenue; and in Longwood avenue, between Western avenue and Autumn street; and for sewers in Folsom place, in Chelsea street, between Marion and Brooks, and First street, between K and L.

ORDERS PASSED.

On motion of Alderman Clark—

Ordered, That the thanks of the City Council be tendered to the Rev. John F. W. Ware for the very patriotic and eloquent oration delivered by him before the municipal authorities on the Fourth of July, instant, and that he be requested to furnish a copy for publication.

Ordered, that there be paid to Frederick H. Stimpson the sum of fifty-two thousand dollars for land taken and all damages occasioned by the widening of

Congress street, by a resolve and order of the Board of Street Commissioners, passed February, 27, 1873.

Ordered, That there be paid to George A. P. Darling the sum of three thousand and sixty dollars for land taken and all damages occasioned by the widening of Harrison avenue, by a resolve and order of the Board of Street Commissioners, June 12, 1873.

Ordered, That the order to pay the said George A. Darling three thousand two hundred and forty dollars for said land and damages, passed June 30, 1873, be and the same hereby is rescinded.

Ordered, That there be paid to Samuel Stillman and wife, trustees, and the heirs of Sarah Hughes, the sum of fifty-three thousand three hundred and sixty dollars for land taken, and all damages occasioned by the extension of Washington street to Haymarket square.

Ordered, That there be paid to D. W. Williams and Jonathan French, trustees, the sum of eleven thousand eight hundred and ninety-eight dollars for land taken and all damages occasioned by the widening of Milk street.

On motion of Alderman Power—

Ordered, That the Superintendent of Streets be directed to grade and macadamize Alpine street according to the established grade, at an estimated cost of \$4000.

On motion of Alderman Sayward—

Ordered, That the Committee on County Buildings be authorized to expend, in addition to the amounts of \$7,500 heretofore granted for the repair of the clock tower on the county jail, and for repairs on said jail and yard attached to the same, a further sum of three thousand dollars, which sum, together with the amount authorized to be expended for said purposes under authority of orders of the Board of Aldermen, approved by the Mayor, February 12 and May 6, 1873, in the total amount ten thousand five hundred dollars.

On motion of Alderman Quincy—

Ordered, That there be paid to the several companies enumerated in the certificates of the Adjutant-General dated June 18 and 23, the sums to which they are respectively entitled for inspection duty in May last; said sums, amounting to \$2918 50, to be charged to the appropriation for Militia Bounty.

On motion of Alderman Cutter—

Ordered, That permission be given to Faxon Brothers to construct a pipe under and across Otis street, through which to carry shafting and steam, upon condition that the work of constructing said pipe shall be done to the satisfaction of the Superintendent of Streets; also upon condition that the said Faxon Brothers shall give to the City Solicitor bonds to hold the city harmless against any and all claims for damages, costs or expenses growing out of the constructing or maintaining of said pipe under said street.

Ordered, That the Superintendent of Streets be directed to sprinkle with salt water that portion of Broad street lying within the burnt district; the expense thereof, not exceeding seventy-five dollars per month, to be charged to the appropriation for the Burnt District.

Adjourned, on motion of Alderman Stebbins.

CITY OF BOSTON.

Proceedings of the Common Council,

JULY 10, 1873.

The regular weekly meeting of the Common Council was held this evening, E. O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The quarterly reports of the Inspector of Lighters, the State Paymaster of Aid, and the annual report of the Auditor were accepted and placed on file.

Several petitions were referred in concurrence.

The following orders were severally passed in concurrence:

Order tendering thanks of City Council to Rev. John F. W. Ware for his oration on the Fourth of July.

Preamble and order giving notice of intention of the City Council to petition the Legislature for an act to prevent the sale of fireworks, except for the purpose of marine signals.

The following was read once:

Report and order to authorize the Committee on County Buildings to expend a further sum of \$3000 in addition to the amount heretofore authorized for the repairs on the County Jail, etc.

The following was referred in concurrence to the Committee on Public Instruction:

Report and orders authorizing the erection of a primary schoolhouse on land of the city on Newbury and Exeter streets; and for a loan of forty thousand dollars to be applied therefor.

AUDITOR'S MONTHLY EXHIBIT.

The monthly exhibit of the City Auditor for the month ending July 1, was received in print, accepted and sent up. The appropriations and expenditures are thus summarized—

	Appropriations, Revenues, etc.	Expended.	Unexpended.
General.....	\$11,038,862 48	\$2,200,890 47	\$8,837,972 01
Special.....	8,458,372 21	2,229,614 11	6,228,758 10
	\$19,497,234 69	\$4,430,504 58	\$15,066,730 11

UNFINISHED BUSINESS.

The following were severally read a second time, and passed in concurrence:

Order authorizing extension of fire alarm lines, painting of poles, etc., at a cost not exceeding \$2500.

Order authorizing contracts to be made with owners of land on Fort Hill territory, whose estates adjoin the land of the city, to build party walls.

Order authorizing \$500 to be expended in each case where necessary for fire alarm apparatus and such extensions and alterations and repairs as may be needed.

Report and order authorizing the making of such repairs and alterations as may be needed in Central Charity Bureau and Temporary Home, at not exceeding \$3000.

Report and order authorizing the purchase of 2500 feet of land, more or less, adjoining Station House Lot, Fourth street, at an estimated cost of \$2500.

The following were read a second time, and, on motion of Mr. Denny of Ward 9, were laid on the table:

Orders authorizing the erection of a police station house for District Eleven, on land recently purchased therefor on Adams street, Ward 16, and for a loan of \$40,000 to be applied for the same.

PETITION PRESENTED AND REFERRED.

Mr. Thacher of Ward 15 presented the petition of E. Howard & Co. for leave to build a wooden frame building in rear of Enstis street for the storage of lumber.

On motion of Mr. Thacher it was referred to the Committee on the Survey and Inspection of Buildings.

REPORTS OF COMMITTEES.

Mr. Caton of Ward 11, from the Joint Standing Committee on Public Buildings, who were directed by the City Council to procure estimates for land and a building on the same, for the accommodation of a steam fire engine and horse hose carriage, said building to be located on Mason street, or in the immediate vicinity, having considered the same, reported that a lot suitable for an engine house in the location named cannot be obtained except at extreme prices. Instead of the purchase of a new lot, they recommend the taking of the city building on Mason street, formerly occupied by the Natural History Society, and at present as a branch of the High School. The

building, with the land in the front and rear, can be made available, and an engine house completed at an estimated cost of \$15,000. Provision can be made for the English High School branch in the Bowditch Schoolhouse, South street, recently surrendered to the city. The committee recommend the passage of the following:

Ordered, That the Committee on Public Buildings be authorized to make such alterations in the building formerly occupied by the Natural History Society, and now owned by the city of Boston, on Mason street, to accommodate a steam fire engine, horse hose carriage, and the horses and men connected therewith, at an estimated cost of \$15,000.

Ordered, That the Auditor of Accounts be authorized to transfer from the reserved fund the sum of \$15,000, the same to be applied for the providing of an engine house on Mason street.

The order having been read once, Mr. Shaw of Ward 5 asked if there is any necessity for such an expenditure, as it did not seem to him that that amount would be required.

Mr. Caton of Ward 11 said it was merely an approximate estimate; there were no surveys or plans made as yet.

Mr. Wells of Ward 3 did not think Mason street just the place, and as it would do no harm to have the matter go over, he moved that it be laid on the table.

It was so ordered.

Mr. Caton of Ward 11, from the Committee on Public Buildings, to whom was referred an order to raise the tower of the Ticknor Schoolhouse a sufficient height to receive a tower clock, reported that they deem the appropriation, \$700, insufficient; that they are not favorable to an increase of the appropriation so that the work may go forward, but would recommend its postponement from the fact that a new district has been created in Washington Village by the School Committee, which will very soon require the erection of a new schoolhouse, when such a clock can be constructed on the new building at less expense than upon the present Ticknor Schoolhouse. The committee therefore report it inexpedient to erect a clock tower on the Ticknor Schoolhouse.

The report was accepted.

Mr. Caton of Ward 11, from the Joint Standing Committee on Public Buildings, reported that they had received a request from the Joint Standing Committee on Fire Department, asking them to furnish accommodations for the wagon of the Insurance Brigade in the house of Hook & Ladder Company No. 3. The committee request of the City Council information as to whether they are obliged to furnish accommodations for the wagons and horses of the Insurance Brigade.

Mr. Dacey of Ward 2 desired an explanation of the report.

Mr. Wells of Ward 3 moved the acceptance of the report.

Mr. Caton of Ward 11 said the city is not only to furnish a building for the wagon but they wish the horses fed. The Committee on Public Buildings could not see their way clearly to recommend doing it. He wanted to know if the Fire Department and the insurance companies were to run the city.

Mr. Dacey thought that if the Insurance Brigade is a necessity, the city should bear the whole expense and not merely a part of it. What is asked now is, to provide accommodations for the wagon and feed for the horses. This is simply an entering wedge.

Mr. Jones of Ward 14 was not quite clear in his mind that the city is obliged to furnish accommodations. One insurance wagon is accommodated in Bulfinch street, and the companies propose to organize a new one for the South End and Roxbury. The Committee on the Fire Department did not think the city obliged to grant the request, and he was glad to see that the Committee on Public Buildings did not think so.

Mr. Dean of Ward 12 was of the opinion that there was no obligation on the part of the city, but there does arise a question of expediency. If any citizens or any body of men will defray a large part of such expense it becomes a question whether it is not wise for the city to furnish the accommodations for the horses and vehicles, the insurance companies paying the remainder of the expense. It would be well, he thought, to send this matter to the Joint Special Committee on the Reorganization of the Fire Department, and he so moved.

Mr. Wells of Ward 3 did not approve of this reference. If the insurance companies wish to locate another wagon at the South End they should do so. The companies pay the salaries of the men, and the city pays them a dollar each that they may be members of the Firemen's Charitable Association. So they are in reality members of the Fire Department.

Mr. Pease of Ward 1 could not see the propriety of the proposed reference, when the committee had simply asked for information from the City Government. The insurance wagons do a great amount of good at fires, and if the companies wish to do anything toward putting out fires and saving property, the city might at least feed their horses for them.

Mr. Dean did not want to be understood as opposing the giving of the accommodations. While taking it for granted that the city is not obliged to do this, it may be that it ought to be done, and although the matter comes up in the form of a request for information, it would be wise for the city to take such action as would give the requisite accommodation. Some order authorizing or instructing the Committee on Fire Department to investigate it should be put in, and if it is a good thing they should come to the City Government for power to do it. From what information he had he should vote in favor of giving the Insurance Brigade the requisite accommodation in some convenient place.

Mr. Jones of Ward 14 deemed it the duty of citizens to do everything they could to preserve property. He should be perfectly willing to have the matter go back to the Committee on Fire Department.

Mr. Shaw of Ward 5 said he understood the Insurance Brigade to be a voluntary adjunct of the Fire Department, the expenses being paid by the insurance companies, who merely ask the city to give a room for the wagon and the taking care of the horses. The matter is not well understood. It should go to some committee, be thoroughly investigated, and reported upon fully, that each member may understand the brigade's relation to the department.

Mr. Wells moved an amendment that the matter be referred to the Joint Standing Committee on the Fire Department.

Mr. Dean accepted the amendment and it was so referred.

ENLARGEMENT OF CITY HALL.

Mr. Caton, from the Joint Standing Committee on Public Buildings, reported that they had received a communication from the Board of Directors of Public Institutions for increased office accommodations, and such accommodations not being obtainable in City Hall, the committee have sought for rooms outside. They therefore recommend the passage of the following:

Ordered. That the Committee on Public Buildings be authorized to hire for offices for the city of Boston, the building No. 23 Pemberton square, for a term of ten years, at an annual rent of three thousand dollars; the expense to be charged to the appropriation for Public Buildings.

The order was read once.

Mr. Shaw of Ward 5 said this matter had been before the City Government before. He was perfectly satisfied they should not go outside the present building, which can be added to and enlarged on either branch, and this would have to be done soon, or else vacated altogether. He should oppose going to Pemberton square or anywhere else from here. He had thought of offering an order directing the Committee on Public Buildings to consider the expediency of enlarging the City Hall. Only a few days ago he had walked down the street with a celebrated architect, who asked why they did not enlarge the City Hall on either wing, and get the room they need and thus make the building what it ought to be. This subject has already been discussed in the other branch, but it was concluded to put up with the present accommodation for a while longer.

Mr. Caton of Ward 11 said it is well known that there is not room to accommodate the different departments in the building. The rooms occupied by the Directors of Public Institutions are entirely unfit for them, and those occupied by the Board of Health must be vacated for the Assessors. The Board of Health are in a little seven-by-nine room that is injurious to them, and they say something must be done else they can't stay there. If the gentleman from Ward 5 can tell us how we can enlarge this building and get the required room, I should like to have him do so, for the enlargement would take two or three years at least.

Mr. Page of Ward 9 said the accommodations for the Directors of Public Institutions are entirely inadequate. The vaults of the City Treasury are to be enlarged and that will take a considerable portion of the space, as it will take part of the inside room now used by the Board of Directors. In addition to this the room is very damp and injurious to the health of the clerks. The drain of the building runs right under the floor, and some time ago the carpet of the inner room was taken up and found to be very mouldy. We are now paying a large rent for the City Solicitor's Office, which can be taken to the building

proposed to be leased. He was in favor of enlarging this building, but thought they could not do better than to engage the one in Pemberton square.

Mr. Davis of Ward 14 thought it would be better to abolish some of the offices in the City Hall which occupy good rooms, instead of incurring the additional expense of \$3000 per year. There were the Superintendent of Printing and the Inspector of Milk, one of whom he had occasion to know was not much good to the city.

Mr. Wells of Ward 3 said that the city of Boston owns a pile of bricks on Chardon and Hawkins streets, which are occupied by loafers who air themselves on the granite steps. There is plenty of room there. He opposed hiring any building outside of what the city owns. It looks rather cheap to go up into Pemberton square and take the leavings of the State Police, while there is plenty of room in the Charity Building, if they see fit to make use of it. He hoped the order would lie on the table and the committee work on the Charity Building.

Mr. Shaw agreed with Mr. Wells that the room could be had without a dollar's extra expense. The Directors of Public Institutions had sat in that room for more than eight years, and never until now has there been any complaint. If there is a common sewer running under that room it is time we appointed somebody to look into this matter of sewers and drains. Mr. Shaw offered the following as a substitute:

Ordered. That the Joint Standing Committee on Public Buildings consider and report upon the expediency of enlarging the City Hall.

Mr. Shaw believed that if the work was taken hold of in the right manner, the enlargement could be finished by the first of September, 1874. There were a good many other matters connected with the City Hall that ought to be investigated, and he hoped the first thing taken up would be the sewer and drain.

Mr. Caton of Ward 11 said that if the gentleman did not want the directors to have the new rooms, let the order be killed. If we had to wait till the City Hall is enlarged, we might kill the Board of Health before it is done. The trouble with the City Hall is, there is not room in the basement story for half the occupants. I am in favor of enlarging the City Hall, but we want more rooms for the heads of departments.

Mr. Pickering of Ward 6 inquired of Mr. Caton if there were any vacant rooms in the Charity Building, or rooms occupied by private organizations, that would answer the purpose.

Mr. Caton replied that the committee went to the Charity Building about three months ago to see if they could not procure rooms to meet this very emergency. They found two or three rooms in the basement used by the Provident Association, and those were the only ones adapted to the purpose. Alderman Gibson, who was strongly in favor of the committee going there, came to the conclusion that they would have to abandon that plan.

Mr. Shaw withdrew his substitute, and said he would move an amendment. He did not want to see the city harassed under any more long leases. He did not know how much advantage that little room of the Board of Health is to be to the assessors. But here is the Inspector of Milk occupying a room when it is not at all necessary. Other large rooms are occupied only a few hours in the day. He moved an amendment that the lease be for three years instead of ten.

Mr. Wells of Ward 3 hoped the amendment would not prevail. The city owns enough rooms now to accommodate all the heads of departments. The machine would run just as well without so many offices as with it.

Mr. Shaw's amendment was adopted, and the order as amended was read once.

Mr. Caton of Ward 11, from the Committee on the Survey and Inspection of Buildings, reported the following:

Ordered. That there be allowed and paid the sum of six hundred and fifty-four dollars and eighty-seven cents, for removing unsafe walls after the fire of May 30, the bills for the same having been duly approved; the said amount to be charged to the appropriation for the Survey and Inspection of Buildings.

Mr. Caton said it was desired that the parties should have their money. On his motion the rules were suspended and the order was passed.

Mr. Caton, from the Joint Standing Committee on Public Buildings, offered the following:

Ordered. That the order passed June 3, 1873, authorizing the Committee on Public Buildings to purchase of H. P. Gerrish 4800 square feet of land, on the corner of Longwood and Brookline avenues, at a price not exceeding one dollar per square foot, and erect thereon a hose house, at an estimated cost for land and building of twenty-eight thousand dollars,

he and the same is hereby rescinded; the city not being able to obtain a proper title to the land.

Ordered, That the Committee on Public Buildings be authorized to purchase of Henry N. Clark 5000 square feet of land, more or less, contained in a lot on the corner of Longwood and Brookline avenues, at a price not exceeding one dollar and fifteen cents per foot, and erect thereon a hose house at an estimated cost for land and building of twenty-eight thousand dollars; the expense to be charged to the appropriation for Hose House, Longwood.

Mr. Caton asked for a suspension of the rules that the order might pass, as the Committee on Fire Department wished to get the work ahead as soon as possible.

Mr. Denny of Ward 9 inquired if the new location was near the old one.

Mr. Caton said it was on the opposite corner, and was considered much better than the other lot. It met the approval of the Chief Engineer.

The rules were suspended and the order was passed.

Mr. Flynn of Ward 7, from the Joint Standing Committee on Streets, reported that there would be required for the widening of Washington street, between Avery and Boylston streets, and for the widening of Essex street, from Washington street to Brimmer place, including the paving and grading, the sum of two hundred and fifty thousand dollars. The committee recommend the passage of the following order:

Ordered, That the Treasurer be and he hereby is authorized to borrow, under the direction of the Committee on Finance, the sum of two hundred and fifty thousand dollars; the same to be appropriated for the widening of Washington street, between Avery and Boylston streets, and the widening of Essex street, between Washington street and Brimmer place, including the grading and paving of said portions of those streets: said loan to be designated as the loan for the widening of Washington and Essex streets.

On motion of Mr. Flynn the rules were suspended and the order was passed.

Mr. Shaw of Ward 5 called up the order offered by him in relation to the enlargement of City Hall and it was passed.

Mr. Anderson of Ward 3 offered the following:

Ordered, That the Committee on the Fire Department be authorized to procure a new steam fire en-

gine, and cause the same to be located at the foot of Poplar street on Charles street, on land owned by the city of Boston; the expense of the same to be charged to the appropriation for the Fire Department.

Mr. Perkins of Ward 6 moved its reference to the Committee on Fire Department, and it was so referred.

Mr. Collins moved to take from the table the substitute order to pay the assignee of Charles Burrill \$40,000.

The motion was rejected.

Mr. West of Ward 16 offered the following:

Ordered, That the Joint Special Committee on the Re-organization of the Fire Department be authorized to visit other cities in order to obtain information of the management of other departments, at an expense not exceeding one thousand dollars.

The order was read once and Mr. Jones of Ward 16 moved to suspend the rules that it might take its second reading.

The motion was rejected.

Mr. Perkins of Ward 6 offered the following:

Ordered, That the Joint Standing Committee on Health be requested to examine into the present system of sewerage in this city, and report to the City Council whether any improvement of the present sewerage facilities is necessary for the protection of the public health.

The order was passed.

Mr. Wilbur of Ward 9 offered the following:

Ordered, That the Superintendent of Streets be directed to remove the iron fence on the westerly side of Tremont street, between Boylston and Park streets, and set thereon a suitable curbstone; the expense to be applied to the appropriation for Paving.

Mr. Page of Ward 9 inquired if the Council had the right to direct the Superintendent of Streets to do anything of that kind.

Mr. Perkins of Ward 6 said the fence was on the line between the street and the Common, and the object was to err on the safe side by having the order pass both branches.

The Chair ruled that the order could be entertained by the Council, and on motion of Mr. Denny the rules were suspended and the order was passed.

On motion of Mr. Flynn of Ward 7 the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JULY 14, 1873.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at four o'clock, Alderman Cutter, President, in the chair.

CITY CLERK PRO TEM.

A communication was received from his Honor the Mayor, appointing James M. Bugbee City Clerk *pro tem.* during the absence of Mr. McCleary. The appointment was confirmed, and the oath of office was administered to Mr. Bugbee by Alderman Cutter.

APPOINTMENTS AND CONFIRMATIONS.

The following appointments of the Mayor were confirmed:

Constable—William T. Pindell.

Members of Fire Department—John R. Chapman, David L. Adamson, H. Heymann, Francis M. Houghton, Frederick W. Knight, George W. Stone, Ambrose Abbott, Samuel T. Sawyer, Thomas C. Soesman, Walter Jenkins, George J. Deluce, Charles Griffin, Jr., F. E. Ersham.

Special Police Officers without pay—John Luis d'Almerda, in discharging vessels consigned to the Vice-Consul of Portugal; J. J. H. Richards-on, Bankers' and Brokers' Electric Protective Company; Thomas Fleming, Kingston street and its vicinity; John H. Kendall, Sudbury street and its vicinity.

ORDERS OF NOTICE.

The orders of notice for the sewers in Western avenue, between Longwood park and Longwood avenue, and in Longwood avenue, between Western avenue and Autumn street; in Folsom place; in Chelsea street, between Marion and Brooks streets, and in First street, between K and L streets, were considered. There being no objection offered, they were severally recommitted to the Committee on Sewers.

PETITIONS PRESENTED AND REFERRED.

Of Company B, First Battalion Infantry, for approval of armory and increase of allowance for rent. Referred to the Committee on Armories.

Of Thomas J. Clarke, for license as a common victualler.

Of George Beatty and L. M. Pike, 10 State street, for auctioneers' license.

Severally referred to the Committee on Licenses.

Of Boston Metallic Roofing Company, for leave to occupy a wooden stable on First street, near B.

Of Herman Grundell, for a wooden stable on West Walnut park.

Of Charles Newhall, for a stable on Bailey street.

Of W. H. Dow, for a stable on Court, from Hancock street, near Columbia street; with a remonstrance by A. T. Wheelock.

Of W. R. Gerrish, for a stable on Atlantic street, for one to five horses.

Of Hall & Eaton, for a wooden stable on First street, between B and C streets.

Of James Jeller-on *et al.*, for leave to occupy a brick stable for fifteen additional horses, on Fleet street, No. 24.

Remonstrance of J. Spencely *et al.*, against the erection of a stable on Walnut park by Herman Grundell.

Severally referred to the Committee on Health, on the part of the Board.

Of John McKinnon *et al.*, that edgestones be set on Newman street, between Dorchester and Lowland streets.

Of Winchester & Hight, for a sidewalk on Dorchester avenue, corner First street.

Severally referred to the Committee on Paving.

Of Joseph B. Moors *et al.*, for relaying of sewer in Buckingham street.

Of A. Hamilton *et al.*, for a new sewer in Kingston street.

Severally referred to the Committee on Sewers.

Of George H. Davis *et al.*, Executive Committee of the Peace Jubilee, for remission of taxes for 1872. Referred to Committee on Assessors' Department.

PAPERS FROM THE STREET COMMISSIONERS.

A resolve and order were received from the Street Commissioners for the widening of Pleasant street from Columbus avenue to Eliot street, by taking 1532 feet of land valued at \$12,256 belonging to the city; also a resolve and order for the extension of Eliot street to Columbus avenue, by taking 7094 feet of land valued at \$56,752, owned by the city.

On motion of Alderman Clark, they were severally referred to the Committee on Streets.

UNFINISHED BUSINESS.

Order for Superintendent of Streets to furnish and set edgestones and pave the gutters on south side of Longwood avenue, between Brookline avenue and Muddy River. Estimated cost, \$2600.

Order for Superintendent of Streets to pave Clinton street, from Merchants' row to Commercial street, with small granite blocks. Estimated cost, \$10,000.

Order for Superintendent of Streets to set edgestones and pave the gutters on Blue-Hill avenue, from Warren to Schuyler street. Estimated cost, \$1800.

Severally passed.

An ordinance in addition to an ordinance in relation to the Fire Department.

Be it ordained, etc.—

Section 1. Whenever it is adjudged at any fire by the Chief-Engineer or, in his absence, by the Engineer next in rank who may be present, to be necessary, in order to prevent the further spreading of the fire, to pull down or otherwise demolish any building, the same may be done by order of said Chief Engineer or Engineer next in rank who may be present.

Sec. 2. Section eleven of an ordinance in relation to the Fire Department, printed on page two hundred and thirty-seven of the Revised Ordinances of eighteen hundred and sixty-nine, is hereby repealed.

Alderman Stebbins inquired what was the necessity of the ordinance.

Alderman Quincy replied that the Committee on Fire Department had reported that this order ought to pass, for reasons which were very well known. At the great fire in November, it was not known who had authority to destroy buildings, and many structures were destroyed by parties who had no authority to do so. If a person now orders a building to be destroyed, he renders himself liable for damages. Such an order can be given legally after consultation by three fire wards, who must act together, and the individual whose building is thus destroyed has the right to compensation. This power to destroy buildings should be possessed by the one man in command at a fire; he should feel that he is protected in such an exercise of his best judgment. And the person whose building is destroyed should receive damages if the fire is stopped. This order is to put that power into the hands of one man, and it was for this reason that the Legislature had passed the act.

The order was then passed and sent down.

PAPERS FROM THE COMMON COUNCIL.

Petitions were referred in concurrence, and the Auditor's monthly exhibit was accepted in concurrence and placed on file.

Reference to the Committee on Fire Department of a report from the Committee on Public Buildings, asking whether they are obliged to furnish accommodations for the horses and wagons of the Insurance Brigade.

Reference to Committee on Fire Department of an order to authorize said committee to procure a new steam fire engine, and locate the same at foot of Poplar, on Charles street, on land of city.

Severally referred in concurrence.

Report (inexpedient) to erect a clock tower on the Ticknor Schoolhouse came from the Council accepted.

Alderman Power hoped the Board would not concur in the action of the Council. The fact that a new schoolhouse in that vicinity is contemplated has nothing to do with the question. That schoolhouse is situated on the most elevated land in the vicinity, and if there is to be a clock on any house thereabout, that is the house to put it on. On no other place will it be so useful, and all the people in that part of the city have been trying to get a clock put on that building. The present tower is ample, it only being required to raise it a little.

Alderman Sayward hoped the Board would concur with the Council. He was not sure that this is the most conspicuous place in that part of South Boston, and even the gentleman proposed to raise the tower that the clock might be seen. This schoolhouse was built by Dorchester some thirty years ago, the tower had been raised since then by the city, and if there had been a necessity for the clock it would have been put on then. This matter came from the Committee on Fire Alarms. As to the necessity of it, most of the people in that vicinity are able to have their own clocks and watches. It will not accommodate the people of that vicinity, but those who come in from Norfolk County. If it is needed let the clock be put on the new schoolhouse which is to be built in a year or two.

Alderman Power rejoined that the present tower could be raised at a much less expense than a new one could be built, and any one who would go to the locality would at once see the necessity for the clock.

On the question of concurrence Alderman Sayward called for the yeas and nays, which were as follows:

Yeas—Aldermen Bigelow, Emery, Sayward and Stebbins—4.

Nays—Aldermen Brown, Clark, Cutter, Gaffield, Gibson, Power, Quincy—7.

The report was declared not accepted.

Alderman Power moved that the order be recommitted to the Committee on Public Buildings.

A motion to lay on the table, offered by Alderman Sayward, was rejected, and the motion to recommit was carried.

Report and order authorizing the purchase of 2500 feet of land, more or less, adjoining station-house lot, Fourth street, at an estimated cost of \$2800.

Order to allow and pay \$654 87-100 for removing unsafe walls after fire of 30th of May.

Orders to rescind order of June 3, authorizing the purchase of land of H. P. Gerrish, on corner of Longwood and Brookline avenues, and the erection thereon of a hose house; and in lieu thereof authorizing the purchase of 5000 square feet of land, more or less, of H. N. Clark, on the corner of said avenues, and the erection thereon of a hose house, at a cost for land and building of \$28,000.

The above were severally passed, in concurrence.

Order requesting Committee on Public Buildings to consider expediency of enlarging the City Hall came from the Common Council adopted. The Board refused to concur.

Report and order authorizing a loan of \$250,000 for the widening of Washington street between Avery and Boylston streets, and of Essex street between Washington street and Brimmer place, passed in concurrence—yeas 11, nays 0.

Order requesting Committee on Health to examine the present system of sewerage, and report what improvements are needed for preservation of public health, came from the Common Council adopted.

Alderman Power moved to lay the order on the table, as he did not understand its meaning. If any information is desired on the subject of sewerage, the Committee on Sewers are competent to give it. They know just what ought to be done, and are willing to give any information that may be needed or that would be useful.

Alderman Sayward desired to speak on the question, and Alderman Power withheld his motion to lay on the table.

Alderman Sayward didn't know anything about the order, although it had been referred to the Committee on Health, which he had not asked to have done. It may have come up from the fact that the Board of Health had asked to have certain acts enforced. There is no doubt that many of the evils of the city are due to the system of sewerage.

Alderman Power stated that the appropriation of two hundred thousand dollars for the Committee on Sewers was in a fair way to be spent this year. A million dollars could be spent in preserving the health of the city by improving the sewers, and it was to this committee that all matters of this kind should go. If the Board of Health want any information on that subject they can get it from the Committee on Sewers.

Alderman Sayward knew that the appropriation for sewers was not what it ought to be, and the committee did wrong not to ask for a larger amount.

Alderman Clark hoped the order would not be laid on the table. A better system of sewerage is needed. All know very well that with the small appropriation asked for, the committee could not make the necessary repairs. Last year he offered an order, which asked for the appointment of a commission to devise a system that would thoroughly drain the entire city, but no action had been taken. To get at the root of the unpleasant smells which infest the city, a more perfect system of sewerage is necessary. He moved to amend the order by substituting the word "sewers" for "health."

Alderman Power agreed to the amendment and withdrew his motion to lay on the table, and the order as thus amended was passed.

Order directing Superintendent of Streets to remove the fence on the westerly side of Tremont street, between Park and Boylston streets, and substitute a curbstone therefor. Passed in concurrence.

ANNUAL REPORT OF THE BOARD OF HEALTH.

The first annual report of the Board of Health was submitted in print, and was accepted and sent down.

The report gives a review of the measures taken

to prevent the spread of the smallpox by the establishment of hospitals and says—

To avoid, as far as possible, unpleasant association, and to preserve in all its integrity the market value of real and personal property, as it stood in the city early in January last, and to steer clear of all acts of needless disenchantment, we designated each hospital by a number, rather than by the street on which it stood; that already in use being called Hospital No. 1; that just entered, No. 2; but Gallop's Island had already got past the medicine of numbers, and we did not attempt to christen it anew.

As nearly as we can estimate, the number of cases of smallpox in our city on January 15 last was 650. Of this number there were at Gallop's Island, 61; and at Hospital No. 1, 56, the hospital having been built but a few days, and that number having been removed there during this time. The remainder were at their several homes in the city, and consisted of those cases which were reported when there were no hospital accommodations, and of others who could not legally be removed. It gives us satisfaction to be able to state that in only a few instances has an order for a forcible removal been given; and that in the larger portion of these the order was not needed after it was issued, the parties in almost every instance manifesting a willingness to go before the ambulance arrived to take them. Besides this, very few, if any, have left the hospital after recovery without expressing a thankfulness to Drs. Webb or Green that they were taken there, and in many instances has the patient been so pleased with his treatment there that he has expressed a wish to stay longer than was necessary.

The number of patients Feb. 11, was as follows: At Gallop's, 24; at No. 1, 66; at No. 2, 75. March 2—At Gallop's, 10; at No. 1, 25; at No. 2, 52. March 14—At Gallop's, 0; at No. 1, 11; at No. 2, 33; and 6 cases only in the city, outside the hospitals. April 30—At Gallop's, 0; at No. 1, 0; at No. 2, 12, and of these only 2 were sick abed.

The number of patients admitted at Gallop's—From Sept 1, 1872, to April 30, 1873, was 473; from Jan. 15, 1873, to April 30, 1873, was 17.

Number admitted in all—At Hospital No. 1, 233; died, 48; vaccinated, 174; vaccinated and died, 33. At Hospital No. 2, 291; died, 60; vaccinated, 246; vaccinated and died, 45. But of this last number (291), 11 were transferred from No. 1.

The number of deaths from smallpox in the entire city, for the week ending January 18, was 46; January 25, 35; February 1, 42; February 8, 24; February 15, 17; February 22, 8; March 1, 11; March 8, 5; March 15, 4; March 22, 6; March 29, 4; April 5, 2; April 12, 2; April 19, 2; April 26, 3; May 3, 2; May 10, 0.

Immediately upon the recovery of a patient, or his removal to a hospital, or for burial, his house has, in every instance within our knowledge, been thoroughly fumigated, and all infected material as thoroughly disinfected as possible.

We found it necessary to run a telegraph from some central point, near City Hall, to both hospitals. One was constructed accordingly from Police Station Two, in Court square. This was particularly necessary when an ambulance was needed, as the vicinity of City Hall, or any other place much frequented, was no place to keep an ambulance in waiting.

Whenever a case appeared which could not be moved without danger to the health of the patient, or could not be legally moved, we have taken due care that the existence of the case and its exact locality should be known to all likely to pass that way, or liable to be in any way affected by it. A flag has been placed at the door, or a card on the door with the word "Smallpox" on it. The people have, so far as we know, with two or three exceptions only, willingly allowed this to be done till all danger had passed, when it was removed. Two or three flags only, to our knowledge, were wantonly removed, and we immediately applied to the Legislature to prohibit the removal of such card or flag, and to add a wholesome penalty for such removal. They did so promptly, as will be seen by consulting chapter two of the acts of 1873.

After reviewing the causes which led to the appointment of health officers, the report continues—On the 20th of January we published in the press of the city an appeal to the people, not to magnify a new office nor to alarm any one, but simply that the evil that was upon us might be more fully comprehended; that it might be better prepared for and guarded against; that we might get the active aid and encouragement of all in trying to stop the spread of the epidemic; that all might be induced to obey the laws; and last but not least, that some sympathy might be awakened in behalf of poor unfortunates who were suffering so much and dying so fast. We should have been well satisfied with the result of

that appeal had it had no other effect than to bring such abundant contributions of choice flowers and little luxuries for the sick at the hospitals as came to us almost every day afterwards. But it did a great deal more. And in this connection we must speak of the regret we feel that we cannot with propriety disclose the names of such true Christian philanthropists. But they are not forgotten; we know them all.

During our first week smallpox seemed so prevalent that we feared we should need another hospital. We soon made selection of a spot, and took some steps towards putting it in a condition for building a hospital. Competent architects were employed, who submitted plans from time to time, each new plan being for a smaller hospital, till, finally, the disease abated so, that what seemed at first an absolute necessity, we afterwards found we should have no occasion for, and on the 5th of February we abandoned the project altogether.

The General Statutes provide that a smallpox patient, admitted to one of our hospitals, who is not an inhabitant of any town, and who is unable to pay, becomes a State charge. Acting upon this, we have made out the bills of all those who were State charges, so far as we were able to ascertain them (for putting the necessary questions to find this out, to a poor victim just arriving at the hospital, was not considered the best medicine for him), and these bills have all been sent to the secretary of the Board of State Charities, for all patients up to and including the 30th of April, 1873. They amount to upwards of \$100,000, and this amount is now due the city, from the Commonwealth, under the law.

A number of medical gentlemen had been authorized to vaccinate throughout the city proper to the time of our entering upon our duties, and were then vaccinating. Of these, as many as applied to us for that purpose were authorized to continue until some plan could be matured, or definite arrangement made. Finally, on the 25th of January, one medical inspector was appointed for each ward,—appointment to take effect on the 27th—with power to each to appoint two assistants, and in some wards three, all to be approved by us. But we held the chief medical inspectors responsible for their assistants. The latter were continued in office until the 22d of February; the former until the 15th of March. Families were visited, and in a number of wards the ward rooms were opened for vaccination.

The figures may be unimportant, but we append them:

Whole number vaccinated.....	14,977
“ reviewed.....	10,546
Average percentage of success so far as reviewed.	55

On the seventh of April we appointed, subject to the approval of the Mayor, Dr. Samuel A. Green, City Physician, whose report is submitted herewith, George W. Forristall, Superintendent of Health, and Dr. C. Irving Fisher, Port Physician, and these appointments were approved. We also appointed George T. Ranlett, captain of the steamer “Samuel Little” (Captain Cates having resigned), and William H. Preston, engineer.

In 1872, the number of tenement houses in the city was 2165, containing 54,450 people. Although one ward in New York contains nearly double this number of tenement population, yet the fact alone that nearly one-fifth of the population of our city dwells in tenement houses, makes the subject, and their proper construction and care, one of great concern to all. We began to turn our attention to it, and to nuisances of every description, in the latter part of February, the smallpox having abated somewhat at that time, so that we could do so without neglecting the sick, although the deep snows of winter charitably hid a multitude of violations of law and ordinance, and made almost unobjectionable innumerable nuisances, they were so perfectly concealed. But upon the dissolving of the winter's snows these nuisances broke from their hiding places all over the city.

Chief among the essentials to a perfect tenement-house system are the genial sunlight and pure air; and both of these involve the necessity of space. Density of population and overcrowding are stern foes not only to good morals but to any civilized system of living. It can easily enough be shown that houses ill-ventilated and filthy are economical, in the market sense, for the tenants, because much less food is needed in them, and the body is very soon destroyed; and not the body only, but the soul. And as cleanliness is somehow always associated in men's minds with godliness, and always in such a manner that we can only reach the height of the latter through the former, we cannot but ask ourselves, if this is so, what chance has godliness in some of our tenement houses in this city? We should understand, then, that before godliness can be obtained we must be made

clean, and missionary labor to a poor sick man, gasping for air, should begin by giving him pure air at the start, and religious consolation when, afterwards, he is able to bear it.

Yet people, young and old, die in multitudes in our tenement houses, and deaths there as elsewhere are attributed to the mysterious dispensations of Providence, when there is no mystery about it. The deaths are all logically due when they happen, and the mystery would be if they happened not. It is only certain effect following obvious cause. If the owners of some tenement houses could be quickened into a sense of moral obligation, the duty they owe to their Maker, to society, to themselves, or that first lesson of political economy, that the better tenement houses are built, no matter what class of house, the better in the long run for the owners' pockets; or that other lesson, that sickness is oftener than anything else the cause of non-payment of rent, and their miserably built, badly ventilated shells and surroundings, the cause of the sickness,—these things would not be in our city, our yearly mortality would decrease at least one-fifth, as clearly shown by Mr. Leeds, in his comments on the death rate in New York, rarely would a sickness “native and to the manor born” start up, and no foreign plague, pestilence, cholera, or contagion of any description would ever find foothold here if it came.

If the death rates and statistics of mortality in great cities should be carefully studied, and its causes could be accurately seen, there would be no doubt but that one-fourth of those who die, die from causes connected in some way with impure air. Is this one-fourth then, worth saving? If so let us have pure air. There is enough of it—more bountiful than the sea—and it is as essential to life and health as food; and why men will shut themselves up and inhale rank poison, all their lives, when they can have pure air for the asking, is more than we know. We pet and train and teach birds, dogs and horses and the like, and let little children, who might be made of great worth, even in the lowest market sense, grope their way in the dark and into the ground early, as if they were of no consequence; when a few choice grains of knowledge of the laws of health would save them. Two thousand years ago this was not so.

The Legislature of 1871 gave us a tenement-house law much in advance of the old system. There are excellent requirements in it, which, if rigidly enforced, will and must conduce greatly to the public health. And we have taken the best care we could that this law should be understood and complied with. It makes excellent provision for the proper ventilation of tenement houses, and for proper and sufficient rooms for sleep. When we consider that of the threescore and ten years of life we pass almost twenty-five in sleeping chambers; that the first requisite of life and health is pure air; that, according to the English apportionment for hospitals, the cubic space for each bed with one occupant is 2100 feet, and that in consequence of the impurity of the air once breathed 4000 cubic feet an hour are required, we can but stand aghast at the scanty breathing places, the wretched Calcutta black holes called sleeping chambers, which we find in many of our tenement houses.

A well-known writer says, “There are strong reasons for believing that every year there are more cases of dangerous and fatal diseases gradually engendered by the habit of sleeping in small, unventilated rooms, and by crowding persons in the same bed and room, than have occurred from cholera atmosphere during any year since its first appearance in this country.” From the same authority we learn that England, out of a total force of 93,959 men engaged in the campaign in the Crimea, lost 33,645; of whom only 2058 were killed in action, and 1761 died of wounds. To every one taken to hospital on account of wounds, twelve were taken there on account of disease. The chief disease was typhus fever. And Boudens, surgeon-in-chief of the French army, says of this disease, “It is engendered by crowding and want, either in hospitals, prisons, or on board vessels. The disease may indeed be called forth and removed at will. And,” he adds, “the first remedy is pure air and powerful ventilation.” Our writer further says, “The sickness was stayed and finally disappeared; and the great panacea was pure air.”

Nor are those who are fortunate enough to dwell in other than tenement houses exempt from the common want of pure air; and we should be much more exempt than now from needless disease and death, if men everywhere would only carry into daily practice those natural laws which it is every man's imperative duty to know. Those who should know better pass many consecutive hours in close rooms, breathing over and over their own poisoned breath without a change of air. Sickness follows, and the poisoned mortals can't see the point.

If people could only see the air they breathe as they do the water they drink, there would be no trouble. But they do not, and in the long run it tells its own inevitable, retributive story.

Our public buildings, halls and schoolhouses are many of them built with no view to or thought of proper ventilation. The writer just quoted says that Judge Pierpont resigned his seat on the bench in New York in 1860, because the court room was "ruinous to health and dangerous to life," and that Chief-Justice Robertson of that city died of pneumonia from exposure for eight hours to the bad atmosphere of a court room. Let some person who has never thought of it go into some of our school rooms, even in our own city, on a moist winter day, about twelve at noon, where some sixty or one hundred pupils are climbing the wearisome heights, and the darkest troglodytic dormitories of our city have something of the scent of an orange grove in full blossom in comparison. You ask about the ventilation, and your eye is directed to two or three holes in the wall near the ceiling, but you are not told whether moral suasion is to coax, or corporal punishment drive, the deadly poison up there, nor who or what does the coaxing or driving. But you must be persuaded to believe that a mastodon crawls out of a gimlet hole when no inducement is offered him to go.

From the incomplete returns we have been able to gather up to the date of this writing, we are unable to give the average number of families in our tenement houses, but in 1869 there were 120 distinct families under one roof in New York, and there were in that city 13,623 houses, which averaged nearly six families each. In Philadelphia there was one house to every six persons; in New York, one to every thirteen; and there were three times the number of deaths in proportion to the population where they are huddled together, compared with the mortality where every family lives in a dwelling of its own. Dr. Mapother says, "Consumption and allied diseases slay about 100,000 yearly in England, Ireland and Scotland. And these deaths are distributed in almost exact proportion to the density of the population." Again, of Dublin, he says, "Over-crowding, impure air, insufficient water, imperfect sewerage, debility, pauperism, contagious scourges, death, widowhood, orphanage and high taxation have been in this city sequential terms." But who can wonder at the death-rate in such places, when, as a fair illustration, Corfield tells us in his book on sewage that a woman in Rugby, England, living near some great nuisance, said her rent was low (1s 9d a week), on account of the nuisance.

A large number of people, upon being requested to call at our office, have done so, and upon our showing them wherein they were living in violation of law and the city ordinance, they have promptly remedied everything and complied with the law. Yet there are those who have done so reluctantly, and some who would not do it at all until they acquired a more perfect knowledge of the law and the ordinances than we could give them, the knowledge derived from experience. During the entire month of March we gave what attention we could to tenement houses and nuisances, aided during the first half of the month by some of the medical inspectors, but this we did without any regularly established system, not coming at any conclusion as to the simplest and at the same time the most efficient method of conducting the business; but on the twenty-ninth of March we appointed sanitary inspectors, who commenced work on April 1st.

The number of tenement houses so inspected and entered upon our records, not including those visited by the members of the board, to the thirtieth of April, is 620. Those were occupied by 3,643 families, comprising 14,426 people. Up to that date many notices, whose number it is a waste of time to count, had been sent to parties who had failed to comply with the law regulating tenement houses, and a large number also to persons who suffered nuisances to exist upon their premises in violation of either law or ordinance, or both. In addition to these, there have been some few prosecutions. We cannot leave this subject without earnestly recommending that the yards, alleys and courts connected with them be required to be paved, as in many instances in New York and Philadelphia, thereby avoiding many causes of foul air and various nuisances that now lie concealed.

A law of 1872 provides for the appointment of inspectors of provisions, whose duty it is to inspect meats, fish, etc. If, on such inspection, a calf is found under four weeks old, the inspector must seize it and cause it to be destroyed; but the owner may appeal to the Board of Health, whose duty then is to inspect it also, and order it to be destroyed, or disposed of otherwise than for food if they find it

unwholesome. On the 8th of April, we were called upon to inspect the veal of twenty-four calves. We did so, and condemned them, and have had no invitation to inspect any since. The argument in favor of selling such veal is that it costs less than other meat, and there are many poor people who must have meat who cannot afford to buy any other. It will be seen that the argument proceeds upon the same reasoning as the low rent of the widow at Rugby, and on its face seems the very incarnation of humanitarianism. But its fallacy consists in calling creatures of such tender days meat at all. Still, of the two, we consider the argument better than the veal.

A hen is not a matter of large concern in a great city, nor is a pig; yet they are both important in the domestic economy; they give great comfort to poor people, and are both subjects of municipal regulation. No one, by the ordinance, is allowed to keep fowls, swine, or goats, without a license from this board; and while we have *in totidem verbis* licensed none, we have interfered with no one, unless a well-grounded complaint came from those who were disturbed by it. Many things in themselves apparently evil are the cause of much good. And whenever we "from seeming evil still educe good," could contribute to the comfort of people in this respect by letting them alone, we have done so.

It is the opinion of the Board that a smallpox hospital should be built in some favorable spot within the city limits, where it would cause the least annoyance, and at the same time where all the essentials of a hospital could be had. Hospital No. 2 has been an excellent place for the sick, while its occupancy for smallpox patients has been a cause of very great annoyance to some in the immediate neighborhood, and to many quite a distance away, who were not otherwise afflicted. But the truth should be told, that the people of Ward 15 have, on the whole, borne with great patience and magnanimity the infliction of this misfortune in their midst, which could not fall elsewhere; but a more favorable spot can now be found, and land of much less market value.

In conclusion, the ordinance requires of us "a review of the sanitary condition of the city." It is much better, in our judgment, to confess that our limited experience renders us unable to do so now, farther than the facts and suggestions we offer may show it, than to attempt to do so and fail to do it correctly, for want of knowledge. Yet we certainly know that there are serious drawbacks to that perfect health which our favored city ought to enjoy. The soil of New England is proverbially sterile, and our shores in some places dangerous and forbidding. Our climate is shamefully abused by those who study it not, or who, knowing it, as shamefully set at defiance natural laws. An easterly wind is not, perhaps, the most favorable one for rheumatic complaints, but he who is suffering from these, in abusing the climate, forgets that he has no lawful right to the troubles he suffers from, and, therefore, no just ground of complaint. He who "tempers the wind to the shorn lamb" sends the east wind in mercy, and it is all well ordered. We have no excuse for being otherwise than well fortified, and, being so, no trouble will come from that quarter.

It is easy to attribute pulmonary complaints to the east winds, but the real cause is not in them, but in ourselves. Exercise, temperance, cleanliness, and an abundance of pure, fresh air; sunlight and good food—these are the true preventives of disease, in whatever shape; and lack of these is sure to bring its train of ills, let the wind come from what quarter it may. People in every position in life should be more fully awake than they are to their importance. If they were so, and would only give constant heed to these key notes to health, there would be no such increase in the mortality of the city as there was in 1872. The promptest attention should be paid by all our citizens to stagnant and waste water, defective drainage and sewerage. As to the troublesome question of sewerage, or what to do with our sewage, the problem has not yet been solved. Yet the time must come sooner or later, when sewage, properly so called, must be disposed of in some manner independent of and disconnected from the sewers, or something must be added to our present sewers. Our sewers must be extended, or some large one take the contents of all those which now fail to go there, into the deep tidal currents of the river or the sea, and the vexed problem may be saved for us for a long time, if not forever.

The effect on the health of the city of filling up the Back Bay entire, we have yet to wait for. But had five hundred feet in width of Commonwealth avenue been left open from Arlington street westward, in conformity to the request of the memorialists in House Document No. 238 of 1860—in other words, were the constantly changing blue water where the green now is on that avenue, so that the western air

could come in to us over another broad water sweep, there can be no doubt that the city would not have suffered in point of health, and she might easily have been made another Hamburg. And last, but not least, could several inches, perhaps feet, of the putrid bottom of Miller's River be removed beyond smell and sight, not only would the "atmosphere of death" that so often hangs like a pall over the West End, give way to something sweeter, but our people would begin to have some faith in the doctrine that society exists only upon the principle that sometimes private advantage shall be sacrificed to the public good.

It hardly seems possible that men can be found so lost to all sense of moral obligation or public duty, so captivated by the music of what Carlyle calls "the all-pervading jingle of dollars," as for private gain to endanger the lives and destroy the comfort and peace of thousands of our people by such a dreadful nuisance as this.

While we have devoted many days to the purification of the city in all parts, trying hard to enter into every little detail of impurity at the North End, and make the unclean clean in the smallest matters, we have more than once thought of how little worth is all this in view of the dreadful odors that come from the nuisances of Miller's River to the people of the West End, and have half thought we heard some inhabitant of that portion of our city say of the Board of Health, in the language of King Richard to Stanley—

"What do they in the North,
When they should serve their Sovereign in the West?"

Respectfully submitted,
A. W. BOARDMAN,
Chairman.

The report of Dr. Samuel A. Green, City Physician, is thus summarized—

	Vaccinated.	Re-Vaccinated.	Certificates.	Supplied with Virus.	Whole No. recorded.
May and June, 1872.....	554	..	33	13	600
Quarter ending Sept. 30.....	420	..	65	67	552
" " Dec. 31.....	1,033	..	39	20	1,092
" " Mar. 31, 1873.....	164	190	19	18	391
April.....	27	13	19	..	59
Total	2,198	203	175	118	2,694

Visits have been made to the Jail daily, and 1150 prisoners been vaccinated at the time of their entrance. The Temporary Home and the City Prison have been visited as often as necessity required. A physical examination of all candidates for the police has been made on the requisition of the Chief. During the year 3367 cases of smallpox have been reported, and 996 deaths have occurred from the same disease.

The following facts are elicited from the report of Dr. C. Irving Fisher, Port Physician:

By order of the Board of Health the quarantine inspection of vessels was observed from June 1, 1872, to Nov. 1, 1872, and during the year only two vessels have required an official visit outside of the season specified. These were the steamers Kedar and Batavia, from Liperpool, with smallpox, and which arrived respectively, May 9, 1872, and April 5, 1873. During the year there have been inspected six hundred and seventeen vessels, which may be classified as follows:

Steamers.....	48
Ships.....	57
Barques.....	190
Brigs.....	194
Schooners.....	128

617

As of interest in showing our commercial relations with ports from which vessels are subject to quarantine inspection, from June 1 to November 1 each year, the following classification is given. The numbers include vessels of every description:

From United States south of the Capes of Virginia.....	116
West Indies and South America.....	251
England and Scotland.....	87
Europe, north of, and including France.....	41
Europe, south of France and the Mediterranean.....	43
Africa and East Indies.....	77

Total.....615

Of the whole number inspected during the year only seven, or a little more than one per cent., had sickness of a quarantinable character on board, and were detained at the station. Of these, five had smallpox and two ship fever. In all, ten persons were removed to the hospital; six with smallpox and three with ship fever. One was not sick, but had been especially exposed to smallpox. All of the sick recovered. The length of time the vessels were de-

tained from which the above sick were taken, varied from fifteen hours to three days. The revenue derived from vessels in fees amounted to \$3970. Four of the vessels included in the list were ships of war, and, by courtesy, passed without fee. The amount collected for board and medical care of patients above mentioned, was \$163 97. Whole amount collected and passed to the City Treasurer, \$4133 97.

Having at present no accommodations on Gallop's Island, except for smallpox patients, and being liable to need other and different accommodations during the summer season, I would also recommend the construction of at least two more hospitals—one for yellow fever and the other for ship fever. Should cholera present itself, even a third building, or a ship, or tents would be needed. There are several buildings upon the island which, in their present dilapidated condition, are unsightly and useless and ought to be torn down. For many years the boarding of vessels and transferring of patients to the quarantine hospital was done in an open row boat. There were many times when this method, though possible, was unsafe. At times it was impossible. The new steamer "Samuel Little," which was built and placed upon the station last season, has fully met a need long felt and the quarantine work is now done with comparative comfort.

There are remaining in the hospital four patients, one with smallpox, the others convalescing from the low condition in which the disease left them several weeks ago. There has been collected for board of patients not having a settlement in the city, \$1,451 54. This has been paid to the City Treasurer. A recapitulation of moneys paid into the City Treasury is as follows:

For fees for vessels.....	\$3,970 00
For board of patients from vessels.....	163 97
For board of patients not having settlement in the city.....	1,451 54
Total.....	\$5,585 51

On November 21st, 1872, Dr. Thomas Kittredge was appointed to act with the Assistant Port Physician in the care of those sent to the island with smallpox. The appointment was a fortunate one; his recent election as Assistant Port Physician was fully merited.

Although it falls to me to make this report, it is but just to remind you that the credit of the successfully executed work of the year is another's. I refer to Dr. S. H. Durgin of your Board. I trust that the high standard of integrity and faithfulness of the past will be maintained during the coming year.

REPORT OF THE CITY SOLICITOR.

The annual report of the City Solicitor was received and laid on the table to be printed. The report gives a list of all the suits and legal proceedings to which the city of Boston is party, pending at the time of his last report or since instituted, with a statement of the causes of action, the courts wherein the several cases are pending, and the action that has been had on them respectively.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Licenses reported a list of nine billiard licenses and one license for intelligence office, for renewal. Accepted.

Alderman Sayward, from the Committee on Health, submitted reports in favor of granting the following petitions on the usual conditions:

Of Frank Shouir, for leave to occupy a stable at 726 Broadway.

Of Charles Hunt, to occupy a stable at Neponset avenue.

Of Thomas White, for leave to occupy a stable on Wiswell's wharf, provided said stable shall be placed twenty feet from the coal shed.

Of J. F. Cooper, for leave to occupy a stable on Buttonwood court, provided it shall not be erected within fifteen feet of Miller's line.

Of O. D. Dana, for stable on Story street, provided it shall be located fifteen feet from the street, and twenty feet east of dwelling house of H. B. Bowen.

Of A. Burrell, for a brick stable on Third street, near M street.

Of James Nash, for a wooden stable on Bolton street, between E and A streets.

Severally accepted.

Alderman Sayward, from the same committee, reported leave to withdraw on the petition of W. R. Gerrish, for stable on Atlantic street. Accepted.

Alderman Clark, from the Committee on Streets, submitted a resolve and order authorizing his Honor the Mayor to execute and deliver to John G. Cushing and others a release of all the city's interest in, and to any land now or lately belonging to said grantors, said land having been taken in the widening of Milk street.

The order was read twice and passed.

Alderman Clark, from the Committee on Streets, submitted a resolve and order, giving notice to the Boston & Providence Railroad Corporation, F. Haven and others, trustees, Boston Water Power Company, William Gray, the Boston & Albany Railroad Company, and all other persons interested as owners, etc., to remove and carry away all buildings and obstructions projecting over the line of West Chester park, as established by the Board of Street Commissioners before the twenty-third of July, and empowering the Committee on Streets to enforce the same.

The resolve and order were read twice and passed. Alderman Clark, from the Committee on Streets, submitted reports as follows:

On petition of proprietors of India wharf, for change in assessment of betterments on Atlantic avenue—leave to withdraw.

Orders to pay S. S. Perkins fourteen hundred and fourteen dollars for land taken in widening Pearl street; to pay Joshua P. Preston sixty-three hundred and fifty dollars for land taken in widening Congress street; to pay Aaron C. Baldwin twenty-three thousand and sixty dollars for land taken by widening Essex street; to pay Joshua P. Preston ten thousand eight hundred and twenty-one dollars for land taken in widening Purchase street; to pay Cornelia V. and James V. Parker twelve thousand seven hundred and fifty dollars for land taken from estate of Charles M. Parker in widening Milk street; to pay the heirs of Edmund P. Dolbeare nineteen thousand two hundred and ninety-three dollars and seventy-five cents for land taken in widening Broad street; to pay Henry Lee twelve hundred dollars for land taken in widening Bedford street; and thirteen hundred dollars for land taken in widening Lincoln street; to pay Lydia A. G. Ellsou seven hundred dollars for land taken in widening Cottage street.

The reports were accepted and the orders were read twice and passed.

ORDERS READ ONCE.

On motion of Alderman Quincy—

Ordered, That there be paid to the several companies enumerated in the certificate of the Adjutant-General, dated July 9, the sums to which they are respectively entitled for inspection duty in May last, said sums amounting to \$1540; to be charged to the appropriation for Militia Bounty.

On the motion of Alderman Emery—

Ordered, That the lot of land on Swett street purchased by the city of Boston, containing 11,090 square feet, together with the building located thereon, be placed in charge of the Committee on Public Lands, and that they be directed to lease the same as in their judgment may be for the best interests of the city.

On motion of Alderman Clark—

Ordered, That the Joint Standing Committee on Streets be and they hereby are authorized in the settlement of damages to the estate of the New England Mutual Life Insurance Company on account of the widening of Congress street, between Water and State streets, to purchase the entire estate belonging to said company on the corner of State and Con-

gress streets for the sum of three hundred and seventy-five thousand dollars; said purchase to be upon such conditions as shall be agreed upon by the said committee, and the expense of the same to be charged to the Burnt District Loan.

ORDERS PASSED.

On motion of Alderman Gibson—

Ordered, That during the recess of the Common Council the Joint Standing Committee on the Survey and Inspection of Buildings be authorized to permit the erection of wooden buildings of larger dimensions than those authorized by the ordinance, upon such terms and conditions as they may deem advisable.

On motion of Alderman Power—

Ordered, That the Superintendent of Streets be directed to remove the fence recently erected on Ruggles street, at the westerly corner of Tremont and Ruggles streets, and set the same back on the true line of the street.

Ordered, That the Superintendent of Streets be directed to build a retaining wall on Pynchon street, and to grade said street where widened by the Board of Street Commissioners; also to reset the edgestones and repave the gutters and sidewalks on said street.

Ordered, That the Superintendent of Streets be directed to furnish and set the edgestones and pave the gutters on the southerly side of Longwood avenue.

On motion of Alderman Clark—

Ordered, That Hook and Ladder Company No. 1 of this city have permission to leave the city for three days in the month of August next, as a fire company; provided that they furnish substitutes to perform the duty in their absence, acceptable to the Chief-Engineer.

Ordered, That upon the payment to the city by C. E. Wiggin, of the sum of fifty-five hundred and seventy, and twenty-seven hundredths dollars, referees' award; less costs and interests to Benjamin Bradley, holding a lease upon an estate of said Wiggin on which Hanover street was widened, the City Solicitor be and he hereby is authorized to discharge the execution held by the city upon said Wiggin for the damages upon said leasehold.

On motion of Alderman Stebbins, the report of the Cochituate Water Board on increase of hydrants and water service in various sections of the city (City Doc. No. 92), was taken from the table and sent down.

ARTILLERY FIRING ON THE COMMON.

On motion of Alderman Quincy, the reports, majority and minority, of Committee on Ordinances, with ordinance to prohibit the discharge of artillery on the Common without proper authority (City Doc. No. 93), were taken from the table.

On the question of accepting the majority report and passing the ordinance, Alderman Quincy called for the yeas and nays, which were as follows:

Yeas—Aldermen Bigelow, Brown, Clark, Cutter, Emery, Gaffield, Gibson, Power, Quincy, Sayward, Stebbins—11.

Nays—0.

Adjourned to Thursday, 17th instant, at 1 P. M.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JULY 17, 1873.

An adjourned meeting of the Board of Aldermen was held at 1 P. M., today, Alderman Cutter, chairman, presiding.

APPOINTMENT CONFIRMED.

Special Police Officer without pay--J. H. Richardson.

FROM THE SCHOOL COMMITTEE.

The following papers were received from the School Committee:

Ordered, That the Oliver Primary Schoolhouse, on Summer street, East Boston, be and hereby is surrendered to the City Council.

Referred to the Joint Standing Committee on Public Buildings.

Ordered, That the City Council be requested to provide additional accommodations for the Minot School.

Ordered, That the City Council be requested to provide additional accommodations in the new grammar school district in Washington Village, Ward 12.

Ordered, That the City Council be requested to purchase a lot of land, and erect thereon a primary school building of not less than eight rooms, for the accommodation of scholars in the Lawrence School District.

Ordered, That the City Council be requested to provide additional accommodations for primary schools in the Dorchester Everett District.

Severally referred to the Joint Standing Committee on Public Instruction.

PETITIONS PRESENTED AND REFERRED.

Of Thomas H. McDouald, for leave to occupy a wooden stable for five horses, on 13 Gardner avenue, Ward 15.

Referred to the Committee on Health, on the part of the Board.

Of Faxon Bros., that edgestones may be set and sidewalk laid between 143 and 147 South street.

Referred to the Committee on Paving.

Of Alonzo Bowers *et als.*, for the construction of a sewer in Main street, between Chelsea and Bremer streets.

Referred to the Committee on Sewers.

Of John Preston, for permission to make an addition to his manufactory on South street, Commercial Point, Ward 16.

Referred to Committee on Survey and Inspection of Buildings.

FROM THE HARBOR COMMISSIONERS.

Notice was received from the Harbor Commissioners of an application to that Board from the South Boston Yacht Club for leave to build a pile structure in tide-water at South Boston Point, and appointing July 26, at 11 A. M., as the time fixed for a hearing thereon.

Referred to the Committee on Harbors on the part of this Board.

UNFINISHED BUSINESS.

Ordered, That there be paid to the several companies enumerated in the certificate of the adjutant-general, dated July 9, the sums to which they are respectively entitled for inspection duty in May last, said sums amounting to fifteen hundred and forty dollars, to be charged to the appropriation for Militia Bounty.

[The companies named are Companies B, D, E, F, G and K, First Regiment Infantry, and Batteries A and B Light Artillery.]

Passed.

Ordered, That the lot of land on Swett street, as purchased by the city of Boston, October 22, 1872, and containing 111,090 square feet, together with the buildings located thereon, be placed in charge of the Committee on Public Lands, and that they be directed to lease the same upon such terms and conditions as they in their judgment may deem for the best interest of the city.

Alderman Clark moved to amend by striking out all after the word directed, and insert the words "to raise the grade so as to secure the proper drainage of the same."

Alderman Emery thought there could be no objection to the amendment.

Alderman Clark said the city had \$75,000 of land, and the best thing to be done is to put it in condition to be occupied. He proposed to further amend the or-

der by inserting the words, "to dispose of the buildings in such manner as they may deem for the best interests of the city," before the other amendment offered by him.

Alderman Gibson thought it could be used as a lumber yard, and might be advantageously disposed of.

Alderman Clark said his object was to get the land filled up, which could be done at a trifling expense.

Alderman Brown was of the opinion that it could be disposed of for a lumber wharf, and thought it would be well to allow the committee to sell it.

Alderman Clark thought the committee had better see what could be done with the lot first.

Alderman Gibson agreed with Alderman Clark that it had better be filled up first.

Alderman Sayward hoped neither the amendment nor order would pass until some other place had been provided for a smallpox hospital.

Alderman Clark said the order contemplates the abandonment of the buildings for smallpox purposes. Now the grade is too low for occupancy. The Board of Health consider the buildings undesirable for use in any contingency. He merely wished to secure good drainage and dispose of the buildings and lands.

Alderman Brown said if the committee were not obliged to sell the buildings he would not object. He thought the buildings had better remain there. There was no danger of smallpox from them. They should be made as useful as possible.

Alderman Clark said the committee had power to dispose of them for the best interest of the city.

Alderman Emery said the difficulty would be in raising the building.

Alderman Clark--The buildings have already been raised to grade.

Alderman Gibson thought it was all right and hoped the order would pass.

The amendments were adopted and the order was passed.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the petitions of John Le Baron, Martin E. Moran and Sarah Wran, for victualler's licenses; of C. Mahan for billiard license and of Martin E. Moran for innholder's license. Severally accepted.

Alderman Gaffield, from the Committee on Public Instruction, to whom were referred the orders authorizing the Committee on Public Buildings to erect a primary schoolhouse on Newbury and Exeter streets, at an estimated cost of forty thousand dollars, having considered the subject, reported that the orders ought to pass in a new draft, as appended.

Ordered, That the Joint Standing Committee on Public Buildings be authorized to erect a primary schoolhouse on the lot of land owned by the city on Newbury and Exeter streets, in accordance with plans approved therefor by the Committee on Public Instruction; the expense of erecting said building not to exceed the sum of forty thousand dollars.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$40,000, the same to be applied to the erection of a primary schoolhouse on Newbury and Exeter streets.

Alderman Power would like to have the matter laid over, in order to look into it. Some people objected to having the schoolhouse located there.

Alderman Clark said that a schoolhouse is needed there very much, and it ought to be built at once. The people there pay their taxes, and pay them liberally, and if there is any place in Boston where a public schoolhouse is needed it is on the Back Bay. He had been obliged to send his children to a private school because there is no public school there.

Alderman Gibson remarked that as the pupils were not there now he supposed the Alderman was counting on the future.

Alderman Clark rejoined that there are pupils there now and there are more to come. It was proposed to build a house large enough for both a grammar and primary school.

Alderman Brown said he would be happy to vote forty thousand dollars for a schoolhouse on the Back Bay as soon as it would be filled up. He did not see any reason why the order should not pass at the present time.

Alderman Gaffield said there is a great call for a public schoolhouse on that ground. The commissioner for the sale of the Commonwealth's lands said there were frequent inquiries among purchasers why there was not a schoolhouse provided there. The Commonwealth gave the land at a very low price that this schoolhouse might be erected. The order contemplates the erection of a small building, and prospectively provides for a large house, which shall contain both a primary and grammar school.

Alderman Power said if the schoolhouse is not needed money ought not to be spent for it. Many people who live there do not patronize the public schools, and many think a public school is not needed there at all. He did n't object to having schools where they are required.

Alderman Clark insisted that there is great need of a public schoolhouse there. The territory is filling up very rapidly with dwelling houses, and where there are dwelling houses there are very naturally children who want to go to school. Many gentlemen had spoken to him about having a school there, and he had done all that he could to have one located there last year.

The orders were read twice and passed.

ORDERS PASSED.

On motion of Alderman Power—

Ordered, That the Superintendent of Streets be directed to pave the sidewalks on the northerly side of Washington street, between Eliot square and Pyncheon street, and report to this Board a schedule of the expenses thereof.

Ordered, That the Superintendent of Streets be directed to remove all obstructions remaining over the line of Washington street, between Elmwood and Pyncheon streets.

Ordered, That the Superintendent of Streets be directed to furnish and set the edgestones on Columbia and Hancock streets, between Stoughton and Bird streets, and to report to this Board a schedule of the expense thereof.

On motion of Alderman Sayward—

Ordered, That the Superintendent of Public Buildings, under the direction of the Committee on Public Buildings, be authorized to repair the cellar of Engine House No. 10; the expense to be charged to the appropriation for Public Buildings.

On motion of Alderman Gaffield—

Ordered, That the Committee on Public Buildings be authorized to furnish temporary accommodations for primary schools in the Comins District, the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

On motion of Alderman Clark—

Orders to pay Sampson & Davenport \$135 for land taken from Alexander H. Read by the extension of Franklin street to Pearl street; to pay E. M. Cate and W. A. Nickerson \$10,960 for land taken in widening Federal street; to pay Sampson & Davenport \$2400 for land taken in the name of Alexander H. Read in the widening of Congress street.

Orders to vacate and remove obstructions by August 10, giving notice to the heirs of Joseph Sargent, corner of Dorchester and G streets; Michael Havey, Haynes street; James Leeds, James Parker, F. H. Thompson, Congress street; heirs of John Tappan, Moses Williams, Ellen Stearns, James Lawrence, trustee, James Lawrence, James Vila, J. C. Howe and J. J. French, Pearl street; James Leeds, James Lawrence, Ellen Stearns, Milk, Congress and Pearl streets.

Ordered, That the Joint Standing Committee on

Streets be authorized to grant a right of way to estates of A. A. Burrage and the heirs of Nathaniel Whiting, situated on Oliver street, over the rear portion of the estate owned by the city of Boston fronting on Washington square, upon such terms and conditions as said committee may deem best for the interest of the city.

Ordered, That the Board of Street Commissioners be requested to furnish estimates of the expense of laying out and extending Fayette court forty feet in width from Washington street to Tremont street; also of extending Hayward place through Rowe place to Kingston street.

On motion of Alderman Clark the order authorizing Committee on Streets to purchase the estate of the New England Mutual Life Insurance Company, corner of State and Congress streets, for \$375,000, was taken from the table.

This order was presented by Alderman Clark at the last meeting, read once, and laid over on motion of Alderman Brown, who desired time to investigate the case.

Alderman Brown said he had made the contemplated inquiries, and although he thought the price pretty large, he did n't know that the city could do any better than make the purchase as proposed by the order. He had seen two of the trustees of the institution, and was satisfied that if the offer was not accepted by this Board, the city might be obliged to pay more than the amount named in the order. He should, therefore, vote for the order.

The order was passed.

MUSIC ON THE COMMON.

On motion of Alderman Clark, the order for the appointment of a joint special committee to provide music on the Common was taken from the table.

Alderman Clark hoped the order would pass, inasmuch as this would be the last opportunity the Council would have to act upon it, and it may as well be decided now by the Board, leaving the Council to take any such action as they might deem proper.

Alderman Power moved that the order be indefinitely postponed.

Alderman Clark said he did n't suppose it required any argument to vote down that motion, the feeling of the Board being too well known to lead him to suppose such a motion would be entertained.

Alderman Power's motion was rejected.

The vote on the passage of the order was as follows:

Yeas—Aldermen Bigelow, Clark, Gaffield, Gibson, Quincy, Sayward, Stebbens—7.

Nays—Aldermen Brown, Cutter, Emery and Power—4.

Not receiving a two-thirds vote the order was rejected.

On motion of Alderman Emery, the report (leave to withdraw) on petition of Suffolk Kindling Wood Company, which had been accepted by the Common Council, was taken from the table.

The Board voted to concur.

Adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,
JULY 17, 1873.

The regular weekly meeting of the Common Council was held at eight o'clock this evening, E. O. Shepard, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The report of the Cochituate Water Board on extension of water pipes and the annual report of the Board of Health were accepted and placed on file.

Petitions of Co. D, Thomas Moley, George H. Davis *et al.*, and John Preston, and the requests and order from the School Committee were severally referred, in concurrence.

Resolves and orders from the Board of Street Commissioners for widening Pleasant street from Columbus avenue to Eliot street, at an adjudged expense of \$12,236, and for the extension of Eliot street to Columbus avenue, at an adjudged expense of \$56,752, were referred to the Joint Standing Committee on Streets.

Order authorizing the Mayor to execute a release to J. P. Cushing *et al.*, of certain land taken in widening Milk street.

Passed, under a suspension of the rules, on motion of Mr. Flynn of Ward 7.

Order to discharge execution of the city upon C. E. Wiggins on Hanover street, on terms in said order set forth.

Order authorizing Committee on Survey, etc., of Buildings to permit the erection of wooden buildings during recess of Common Council.

Report and order that Hook and Ladder Company No. 1 be permitted to leave the city for three days in August.

Report and an ordinance in addition to an ordinance in relation to the Fire Department.

Severally passed, in concurrence.

Report and an ordinance in relation to the discharge of cannon upon the Common or public grounds. (City Doc. No. 93, 1873.)

Mr. Wells of Ward 3, at the request of a member of the committee, who had to leave town and who wished to present a minority report, moved to lay the order on the table. The motion prevailed.

The report (inexpedient) to erect a clock tower on the Ticknor Schoolhouse came from the Aldermen recommended to the Joint Standing Committee on Public Buildings.

Mr. Warren of Ward 12 said there is no place in South Boston where a clock is needed more than in Washington Village. This place was on high ground nearly at the foot of Dorchester street. There is no clock within half a mile of that place. He hoped the report would be recommended. If they deferred the matter till the new schoolhouse is built, and the clock is put there, the location will not be near so good as the old one would be, nor would it be so satisfactory to the residents of that neighborhood.

Mr. Upham of Ward 16 said the matter was before the Committee on Fire Alarms last May, and they were unanimously of the opinion that the clock should be placed on the house, and an order was reported to that effect. Subsequently an order was introduced in the other branch that the committee be authorized to raise the building. The population of Washington Village would be very much accommodated by the clock, the striking part of which will operate on the fire-alarm bell. He moved that the Council concur in the action of the Aldermen.

The Council voted to recede from its former action and concur in the recommendation of the report.

Order to permit a right of way to estates of A. A. Burrage and the heirs of Nathaniel Whiting, on Oliver street, over land of the city on Washington square. Passed in concurrence.

Order concerning repairs of cellar of Engine House No. 10. Passed in concurrence, under suspension of the rules, on motion of Mr. Pease of Ward 1.

Order for providing temporary accommodations for primary schools in the Cornish District. Passed in concurrence, under a suspension of the rules, on motion of Mr. West of Ward 16.

Order requesting the Board of Street Commissioners to furnish estimates of the expense of laying out and extending Fayette court forty feet in width from Washington street to Tremont street; also of extending Hayward place through Rowe place to Kingston street.

On the question of giving the order a second reading, Mr. Shaw of Ward 5 asked whether this had come from any committee. He had first seen a copy of the order this afternoon. It is well known that the Street Commissioners have been considering this matter. It happens to affect Ward 15, which has been very much troubled during the last year by fires.

As a representative of that ward he would like to know the source of this order and the reason for taking the matter out of the hands of the Commissioners. There are various reasons for and against opening a new street from Washington to Tremont street, and it has for some time been the subject of a quarrel. No hearing has been held, the people have not been heard, and it is not proper in such a case to pass upon this matter. He desired that the matter should lie over while being considered by the proper tribunal. To pass it in this way and get a snap judgment would be entirely out of order. Ward 5 has had a great deal of trouble about streets, and if he could have had his way he would have seized the whole of the burnt district and laid it out new. The afflictions of that ward are known all over the city and he could only account for it on the old Scripture doctrine that "whom the Lord loveth he chasteneth." If any member could explain the order he should like him to do so.

Mr. Flynn of Ward 7 said the Committee on Streets have had this matter under consideration for some time. Petitions representing millions of dollars had been received asking that these streets be laid out. At a meeting of this committee, yesterday, the members of the Street Commissioners were asked the reasons for not presenting a plan and an estimate of the cost to the City Council. The reasons given were not satisfactory to the committee, and that is why this request is made.

Mr. Shaw wanted to know what right the Street Committee have to act upon petitions which are before the Street Commissioners. They have no right to act upon such matters until after the Commissioners have voted.

Mr. Flynn—The Committee felt that, representing the people, they had the right to suggest or forward any schemes that would benefit the people. The Street Commissioners have refused to furnish any estimates to the City Council, and this order was put in asking them to do so.

Mr. Perkins of Ward 6—The great objection to putting that street through is the expense. It is certainly desirable that any information as to the expense should be presented to the Council. And it is but fair that the Commissioners be asked to furnish it. This is a matter of common knowledge. The Street Committee are supposed to read the newspapers, and to know what is said. It is perfectly proper for the City Government to act on this matter and to seek information before acting.

Mr. Jones of Ward 14 moved to amend by adding the words "and widening Avery street."

Mr. Perkins of Ward 6 said there is no territory within forty feet of Avery street which has been scorched by fire. No one thinks it would be judicious to widen Avery street. What the Street Committee ask for is the expense of widening Fayette court and continuing it through to Tremont street. This information they want in order to form their opinions on the project before them. The Street Committee have no intention of widening Avery street now, because it is not within any burnt district.

Mr. Jones of Ward 14—This extension of Fayette court is like buying something that is cheap. I don't believe in the necessity of cutting through a place that has been burned simply because the land is cheap.

Mr. Shaw of Ward 5—It may be a matter of common notoriety, but it is no legitimate way to bring it before the Common Council. When matters are brought before the Committee on Streets then it is time to act on them. Because several rich gentlemen want this matter carried through is no reason why it should be adopted by a snap judgment. It seems to be intended to snap this matter upon us because it is supposed to be the last meeting of the season. But there is another reason why we should object. I was familiar with that district before the gentleman from Ward 6 was born. I have lived there thirty-five years, and I almost said I have travelled every inch of it. When I ask that this matter may be laid over that gentlemen may have time to think of it, it seems too reasonable a request to be denied. I have heard some of the Commissioners say it would be very expensive to put the widening through Avery street. The people have not been heard before the Street Committee yet. The gentleman says the committee sent for the Commissioners to come before them; that is perfectly right, but the people have never been heard. Now, as in all such matters, I am opposed to rushing anything through the City Government until the people have had time to consider it. I was about to move to lay the order on the table, but if the gentleman wishes to speak I won't do so.

Mr. Perkins of Ward 6—It seems to me that the gentleman in representing that this is a snap judgment unintentionally conveys a wrong impression. He would convey the opinion that something would be done to imperil his constituents. I don't know how many of his constituents own property.

Mr. Shaw—I rise to a point of order. If the gentleman alludes to my constituents I desire an explanation.

Mr. Perkins—That is not a point of order, only a little interruption. The thing is simply this: The Street Committee have considered the subject of widening the streets in the smaller burnt district. The Street Commissioners have already passed two orders, and there is one other question whether a street shall be run through opposite Hayward place. I rather agree with the gentleman from Ward 5; I am not in favor of running the street through opposite Hayward place, an estimate for which the committee have asked for. But that is no reason why an estimate should not be made. It simply enables the Council to form an intelligent opinion. The gentleman from Ward 14 also asks for an amendment to furnish an estimate for widening a street outside of the burnt district. No one has petitioned that this should be done. It is generally a rule that we should not do anything till some one has made a public move. The gentleman is trying to do something that can be done a hundred years from now just as well as now. I don't care a copper whether one street or the other is widened, but I do consider that any information which the Council asks for the Commissioners ought to grant.

Mr. Shaw—It is perfectly well known that the Commissioners have agreed to report against the widening of this street; they have voted as a whole to go against the extension of Fayette to Tremont street. What is the use of trying to hoodwink this Council? I have it from the lips of the Commissioners themselves.

Mr. Flynn of Ward 7—I desire to ask the gentleman if he is aware of the fact that the Commissioners had laid out this street and printed the estimate, and were ready to submit it to the City Council? Why they did not is what the City Council is not aware of.

Mr. Shaw—I have no doubt it was done on the hasty judgment of the Commissioners, and indeed of a great many petitioners. They did make such a report, but upon their attention being called to the state of matters today and the large expense of widening streets, they decided that if the street was to be cut through from Washington street to Tremont street, Fayette court was not the street to cut through. That being the case, when the Commissioners say among themselves they do not consider it for the public interest to have any street cut through, or if they did it certainly would not be this street, we are bound to respect their opinion. It is the legitimate business of the Committee on Streets to consider those matters only when they are referred to them, and they have no right to take up anything outside. I object to this as a matter of principle. The Board of Street Commissioners are chosen to investigate this matter of streets. The people are not ready for this proposition and this order would give it a semi-official sanction. I have not the least shadow of an idea that this matter can be carried. If we are to have a street through there let it be somewhere nearer Bedford streets. When I am told by the Commissioners that the cost of one will be double the other, I am opposed to it. All I ask is time for the people to consider and reflect.

Mr. Denny of Ward 9—I don't know anything about the question, except what I have heard here tonight, but I can't see how it is any violation of principle for the Council to obtain information on any matter on which it may be called to act, either now or in the future. It is right and proper for them to ask for information from the properly constituted board. It commits the Council to nothing, and it is the proper way to get the information asked for. I don't understand how the gentleman speaks as the mouthpiece of the Commissioners. I am satisfied to receive information from the gentleman from Ward 5, but I don't think the Commissioners should report to the Council through any one member.

Mr. Shaw disclaimed being the mouth piece of the Commissioners. He again urged that the Committee on Streets had no right to speak as a committee on any matter not referred to them. He moved to lay the order on the table.

The motion was rejected.

The question being on Mr. Jones's amendment, Mr. Denny of Ward 9 said the estimates are already in possession of the Street Commissioners, and consequently there would be no labor or expense. If this would violate any principle let us do it and have a precedent.

Mr. Jones remarked that his object in offering the amendment was simply to save time. He would, however, withdraw it.

The order having been read a second time, Mr. Jones of Ward 14 said he had no objection to the passage of the order, but it would be some time before we can act upon the subject in view of the pro-

posed adjournment for six weeks, and parties who intend to build on that street would be very much inconvenienced.

Mr. Flynn of Ward 7 said it was for this very reason the order was offered. No permit had been given for building on that street, and the object was to save time.

The order was passed, in concurrence.

Report and order for the erection of a schoolhouse at the corner of Newbury and Exeter streets. Passed in concurrence, under a suspension of the rules, on motion of Mr. West of Ward 16—yeas 46, nays 0.

Order for the grading of land and disposing of the Swett-street hospital property.

Mr. Flynn of Ward 7 inquired if the order came from any committee. He moved it be indefinitely postponed.

Mr. Train of Ward 13 hoped the order would not be postponed; the hospital is an eyesore and a nuisance to the citizens of Ward 13.

Mr. Flynn of Ward 7 said that some time ago the Committee on Health decided not to dispose of the property. While there it is very little expense, and if the Board of Health desire to dispose of it they can do so.

Mr. Wells of Ward 3 thought the property good for wharfage, or it would be a good site for a stable for the Paving Department.

Mr. Perkins of Ward 6—I think it was last year we got caught in the same way in which we may get caught again. We had a smallpox hospital in the rear of the City Hospital, and for a year or two there was a quarrel between the Committee on Public Lands and the trustees of the hospital about the control of it. The committee finally triumphed and the trustees resigned. Now don't let us repeat the same experience. It is better to err on the safe side.

Mr. Train of Ward 13—It has been pronounced unfit for a smallpox hospital, and certainly it would not do for a cholera hospital. The order is to give discretion to the committee. The property can be graded and they can sell it if they see fit.

Mr. Flynn of Ward 7—It has been proposed to extend Swett street from Washington Village to this very point, and all this expense of grading the land could be done when that street is laid out. There is no reason for doing it.

Mr. Wells of Ward 3 could see no necessity for grading the property. He hoped the committee would not make the mistake of selling it or putting it into the hands of any committee to sell.

The order was indefinitely postponed.

Order for the purchase of land from the New England Mutual Life Insurance Company for \$375,000. Passed under a suspension of the rules on motion of Mr. Perkins of Ward 6.

THE COUNTY JAIL.

Report and order to authorize the Committee on County Buildings to expend a further sum of \$3000 in addition to the amount heretofore authorized for the repairs on the County Jail, etc. Passed.

ENLARGEMENT OF CITY HALL.

Report and order authorizing building 23 Pemher-ton square to be hired for offices for the city, at an annual rent of \$3000.

Mr. Flynn of Ward 7 offered the following as a substitute:

Ordered, That the Committee on Public Buildings be authorized to hire, on such terms and conditions as they may deem best for the interests of the city, the two upper stories of what is known as Niles Block, and connect said building with City Hall by a bridge; the expense to be charged to the appropriations for Public Buildings.

Mr. Flynn had seen Mr. Niles, who stated that there are no leases on the two upper stories, and he would be glad to lease them to the city on the same terms as they are now occupied. There were thirty-two offices, and the rental would be about \$3250. The only room in City Hall which would be disturbed would be that of the City Registrar. This would make all the offices connected with City Hall.

The substitute was adopted, and the order as amended was passed.

FIRE DEPARTMENT.

Order authorizing Committee on Reorganization of Fire Department to visit other cities to obtain information regarding their several fire departments.

The question being on its passage, Mr. Perkins of Ward 6 asked how long the committee intended to sit.

Mr. West of Ward 16—The committee have not voted to make this visit; they simply desire the power in case they should wish to go.

Mr. Perkins of Ward 6—I would ask if a vote to go was passed in the committee prior to the presentation of this order.

Mr. West—I think not.

Mr. Perkins—I may infer then that the order does not come from the committee.

Mr. West—He can infer what he pleases.

Mr. Perkins—I know the matter was not discussed in committee until after that order. I should like to know what good purpose is to be served by their going anywhere—by their going West.

Mr. West—The order simply contemplates receiving authority to visit other cities if the committee deem fit. If the committee want to go they will, and if the city don't pay their bills the members will do it themselves.

Mr. Wells of Ward 3—I hope the committee will be granted a thousand dollars to investigate this matter. When the committee returns I think the gentleman from Ward 6 will change his mind.

Mr. Perkins—Then I am to believe this order means a long life to the head of the department; that the Council is going to adjourn before it can act on the reorganization of the Fire Department. I know, from conversation with the chairman of the committee, that he is ready to report, and I have reason to believe that the members are equally ready. Rumor states that at the meeting yesterday, the committee voted on the subject referred to them, and yet the Council is asked to pass an order that they may go where they please. The Council is to adjourn for the summer that Mr. Damrell may have a long life, and no action shall be taken on this matter until the summer vacation is over. I am ready to forego my summer vacation for the public interest. This order is a deathblow to reform in the Fire Department.

Mr. Denny of Ward 9—I desire to say that the gentleman's remarks are entirely wrong. The matter of using a thousand dollars has not been discussed by the committee to any considerable extent. They have no proposition to visit any city, but if we can serve the city of Boston by visiting New York or Chicago, we shall go, and I believe the city will sustain us. The gentleman has stated that this order means a long life to the head of the department. It means nothing of the kind. The head of the department has not been considered in any way. I want my word to go as authority on that particular question, because the gentleman from Ward 6 has put it down very strongly. I wish to positively state the reverse. The committee will go to New Orleans, St. Louis or New York if they think the interests of the city of Boston require it. I leave it to the common sense of this Council if this committee could not act better after observing the management of departments in other cities. Still I think it very doubtful if we shall go.

Mr. Perkins of Ward 6—I am glad to see the members of the committee are coming out on this question. I would now like to ask the gentleman from Ward 9 whether this order comes from the committee, or whether the committee, at any meeting prior to the time when this order was introduced into the Council, by vote authorized its introduction.

Mr. Denny—This committee will sit until they thoroughly consider the reorganization of the department. I don't propose to answer any questions in regard to the discussions of the committee. But I stand by that order.

Mr. Perkins—In my experience it has been very frequent for members to be asked if orders came from the committee.

Mr. Denny—I have given good reasons why I will not answer that question. I indorse the order, as does each member of the committee. I don't think it a proper subject for further discussion.

Mr. Jones hoped the order would prevail, as the committee would get more valuable information by visiting other cities than in any other way. He moved the previous question.

The main question was ordered, and the order was passed.

PETITIONS.

Mr. Pease of Ward 1 presented the petition of James M. Hunt, for compensation for injuries from falling into a gulchway on Bremen street, East Boston, April 19, 1873. Referred to the Committee on Claims.

Mr. Boles of Ward 12 presented an order for the paving of Broadway with granite blocks, between Dorchester and I streets. Ordered to be sent up.

REPORTS OF COMMITTEES.

Mr. Flynn of Ward 7, from the Joint Standing Committee on Streets, to whom were referred the resolves and orders for the extension of Eliot street to Columbus avenue at an estimated expense of \$56,752, and for the widening of Pleasant street from Columbus avenue to Eliot street extended, at an estimated expense of \$12,256, reported that the orders ought to pass.

The rules were suspended and the orders were passed.

Mr. Burditt of Ward 16, from the Joint Standing Committee on Fire Department, to whom was recom-

mitted the order of the City Council of June 19th, for them to report an estimate of the expense for repairs on the fire boat, having carefully considered the same, find that the repairs amount to the sum of \$3888 98. The committee recommend the passage of the original order, authorizing the committee to make the necessary repairs and alterations; the expense to be charged to the appropriations for the Fire Department.

The order was passed.

On motion of Mr. Page of Ward 9.

Ordered, That the allowance for rent paid to companies B and D, First Battalion of Infantry, at William's Hall be discontinued from and after July 1st, and that the same be paid to said companies for rent of armory at Minot Hall, corner of Springfield and Washington streets, beginning July 1st.

Passed under a suspension of the rules—yeas 46, nays 0.

THE NORMAL SCHOOL.

Mr. Brackett of Ward 10 offered the following:

Ordered, That the salaries of the teachers employed by the School Committee in the school called the Normal School be allowed as follows:

Larkin Dunton, three months, at \$291 66.....	\$874 98
Jane H. Stiekney, three months, at \$125.....	375 00
Florence W. Stetson, three months, at \$83.....	249 99
Bertha W. Hintz, three months, at \$83.....	249 99
Annie J. Stoddard, three months, at \$58 33.....	174 99
Total.....	\$1,924 95

Mr. Brackett—It is well-known that a question has been raised in regard to the legality of this school, but whatever may be the decision, these teachers were employed prior to the raising of the question. They should be paid for their services, whatever may be the fate of the school in the future. I understand that in case an order of this kind is passed an injunction will be applied for to test the question of the legality of the school, so the gentlemen need not have any fears of having to pay the money just now.

Mr. Perkins of Ward 6 thought Mr. Brackett wrong in his chronology.

Mr. Brackett said the school year ends on the first of September, and the order is to pay the salaries which the city agreed to pay. He moved a suspension of the rules that the order might be passed.

Mr. Perkins of Ward 6—The Mayor has already vetoed an order for the fitting up of the Normal School, on the ground that it was illegally constituted. I can't see with what propriety we can pay the teachers from the first of June to the first of September when the school had no legal existence at that time. It seems to me not to be right to pass an order to allow extra privileges to some citizens who are more careful of the public interests than we are. It is better not to pass this order. I presume these persons have performed services up to the first of June, but this is an attempt to pay them for a quarter when they have not worked. It is simply in accordance with the theory that prevails in the School Committee.

Mr. Shaw of Ward 5—I would like to ask the gentleman, as an astute lawyer, if the city, having employed these persons, is not bound to pay them.

Mr. Jones of Ward 14 explained that the teachers are hired for a year, which ends on the 1st of September.

Mr. Perkins of Ward 6—Inasmuch as these teachers are hired by the year, we are bound to pay them for so much of the year as has elapsed, although, as the City Solicitor has decided that the school is illegal, he must have decided that the employment of those teachers was illegal.

Mr. Holmes of Ward 6 said that as it may not be well to act on this matter in a hurry, he moved that it be referred to the Committee on Public Instruction.

The motion prevailed.

FIRE ALARMS.

Mr. Pease of Ward 1 offered the following:

Ordered, That the order of the City Council approved by the Mayor, May 31, 1873, authorizing the Superintendent of Fire Alarms to place a bell tower, bell and fire-alarm apparatus in the Prescott Schoolhouse, be rescinded and the following orders substituted:

Ordered, That the Superintendent of Public Buildings, under the direction of the committee on that department, be directed to place a bell tower on the new Primary Schoolhouse in Princeton street; the expense thereof to be charged to the appropriation for that building.

Ordered, That the Superintendent of Fire Alarms, under the direction of the committee on that department, be directed to place a bell and striking apparatus on the new Primary Schoolhouse in Princeton street; the same to be charged to the appropriations for Fire Department.

Mr. Pease explained the occasion of offering the order, and at the request of Mr. Davis of Ward 14 and Mr. Upham of Ward 16, the matter was referred to the Committee on Fire Alarms.

ENLARGEMENT OF QUINCY MARKET.

Mr. Shaw offered the following:

Ordered, That the Joint Standing Committee on Public Buildings consider and report on the expediency of adding one or more stories to the Quincy-Market Building.

Mr. Shaw—Every one who is familiar with Quincy-Market building knows that it is but two stories in height. There are twenty-seven thousand feet of land covered by that building. The lower story is rented to the market men, and the upper story is leased for a short time for nine thousand dollars per annum. It is perfectly feasible to add one or two stories to that building and a much larger income would be thus obtained. Having passed the building a week ago it occurred to me that a large amount could be received. A great deal of room in the public buildings is not utilized. Matters of this kind should be considered more fully than they are. My friend referred the other night to the vacant bricks and mortar in Chardon street, and I took occasion to visit that building the next day, and I found it about half occupied.

Mr. Caton of Ward 11 raised the point of order, that the question under discussion was not the Charity Building.

Mr. Shaw—I was just illustrating my position. I undertake to say that the Committee on Public Buildings are not attending to their business. The order I introduced at the last meeting having gone to the tomb of the Capulets, I am glad to see the order passed tonight for enlarging the accommodations in City Hall.

Mr. Caton raised the point of order that if Mr. Shaw was making an attack on the Committee on Public Buildings, he should like to reply.

The Chair ruled that Mr. Shaw's remarks were a little wide of the subject, and he must confine himself to the subject of Quincy Market building.

Mr. Shaw—I am simply giving my reasons for offering this order. I find other buildings are not used as they ought to be. Now we are paying a large amount for armories, and I would suggest that the Quincy Market be built upon and one or more stories used for these armories. I think some reconstruction ought to be had with regard to the public buildings. When these questions are coming up here day after day, it is time for the heads of departments to be looking about to see where we can get more room. I don't propose to remove any of these highly respectable bureaus down to Quincy Market. We are very much afraid of running out of the old ruts round about City Hall. Instead of paying rent for armories, let us take our own buildings and enlarge them.

Mr. Pickering of Ward 6 could not see the necessity of enlarging the market when we have so many public buildings unoccupied.

Mr. Caton of Ward 11 explained that the city has no control of the Charity Building.

Mr. Wells of Ward 3 said it is very true that the city has nothing to do with the Charity Building. He approved of enlarging, but the gentleman from Ward 5 is wandering too far. The way is to build a new court house and use the old one for public offices, having a bridge connecting with City Hall. Quincy Market will take care of itself. The gentleman ought to amend his order and start for a new court house and let City Hall be enlarged by tacking on the old Court House.

Mr. Perkins of Ward 6—As there has not been any application for additional room I think the discussion of the subject a little immature. I move the subject be indefinitely postponed.

The motion prevailed.

MUSIC ON THE COMMON.

Mr. Caton of Ward 11 offered the following:

Ordered, That five members of the Common Council, with such as the Board of Aldermen may join, be a Committee of Arrangements for furnishing music on the Common and other parts of the city, at an expense not exceeding twenty-five hundred dollars; to be charged to the appropriation for Incidentals.

Mr. Page of Ward 9 suggested that, as one order for \$2500 had been rejected, this one had better be made \$2600, and he moved such amendment.

Mr. Wells of Ward 3 said as it had been charged that the morals of the community would be ruined by free concerts, he hoped the order would lie on the table, and he made such a motion, which was rejected.

Mr. Caton of Ward 11—My object in offering this was that in all probability it would go through the next meeting of the Board of Aldermen.

Mr. Wells of Ward 3 hoped the Council had manhood enough to stand on the original order. No good

music could be furnished for three thousand dollars.

Mr. Burditt of Ward 16 said the appropriation of \$2500 at this time would enable them to furnish as much music as they would want, as the season had partly elapsed.

Mr. Perkins of Ward 6 agreed with the gentleman from Ward 3. The Common Council has passed an order appropriating money for music, and the Board of Aldermen did not concur. There are two objections to this order,—first the Aldermen cannot pass an order for \$2500, and, second, it should originate in that Board. Let us not send orders after orders to the Aldermen to be rejected.

Mr. Brackett of Ward 10 did not see how the idea of manhood is involved. If they could get one more Alderman, as he understood they could, the order would pass.

Mr. Perkins referred members to the report of the afternoon's proceedings of the Aldermen.

On motion of Mr. Page of Ward 9, the amendment making the amount \$2600 was adopted, and, on motion of Mr. Caton, the rules were suspended and the order was passed—38 yeas 7 nays as follows:

Yeas—Messrs. Abbott, Brackett, Burditt, Burt, Caton, Collins, Darrow, Davis, Denny, Edwards, Flatley, Flynn, Harrington, Holmes, Hughes, Jones, Kingsley, Lamb, Madden, Marston, McCue, Morse, Page, Pease, Pickering, Prescott, Shepard, Thacher, Train, Upham, Warren, West, Weston, Whiston, Wilbur, Woods, Woodward—38.

Nays—Messrs. Adams, Boardman, Cudworth, Hine, Loring, Perkins, Shaw, Wells—7.

Subsequently a motion to reconsider the vote, offered by Mr. Page of Ward 9, was rejected. Mr. Wells of Ward 3 expressed the belief that when the order gets into the Board of Aldermen it will get all the reconsideration it wants.

SUMMER VACATION.

Mr. Pease of Ward 1 moved that when the Council adjourn it be to the first Thursday in September at half-past seven o'clock.

Mr. Perkins of Ward 6 should prefer to have the Council meet next Thursday at 8 P. M., and should like the mover to give some reason for the motion.

Mr. Pease replied that it is generally understood by all members of the Council that this should be the last meeting of the season. If the gentleman wishes to open another vial of wrath on the chief-engineer, he (Mr. Pease) was willing to meet next week to give him an opportunity.

Mr. Perkins remembered that at special meetings of the Council nothing is often done, because they cannot get a two-thirds vote. He hoped the Committee on the Reorganization of the Fire Department would report next week, and he did not think it in accordance with public sentiment to adjourn just now without doing some work. He was sorry the motion had been made.

The motion was put and carried.

Mr. Perkins of Ward 6 called for a report from the Committee on Ordinances on the subject of the revision of the city charter, calling attention to the rule requiring a report within four weeks.

Mr. West of Ward 16 said the committee was not ready to report, and asked for further time, which was granted.

STONY-BROOK NUISANCE.

On motion of Mr. Jones of Ward 14, the following was passed:

Ordered, That the Board of Health be requested to take such measures as they may deem necessary to abate the nuisance in Stony Brook, between Simmons and Vernon streets.

Mr. Morse of Ward 13 offered the following:

Ordered, That the Committee on Common, etc., consider the expediency of placing a granite curb around Orchard Park in place of a wooden fence.

Referred to the Committee on Commons and Squares.

On motion of Mr. West of Ward 16, the report and orders authorizing the erection of a station house for the Eleventh Police District, at an expense of \$40,000, and for a loan therefor, were taken from the table and rejected by a vote of 35 yeas, 1 nay, two-thirds of all the members being required to pass it.

Mr. Caton moved that the vote be reconsidered, which was adopted, and then the orders were laid on the table.

On motion of Mr. Brackett of Ward 10, the following was passed:

Ordered, That the Committee on Public Buildings be requested to consider and report on the expediency of enlarging Engine House No. 3.

Mr. Collins of Ward 2 moved to adjourn, and the Council adjourned to Thursday evening, Sept. 4, at 7½ P. M.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JULY 21, 1873.

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

EXECUTIVE NOMINATIONS CONFIRMED.

Constable—W. L. Hicks, for duty in the office of the Board of Health.

Special Police Officers Without Pay—L. man Peavey, Stephen A. Holbrook, at the Post Office; Luther Moulton, corner Washington and Adams streets, Ward 16, and the vicinity; S. A. Smith, the District Telegraph Company.

ORDERS OF NOTICE.

On the orders of notice on the petition of W. L. Deland, for leave to locate and use a steam engine and boiler at 22 Congress street, and of Cummings & Carlisle, to locate an engine on the corner of Albany and Sharon streets, no objections being offered, the petitions were recommitted to the Committee on Steam Engines.

PETITIONS PRESENTED AND REFERRED

Of Joseph Nickerson, to be paid for land taken in the widening of Heath street, and requesting that he may have a hearing. To the Committee on Streets.

Of Caroline G. Nichols, to be paid for grade damages on Alpine street.

Of Cyrus Carpenter & Co. and others, that Union street, between North street and Hanover street, be paved with granite blocks.

Of William Frost and others, that Columbus avenue, between Church street and the railroad bridge, be watered by the city.

Of Thomas Wilkins, that Green street, Ward 16, may be graded.

Severally referred to the Committee on Paving.

Of John M. Johnson, for leave to occupy a wooden stable on Fourth street.

Of Daniel Moules, for leave to occupy a wooden stable on Greenwich street, Ward 16.

Severally referred to the Committee on Health.

A communication from the Harbor Commissioners giving notice of the application of W. R. Clark for leave to build a solid and pile structure in tide-water, at Fort Hill wharf, was referred to the Committee on Harbors.

On the petition of George W. Bowker for permission to use a stationary steam engine or caloric engine at the corner of Albany and Dedham streets, an order of notice was passed, returnable August 11, at 4 P. M.

Petition of Jacob Littlefield, that a fine of ten dollars for using hose in a stable may be refunded, because the use thereof was without his knowledge or consent and against his will. Referred to the Co-chnitate Water Board.

PAPERS FROM THE COMMON COUNCIL.

The following papers from the Common Council were severally acted upon, in concurrence:

Reference to the Committee on Claims of the petition of James F. Hunt, to be compensated for injuries received from a defect in Bremen street.

Reference to the Committee on Fire Alarms of orders (1) rescinding the order to place a bell tower and fire-alarm apparatus on the Prescott Schoolhouse; (2) directing the Superintendent of Public Buildings to place a bell tower on the new primary schoolhouse on Princeton street; (3) directing the Superintendent of Fire Alarms to place a bell and striking apparatus in said bell tower.

Order authorizing the Committee on Fire Department to repair and alter the fire boat, at an estimated expense of \$3888 98. Passed.

Order allowing the Committee on Ordinances further time to report on revision of charter. Passed.

Order that the Board of Health be requested to abate the nuisance in Stony Brook, between Simmons and Vernon streets. Passed.

Order transferring the allowance for rent of armories occupied by companies B and D, First Battalion Infantry, M. V. M., from Williams Hall to Minot Hall. Passed, yeas 10, nays 0.

Report of Committee on Streets, that the resolve and order to widen Pleasant street, from Columbus avenue to Eliot street, and the resolve and order for extending Eliot street to Columbus avenue, ought to pass. Reports accepted and orders passed.

Order that the Committee on Public Buildings report on the expediency of enlarging Engine House No 3. Passed.

THE NORMAL SCHOOL.

On the question of concurring with the Council in the reference to Committee on Public Instruction of the order to pay the salaries of teachers of the Normal School, so called, to the first of September next—

Alderman Stebbins said this matter had been previously considered, and was thoroughly discussed at the time. He was a little surprised at the turn it had taken. It seemed in direct conflict with the opinion of the City Solicitor and directly opposite to the action previously had by the Common Council.

Alderman Gaffield said it was not an order to pay, but to refer to the Committee on Public Instruction.

Alderman Stebbins—It is simply an entering wedge for future action, and is intended to partly relieve the embarrassment of the School Committee. It will be remembered that when this matter was introduced before I asked the chairman of the committee if there were to be any more orders introduced here, and he replied that there were none. Now it seems that the school has been continued, and a member of the School Committee has addressed letters to each member of this Board asking that the salaries of the teachers may be paid, and the principal of the school has advertised for scholars for next year. It does not look to me as if the School Committee meant to abandon this school.

Alderman Emery—I don't think there is any great objection to referring this to any committee. I don't wish to act without having the order thoroughly examined by some committee, and the proper one is the Committee on Public Instruction. I don't pretend to say whether it is correct or not, and I want to hear what they have to say, and to know if we are under any obligations to pay these teachers.

Alderman Stebbins—This matter has been thoroughly investigated. The Mayor has sent us a message, with the opinion of the City Solicitor that this school is illegal, and yet it is insisted upon that we pay these bills. I don't propose to do so.

Alderman Sayward—I don't see the necessity of referring this order to any committee. It seems to me that the School Committee wish to run this Board. I want them to take the responsibility of this matter, which is perfectly understood without its going to any committee.

Alderman Clark—If we are going to act on this subject at all, it should be in the right direction, which, in this case, is to pay these teachers. If we are going to abandon this school let us do so fairly and give due notice. These teachers supposed that the school is to be continued and that idea has been held out by the School Committee. It is nothing more than just that the teachers should be paid their salaries until it is definitely decided that the school is not to be continued. It would be a small piece of business for the city of Boston to refuse to pay this small amount of three or four thousand dollars to these poor teachers, who have been employed by the agents of the city. If we refuse to run the school any further, it will be perfectly understood by them, and, of course, there will be no more bills of this nature to come before us. As we have received the services of these teachers, it is nothing but fair that they should be paid.

Alderman Emery—I apprehend that the teachers of the public schools are hired by the year and are paid by the year. If this matter is referred to a committee, they will investigate and we shall know whether the City Solicitor has given any opinion or not. It is a question in my mind whether the city is liable.

Alderman Clark—And it is questionable whether we have not the right to run this Normal School. This is to be decided by the Supreme Court. Good lawyers have decided that we have the right, and that the Normal School is not an illegal institution. The teachers have faithfully performed their duties, and it is nothing but just that they should be paid. I hope the order will go to the committee, but if there is to be final action taken on it I shall vote to pay them.

Alderman Gihson—I understand that they have been paid for all their legal services. I go in for paying them for every day they have spent in the school, and no more. Everybody understands why the veto came and what caused it. I think the school ought to be illegal, if it is not, unless it be agreed that a girl receiving an education there shall engage to teach for a certain period in the city. As it is now, there is no certainty that any one of them will take a school here if she gets through. We have been educating young ladies to take schools for the West about long enough, and we have to get our own teachers from New Hampshire or somewhere else. Now I think we ought not to pay them for services

which are not reuderred. I hope everything will be honorably and fairly passed upon.

Alderman Clark—I don't understand that this question has been before this Board before, and I don't think we are prepared to vote upon this thing intelligently tonight. Nobody is able to say whether they ought to be paid up to the first of July or September, and the only way to have this done is to refer it to some committee.

Alderman Stebbins—The facts are that on the first of May we received the veto from the Mayor, and on the 19th the chairman of the Committee on Public Instruction introduced an order for the payment of the salaries up to the first of June, and in reply to a question from myself, he stated that it was to pay them for services rendered, and nothing more. I understand that the School Committee, supposing the money would be paid, put the names of these teachers on the pay roll for September, and they were struck from it by the Auditor, as he was in duty bound.

The Board voted to concur—6 to 4, as follows:

Yeas—Aldermen Gaffield, Bigelow, Emery, Quincy, Brown and Clark—6.

Nays—Aldermen Sayward, Power, Stebbins and Gibson—4.

ENLARGING CITY HALL.

On the question of concurring with the Council in passing the order authorizing the Committee on Public Buildings to hire the two upper stories of Niles Block, and to connect said block with the City Hall by a bridge, which had been adopted as a substitute for the order authorizing the lease of the building 23 Pemberton square, Alderman Stebbins inquired if the Committee on Public Buildings favor such a project.

Alderman Gaffield—I was about to say that I hope the Board would not concur, and would adopt the original report of the committee.

On motion of Alderman Sayward, the Board rejected the substitute, accepted the report and adopted the original order.

Order for Committee on Common, etc., to consider expediency of placing a granite curb around Orchard park, came from the Council passed.

Alderman Power said this matter had been considered by the committee, but owing to the uncertainty of the shape in which Orchard park would ultimately be, it was not thought prudent to put up a very expensive fence. It is in contemplation, if the place is reserved by the city as a public square, to purchase more land, and not have an uneven, unsafe piece of ground as it is at present. I suppose that is the reason the committee put in that order. I don't think it prudent to put it in shape at this time.

Alderman Clark said he had supposed that a wooden fence had been contracted for. It seems entirely out of character to place an expensive curbing on that square now.

The Board concurred with the Council in the passage of the order.

THE FIRE DEPARTMENT.

Order authorizing the Joint Special Committee on the reorganization of the Fire Department to visit other cities at an expense not exceeding \$1000, came up for concurrence.

Alderman Quincy hoped the order would not pass. It had not originated in any action of the committee, the subject never having been mentioned until, at the last meeting, when attention was called to the fact that it had been offered. If it was desired to instruct or even advise the committee to visit other cities, they would undoubtedly comply, otherwise he submitted it was time enough to offer money when it was asked for. He did not believe that visiting any number of cities would change the vote of any member of the committee upon the measure asked for by the petitioners, and he thought that the public expected and would appreciate prompt action. The City Council could take all the time they pleased in discussing any measures proposed, but after the minds of the committee were evidently made up, he thought their report or reports should be laid before the Council and the public, with the least possible delay. The sooner this is done the more time is given for public discussion of the measures proposed, for their respective merits and demerits to be pointed out, and the greater the probability of wise and enlightened action. He moved that the order be indefinitely postponed.

Alderman Clark—I, for one, should be in favor of granting the committee money to visit other cities as they may think advisable. It is desirable that they should get all the information possible before they present their report to this Government. I cannot see how they are sufficiently posted with the working of commissions in other cities. I came here prepared to vote for the order, but if the chairman of

the committee asks for an indefinite postponement shall vote for it. But it seems to me a committee of as much importance as that cannot report without first having examined the workings of departments in cities where commissions are in operation.

Alderman Gaffield—I feel, with the alderman from Ward 6, that if it is deemed necessary by the committee they should have the privilege of visiting other cities.

Alderman Quincy—I will change that motion if it is desired, that the order be referred to the Joint Special Committee on the Reorganization of the Fire Department, that they may decide upon it.

Alderman Power—I don't suppose that the order will alter the matter, or that it obliges the committee to go abroad. Therefore, in view of the possibility of their voting to go, it may be better to pass the order now. The members on the part of the Council seemed to be unanimously in favor of passing the order, but I don't see anything in it that obliges the committee to go abroad and spend the money.

Alderman Stebbins—After the statement of the chairman of the committee, I don't see how we can vote in favor of the order. He says it won't change the minds of the committee if they visit all the cities in the country. It is an important matter, but I shall follow his lead.

Alderman Emery—The subject referred to this committee is a very important one, more so, in fact, than anything referred to any committee for a year. Their action may perpetuate good or evil beyond what we at first calculated. The committee ought to post themselves in every particular as to the working of fire commissions. If the order is referred to the committee before anything can be done it will have to go back to the Council, which would take considerable time.

Alderman Gibson—I presume that this committee have the official returns of all the commissions in the country, and that is all they would receive if they visited other cities. All the information on the subject, as I understand it, is now in their hands. If they desired to go I should vote for the order, but I can't see why they want to go to get information which is now in this hall. If they desire to go I am for the order, and if they do not I am against it.

Alderman Quincy—Because the order did not originate in any action of the committee it was my purpose to oppose it, unless the gentlemen wish it, or the majority do not wish to take the attitude of instructing the committee to go. Still I wish that the order would be indefinitely postponed. As the Alderman says all the information is accessible, and no other result can be obtained except to strengthen members in their opinions. There is no doubt that the commissioners would put forth their best efforts to show us the best view of the workings of the system, but I don't think the vote of any member of the committee would be changed. On this particular subject I think the public expect prompt action; the sooner will its merits and demerits be pointed out. The majority will be ready to report this week, and the minority will also be able to report at the same time, and we may get through the business of the committee in that time.

Alderman Gibson—I am free to confess I don't like the way the order comes in here. It don't look so much like a request to be allowed to seek information as it does like asking for the privilege of making a journey. Gentlemen in the other branch get up and ask for a thousand dollars to go on a journey, when the other members of the committee don't know anything about it.

Alderman Quincy—In view of the fact that the Council has adjourned, I withdraw my motion for a reference and renew my motion for an indefinite postponement.

The vote being taken on an indefinite postponement, it was carried, as follows.

Yeas—Aldermen Quincy, Bigelow, Stebbins, Clark, Gibson and Emery—6.

Nays—Aldermen Gaffield, Power and Sayward—3.

MUSIC ON THE COMMON.

Order for the appointment of a joint special committee to provide music on the Common and in other sections of the city, at an expense of \$2600. Passed, in concurrence—yeas 6, nays 3, as follows:

Yeas—Aldermen Bigelow, Clark, Gaffield, Gibson, Sayward and Stebbins.

Nays—Aldermen Cutter, Emery and Power.

A motion to reconsider, offered by Alderman Clark, was rejected.

Alderman Quincy explained that he had paired off with Alderman Brown, who was compelled to leave.

The Chairman appointed Aldermen Clark, Power and Sayward members of said committee. Messrs. Caton, Burditt, Prescott, Bowles and Boardman

had been previously appointed on the part of the Council.

THE SINKING FUND.

The Board of Commissioners on the Sinking Funds for the redemption of the debt of the city of Bos on presented their fifth semi-annual report for the six months ending June 30, 1873. The report was accepted and sent down.

The gross funded debt, June 30, 1873, was	\$30,543,616 80
The gross funded debt, December 31, 1872, was	29,674,766 80
Increase of the gross funded debt during the six months ending June 30, 1873	\$868,850 00
The total amount of redemption funds, June 30, 1873, was	\$12,710,304 18
The total amount of redemption funds, December 31, 1872, was	12,328,300 63
Increase of redemption funds during the six months ending June 30, 1873	\$382,003 55
Net debt June 30, 1873, was	\$17,833,312 62
Net debt, December 31, 1872, was	17,346,466 17
Increase of the net debt during the six months ending June 30, 1873	\$486,846 45

The following statement shows the condition of the various revenue and sinking funds:

General Debt, Sinking Fund	\$10,043,762 91
Water Debt, Sinking Fund	1,265,234 97
Consolidated Street Improvement Loan, Sinking Fund	490,771 50
Appropriation and Revenue Fund, 1871-72	147,825 29
1872-73	249,475 47
Suffolk Street District, Sinking Fund	117,266 34
Revenue Fund	8,099 42
Columbus Avenue, Sinking Fund	9,846 63
Revenue Fund	251 35
Scollay's Building, Sinking Fund	12,856 00
Scollay's Building, Revenue Fund	93 47
Kingston Street, Widening, Sinking Fund	19,966 66
Kingston Street, Widening, Revenue Fund	1,253 54
Shawmut-Avenue Extension, Sinking Fund	20,780 31
Shawmut-Avenue Extension, Revenue Fund	937 30
Harrison-Avenue Extension, Sinking Fund	20,524 24
Harrison-Avenue Extension, Revenue Fund	844 32
Dudley and other streets, Widening and Grading, Sinking Fund	10,132 77
Dudley and other streets, Widening and Grading, Revenue Fund	25 50
Devonshire-Street Extension, Sinking Fund	14,610 00
Devonshire-Street Extension, Revenue Fund	926 66
Federal Street Bridge, Widening, Sinking Fund	5,260 56
South Market Street Extension, Sinking Fund	8,370 00
Revenue Fund	739 84
Congress Street Widening, Sinking Fund	1,410 00
Revenue Fund	406 66
Kneeland Street Widening, Sinking Fund	4,500 00
Revenue Fund	276 44
Grammar Schoolhouse, L Street, Sinking Fund	5,400 00
Back Bay Bridges, Sinking Fund	5,730 00
Warren Street Widening, Sinking Fund	3,450 00
Additional Land, Public Library, Sinking Fund	4,200 00
Grammar Schoolhouse, Dudley District, Sinking Fund	5,400 00
English High and Latin Schoolhouse Lot, Sinking Fund	16,800 00
Burnt District Sterling Loan, Sinking Fund	150,000 00
Revenue Fund	1,876 00
Grammar Schoolhouse, Atherton District, Sinking Fund	3,000 00
Smallpox Hospital, Sinking Fund	6,000 00
Washington-street Extension, Sinking Fund	45,000 00
Grammar Schoolhouse, Atherton District, Sinking Fund	3,000 00
Mather Schoolhouse, Ward 16, Sinking Fund	4,000 00
	\$12,710,304 18

The following statement shows the condition of the debt:

Total funded debt, Dec. 31, 1872	\$29,674,766 80
Increase since	1,411,000 00
	\$31,085,766 80
Paid from Gen. Debt Sink. Fund	\$16,150 00
Revenue funds	120,000 00
Appropriation and Revenue funds, 1871-72	406,000 00
	542,150 00
Gross funded debt, June 30, 1873	30,543,616 80
Less Redemption funds	12,710,304 18
Net debt June 30, 1873	\$17,833,312 62

THE SUMMER VACATION.

On motion of Alderman Gibson—
Ordered, That when this Board adjourns, on the 28th inst., it be to meet on Monday, the 11th day of August, at four o'clock P. M.

REPORTS OF COMMITTEES.

Alderman Clark, from the Committee on Streets, reported orders to pay as follows: J. P. Dearborn and Seth Robison, \$3850, on account of widening Hawley street; Leonard Ware, \$13,146, on account of the widening of Summer street; Leonard Ware, \$12,354, on account of the widening of Federal street; John G. Tappan, executor, \$3900, on account of the widening of Pearl street; to John C. Haynes, \$13,000, on account of the widening of Summer street, and \$4000 on account of the extension of Washington street to Haymarket square. Severally read twice and passed.

Alderman Clark, from the same committee, reported as follows:

Ordered, That the betterments for the widening Kingston street, assessed upon the estates of Charles L. Goodnow on Edinboro' street—\$300 upon the estate of said Goodnow, numbered 38 on Edinboro' street, and \$150 on the estate numbered 40, on said street—be and the same hereby are reduced by one half, leaving the amounts due upon said Goodnow's estate, for said Kingston-street betterment at \$150 upon the estate 38 Edinboro' street—and \$75 upon the estate 40 Edinboro' street—and this upon condition of the payment of said remainders to the city.

Read twice and passed.

Alderman Power, from the Committee on Paving, reported orders of notice for hearings on Monday, August 11, at 4 P. M., on the petition of the Metropolitan Railroad for leave to extend their location by construction of tracks in Stoughton street, from Hancock to Hudson street, and on the petition of Henry Souther for the removal of two tracks of the South Boston Railroad into the centre of Emerson street, between Broadway and Third street. Accepted.

Alderman Power, from the same committee, reported leave to withdraw on the petition of John Glennon to be paid for grade damages at 282 Dorchester street. Accepted.

Alderman Power, from the same committee, reported order to pay Thomas Keyes eight hundred dollars for damages caused to his estate by the raising of the grade on Athens street. Report accepted and order passed.

Alderman Power, from the same committee, to whom was referred the petition of Cummings & Carlisle, reported the following:

Ordered, That the Superintendent of Streets be directed to pave Albany street, between East Canton and East Concord streets, with small granite blocks. Estimated cost \$26,000.

Passed

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the applications of Henry J. Parker, 102 Harrison avenue; George Pierce, 177 Hanover street, and J. O. Tjemblom & Co., 923 Fremont street, for victuallers' licenses; and leave to withdraw on the application of Thomas J. Clark, 121 Cambridge street, for the same. Severally accepted.

Alderman Sayward, from the same committee, reported in favor of granting the petitions of M. J. Donovan, Richardson & Co., Adams & Albee, T. Galvin, John S. Robinson, C. E. Skinner, and Henry A. Bond for wagon licenses; and of twenty-nine other applications for transfers of wagon licenses; also in favor of granting the application of John Somers for license for a one-horse carriage in the vicinity of Bacon's Hall, and in favor of granting a pawnbroker's licenses to G. W. Stackpole, 45 Green street, and Nathan Waxman, 344 Hanover street. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of granting the petition of Edward McDonnell for leave to occupy a wooden stable at 677 Saratoga street, and of Hall & Eaton for leave to occupy a stable on First street; and leave to withdraw on the petitions of Charles A. Milant for leave to occupy a stable on Border street, and of the Boston Metallic Roofing Company for leave to occupy a stable on First street. Severally accepted.

Alderman Power, from the Committee on Sewers, reported orders for hearings on Monday, 28th instant, at 4 P. M., on the application for sewers in Norfolk avenue and Kingston street. Severally accepted.

Alderman Power, from the same committee, reported orders for the construction of common sewers in Brookline avenue between Longwood park and Longwood avenue, and in Longwood avenue, between Brookline avenue and Autumn street; in Chelsea street, between Marion and Brooks streets; in Tudor street, between D and E streets; in Folsom place and in First street, between K and L streets. Reports accepted and orders passed.

Alderman Power, from the same committee, reported on the petition of Otis H. Weed, for relief

from surface water from Heath street, that the petitioner have leave to withdraw.

Accepted.

ORDERS PASSED.

On motion of Alderman Power—

Ordered, That the Superintendent of Streets be directed to pave Devonshire street, between State and Washington streets, with small granite blocks; expense thereof to be charged to the appropriation for Devonshire street. Estimated cost, \$5000.

Ordered, That the Superintendent of Streets be directed to furnish and set the edgestones and pave the sidewalks on Purchase street, between Pearl and Gridley streets, and upon Gridley street; the expense thereof to be charged to the appropriation for the Burnt District.

Ordered, That the Board establish the grades of Stoughton street, Brook avenue, North avenue and West Cottage street, Ward 16, as shown on a plan drawn by the City Surveyor, dated June 25, 1873, and deposited in the office of the City Surveyor.

Ordered, That the collection of \$71 04 levied upon Jessie Kierstead for a sewer in West Eagle street, be postponed till the land is drained into the sewer.

On motion of Alderman Quincy—

Ordered, That the armory occupied by Companies B and D, First Battalion Infantry, at Minot Hall, corner Springfield and Washington streets, be approved as a suitable and safe place for the deposit of arms and equipments.

On motion of Alderman Quincy, orders were adopted to pay companies A, B, C, D, E, F, H, I, K, of the

Ninth Regiment, \$491, and the band of the same regiment \$90, for inspection duty in May last.

THE ASPHALT WALKS.

Alderman Quincy offered the following:

Ordered, That the Committee on the Common and Public Grounds be requested to cause the asphalt to be removed from a space of twenty feet in radius from the trunks of the elms on Tremont-street Mall, near the corner of Park street.

Alderman Quincy said he offered the order rather as a means of calling the attention of the Committee on Common and Squares to the matter, and as a means of recording a protest against the killing of the trees. He moved that the order be referred to the Committee on Common, etc.

He offered the order, he said, because having passed through the Common the other day, he observed that the grounds and grass near the asphalt was covered with dead leaves, while not a leaf had fallen from the trees not surrounded by the asphalt. Any one passing that way must see that the asphalt must have suffocated those trees. He offered this order as a protest against a measure which would certainly kill three fine trees. He would say further that it is very evident the moisture is kept from the roots. The roots take in moisture at the ends, and no water poured around the base of the trunk has any effect. The asphalt hermetically seals the surface and no moisture can penetrate it.

The order was referred.

On motion of Alderman Gaffield the Board adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
JULY 28, 1873.

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

REPORT OF COMMISSION ON WOOD PAVEMENTS.

A communication was received from his Honor the Mayor transmitting the following report of the commission appointed to investigate the subject of wood pavements and the methods of preserving the same. After reciting the action of the City Government in appointing the commission the report says—

The first meeting of the commission was held at the office of Shedd & Sawyer, in Barristers' Hall, Dec. 20, 1872, when organization was effected by the choice of Edward Sawyer as president and J. M. Merrick secretary. Public notice was given in the daily journals that the commission would give hearings to all interested parties, and then such meetings were held in the City Hall. Patentees and parties interested in wooden pavements and the preservation of wood appeared at those hearings and set forth their views and the merits of their processes. The commissioners have held numerous private sessions, at which the matters in question have been thoroughly discussed, and they have also visited and inspected various pieces of wooden pavement in this city. They have declined invitations to visit other places at the expense of the persons inviting them. As the result of their labors they submit this report, which takes up, first, the matter of the preservation of wood, and, secondly, the construction and laying of pavements.

Preservation—In regard to the matter of the preservation of wood for paving purposes, your commissioners have to say that they have patiently and diligently sought for information upon the subject, and have listened to the statements of numerous patentees and interested parties. Each process is very warmly praised by those interested, and the patentees of one process fail, of course, to see any merit in their competitors' methods of preservation. So far as your commissioners know, there is no wooden pavement in this city which has been down long enough to afford a proper test, which does not show considerable deterioration, owing either to defective treatment or defects in construction, and they have not been able to find a preservative process cheap and efficient enough to be recommended to the city without qualification. The leading processes brought to your commissioners' notice are—

1. Treatment of the wooden blocks with hot oil; the so-called dead oils, and other similar oils. Of this it may be said that the complete saturation of the wooden block with dead oil affords, perhaps, the most perfect preservation it is possible to attain, but this method must be put entirely out of the question on account of the expense which the large quantity of oil required necessarily involves, and the slipperiness of the surface of the blocks. The partial or incomplete treatment of the wooden blocks with oil or tar can hardly be recommended, and especially is the practice of tarring each end of the block to be avoided, as in this case the wood invariably rots in the middle. It is claimed that a partial saturation of the blocks with oil under proper conditions will add much to their durability, preserving them, in fact, for an indefinite time. While this may be the case, your commissioners have no positive proof that this process will do its work well enough to justify them in recommending it to the city.

2d. Cyanizing, or the treatment of wood by long immersion in a solution of chloride of mercury, is undoubtedly a very effective preservative process, but your commissioners believe it is inapplicable for two reasons, viz., its expense, which is large, on account of the cost of salt of mercury, and also on account of the danger to the health of the workmen employed.

3d. Burnettizing, or treating wood with a solution of chloride of zinc, seems to be the process to which in practice we are reduced; and here the evidence laid before the commission has been of rather a contradictory nature. Many discrepancies in the statements brought to us may have had their origin in the fact that wood said to have been burnettized had not been located at all or perfectly treated; but making allowance for this there seems to have been some cases in which the treatment has failed to add to the durability of the wood.

Still, in the great majority of cases, so far as your commissioners are informed, it has succeeded reasonably well. It should, however, be borne in mind that paving blocks but a few inches long, cut across the grain, and set on end, are under conditions different from and probably much more trying than those to which long timbers are ordinarily exposed. But, on

the whole, your commissioners consider this process the best at present available for preserving wood to be used for pavements. Your commissioners are of opinion that if the city adopts any method of preserving blocks to be used for pavements, some additional security should be had that the treatment of the wood shall be thorough and complete.

Construction of Wood Pavements. For durability under the wear of travel, spruce seems to have few if any equals amongst the woods in common use. This and its moderate cost make it rather the best material for wood pavements, provided its resistance to decay can be sufficiently increased by preservative treatment. A firm foundation is indispensable for making a good pavement. To make such a foundation, the earth of which it is composed should be saturated with water and rolled. Many attempts have been made to overcome or mitigate the bad effects of unequal settlement in foundations, by the use of flooring under the blocks, also by interlocking the blocks, and by the use of connecting pieces between them. But a flooring one or two inches thick is not stiff enough to carry heavy loads over depressions or cavities of any considerable size, and it is hardly practicable to interlock or connect the blocks strongly enough to do this during any long time. When there are cavities or soft places, the pavement soon crumbles down under ordinary use.

Floorings and connections are inconvenient when, as often happens, it becomes necessary to take up pavements for obtaining access to pipes or sewers. Where portions of a pavement are taken up and excavations are made, it is difficult to refill and restore the pavement so that its surface will remain uniform with that of the adjoining pavement, which has not been disturbed. Your commissioners do not hesitate to say that a very large portion of the repairs of street pavement is necessitated by the frequent tearing up for obtaining access to water pipes, gas pipes and repairs on the same, or for drains. Too often the repaving and refilling are improperly done, and the result is a bad depression or a disagreeable elevation tending to produce a depression on each side.

If a wood pavement is to be laid on an unconsolidated foundation, flooring or connections may retard unequal settlement considerably, if the travel is light, and slightly under heavy travel; but they cannot reasonably be expected to keep the pavement in permanent good condition. Your commissioners believe that the best method of constructing wood pavements is as follows: The rows of blocks should be set square across the street, and should be about four inches thick at the top, with spaces of about one-half inch between the rows. This may be done with blocks of uniform thickness set apart or with tapering blocks half an inch thicker at bottom than at top. The latter arrangement is the more costly, but it is believed by some that it will stand better, by reason of its covering the whole surface of the foundation. Longer trial is necessary to settle this point beyond dispute. Blocks with only a slight chamfer at the top leave the interspace too narrow as the blocks wear down.

Construction of Stone Pavements. Your commissioners consider it important to have a firm foundation for a stone pavement. If a foundation settles much, it generally settles unequally. Your commissioners recommend granite blocks four inches thick and eight inches high, well fitted and set close together, in rows square across the street, as the best form of stone pavement known to them. Mr. Whidden understands the order under which this commission is acting to call for an opinion as to the relative merits of stone and wooden pavements; the other members of the commission do not so construe the order; and hence express no opinion on this matter. Mr. Whidden desires to say that, with our present experience and knowledge, wooden pavements must be regarded as one of the luxuries of the age, and should be restricted to particular locations, and gradually applied until, at least, a more extended practical trial is had. Its merits seem to be its freedom from noise, its producing less obstruction to the traction of vehicles, and less wear. This is very agreeable and pleasant. To offset this, it is expensive at start, if properly done, depreciates and decays early, and is entirely lost after a few years.

Essays. Your petitioners have received a large number of essays for examination, several of which show evidence of care and study. By the direction of your commissioners, each essay was accompanied by the writer's name, inclosed in an envelope bearing a motto corresponding to one upon the essay. The successful essay has been opened.

Your commissioners are unanimous in according the premium to the writer of the essay indorsed "Competition"—Mr. F. W. Clarke of Boston.

Respectfully submitted,

J. M. MERRICK, NATHANIEL O. HART,
JAMES T. BABCOCK, EDWARD SAWYER,
THOMAS J. WHIDDEN,

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

EXECUTIVE APPOINTMENTS CONFIRMED.

Special Police Officers without pay—Charles A. Metcalf, Clarence A. Perkins, Franklin M. Miner, in connection with their duties in the City Surveyor's office; William Hannin, Lyceum Hall and its vicinity, Ward 16.

Weigher of Coal—Charles H. Sawyer.

Members of the Fire Department—Addison Getchell, driver; John A. Shannon, Jr., and T. F. Fitzgerald, firemen; Henry T. Welch, Ossian P. Adams, George H. Robinson, hosemen; Fred L. Wilson, John Tileston, Richard W. Hitchcock, members; Walter Dalrymple, foreman Hose Company No. 8; Joseph W. Fowler, foreman Engine Company No. 1; John Brown, foreman Hose Company No. 12.

CONSTABLE WHITTIER REMOVED.

A communication was received from his Honor the Mayor as follows:

"The Mayor, having been satisfied that Nathaniel Whittier has been guilty of gross misconduct in the discharge of his official duties as a constable of this city, recommends his removal from office, to take effect from and after this date."

The question being on adopting the recommendation of his Honor the Mayor—

Alderman Quincy said, This case has been represented to me as one in which it would not be inadvisable to give the accused a little time to present his version. The offence is certainly a grave one; it certainly merited the reprimand it has received from the public; but at the same time this is represented to be a worthy officer, who has been in office only a short time. We ought not to revoke his commission without giving him an opportunity to be heard. I make the request at the solicitation of some members of the bar, and move that the subject be laid on the table till the next meeting.

Alderman Gibson—Constable Whittier has had a fair opportunity before the Mayor and the Police Committee to present all the evidence in his case with counsel. There is no question but that the young man was determined to annoy the officers of the Fitchburg Railroad Company. He was offered a bond of a hundred dollars, he was offered another car, but would not accept either. For a long time a large amount of goods had been stolen from the company's cars, and these parties who had this attachment issued were suspected of being connected with the robbery. Young Whittier goes down and attaches this car, just as the train was starting, and would not allow it to be removed. The superintendent offered another car, but that would have no effect; he would take no other property. Finally, President Stearns came down and Whittier declined to take the hundred dollars offered by him. President Stearns then took the responsibility of ordering the car set off on a side track, so that the train was detained only about five minutes. It was clearly an understood thing between Whittier and these parties; there is no question that they thought to extort forty dollars from the railroad company. The train did not go forward at length by Whittier's consent. This is a pretty serious matter. I know something more of this case than this Board does, and I think this mere discharge isn't the punishment he deserves. He has got hold of a branch of business that he don't understand. I should like to have had all the gentlemen who sit here hear the evidence in the case. If five hundred merchants had heard it, there is not one but would have said he should be discharged.

Alderman Quincy—There seems to be some difference of opinion as to the facts. The gentlemen who spoke to me this morning assured me that no money had been offered. This gentleman (Mr. Thayer) represented this young Whittier as an efficient officer, though he undoubtedly deserved rebuke. I was not aware that the matter had received the investigation as stated by the Alderman, or that the officer had an opportunity to defend himself. I, therefore, withdraw my motion.

Alderman Gibson—Mr. Whittier was represented by counsel of his own selection. It was evident that he had no case. It was so palpable an arrangement to trouble the railroad company and annoy the passengers that there was no argument left for his counsel.

Alderman Quincy—I am satisfied that the affair has received the full investigation it should have, and I withdraw my motion.

Alderman Gibson—The president of the railroad company swears on his oath that he offered to give Whittier \$100, but he would not take it.

The Board voted to adopt the recommendation of his Honor the Mayor and dismiss Constable Whittier.

Alderman Stebbins—In this connection I would like to ask Alderman Gibson a question. I notice that we have a large number of special police appointed every

year. Have they any power to serve warrants or arrest parties, and are they not liable if they do make an arrest?

Alderman Gibson—I understand that they have no authority whatever. It is simply a bluff game. I don't know of an instance where a special police officer has attempted to arrest a man. But it is expected that the star they wear will do some good, and I don't know but it has done some valuable service.

The monthly bills and pay roll of the Suffolk County Jail, amounting to \$461 21, were presented by Sheriff Clark, and were ordered to be paid.

FIREMAN REMOVED.

A communication was received from Chief-Engineer Danrell transmitting the cause of the discharge from the Fire Department of George A. Kennison, viz., for using profane and insulting language in the ladder house to ladies residing there. Placed on file.

PETITIONS PRESENTED AND REFERRED.

Of John Sullivan, for leave to construct a basement cellar, corner Kneeland and Albany streets, below grade; to the Committee on Survey and Inspection of Buildings.

Of M. Doherty, for leave to occupy a brick stable for forty horses on Broadway.

Of Henry Doherty, for leave to occupy a wooden stable for twelve horses at 137 Ruggles street.

Severally referred to the Committee on Health.

Of Charles C. Barry, to be paid for grade damages to his estate on Alpine street.

Of Charles Roberts, for damages caused by the grading of Regent and Alpine streets.

Of B. F. S. Bullard *et al.*, for sidewalk on Tremont street, between Ruggles and Pynchon streets.

Severally referred to the Committee on Paving.

Of E. A. Cushman and others, that Linwood square may be graded, and that curbstones and sidewalks may be laid around the same; to the Committee, on Common, etc.

Of Avery Wellington and others, for a sewer in Highland street, Ward 15; to the Committee on Sewers.

Of Engine Co. No. 14, for permission to leave the city; to the Committee on Fire Department.

Of John Richie *et al.*, for leave to use a steam engine; order of notice issued.

Of Co. H., Ninth Regiment Infantry, for new gun rack; to the Committee on Armories.

Of Jourdain and Davison, for a license to keep an anatomical museum at 542 Washington street; to the Committee on Licenses.

A communication was received from the Grand Jury, submitting recommendations as to the treatment of criminals and lodgers, which was referred to the Committee on Public Institutions.

ORDERS OF NOTICE.

The order of notice relative to the construction of a sewer in Norfolk avenue having come up for consideration, Mr. Bishop, counsel for the trustees of the Boston, Hartford & Erie Railroad, asked that the matter be recommitted to the Committee on Sewers, as they desired to be heard and had had no opportunity, having only heard of it through the notice in the papers.

The Board voted to recommit the order, as requested.

The order of notice for a sewer in Kingston street, between Bedford and Summer streets, was considered, and objection being made, the order was recommitted to the Committee on Sewers.

On the order of notice on the petition of Cummings & Carlyle to erect a steam boiler, no objection was offered, and the petition was recommitted to the Committee on Steam Engines.

REPORTS OF COMMITTEES.

Alderman Gibson, from the Joint Standing Committee on the Survey and Inspection of Buildings, to whom was referred the petition of Thomas Carberry for leave to erect a range of wooden sheds at 1482 Tremont street, beyond the legal limits, reported that the petitioner had conformed to the requirements of the ordinance, and no action is necessary on the part of the City Council. Accepted.

Alderman Gibson, from the same committee, reported "no action necessary" on the petition of Newton Morton for leave to erect a wooden building beyond the legal requirements on K street. Accepted.

Alderman Gibson, from the Committee on Markets, reported favorably on the petition of Haskell W. Gleason, that his lease of cellar No. 13 Faneuil Hall Market be transferred to C. T. Dunn. Accepted.

Alderman Gibson, from the Committee on Health, to whom was referred the petition of S. Weld and others, for an investigation as to the award of the offal contract of S. Ward & Co., in 1872, reported that after two protracted hearings upon the subject, the last of which was attended by the full Committee on Health of 1872, they are unanimously of the opin-

ion that the city's interest has been best promoted by the course pursued, and fully sustain the action of said committee in the award made by them. The committee recommend that said petitioners have leave to withdraw. Accepted.

Alderman Gibson, from the Committee on Health, reported favorably on the petitions of Daniel Monles, F. F. Hill, Thomas H. McDonald, R. J. Elder, James Jellerson *et al.*, W. R. Gerrish, Charles Newhall, Herman Grundell, Thomas Mulrenan. Severally accepted.

Alderman Gibson, from the same committee, reported leave to withdraw on the petitions of W. H. Dow, James F. Cleary, Joseph H. Clough, F. O. Clark, Arthur Deady. Reports accepted.

Alderman Power, from the Committee on Paving, reported orders to pay damages for grading of streets as follows: Dolly Kenney, wife of Thomas Kenney, 73 Regent street, \$876; James Donnelly, 75 Regent street, \$1040; Caroline G. Nichols, 59 Alpine street, \$800.

The orders were passed.

Alderman Power, from the same committee, reported leave to withdraw on the petition of Francis C. Hersey *et al.*, that the name of Dorchester street be changed to Summit avenue.

Alderman Emery moved that the petition be recommitted to the Committee on Paving with authority to grant the parties another hearing, for the reason that the petitioners did not see the notice and were desirous of being heard. The subject was recommitted.

Alderman Clark, from the Committee on Streets, reported orders to pay as follows: Robert Treat Paine and Charles J. Paine, \$2976 25, for land taken in widening Ruggles street; William Litchfield, \$42,452, for land taken in widening Broad street; Gilbert Evans, \$5005, for land taken in widening Bedford street; Donald Kennedy, \$1074, for land taken from Noah D. Joyce in widening Walnut avenue; Andrew J. Morse, \$7300, for land taken in widening Congress street; James Barrett, \$1368 50, for land taken in widening Lincoln street; Andrew M. Morton, \$18,250, for land taken in extending Washington street to Haymarket square; Adeline Bartlett, administratrix, \$4050, for land taken in widening Hawley street, upon an estate of the heirs of Theodore Bartlett; Augustus Meisel, \$161 50, for land taken in widening Ashmont street; heirs of Jonathan Brigham, \$2239, for land taken in widening Cottage street; Edward A. White, \$12,050, for land taken in widening Hawley street; heirs of David Sears, \$2900, for land taken in extending Washington street to Haymarket square; John Ritchie, John Ritchie, 2d, and Elizabeth Lewis, \$11,066, for land taken in widening Federal street; John Ritchie, John Ritchie, Jr., and Elizabeth Lewis, \$22,834, for land taken in widening Franklin street; Mary E. Bird, \$14,415, for land taken in extending Washington street to Haymarket square; Andrew M. Morton, \$18,250, for land taken in extending Washington street to Haymarket square.

Severally read twice and passed.

Alderman Clark, from the same committee, reported orders, notifying Joseph G. Russell to remove obstructions from Congress street by August 10, and notifying H. H. Hunnewell, Peleg W. Chandler, heirs of Sara A. Brown, Aaron C. Baldwin and Asa P. Morse to remove obstructions from Essex street by August 15.

Severally read twice and passed.

Alderman Bigelow, from the Committee on Licenses, reported in favor of granting the petition of Robert McHenry for a wagon stand at 78 Phillips street; of Henry F. Williams, for a billiard license at 109 Cambridge street; of Cyrus R. Jones, for victuallers license at 11 Boylston street; of Charles P. Chipman, to run a hack to Eastern Depot; of Daniel C. Sisson, for license to keep an intelligence office at 13 School street; of Henry Wright, to keep a junk store at 415 Second street; of John Friels, to keep a junk store at 193 Endicott street. Severally accepted.

Alderman Bigelow, from the same committee, reported leave to withdraw on the petitions of Frank A. Caswell and G. R. Reichardt for victuallers license. Accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the petition of W. L. Deland. Accepted.

Alderman Bigelow, from the Committee on Licenses, reported an order revoking, for cause, the license of Osborne Chase as victualler, at 871 Washington street. The order was passed.

Alderman Stebbins, from the Committee on Cemeteries, reported inexpedient on the petition of J. Munsell for assistance in the publication of his work on cemeteries. Accepted.

THE NORMAL SCHOOL.

Alderman Gaffield, from the Committee on Public Instruction, to whom was referred the order to pay the salaries of the Normal School teachers to Septem-

ber 1st, having considered the subject, reported that in the month of April an order was passed to provide rooms in the Rice School building for the use of the Normal School, which order was vetoed by the Mayor on May 1st, in accordance with the opinion of the City Solicitor, that the City Government has no authority to establish a Normal School, such schools being already established and supported by the State Government in different parts of the Commonwealth. Under this decision the school, after May 1st, had no longer any legal existence, and the engagement made by the School Committee with the teachers of said school for one year were rendered null and void.

But as these teachers were not aware of this illegality of their appointments it was not considered equitable to cut off their salaries at once, and the Government ordered them to be paid up to the first of June. Eight months of the year only had passed when the school was declared illegal, and the teachers have been paid for nine months of service. The order under consideration contemplates their payment for the remaining three months of the year. The School Committee, in the face of the Mayor's veto, not only kept the Normal School in operation after May 1, but have reelected the head master for another year. Your committee propose to abide by the decision of the City Solicitor and its logical results, until set aside by the Supreme Court, and therefore recommend that the order ought not to pass.

The question being on the acceptance of the report, Alderman Clark said, I have no objection to accepting the report of the committee, provided some arrangement can be made to pay the teachers for the whole year. I don't see why the teachers of the Normal School should be treated differently from those in the grammar or other schools. They were engaged for twelve months, just as the teachers in the primary, grammar or Latin schools were, and should not be made to suffer by the misdoings of the School Committee. If the city was running this school illegally, they should not be made to suffer. If the High and Normal schools were part and parcel of each other, then, so far as the Normal School goes, it has been illegal for twenty years. For the time being, I admit that the Normal School, as at present constituted, is illegal. But should the teachers suffer from that fact? Their services were engaged for the year 1872-73, during the school term, which ends on the first Monday in September. The teachers of the other schools have a vacation during July and August, and why, I ask, should the Normal School teachers be treated differently from the others? I would not propose to pay them a single dollar for the year to come, notwithstanding that the committee have decided to run this school during the coming year. If they undertake to teach during next year they take the chances of getting their salaries, but as they were employed by the School Committee, who receive authority to do so from us, there is no reason why they should not be treated just the same as the other teachers. The teachers of the Normal School are not to blame for our running this illegal institution, and I hope we shall not refuse to do justice to them and pay them for the terms for 1872-73. I do not understand that this is a unanimous report of the committee either.

Alderman Gaffield—It was the report of the majority of the committee. Reports are not necessarily unanimous.

Alderman Emery—At the last meeting I favored having this matter referred to the Committee on Public Instruction for inquiry. For my part I am very unwilling to vote against paying those teachers their salaries. If they have performed their services for the year, I see no good reason why we should not pay them as well as the other teachers, as the Alderman from Ward 6 has remarked. I should be very unwilling to have them lose their pay for the balance of the year. They have served the city faithfully; they were hired as all the other teachers have been, and I think it is our duty to pay them. Of course, the committee could report no other way than they have done, but I think nevertheless that the teachers should have their pay, and I, for one, will vote to give it to them.

Alderman Power—I think both the Aldermen are mistaken when they say that these teachers were hired for a year. I say they were not. As that report states, they served and got pay for one month after this school was pronounced illegal, and they have taken the chances by staying there longer. These salaries should not be paid until it is decided whether this school is legal or not. The School Committee have seen fit to reflect the teachers in the face of the veto message of the Mayor, and the teachers have seen fit to stay there. I think we should stand by our Mayor and legal adviser until we see whether we have the right to run this school or not.

Alderman Clark—No one proposes to run against the action of the City Solicitor or the Mayor. I agree

with them that the school is illegal; there is no question in my mind on that point. But I do think the Alderman from Ward 12 is wrong when he says these teachers are employed for less than twelve months. They are employed for the school year of 1872-73 by the School Committee. It is not becoming this Board to allow our prejudices to stand in the way of our doing right. The question is this: Shall we treat those whom we have employed with justice and equity? Shall we treat the teachers of the Normal School with the same fairness that we do the teachers of the grammar and the Latin schools. It would be treating them with injustice if we find out during the last term of this school that it is illegal and then during the last week of the term say, these teachers have been teaching in an illegal school, therefore we will refuse to pay them, and they must spend one-half the money due them in order to sue us for the rest.

Alderman Cutter, having called Alderman Gibson to the Chair, said—

The Alderman has stated the question differently from what it really is. When this subject was first before the Board I think the Alderman asked the question if they were coming in here for more pay, and was answered that they were not. Now they come again. The teachers are not hired for a year. They do not receive any pay after they are discharged. And if they are hired by the year, it is for the financial year which begins on the first of May. Therefore they are not entitled to pay for services, because they have not rendered any, because the pay would not be due till the first of September. But in the face and eyes of the veto of the Mayor it is not judicious to pay them in advance for their services. It will be no use to pass this bill, for the Mayor will veto it, as it will be his duty to do. I don't think it would be best for this Board to put itself in an illegal position. I think the gentleman has been put up to fever heat on this subject by the School Committee, who on the first of July re-elected the teachers for this Normal School, notwithstanding its illegality. I don't propose to gratify the School Committee in this by taking money from the treasury to support an illegal school.

Alderman Clark—The very terms of this contract show that they were employed by the year. The contract says four thousand dollars per annum. I would inform the Alderman that the School Committee have not put me up to this matter. I propose to do justice to all people without promptings from the School Committee or any one else. I have not seen a member of the School Committee for thirty days. It may be that the Alderman needs such promptings sometimes to get him to do the community justice; it may be that he has seen some members of the committee. It is not for us to decide that the Mayor will veto this bill. We should act according to the dictates of our own consciences. Undoubtedly we have no right to run a school for the purpose of preparing teachers any more than we have to run a school to prepare doctors or lawyers. But we have been twenty years finding that out. It may be that they were notified thirty or sixty days ago that the school was illegal; it may be that the chairman of the committee was asked whether they would come here again; it is nothing that concerns him; we want to treat them precisely as the other teachers are treated. I do not know a single teacher in the Normal School, and I have seen none of the committee.

Alderman Cutter—I supposed the gentleman was prompted to this thing by the School Committee, because I don't see what ground he has to stand on at all. We gather our money into the treasury according to law, and we can't stand up here and defend ourselves for laying it out illegally. We have no right to take the taxpayers' money to pay this sum asked for by these teachers.

Alderman Power—I am not particular about how these teachers are hired. No doubt the gentleman has several persons who are employed by him in the same way. I have, and when the contract is made it says so much per month. There can be no question about the responsibility of the city in the case. If the Supreme Court decides that the school is legally run, they will get their pay; and if not, they will not get it.

Alderman Clark—If the Board propose to stop paying all the teachers during vacation, I have no objection. Put them all in the same boat together. That is all I want. I say that the teachers of the Normal School should stand precisely on the same ground where the others stand. Common justice and equity will bear us out in that. I don't believe the taxpayers mean to have us do such mean, contemptible business as that.

Alderman Quincy—It seems to me that these teachers have been paid for all the work they have done, and they ought to have known that they went on performing their duties at their own peril. I cannot see that they have been employed for a year because their salaries are established at a certain rate for the year; they are engaged for so long as they are em-

ployed, that is they will be paid so long as they do the work.

They knew that as long as they did the work they would be paid for the service they had done and no more. Now, it seems to me, that they knew this and took the risk if they worked any longer. The School Committee have undertaken to take a position in opposition to the decision of the City Government, and the teachers have acted at their own peril.

Alderman Emery—It has been stated that the teachers have a vacation and are paid for serving nine months. Now you propose to use these teachers differently from those in the other schools. That question has been raised by the gentleman from Ward 12. No other mention has been made of it. I see no reason why they should be treated differently from the other teachers. If you make a contract for a year, you are bound to fulfill that contract. If the gentleman hires a man for a year he must keep him through the year. He may hire him by the year and may discharge him by the time that he receives his pay. I understand that these teachers are hired for a year, and if so you can't discharge them till the year is up. If a portion of the time is taken up in vacation, as the other teachers have, I don't see why they cannot be paid.

Alderman Power—If these teachers can show any authority for being hired by the year I have no objection to paying them. But they can show no such authority. These teachers stand differently from others. It is well known to all of us that this school was pronounced illegal, and by special action of this board it was voted to pay their salaries for one month, and the gentlemen asked the question at that time if it was going to end there, to which the gentleman on my right replied that it was. Now in the face and eyes of this legal decision these teachers see fit to take the chances and go on, and the School Committee have again elected them. They have been paid for the services performed, and we have no right whatever to pay them any more. They are out of office and stand in an entirely different relation from the others.

Alderman Clark—I agree with the Alderman from Ward 12, that they are out of office, but their duties have not ceased until after their vacations. Of course they could have stopped when the notice of illegality was served. The fault lies with this Board, and not with them. Members have served here year after year, and every year they were voting away ten or fifteen thousand dollars to support an illegal institution. All I want is that these teachers shall be on the same footing as the teachers of other schools. The testimony of Mr. Capen, the Clerk of the School Committee, as I understand it, is that the teachers are employed for a year and not by the year. If there is any doubt about the matter in the minds of members of this Board I should like the matter to lie over. If these teachers have been faithful to their duties they should be paid, and if not, then they should not be paid.

Alderman Gibson (Alderman Cutter again in the chair)—I am surprised at the argument of members who favor paying this money. There is no such thing in the book that these people are entitled to be paid for a year's service. We have already paid them a part illegally, and now they ask for more. The School Committee is no doubt a large and respectable body of gentlemen, but they should not undertake to run this Board. I am of the opinion that an effort will be made to have us pay them next year.

Alderman Clark—I said explicitly that I am not in favor of paying them another year; I took the other side of the question.

Alderman Gibson—We have already paid them illegally and I don't see how any Alderman, with a full knowledge of the facts, can vote to pay them any more after the decision of the City Solicitor. This talk about the poor teachers is all buncombe—all humbug, sir. We have just as much right to put the money into our own pockets. Why the School Committee should press this thing upon us I cannot see. I won't be a party to any such action in which there is no justice or reason. No man who understands his oath of office can do it.

Alderman Quincy—If the School Committee had not taken the defiant attitude, but had discontinued the school, then, in view of the fact that the other teachers had been paid for their vacation, I might be willing to vote for this order. But in the turn affairs have taken, I can't see how we can vote to pay them. The committee have taken this defiant attitude, and say they will run the school. We cannot afford to vote to pay this money and indorse such action of the committee. At least I am not willing to do so.

Alderman Clark—That is just exactly what I am glad to hear the gentleman acknowledge. He would make the teachers responsible for the action of the School Committee. I don't propose to stand here and defend the action of the School Committee, but

the teachers should be treated just as equitably as we would treat others. I regret, Mr. Chairman, that any gentleman should take exceptions to my statement. I stated here publicly, and I propose to stand by it, that I did not propose to vote for carrying on this school for 1873-74. I would not vote for it if the Supreme Court decided it was legal. I don't believe there is any question about the right of the city of Boston to support a Normal School, but having employed these teachers there is nothing left for us to do but pay them precisely as we pay the others. That is all I propose to do, and if we don't do it we shall not do our duty.

Alderman Hulbert—This is a new subject to me, Mr. Chairman, and I have taken the pains to look at the contracts. We are responsible for the contracts of the School Committee, but not without certain limitations.

The Alderman read from the rules and regulations of the School Committee—

The school year commences on the first Monday in September, and the salary year on the first day of September. In June the School Committee elect the teachers and fix their salaries for the ensuing year. All such officers hold office for the year, unless sooner removed by the Board." The Alderman also read the portion designating the vacations during the year. He then continued—

That would seem plainly to make the summer vacations part of the year just as much as thanksgiving week. Had it not been for the question of the legality of the school I should have no question in my own mind that the salaries of the teachers should be carried to the end of the year. The only question with me now, is this, because whatever you or I may be inclined to do as private individuals, I apprehend that it is our office to act according to legal instructions. Now it seems according to the opinion of the City Solicitor, that the city has been employing persons illegally.

Alderman Gaffield—The gentleman has said that we have been acting illegally for several years. We have had the Girls' High and Normal School for twenty years, but it has not been illegal.

Alderman Clark—I contend that the normal part of that school has been illegal. They have taken out the part called the normal school and made a separate institution.

Alderman Gaffield read extracts from the rules and regulations of the School Committee to show that it was not until last year that a pure normal school was established. A pure normal school is a professional school, and that the City Council have no authority to establish.

Alderman Hulbert—The point with me is this,—April 28th is the date of the Mayor's veto. At that time this Board was informed that they were doing what they had no right to do. It was just the same as if they had ascertained that fact three months before this was brought before the Board. The committee understand that this school was kept illegally, and the city had no alternative but to stop, after such a decision. Now, while I heartily agree with the sentiments of the alderman from Ward 6 in doing justice, it seems to me that when this question was raised before the end of the working year we are placed under a ban; that whatever our private feelings may be, I do not see how we can appropriate funds for these teachers now. We have already extended the term a month beyond, and it was supposed that would be the last of it. Our obligations are distinctly laid down. If the City Solicitor says we are authorized to pay these salaries on account of the contracts running from September to September, I am ready to vote for it. But if it is his opinion that we have no legal right to do it I do not see how I can. Our sympathy for the teachers must be laid aside. They and the City Government have been participants in an illegal proceeding, and this may become a precedent, and precedents sometimes become difficult things to manage. I do not feel authorized to vote for this order against the opinion of the City Solicitor.

Alderman Clark—The arguments of the gentlemen only convince me more strongly that it is our duty to pay these teachers. I did not know that they were employed for a year, but now there is no question in my mind about it, and we have got to pay them for it. We have not got to vote for any appropriation. The estimates were put in at the beginning of the year and we voted so much for the Normal School. If there is any danger of the School Committee leading us into trouble it is our duty to look after them and see that we do not vote for appropriations which are not right. In regard to the division of the school which took place a year ago, that makes no difference. The Normal part of that school has been run for twenty years and has been just as illegal all the time as the Normal School is today. There is nothing in this report which indicates that the City Solicitor thinks we have no right to pay the salaries for which these teachers were employed.

Alderman Gaffield—Before making that report I waited on the City Solicitor, and he said we had no

legal right to pay those salaries. As the institution is illegally constituted the payment of all the salaries must be illegal. I feel as much sympathy for the teachers and as much pride in our public schools as any gentleman in this Board, for I am a Boston boy. I have taken a great interest in this school for girls and should be glad to pay the teachers if I could. One thing I learned in the public school is respect for laws, and I intend to stand by them. In the face and eyes of the illegality the school committee have chosen teachers for this institution for next year. Gentlemen will say that if we are bound to pay them this year we shall have to pay them next year. I think we have got to bear in mind something about that bugbear, the taxpayers, who pay for the schools. If we don't respect their wishes we don't do our duty. We have already paid them illegally for eight months, but that is no reason why we should do it again. Suppose we should have established half a dozen steam fire engine companies, and then find out that it was illegal, would we have to keep them all the year? Let us adopt this report and let the Supreme Court decide the question, and if the decision is in favor of the teachers then we can pay them. This thing has not all been done in a few weeks. It has been discussed in this Board ever since last February. The Mayor held back for some time; we knew that something was coming, but we did not know it was a veto. The teachers stayed in the school at their own risk. They could have left the next day.

Alderman Quincy—I am unable to see how the contract makes them engaged for a year. If they serve for a year, and if the school is continued, they will be paid for a year. But if it is found that the school is illegal, they take the responsibility of working longer. I can't see how we can indorse this antagonistic attitude of the committee.

Alderman Gibson—I don't see one word that has been said in favor of the right of the city to pay this money. It seems that the School Committee have got two or three members of this Board to try to run it. They have gone on and elected teachers for another year and they don't seem to care about the opinion of the city solicitor or the mayor. They are determined to override anything that we can do here. If the teachers expected another year's election they are just as guilty as the parties who have put them up to it. It is astonishing to find here an advocate of allowing the School Committee to undertake to run this Board—to try to get us to vote money to pay for their illegal doings.

Alderman Clark—I should think that the gentleman would think himself sufficiently strong not to adopt that style of argument. But his arguments are not sufficiently strong to convince me. I think that all gentlemen are just as honest in this matter as I am. I am surprised that the gentleman objects to saddling this amount on the taxpayers in order to do justice to these poor teachers. I almost wonder if the gentlemen would feel justified in meeting their constituents if we pass an order to carry out this contract. I don't think the School Committee have tried to make cats' paws of the two members who have advocated this matter. They may have gone to East Boston, but I do not think they have been either to Ward 6 or 12. I think it is our duty to see whether the appropriations asked for by the School Committee are legal, and not wait till the last days of the school year and then refuse to pay them. There is no reason that these teachers should not be paid as well as the others.

Alderman Emery—I am perfectly surprised at the insinuations of the gentleman from Ward 1. I came into this Board about the first of last January and I supposed that gentlemen came here and acted from their convictions of right and wrong. But when the gentleman gets up here and tells me that some one has been operated upon, it gives me an intimation that the gentleman himself may have seen operations of that kind. His insinuation gives me to understand that he must have seen considerable of that sort of management. It is my opinion that no gentlemen of this Board have been dealt with by the School Committee. I am sure I act from perfectly conscientious motives. I think those teachers should be paid if they are hired by the year. If we have paid them any amount since the knowledge came to the Board that the school is illegal, it was done illegally, and all other payments have been illegal. But it strikes me that fair and honest dealing requires that they should be treated as the other teachers have been during the year that has passed, taking into account the vacations. I can't see how, having made this engagement for a year, with a portion of the time to be allowed them, we can keep from paying them.

Alderman Clark—I have just learned that the teachers in this school are composed of one male and four females. Now it is hardly a just thing to force four poor women to sue the city in order to recover pay for their services. I trust we shall not so belittle ourselves and force the city into any such unpleasant situation.

Alderman Power—I don't see what they have got

to sue for if they have been paid already. To them belong the blame, and not so much to the School Committee. Because we have paid them once is no reason why we have the right to pay them again. They saw fit to be re-elected after knowing what was the decision of the City Solicitor. This is the only matter in which we have got any control over the School Committee, and I don't know but they will get the Legislature next year to take that right away from us, as they have done everything else. This thing has been done in defiance of the City Government.

Alderman Gaffield—The male teacher in this school receives \$1000, and the three ladies receive \$2000, \$1000 and \$700 respectively. I wish to add, also, that the paying of teachers for less than a year has frequently been done before. We sometimes find that we have to reduce the number of schools; sometimes schools are discontinued and the teachers are dismissed. This has been done time after time, and if we can discontinue the salaries of teachers legally chosen, can we not do so with teachers illegally employed?

Alderman Clark—The contracts with the teachers of this school were made legally, and they can sue the city for breach of contract, for money for services rendered. They have a good cause and should be paid.

Alderman Gaffield—There is no written contract with these teachers. They are simply notified of their election, and hold office during good behavior unless sooner removed.

Alderman Clark—They were not removed, but were notified by the board to continue their services. That Board is composed of some pretty responsible men, and it is natural that these women would be as likely to believe members of the School Committee as members of this Board. This whole thing hinges on the antipathy to the School Committee. That is the trouble. But I don't propose to make the teachers suffer.

Alderman Emery—I don't propose to indorse the action of the School Committee. It is through them that these teachers have been engaged, and I don't indorse that action.

Alderman Gaffield—They have been elected again, and notified of their election.

Alderman Clark—Does the gentleman know that they have accepted.

Alderman Gaffield—I know that Mr. Duntton has advertised for pupils to come to this school.

On motion of Alderman Gibson the previous question was ordered and the question being on accepting the report and rejecting the order the vote stood as follows:

Yeas—Aldermen Bigelow, Cutter, Gaffield, Gibson, Hurlbert, Power, Quincy and Stebbins—8.

Nays—Aldermen Clark and Emery.

The order was declared rejected.

THE FENCE ON THE COMMON.

Alderman Power, from the Committee on Paving, reported an order authorizing that Committee to sell by public auction the iron fence on the westerly side of Tremont street, between Park and Boylston streets.

Alderman Clark—It seems a little premature to take such action until it is found whether it is advisable to keep the fence down. It would be wise to see how the community are satisfied with the fence being taken away. The amount received from the sale of the fence would be very small compared with what it would cost to build a new one.

Alderman Power—The Committee on Paving found themselves with an elephant on their hands, and thought this the best way to get rid of it. There were various suggestions as to what might be done with the fence; some thought the committee on Mount Hope might want it to fence up the cemetery with. It has been delayed to hear what suggestions would come from the members of the Board, but no one has offered to take care of it, and the committee thought it best for the city to dispose of it. It is a very cumbersome affair, and it will be very expensive to remove with the curbstones attached.

Alderman Gaffield—I would ask if the committee on Mount Hope have any objections to having it moved out there.

Alderman Stebbins—The trustees of Mount Hope would be very glad if the Committee on Paving would have it carried out there.

Alderman Gibson—If there is any possibility of having to put up the fence again we had better keep it.

Alderman Clark—The city has plenty of vacant land on which the fence might be stored, and that would be the best disposition we could make of it for the present. I should like to see it stored somewhere until we decide whether we want to have it put back. I believe we never shall; still, if such a thing were possible, it would cost forty times as much as we should get for it.

Alderman Stebbins—I have taken occasion to look on that side of the Common with the view of decid-

ing in my own mind what is best to be done, and I am of the opinion that it would be best to set the fence back inside the first row of trees.

Alderman Clark moved to amend the order by directing the committee to store the fence.

Alderman Power—The city has no place where the fence can be stored, unless it be on the vacant hospital lot on Marcella street. If the gentleman who makes that suggestion can imagine how long his pocketbook would remain on an open lot he will know how long that fence would remain there, for nothing brings the ready money quicker than that material. It would cost thousands of dollars to take care of it; it will bring thousands of dollars if sold now; it will cost thousands of dollars to remove it. Then it is an old-fashioned affair. No doubt it is stronger than the modern style, but for a park it is rather behind the times. The Paving Department have no place where it can be stored.

Alderman Quincy—It had better be sold, I think; the chances of using it again are very slight. Indeed, I should go in for having it sold three or four times rather than have the suggestion made by the gentleman carried out, and put it inside the trees. I hope it will be sold, and hope that the asphalt, which has killed the trees on that mall will be sold at the same time.

The order was passed.

ORDERS PASSED.

On motion of Alderman Quincy, an order was passed to pay Co. I, First Regiment of Infantry, \$97 50 for inspection duty in May.

On motion of Alderman Gaffield—

Ordered, That the Committee on Public Buildings be authorized to furnish additional school accommodations in the Minot School District; the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

Ordered, That the Committee on Public Buildings be authorized to furnish additional primary school accommodations in the Dorchester-Everett District; the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

On motion of Alderman Gibson—

Ordered, That the Inspector of Buildings be requested to report to this Board all cases in which the cellars or basement cellars of buildings in the city of Boston are constructed, used or occupied below the grade of twelve feet above mean low water.

Ordered, That his Honor the Mayor be authorized to offer and pay a reward of five hundred dollars for the detention and apprehension of any person guilty of feloniously setting fire to any building in the city of Boston; said sum to be charged to the appropriation for Incidentals.

Ordered, That the City Engineers be authorized to obtain duplicate parts for the running gear of Federal-street Bridge; the expense to be charged to the appropriation for Bridges.

On motion of Alderman Power—

Ordered that the Superintendent of Streets be directed to grade Eliot street, as recently extended from Pleasant street to Columbus avenue, and Pleasant street as widened from Eliot street to Park square. Estimated cost \$1500.

Ordered, That this Board establish the grade of Newland street, between West Concord and Worcester streets, as shown on a plan drawn by the City Surveyor, dated April 30, 1873; also the grade of Haynes street, East Boston, as shown by a plan dated July 31, 1872; also the grade of Linwood square, as shown on a plan dated April 22, 1873; also the grade of Prescott street, Ward 13, as shown on plan dated Dec. 27, 1872; also the grade of Gerard and Howard streets, as shown on plans dated Oct. 4, 1872; also the grade of High-street place, as shown on plan dated Aug. 17, 1872; also the grade of Lamartine street, as shown on a plan dated Sept. 1, 1869,—all of said plans being deposited in the office of the City Surveyor.

Ordered, That the Superintendent of Streets be directed to macadamize Berkeley street between Beacon and Providence streets; also to pave the gutters and crosswalks and build the necessary cesspools on said street. Estimated cost, \$12,000.

THE FIRE DEPARTMENT.

Alderman Power moved a reconsideration of the vote whereby the board rejected the order authorizing the Joint Special Committee on the Fire Department to visit other cities at an expense not exceeding \$1000.

The motion was carried, and the question recurring on the passage of the order in concurrence with the Council.

Alderman Quincy said—Had this order originated in the committee I should not have opposed it. The order now has the vote of the committee, and I withdraw my opposition.

The order passed in concurrence

On motion of Alderman Clark the board adjourned till Monday, August 11, at 4 P. M.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
AUGUST 11, 1873.

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

EXECUTIVE NOMINATIONS CONFIRMED.

Special Police Officers without pay—Charles W. Seabury, Marlborough street and its vicinity; Charles H. Curtis, Roxbury Branch Library; Royal Boston, Eddy's Refrigerator Manufactory, Ward 16; Oliver Boyden, steamer Henry Morrison; William A. Morse, Francis A. Morse, Farm School, Thompson's Island; James McCrillis, at No. 18½ Boylston street.

PETITIONS PRESENTED AND REFERRED.

Of Patrick O'Donahue, for leave to erect a lumber shed at 434 Harrison avenue; to Committee on Survey and Inspection of Buildings.

Of Newton Morton, for leave to erect and use a steam engine on K street, at the corner of Third; order of notice issued for a hearing, September 1, at 4 P. M.; also, petition of Newton Morton, for leave to erect a brick stack at the place above named. Referred to Committee on Fire Department on the part of the Board.

Of A. Burrell, for release of condition of sale of land on M and Third streets, so as to erect a stable on said lot; to Committee on Public Lands.

Of Henry P. Tallant, representing that the placing of a smallpox hospital in the Roxbury Almshouse, so near his residence, 215 Highland street, compelled him to move from that vicinity, which he did at much trouble and expense, remaining away nearly four months, and therefore respectfully asking that suitable compensation may be awarded him therefor.

Of Mrs. S. T. G. Webber, representing that during the fire in May last her dwelling house, on the south side of Hayward place, was damaged by persons acting under authority of the city, in carelessly and negligently taking down the east wall and chimney of the Chickering building, to the extent of \$340, and praying compensation therefor.

Of Trufant & Davis, representing that, on the eve of Aug. 5, while driving through Prince street, their horse fell into a deep hole, rendering him perfectly useless, also breaking the carriage and harness, and praying \$400 damages.

Severally referred to Committee on Claims.

Of Samuel B. Krogman *et al.*, for a sewer in Copeland street; and of Peter Higgins *et al.*, for a sewer in Rockland street, between Walnut avenue and Warren street. Severally referred to Committee on Sewers.

Of Vincent Laforme *et al.*, that K street from Broadway to Ninth street, be paved with wood; and of Samuel R. Spinney *et al.*, in aid thereof.

Of the members of the Wooden Pavement Commission, representing that they had held numerous public and private sessions and made examinations in several instances, to the direct neglect of their own private business, and in view of these facts they ask the City Council to increase or add to the original appropriation of \$500 voted to them as compensation for their services.

Of R. T. Paine, Jr., that Ruggles street, north of the Providence Railroad, be graded.

Of S. C. Bixby *et al.*, that the name of Bread street be changed to Sturgis street, it being a continuation from Pearl street to India street, or Franklin street should the latter be extended.

Of Weston Gray, to be paid for grade damages at 81 White street.

Of Kelly Bros., that Dorchester street be graded near their estates.

Of Matilda A. Dawson, to be paid for grade damages on Alpine street.

Of D. M. R. Dow, that Chelsea street, between Porter and Marion streets, be paved.

Of Jeremiah Plympton *et al.*, for a suitable sidewalk on Hawthorn and Cedar streets.

Of John Brown *et al.*, for a sidewalk on O street, from Fourth to Sixth street.

Of G. H. Cavanaugh *et al.*, that E street, from Seventh to Eighth streets, be paved.

Severally referred to the Committee on Paving.

Of John Donnelly, Nathaniel Tucker, William Agnew, L. H. Kalla, H. P. Dunbar, Sophia A. Johnson, George E. Martin, A. C. Richmond and W. E. Coffin, for leave to erect stables. Severally referred to the Committee on Health.

Of George H. Lane *et al.*, occupants of stores in Dock square and its immediate vicinity, representing that the high and dangerous buildings situated on the extension of Washington street, numbered 1 to 19 inclusive, are about to be torn down, and they pray that the same may be done between the hours of

7 P. M. and 7 A. M., to insure the safety and comfort of the travelling public as well as protecting the petitioners' goods from the dust and filth arising from such demolition during business hours. Referred to Committee on Streets.

Of Albert F. Cole, for leave to erect a wooden building on Broadway, South Boston. To Committee on Survey and Inspection of Buildings.

Of G. W. & F. Smith, for leave to use a stationary engine and melting furnace on Frothingham street; order of notice passed for a hearing Sept. 1, at 4 P. M.

Of L. H. Tasker, treasurer, for leave to use a steam engine and boiler at 76 Chauncy street; order of notice passed for a hearing Sept. 1, at 4 P. M.

Of John P. Squire & Co., for the appointment of a board to act in conjunction with commissioners from other cities, for the purpose of making a thorough examination of Miller's River and recommending some comprehensive system of sewage of Boston and its vicinity into the open sea, at a great distance from its present places of discharge, or to suggest some other and better method of disposing thereof. Referred to the Committee on Sewers.

ORDERS OF NOTICE.

On the order of notice on the petition of George W. Bowker for permission to use a caloric engine, no objection was offered, and the petition was recommitted to the Committee on Steam Engines.

The order of notice on the petition of Henry Souther for the removal of the tracks of the South Boston Railroad Company from their present location on Emerson street, between Broadway and Third street, to the centre of said street, was considered. Mr. O. W. Holmes, Jr., appeared for the railroad company, and suggested that the corporation, while ready to submit to any order of the Board, thought that in case the tracks should be moved, it should be done at the expense of the city. The corporation had expended considerably more money than is usually necessary for such purposes in bettering some of the defects in the highway when they laid the tracks. When the order was first passed for laying the tracks they inquired if it would be necessary to make any change, and they were instructed by the agents of the city to let the rails run where they were before. An expense has been incurred on the faith of the representations of the agents of the city, and therefore they did not think the expense should be put upon them.

The subject was recommitted to the Committee on Paving.

The order of notice on the petition of the Metropolitan Railroad Company for leave to extend their location by construction of tracks in Stoughton street, from Hancock to Hudson street was considered. Several parties desired to be heard.

Mr. Perkins appeared for abutters on the line of the proposed extension. He said the abutters had had very little opportunity to be heard, and what few were present were there spontaneously. It is but a short distance from the present terminus of the Metropolitan Railroad to the place to which they intended to extend their lines, and it has long been asked that this should be done for their convenience. If it did not pay the railroad immediately it would soon be remunerative. What is desired by the inhabitants is that the location shall be granted to the railroad on condition that the rails are laid there and the cars be running some time between now and the first of January,—not simply to grant the location and then have a long time elapse before anything is done. If the Metropolitan Railroad don't wish to do this, other parties would be glad to make this extension.

Mr. Lincoln appeared for the Boston, Hartford & Erie Railroad, whose tracks will be crossed by the extension. Mr. Lincoln said the chairman of the Board of Trustees, Mr. Hart, could not be consulted in reference to the extension, he being out of the city, and the trustees would like to have a hearing before the Committee on Paving. The other parties had consented to a postponement.

Mr. E. Clapp said he would like to inquire whether the Boston, Hartford & Erie Railroad opposed this extension. It could not be any detriment to them, and perhaps it would be a help. The question is this: A large portion of the people of Boston live in the southwestern part of the city, and it is very difficult to get from Ward 16 to that portion of the city. Those who have carriages can go very comfortably, but it takes at least an hour and a half to walk from Upham's store down to Chester park to take the horse cars. It would be a great help for the railroad to run as far as Upham's Corner, and so far as the people in that vicinity are concerned, they are unanimously in favor of the city granting the location asked for.

Colonel E. O. Shepard appeared for the Metropolitan Railroad and stated that Mr. Jewell, counsel for the corporation, desired him to state that he did not

object to the hearing asked for by the Boston, Hartford & Erie Railroad. The Metropolitan road desires to make the extension, but if there are any objections the company does not wish to stand in the way.

Mr. M. L. Bradford thought there was no doubt but that public convenience requires some communication between the eastern and western parts of the city. There are now no lines of public travel by which inhabitants of Ward 16 can reach the South End without first coming into the city proper. All the lines of steam and horse railroads diverge from the centre, with one exception. Those living in the Sixteenth Ward see the necessity of this communication. Whatever question there may be there is now no public conveyance by which they can get across there. If they want to go to the Boston & Providence Railroad they have got to come round through the centre of the city. Public convenience undoubtedly requires that this short piece of road, which would make a connection with the Mount Bowdoin line, should be constructed, that connection may be made between the Lower Mills through Roxbury and the South End. This will complete the circuit of communication with South Boston and the lower portions of the city. It should be done as a matter of public importance. In regard to the Boston, Hartford & Erie Railroad, if they have any objections, the company should be here to make them. When that road was built it was announced by the managers that it was not to cross any street at grade; it was to go under or over travelled roads. This matter of public convenience for travel should not be turned aside for the wishes of that road. They have had sufficient time to make their objections. It is important that this connection should be made immediately.

Mr. C. B. Fox had been requested to appear on account of his general knowledge of the business wants of the Sixteenth Ward, in regard to means of transportation. We are, he said, often met with objections that there is no communication between Ward 16, and the South End. There is a large section lying between the Grove Hall Railroad and the Four Corners, which have no means of communication with the southern part of the city, except by walking almost a complete circle. For a long time the inhabitants of that ward have been trying to get some means of communication; a petition, very largely signed, was presented to the Highland Railroad to extend a branch from the Mount Pleasant Station, and it was only after this application that the Metropolitan Railroad concluded to make the change. The petitioners submit that the Boston, Hartford & Erie have had the same amount of time that other parties have had; the notice has been published, and parties have been notified to appear. Now the Metropolitan Railroad, after having been forced to apply for the location, are found in complete accord with the Boston, Hartford & Erie in desiring a postponement, when it would seem to be necessary only for the Boston, Hartford & Erie to appear and state their objections. The inhabitants of Dorchester now have a certainty of getting it from one source, and do not wish any unreasonable delay on the part of those who have been forced to petition for this location.

Mr. Swan wished to add simply a word in favor of the petition. He was in the lumber business at Harrison Square, Ward 16, and spoke for three firms there. They have found a decided falling off in the trade with Roxbury on account of the inconvenience in getting from there to Ward 16. He had lost the sale of four houses because the man said he could not spend half a day in walking to Dorchester and back.

Mr. Perkins desired to know how long it would take for the Boston, Hartford & Erie Railroad Company to make up their minds.

Mr. Lincoln could not state exactly. Gentlemen forget it is very important to that road. He did not know to what extent the road would oppose this proposition, but certainly it is so important that they need time to consult the chairman of the trustees.

Mr. Perkins thought that so very important a matter might have secured the attendance of the proper officers of that road. They have as much interest in opposing this extension as the petitioners have in favoring it, and the latter hope that if the Board grant an extension of time it may be made as short as possible so that it may be known whether this great boon is to be granted by the corporation or not.

The Board voted to recommit the subject to the Committee on Paving.

A communication was received from Robert L. Spear, Chairman of Committee on Parade of the Grand Lodge of the Knights of Pythias, inviting his Honor the Mayor and the City Council to review the procession on the occasion of the State parade of the order on the 12th inst. Ordered to be placed on file.

The bond of W. L. Hicks, Constable, was presented approved by the City Treasurer. The Board concurred.

QUARTERLY REPORTS.

Of N. A. Apollonio, City Registrar, showing that during the quarter ending July 31 there have been received and paid to the Treasurer \$592 for certificates of intentions of marriage.

Of H. A. Davis, Superintendent of the City Scales in Haymarket square, showing that during the quarter he has received \$874 91, of which \$270 85 have been paid to the City Treasurer.

Of the Overseers of the Poor, showing the receipts for the quarter to have been \$16,662 90, including the balance on hand of \$764 64, expenditures \$13,608 03; paid City Treasurer \$370 16; cash on hand \$3449 35.

Severally read and sent down.

AUDITOR'S MONTHLY EXHIBIT.

The Auditor's monthly exhibit was presented in print, accepted and sent down for concurrence. The summary of the receipts and expenditures for the month ending August 1 is given, as follows:

	Appropriations, Revenues, etc.	Expended.	Unexpended.
General.....	\$11,043,302 27	\$3,155,575 72	\$7,887,726 55
Special.....	8,998,372 21	3,011,410 95	5,986,961 26
	\$20,041,674 48	\$6,166,986 67	\$13,874,687 81

REPORTS OF COMMITTEES.

Alderman Gibson from the Joint Standing Committee on the Survey and Inspection of Buildings, to whom was referred the petition of John Sullivan, reported in favor of granting the petition, and submitted the following order:

Ordered, That a license be issued, authorizing John Sullivan to construct a basement cellar on his premises, situated on the corner of Kneeland street and Albany street, and to place the bottom of said cellar nine and one half feet above mean low water; provided that the said cellar is properly boxed and constructed to the satisfaction of the Inspector of Buildings, and that the bottom thereof is either paved with brick laid in cement or covered with concrete. The said license to be issued subject to the provisions of chapter 377 of the acts of the year 1872.

Alderman Power asked for the reasons for departing from the law requiring people to keep up to the proper grade.

Alderman Gibson explained that the building was a storehouse and the cellar is valueless without this improvement. The plan is approved by the Inspector of Buildings.

Alderman Power asked if the petitioner had agreed to box the cellar.

Alderman Gibson replied that he had.

Alderman Sayward—The law provides that no building shall go below the grade of eighteen feet, but the city has power to allow persons to go below that. If this party does not comply with the requirements his license can be revoked at any time.

The report was accepted and the order passed.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the several petitions of Charles E. Dunn, J. O. Tjebblom & Co., David C. Sisson & Co., F. A. Marston, John K. Sinclair, James Clark & Co., Sargent Brooks, L. B. Hull and Eugene J. Sullivan; also in favor of granting petitions of various other parties for the transfer of wagon licenses. Severally accepted.

Alderman Sayward, from the same committee, reported favorably on the application of William Brown, Patrick C. Ryan, Nathaniel Ferretti, Willy & Smith, John Gallagher, Martin E. Moran, William Housman, Lott Boody, and Louis Reynolds & Bros., for victuallers' licenses. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of granting the petition of John B. Gurtz for leave to occupy a stable in Washington place. Accepted.

Alderman Power, from the Committee on Sewers, reported orders for a sewer in Kingston street, between Bedford and Summer streets; and in Norfolk avenue between Humphrey street and the N. Y. & N. E. R. R. in Humphrey street; in Stoughton street, between Humphrey and Myrtle streets, and in Myrtle street. Severally read twice and passed.

Alderman Power, from the same committee, reported an order of notice for a hearing September 1, at 4 P. M. on the petition for a sewer in the rear of Beacon street between Otter and Berkeley streets; also an order of notice for a hearing August 25 on the petition of Joseph B. Moors *et al.* for a sewer in Buckingham street. Severally passed.

Alderman Power, from the Committee on Paving, to whom was referred the petition of William Frost *et al.*, reported an order for the watering of Columbus avenue, between the railroad bridge and Church street, at the expense of the city, at the cost of \$175 per month.

Alderman Clark thought the sum named a pretty high price for that distance; in his section of the

city a much larger territory is watered for \$125 per month. He had no objection to the watering of the street, but thought it could be done at a less price.

Alderman Power said there is no comparison between the amount of water used in the two localities. This street is not paved, and the watering cart would have to go there half a dozen times to have the same effect that it would on Beacon or Arlington street. It is a difficult matter to get any one to water streets at this time, and the city is obliged to pay what they see fit to ask. The Committee on Paving have tried to get the price of watering the streets down, and to get this work done at a less price.

Alderman Clark asked if Mr. Jones, who did the city work, had been applied to.

Alderman Cutter (Alderman Gibson in the chair,) stated that the Superintendent of Streets wrote to several men who water streets, and found that this was the least it could be done for. People who water streets are not apt to do it so low for the city as they will for private parties who subscribe. If Alderman Clark had been through that section he must have seen the necessity of watering that street.

Alderman Clark expressed satisfaction with the explanation; the only question with him was whether it could be done at a less price.

The order was passed.

Alderman Power, from the Committee on Paving, to whom was referred the petition of Charles Roberts for compensation for damages done to his estate at the corner of Ruggles and Alpine streets, caused by the lowering of the grade, reported an order for the payment of \$800 to the petitioner. The order was read twice and passed.

Alderman Power, from the Committee on Paving, reported the following:

Ordered, That the Committee on Public Buildings be requested to cancel the sale of the old Mather Schoolhouse on Meetinghouse Hill, Ward 16, provided it can be done by the payment of the expenses incurred by the purchaser; the cost of said cancellation to be charged to the appropriation for Schoolhouses, Public Buildings.

Alderman Sayward asked the object of passing such an order as this.

Alderman Power—A petition came to the Committee on Paving for a permit to move that schoolhouse. They visited the premises and found that the owner had purchased that schoolhouse at an auction by the Committee on Public Buildings, for \$800. They found that it was a very good building for school purposes, and also learned in looking over the matter that there was a probability of that schoolhouse being wanted within a year. A new brick schoolhouse has been erected on Meetinghouse Hill, close to where this schoolhouse stands, and I presume the Committee on Public Buildings thought this wooden schoolhouse would not be needed, and therefore ordered it to be sold. I learned from the chairman of the School Committee of that district that in all probability it will be needed within a year. The Committee on Paving found that the city owned land enough close by to which this schoolhouse could be moved without interfering with the new schoolhouse. In view of all those circumstances it was thought not to be for the interest of the city to allow that schoolhouse to be taken away or torn down and it would be best to pay the expense of the sale if it can be done so. The chairman of the School Committee of the district assures me that extra accommodations will be needed this year. This house was just as good as it could be so far as to size. It has been somewhat disfigured by the purchaser, but to repair it would be only a trifling expense to what it would be to build a new building.

Alderman Sayward—This seems to me to be a rather singular proceeding. The explanation is that the Committee on Paving were applied to to give a license to remove this building. Instead of granting or refusing it, they have taken it upon themselves to investigate the doings of the Committee on Public Buildings, who, at the request of the City Government, have erected a new schoolhouse on Meetinghouse Hill, which has been very much needed there for many years. This old building was erected twenty-five years ago, and a portion of the school was kept there until the new one could be built. Now this may have been sold at a small or a large price, but it was sold with the understanding that it was to be taken down and removed under the direction of the Committee on Paving. The party who purchased it wanted to move it in as few pieces as possible; he wanted to cut it in two or three parts, so as to save as much as he could. The committee neither refuse or grant permission to move it, but they have agreed with that party to let it remain there until they can introduce this order of censure upon the Committee on Public Buildings. What has been sold is an old wooden shell; all the furnaces, etc., have been taken

out, and on a fair estimate eight hundred dollars is a good price for it. This house is neither needed nor fit to remain there now. We have sold a mere shell for \$810, on the condition that it shall be taken down without injury to the trees. If the party who bought it could have got a permit to move that building, it might, perhaps, be an advantage to him, if he proposes to fit it up for a dwelling house. The Committee on Public Buildings considered it was best to take the house out of the way. It will not be wanted for a year, and, if it is, there are other provisions for that district. A new building has been erected, and it is necessary to employ a watchman at night for fear the old one will be set on fire. For this reason the Committee on Public Buildings think they have done the best thing they could under the circumstances, and it appears that the Committee on Paving desire to censure the Committee on Public Buildings.

Alderman Power—The Committee on Paving have not the slightest desire to censure anybody. The petition came to that body for leave to remove that building; we did not think it could be moved without injury to the trees in the streets through which it would have to pass. The committee went out to look at the ground, and after going there we heard those statements I have made. I have a letter from the chairman of the District School Committee, stating that it would be needed within a year, and hearing that the city owns land on which it could be put by removing some horse sheds and putting it there, we thought certainly that the interests of the city should be consulted. It seems to me that the School Committee should be the best judges of the question whether or not it will be needed again. The gentleman says accommodations are provided for in case they are wanted. Now I understand that they intend to give the old almshouse for that purpose. I don't think it will be prudent to put children in the old almshouse, for it is not a proper place for them. As I stated before, we wish to disclaim any intention of interfering with the Committee on Public Buildings. But I have talked with several members of that committee and they tell me that they did not know anything about it and if they had known there was any probability of accommodations being needed there they would not have favored its sale. I don't see any reason why it should be set on fire any more than any other building. If this building can be moved for \$500 it would be for the best interest of the city that this order should pass.

Alderman Sayward—The gentleman says he disclaims any intention to censure. I can only say that actions speak louder than words. I had no knowledge that such an order was to be introduced. Common courtesy would have demanded that the Committee on Paving should have mentioned it to the chairman of the Committee on Public Buildings. But so far as that goes I care very little about it. The gentleman wants this bargain cancelled. He or some one else has already stopped proceedings. The ten days have elapsed and the building comes back to the city, the party who bought it has removed all the partitions within the buildings, and there is not even so much now as we sold him. Now the committee wants us to buy back that building. It would seem that the party has made a bad bargain. He is bound, to take it down and get it away from there. The foundation and all beneath the ground belongs to the contractor who built the other building. If we take it back the city will buy an old shell. The other building has been made with ample room for years to come. There are more rooms than they can fill today. It is a mixed school; the old house was never of sufficient capacity to comply with the regulations. At any time, whether one year or five years hence, the old almshouse can be fitted up at a slight expense for all the accommodations that may be wanted for ten years to come. For these reasons it is disrespectful for the Committee on Paving to attempt to pass such an order as this.

Alderman Power read a letter from Benjamin Cushing, chairman of the District School Committee, saying that "Every room in the new building will be occupied by September, and in his opinion they will need more space. In his opinion the old almshouse is unfit for a schoolhouse, the rooms being low, the building standing on the south side of a gravel bank with no proper playground about it. By removing the old schoolhouse three hundred feet as good accommodations will be obtained as will be needed, and by keeping the old house for future need a very considerable sum of money will be saved to the city."

Alderman Power—In relation to the purchaser of that building and the action of the committee; the former was notified that he could not have permission to move that building as it would injure the trees on the streets. As I stated before, we don't wish to censure anybody. We all see things in a different light. The Committee on Public Buildings thought it best to sell that school-

house; we thought differently, and this Board can decide the matter as they think best. We simply give our views on the matter and offer that order.

Alderman Sayward—It seems that the letter is in answer to an inquiry from the committee. It is not voluntary. Dr. Cushing is a gentleman and a particular friend of mine, but it appears to me that if he had any desire to have kept that schoolhouse he would have consulted the Committee on Public Buildings, who had the matter in charge. Now, sir, I say that the Committee on Paving have overstepped the bounds of their duty. It is for each committee to attend to their respective business, and when a matter comes up here for discussion, then is the proper time for objection. This matter is confined to one or two gentlemen in Ward 16, Dr. Cushing and his brother. He feared that some of those trees would be crushed if the building was moved. The doctor says he would be glad to have every building on the hill moved. This is the poorest building there; let us move it first.

Alderman Power—I will state again that when the Committee on Paving went out to view the premises, they heard that the School Committee did not wish it to be moved. As to the Committee on Paving going out of their way, now I want to know what they are here for. Of course all gentlemen will consider that it is our duty to look into the orders and recommendations of every committee. It is nothing more than our duty to look into the doings of every committee appointed for any purpose. It is our duty to know that the recommendations of any committee are proper before acting upon them. We took hold of this without any intention of slighting the Committee upon Public Buildings. Upon looking into this matter we thought differently from what we did at first. We think it is not for the interest of the city that this building shall be sold, and therefore we hope the order will pass.

Alderman Sayward—I don't wish to say that other committees' doings should not be investigated. But it should be done at the proper time; when this order came up that was the time to discuss it; not after it was passed without a dissenting voice. I believe we have done the best thing. I would like to know where the saving is to buy that old shell. There are other members of the School Committee who, by inquiry, will say in a letter that it is unfit for a schoolhouse.

Alderman Power—We have another important thing that I forgot to mention. It is customary for the School Committee, when they get through with a schoolhouse, to deliver it up to the City Government. I think that in this instance the School Committee have not said officially that they have got through with that building. In relation to the Almshouse, I think any member will only have to go there to convince himself of its unfitness for a schoolhouse.

Alderman Sayward—This comes from the same Dr. Cushing. Is not it the right of this City Government to sell any property without regard to the School Committee?

Alderman Quincy—Without going into the subject of the courtesy of the two committees, it seems to me that the Committee on Paving have travelled out of their track. I don't like this idea of the city hacking out of a bargain that it has made. But if a blunder has been made I think we should go back and correct it. If the purchaser has not made a good bargain, or if he has only paid the fair value of the property, I don't see why we should not as well have that money in the treasury as not. I hope the order will not pass.

Alderman Gibson—It was stated to the Committee on Public Buildings that we had built a schoolhouse to take the place of this one. I have never seen the building, and know nothing of it personally. The gentleman said it was somewhat dilapidated. I did not suppose that another schoolhouse would be wanted in that location, and only know of this by representation. All the members of the committee voted, on the representations made, to sell the house. Now with regard to the last speaker, the Committee on Paving rather hold the purchaser by the ears. If they don't give him permission to remove it he has got to tear it down. If they hold him to it, and he does not move it, it comes back to the city.

Alderman Sayward—I would call the attention of gentlemen to the fact that the sale had been advertised, and the terms were that the building should be taken down. He bought it understandingly. He would like to move it so that it can be got together again at the least expense possible. There is nothing for the committee to do except to say whether it is to be removed in larger pieces than the law will allow.

Alderman Power—I should think that Mr. Cushing is the best judge of what they intended to do. Persons I have conversed with say it is a most wanton piece of destruction to tear that building down. It is just as good a building as can be built of wood, and will answer all the purposes of any brick building. It is of a

modern style, and if the damage that the purchaser has done is repaired, it will answer the purpose as well as any building that can be constructed. I say that if you do not pass this order it will put this city to an expense of ten or fifteen thousand dollars at least, which you may save if you leave the building there.

Alderman Sayward—I am obliged to the gentleman for disclaiming any censure. He just used the word wanton, and I should like to know if that is not censure, of the worst kind.

Alderman Gibson—I should like to inquire what is the size of the building.

Alderman Power—The gentleman can understand what is its size when the Chairman of the School Committee says it will accommodate three hundred children. It can be put in good order again at an expense of a thousand dollars, and be set upon the ground of the city, which is the very best for school purposes. In fact, there is no comparison between the old almshouse and that locality. If the building is sold, in my opinion it will be a great loss to the city.

Alderman Hulbert—I apprehend that this is a subject of which members of the Board know very little. I think it would be better to lay it on the table till the next meeting, with the understanding that a committee be appointed to investigate. I therefore move that it be laid on the table.

Members desiring to speak, the motion was temporarily withdrawn.

Alderman Sayward—I hope the matter will not be laid on the table. All the light gentlemen want has been given them. It would be doing wrong to the party who bought this building to let it go over. I think he is here in the room, or he was, awaiting some decision from the Committee on Paving as to moving the building down some other street in place of the one where it was thought the trees would be defaced. I think it would be better for both parties to settle this matter at the present time.

Alderman Power—I must confess I agree with Alderman Sayward. The purchaser is in a bad fix. Perhaps it would be as well to decide the question now as at any time. This Board will not make any mistake by passing that order. I am willing to stake my judgment on its passage.

Alderman Hulbert—My object in presenting this motion is simply this: There are two gentlemen presenting opposite views. It is a matter of some importance. We, to act judiciously, should know what we are voting on, and my object was simply to end the discussion at the present hour. I am perfectly willing to withdraw my motion and will abide by the Board.

Alderman Sayward—We have acted under the authority of the Board, and the question is, whether this Board will back up the Committee on Public Buildings, or whether they will pass the order of my friend, who, with his usual persistency, when he starts out on a thing, is bound to put it through. His arguments are against what he has argued in other matters. The School Committee ought to know how many truant officers they need—but did the gentleman vote for them?

Alderman Stebbins—Has the party paid for the building yet?

Alderman Sayward—We did not present the bill at once; the party is amply able to pay.

Alderman Gibson—We ought not to go round in the dark in this matter. Both the gentlemen opposite have good judgment, and if we have done wrong I am perfectly willing to confess it and take the right course. If here is a building that will accommodate three hundred scholars, and it can be saved for \$800, why should we not do it?

Alderman Sayward—I cannot be moved until this question of the church's sheds is decided. The owners of the church don't want the sheds there. If the gentleman thinks he has done something wrong, we are perfectly willing to forgive him.

Alderman Power—Those sheds are a nuisance, and have been ordered to be taken away by the Mayor on two occasions, and yet it seems the people can keep them there without having any trouble.

Alderman Sayward—The gentleman says there are certain horse sheds which are a nuisance; the order to have them removed has already gone forth. Now there are two or three which set over the line between the land of the First Parish and the City of Boston. Both the Town of Dorchester and the City of Boston have been travelling over the First Parish's land to get to the school buildings. This year the Committee on Public Buildings have made arrangements to have the right of way. We thought it would be nothing but right.

Alderman Gaffield—I have never known in all my experience in the City Government a Board of Aldermen whose members have ever acted with greater courtesy to each other than this. But I think that here we have a case in which there is some difference of opinion between members of the same committee.

I don't think any member meant anything disrespectful to the Committee on Public Buildings. The apparent disrespect arises from the fact that we have been away from the city for several days.

I have no doubt the gentleman intended to confer with the committee or with the Superintendent of Public Buildings. But we have been away for a fortnight and have not been together day by day as we have the rest of the year. The Committee on Sewers had occasion to go to the locality; I saw the building and thought it was a new one. The gentleman says he can get information from other members of the School Committee. Let us have this information at the end of a fortnight, and after having had a good time let us come together again and hury the hatchet.

Alderman Sayward—I disclaim any ill feeling. After we pass out of this room I don't expect either the gentleman or myself will be deadly enemies. I have been here today for hours, and the first of my hearing of this order was when it was offered. For that reason I would not desire it to be deferred any longer. There is no more information to be obtained on the subject.

Alderman Clark—There is quite a diversity of opinion in regard to this matter, and as it will require concurrent action, if the order should pass tonight nothing will be gained. Therefore, I move that the order be laid on the table, and in the meantime let members visit the locality and post themselves. I know something of the value of the building, and I think \$800 a very small amount to pay for it. I don't think twenty thousand dollars will put up as good a one. If there is any chance of new accommodations, it would be better not to sell this one. I have no doubt that the Committee on Public Buildings have done what they deemed for the city's best interest; but as the passage of the order would not progress matters at all, and, as it has to go to the other branch, I move that it be laid on the table; though I withdraw the motion if any gentleman desires to speak.

Alderman Sayward—All these gentlemen, I have no doubt, have good judgment in regard to the value of buildings, but I will simply remark that from what the gentleman says that he knows nothing about it. But that is neither here nor there. This order requires concurrent action if we pass it, but if we kill it it will not.

Alderman Clark—I shall feel compelled to vote for the order today and I might not vote so two weeks hence.

Alderman Sayward—We are all liable to err in our judgment. There have been many buildings sold by the city of Boston which were very much more valuable than this. Gentlemen are sticking upon this building; they want it moved because the Chairman of the School Committee has said that they may need it. The gentleman's judgment may be worth something, and it may not. Other members of that committee say they don't want it. The gentleman says it may be set upon a rock. This is perfectly preposterous.

Alderman Power—The gentleman has stated that the Committee on Public Buildings had made arrangements for future accommodations. Now if there are not going to be future accommodations needed, why should they be looking for them? I hope this order will not be laid on the table, for the purchaser may go on and tear down the building and put the city to an expense of fifteen thousand dollars. In the Municipal Register the value of the house is put down at twenty-two thousand dollars. Such a building cannot be erected for twenty thousand dollars. The only safe way for us to economize is to pass this order.

Alderman Clark renewed his motion to lay on the table, and Alderman Power called for the yeas and nays. The vote was as follows:

Yeas—Aldermen Bigelow, Clark, Gaffield, Hnhbert—4.

Nays—Aldermen Brown, Cutter, Emery, Gihson, Power, Quincy, Sayward, Stebbins—8.

The question being on the passage order the vote stood—

Yeas—Aldermen Bigelow, Brown, Clark, Cutter, Gaffield, Gihson, Hnhbert, Power—8.

Nays—Aldermen Emery, Quincy, Sayward and Stebbins—4.

The order was accordingly passed.

Alderman Clark, from the Committee on Streets, submitted the following:

Ordered, That the Committee on Streets be and they hereby are authorized, in the settlement with John L. Gardner, for damages occasioned by the widening of Congress street, between Water and State streets, to make such terms with said Gardner, for the temporary occupancy of the portion of his estate taken to widen said streets, as the said committee shall deem expedient.

The order was read twice, and passed.

Alderman Clark, from the Committee on Streets, submitted orders to quit, giving notice to the heirs of T. Bigelow Lawrence to remove obstructions from Milk street by Sept. 1, and to the Liberty-square Warehouse Company, John Belknap, Daniel P. Stone and Benjamin F. White to remove obstructions from the extension of Oliver street by Feb. 27, 1873. Severally read twice and passed.

Alderman Clark, from the Committee on Streets, reported orders to pay as follows: Ebenezer Holden, \$280 70, on account of Humphrey street widening; John N. Tileston, \$1000, on account of widening of Blue Hill avenue; Charles H. Cotting, trustee, \$90, 450, on account of the extension of Washington street to Haymarket square; heirs of Joseph Libby, \$1500, on account of the widening of Federal street; John L. Gardner, \$34,929, on account of the widening of Congress street; Francis B. Hayes, \$13,450, on account of the widening of Washington street; H. Hollis Hunnewell, \$33,875, on account of the widening of Essex street; Alden Avery, \$1277 50, on account of the widening of Dudley street; Aaron C. Baldwin, \$10,000, on account of the widening of Essex street; Adeline Bartlett, administratrix, \$3945, on account of the widening of Hawley street; heirs of Solomon Piper, \$5320, on account of the widening of Broad street; Bartholomew Otheman, \$11,200, on account of the widening of Hanover street; Gardner Brewer, \$13,590, on account of the widening of Washington street; George N. March, \$52, on account of the widening of Hawley street; John H. J. Hincke, \$1460, on account of the widening of Lincoln street. Severally read twice and passed.

Alderman Gihson, from the Committee on Markets, submitted the following:

Ordered, That the Committee on Markets be authorized to lease the stalls in Faneuil-Hall Market upon such terms as they may deem best for the interests of the city; provided, however, that no lease shall be granted for a term exceeding three years.

Alderman Stebbins said it was voted by the Committee on Licenses not to renew the leases of the outside stalls which expire at the same time. He would move an amendment that the committee be directed not to renew the outside leases.

Alderman Gihson—I presume it is well known to the members of the Board that the outside stalls are wooden structures, and that there are only two of them.

Alderman Stebbins—This matter of removing the stalls was brought before the committee by parties doing business on North Market street. I am informed by the Superintendent of Markets that these leases expire at the same time as the others. The committee is of the opinion that these outside stalls should be removed as soon as the lease expires. In South Market street there are two oyster shops and North Market street two. They should be removed forthwith.

Alderman Gihson explained his statement. If it was desired to make a clean sweep, they would have it done.

Alderman Brown—As I understand it, the committee have voted that these stalls should be removed at the earliest possible moment, and they have all been removed, except one on North Market street. The committee do not propose to renew these licenses, as I understand it. I don't think there is any thought of the Market Committee to re-lease them, or to let them continue.

Alderman Stebbins—In order to save trouble I move to so amend, so that the committee have no power to re-lease the outside stalls.

Alderman Sayward—The Committee on Licenses voted not to give those stands a license, and I hope the order will not be amended. Let us leave it to the honor of the committee.

Alderman Gihson—Some people say it is indispensably necessary to do this.

Alderman Sayward—Many people say things are necessary which this Board does not see fit to do.

The order offered by Alderman Gihson was then passed, and the following was offered by Alderman Stebbins:

Ordered, That the Committee on Faneuil-Hall Market be directed not to renew the leases of any stands outside the market building in South or North Market street.

Alderman Gihson asked how far this was intended to go.

Alderman Stebbins replied that it had special reference to the oyster stands, four or five in number.

Alderman Brown asked if it would prevent the Committee on Markets from leasing places for the sale of vegetables in connection with the market. If it does, I should hope it would not pass. He proposed that the order specify oyster or refreshment stands.

This was agreed to and the order was so passed.

On motion of Alderman Gihson, it was voted that when the Board adjourn it be for two weeks.

Alderman Clark, from the Committee on Streets, reported no further action necessary on the petition of Moses Williams to be paid for grade damages to his property on Fort Hill, inasmuch as the petitioner has already obtained a judgment in court in favor of his claim. Accepted.

On motion of Alderman Power—

Ordered, That the Superintendent of Streets be directed to remove all obstructions extending over the line of Warren street, as widened by the Board of Street Commissioners, between Quincy street and Blue Hill avenue.

On motion of Alderman Clark, the vote referring the petition for the paving of Linwood square to the Committee on the Common was reconsidered, and the petition was referred to the Committee on Paving.

THE NORMAL SCHOOL TEACHERS.

Alderman Clark moved to reconsider the vote accepting the report of the Committee on Public Instruction and rejecting an order to pay the teachers of the Normal School their salaries to the first of September.

Alderman Clark moved to lay the motion to reconsider on the table. He explained that he wanted the members of the Board to post themselves on this subject by obtaining information as to their legal rights.

Alderman Gaffield said the vote had been passed ten to two at the last meeting, but he would vote to lay it on the table if the gentleman had n't information enough already.

Alderman Power desired the question to be divided.

Alderman Sayward asked if a motion to reconsider had been made; he had not heard it, and raised the point of order that no question was before the Board.

Alderman Brown asked if it was in order to make a motion like that of Alderman Clark.

The Chair ruled that it was.

Alderman Power understood that the Alderman from Ward 6 gave notice to the clerk of intention to move a reconsideration, and now he moves to lay it on the table. I contend there is no question before us.

Alderman Clark—I gave notice of my intention to reconsider within the required time, and I now ask that that motion be laid on the table. This is perfectly in order as declared by the Chair.

Alderman Sayward—That is simply moving to lay the request made to the Clerk on the table. If the Chair decides that in order, I shall appeal from the decision.

Alderman Quincy—The motion can be laid on the table. The gentleman can say, "I move to reconsider and I move to lay it on the table."

Alderman Clark—I intended to move to reconsider, and if I did not I now make that motion.

Alderman Power asked if the motion to reconsider was the question before the Board.

Alderman Clark—Any other member has the right to move to lay a motion to reconsider on the table; why has not the original mover the same right?

Alderman Gibson—The gentleman has made this request and I am willing to grant it provided he will not bring the subject up unless the members are all present. I don't want him to spring a trap on us.

Alderman Clark—This is the first time anything of this kind has ever taken place since I have been in this Board. I have no intention of springing a trap on the gentleman.

Alderman Power—I don't understand that the vote has been reconsidered. The gentleman comes in, and moves to reconsider and then moves to lay it on the table.

Alderman Clark—I see that the Alderman is as clear as he usually is on subjects that he talks upon. It is perfectly in order to move to lay the motion to reconsider on the table. My object is this: If I were to move a reconsideration of that vote to-night I should lose it, but in order to save it, I ask to have it laid on the table, to be kept alive so that some members of the Board can post themselves up and see that they have done wrong in not voting to pay the salaries of these teachers. The matter can be killed two weeks hence just as well as now.

Alderman Gaffield—There is one thing I wish the Board to recollect. The master of this school is advertising for pupils. If we pass this vote it will go abroad that we have not made up our minds on this subject. Still I will vote for it if the Alderman will bring it up at the next meeting.

Alderman Clark promised to bring it up at the next session of the Board.

Alderman Gibson—I don't like to choke off a member from an investigation that he desires to make. But I wish it understood that I am not in for paying these teachers. I don't want to be trapped in the future, but as I have the word of the Alderman I will vote for the motion.

Alderman Hulbert—In obedience to the request of Alderman Clark this week I called on the City Solicitor and put the question to him, whether we have any right to pay these teachers, and he said we have no right to pay them. This being so unquestionable, it seems to me that I cannot reasonably assent to having the motion laid on the table. With all regard for my friend from Ward 6, I think it would imply too much. I find my hands perfectly tied. I have no prejudice. The City Solicitor says you can do certain things and you cannot do certain other things. This has been definitely stated by him. Having seen him and got this opinion from him, I must vote against this motion.

Alderman Clark—If all the members have had an opportunity to consult the City Solicitor, I ask no further delay. It is merely to give members an opportunity to talk with the City Solicitor that I made this motion. I have been to see him, but have not been able to find him. According to his opinion, this has been illegal for twenty years, and we have had no legal right to pay a salary to any person employed in the Normal School.

Alderman Clark then withdrew both the motion to reconsider and lay on the table.

FIRE APPARATUS FOR CITY HALL.

Alderman Sayward said he had a report to present from the Committee on Public Buildings. He did it from a sense of duty. But the Board had just passed a very discourteous order. He should hope that the report would be discussed and passed upon, but after the action this afternoon he felt some diffidence and hoped that if there is anything in the report that members do not understand they would satisfy themselves before passing it over. The report is as follows:

The Joint Standing Committee on Public Buildings beg leave to report that they witnessed an exhibition of the invention of Hon. E. S. Tobey as a means of extinguishing fires upon the roofs of large buildings, and would recommend the adoption of the same for the City Hall. The building is already supplied with the high service, which, together with the required tanks and fixtures to retain the water upon the roof, will give the city the benefit of this invention at a small expense. The committee would recommend the passage of the following order:

Ordered, That the Joint Standing Committee on Public Buildings be authorized to provide the necessary fixtures for the adoption of Hon. E. S. Tobey's invention for extinguishing fires upon the roofs of large buildings and cause the same to be placed upon the City Hall building, the expense to be charged to the appropriation for Public Buildings.

Alderman Brown asked that the report be laid over. He was absent at the time the matter was introduced. The City Hall has stood so long that it won't be very disastrous to let the matter lie over.

Alderman Sayward only desired to do his duty. He had no desire to press the subject.

Alderman Clark hoped the order would be adopted, and that speedily. It is of the utmost importance that the apparatus be put into the City Hall and Public Library and every other public building. It is no argument that this building has stood for some time. We are having fires constantly, and it was only the other day that an appliance attached to a building in Roxbury saved it from being burned.

Alderman Stebbins inquired what the expense would be.

Alderman Sayward said he supposed it would be, probably, a thousand or fifteen hundred dollars. There are already stand pipes in the interior of the building, and all that is needed will be to place stand pipes on the outside.

Alderman Hulbert thought this one of those things on which it would do well to take a little time for proper consideration. He had no doubt but that it is all right.

Alderman Clark hoped members would be allowed an opportunity to see the operation of this appliance. It has been shown to great satisfaction on the Congregational building to members of the Board. It is an absolute protection to the entire roof of the building, and on the City Hall it would protect both the roof and dome.

Alderman Brown withdrew his objection to a second reading of the order.

Alderman Sayward hoped the order would be laid over.

Alderman Gibson explained the construction and operation of the apparatus.

Alderman Hulbert did n't want to vote for anything that he didn't know anything about. If the majority of the Board had witnessed this operation and were satisfied with it he would offer no objection.

The subject was then laid over, and on motion of Alderman Brown the Board adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

AUGUST 25, 1873.

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

Thirty-five traverse jurors were drawn for the September term of the Supreme Judicial Court.

EXECUTIVE NOMINATIONS CONFIRMED.

Special Police Officers without pay—William Hannan, Lyceum Hall, Ward 16; Melville DuCrowe, Boston Young Men Christian Association building, corner Elliot and Tremont streets; James McCartney, 221 Washington street.

Railroad Police—Boston & Albany Railroad, C. H. Chase; Boston & Providence Railroad, George E. Black, Warren S. Brown, Charles H. Crummett, William D. Thurston, Joseph O. Mowry, Hiram Eldridge, station agents; Benjamin P. Williams, Emmons Metcalf, Joseph N. Weaver, conductors; H. W. Pettengill, Charles W. Gleason, John McIntire, watchmen.

PETITIONS PRESENTED AND REFERRED.

Of R. J. Elder, to build a wooden stable on Border street, exceeding the legal dimensions.

Of McQuesten & Fogg, to enlarge a lumber shed at 170 Border street.

Of Davis Damon, to make additions to wooden building exceeding the legal dimensions, at 64 Eaton street.

Of Charles P. Clark, trustee Boston, Hartford & Erie Railroad, to erect a wooden building on Boston wharf, for coal shed for use of the corporation.

Severally referred to Committee on Survey and Inspection of Buildings.

Of Joshua D. Howard, to occupy a wooden stable on Earl street.

Of Joseph Ham, to occupy a brick stable in rear of Fort avenue, opposite old stand pipe, and remonstrance of Uriel H. Crocker, *et al.*, against granting the same.

Of Peter E. Brandley, to occupy a wooden stable on Downer street, Ward 15.

Of Jacob Edwards, to occupy stable on Maple avenue.

Of Manuel Silva, to occupy stable on Van Winkle street, Ward 16.

Of Prescott Chapin, to occupy stable on Liverpool wharf.

Of Adeline P. Flanders, to build stable on Fenton and Greenwich streets.

Of Patrick Norton, to erect stable on Pearl street, Ward 16.

Severally referred to the Committee on Health on the part of the Board.

Of James S. Little, *et al.*, for a clock on the tower of the Church of the Holy Trinity, now erecting on Shawmut avenue; to Committee on Fire Alarms.

Of W. C. Kingsbury, *et al.*, that Groton street be paved with wood or stone blocks.

Of trustees of estate of Robert C. Hooper, to be paid for grade damages on Cottage street.

Of John G. Webster, *et al.*, that Boylston street between Berkeley and Clarendon streets be paved with wood.

Of Jewett & Pitcher, *et al.*, that a portion of Condor street be gravelled.

Of David A. Berry, *et al.*, that edgestones be set on Fifth street, between K and M streets.

Of William Donaldson, *et al.*, that the obstruction at the corner of Walnut avenue and Rockland street be removed.

Severally referred to Committee on Sewers.

Of W. R. Clark, that the piles in the dock at the foot of Belcher's lane may be removed; to Committee on Public Lands on the part of this Board.

Of Rumrill & Stanton, *et al.*, for sewer in Catawba street.

Of W. R. Clark, for a sewer through Foster's wharf, from Broad street.

Of Amos A. Stevens *et al.*, for sewer in Condor street, from Meridian street to Putnam street.

Severally referred to Committee on Sewers.

Of Henry Lee representing that in the year 1868 he decided to the city 161 feet of land on Bedford street, at the corner of Lincoln street, for which he received no money, and his neighbor on the opposite side of Lincoln street obtaining from a jury an award of \$32 per foot for his land taken by the city. Petitioner's compensation was the widening of Bedford street, for which he did not much care, also and chiefly, the

setting back of Church Green 19 feet, which brought 19 feet of petitioner's Bedford-street front on a square. By the widening of Lincoln street the petitioner now loses 5 feet out of 19 feet, or more than a quarter of the consideration, for which loss he asks compensation, as the price awarded for the land taken on Lincoln street had to be in proportion to other awards, based on the value of the land only. Referred to Committee on Streets.

Of occupants of Faneuil Hall Markets, that the hour of closing said markets be at 5 P. M., excepting Saturdays at nine, and the evenings before Thanksgiving and Christmas, which shall be at the discretion of the Market Committee, the same to be inserted in the forthcoming leases. Of the 162 stalls of the market 120 are in favor, 18 are neutral, and 22 are against the closing, and 3 are not represented on the petition.

Remonstrance of Curtis & Co. *et al.*, against the proposed change of time of closing Faneuil Hall Markets, and that they be closed at 5 P. M., excepting Saturdays and holidays, from Oct. 27 to Jan. 27 inclusive. Also petition of Lewis Rice & Son, and other hotel keepers, in aid of the remonstrance, and asking for a hearing.

Severally referred to Committee on Markets.

ORDER OF NOTICE.

The order of notice for a sewer in Buckingham street being considered, no objection was offered, and the subject was recommitted to the Committee on Sewers.

On the order of notice on the petition of John Ritchie *et al.*, for leave to use a steam engine, no objection being offered, the petition was recommitted to the Committee on Steam Engines.

FANEUIL-HALL MARKET.

The report of C. B. Rice, Superintendent of Faneuil-Hall Market, for the quarter ending July 31, was received. During the quarter \$21,092 57 have been received, as follows: Stalls, \$10,396 50; cellars, \$5385; permanent outside stands, \$708 75; weighing at market scales, \$88 82; stalls in new market, \$3030; cellars in new market, \$1462 50; for tree stand, \$21. The report was ordered to be placed on file.

UNFINISHED BUSINESS.

The order from the Committee on Public Buildings for applying Hon. E. Tobey's apparatus for extinguishing fires to City Hall came up as unfinished business.

Alderman Gibson remarked that he had never had the pleasure of seeing the apparatus work, but some parties who were interested in another pattern had told him that if the wind happened to be blowing it would drive the water all on one side. He, however, had no experience in the matter and would make no objection.

The order was read a second time and passed.

REPORTS OF COMMITTEES.

Alderman Clark, from the Committee on Streets, reported leave to withdraw on the petition of Martin Lennon to be paid for land taken to widen Dearborn street and Hartopp place; and of George H. Lane *et al.* that the removal of buildings on the Washington-street extension be done at night. Severally accepted.

Alderman Clark, from the Committee on Streets, reported orders to pay, as follows: Martha H. Bancroft, \$2000, on account of Federal-street widening; Alden Avery, \$1335 90, on account of Dudley-street widening; John Richardson, \$248 25, on account of widening of Cottage street; heirs of James Otis, \$29,808, on account of the widening of Broad street. The orders were severally read twice and passed.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the application of Matthias F. Horgan for hack stand at 253 Dorchester street; transferring license, No. 604, from Thomas Humphrey to James King; of Tompkins & Thayer for license for the Boston Theatre for the ensuing season; of William H. Vialle to deal in second-hand articles at 130 and 132 Fulton street; of Heman Kalish to deal in second-hand articles at 44 Salem street; of Aaron Aronson, for pawnbroker's license, at 27 Kneeland street; of William P. Pierco, for auctioneer's license, at 168 Brooks street; of transfer of billiard license to Henry C. Pratt, Neponset avenue, to W. A. Stevens; of John T. Harris, for auctioneer's license, at 29 Pemberton square; of George K. Saville, for billiard license, at corner of Warren and Palmer streets. Severally accepted.

Alderman Sayward, from the same committee, reported in favor of granting victuallers' licenses to John Nichols, 230 Broadway; M. J. Kelly, corner Dorchester and Eighth streets; Patrick C. Ryan, 50 Endicott street; P. M. Denon, 871 Washington street; William Benson, 312 Dover street; Frank A. Caswell,

59 Shawmut avenue; George K. Saville, 4 Warren street.

The same committee reported leave to withdraw on the following applications for victualler's license: James Keenan, 96 Maverick street; John Fleming, 1013 Tremont street; also in favor of renewal of license of Ann M. Schultze, Employment Agency, 1749 Washington street; also leave to withdraw on application of C. K. Miller for billiard license at 112 Harvard street. Severally accepted.

Alderman Sayward, from the same committee, reported orders revoking the license of John M. Towne, victualler, 769 Washington street, and Cornelius McCarthy, a newsboy. Severally accepted.

Alderman Sayward, from the same committee, reported in favor of the approval of the transfer of sixteen wagon licenses as petitioned for, and in favor of granting wagon licenses to A. J. Boies, Daniel O'Hern, Thomas W. Kennamon, Joseph Mead, L. Stratton, John Lynch. Severally accepted.

Alderman Sayward, from the Committee on Faneuil Hall, reported in favor of granting the petition of T. C. Meagher, *et al.*, for leave to use Faneuil Hall on the evening of September 8th, for the purpose of holding a mass meeting to consider the expediency of the present Prohibitory law. Accepted.

Alderman Sayward, from the Committee on Health, reported in favor of granting the petitions of Nathaniel Tucker, William Agnew, A. C. Richmond, W. E. Coffin, H. P. Dunbar, to erect wooden stables; also, leave to withdraw on petition of L. H. Kalla for same. Severally accepted.

A requisition for \$1601 68, for the expenses of Suffolk County Jail during the month of September, was received from Sheriff Clark, the same having been audited by the City Auditor. The bills were approved by the board.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the petition of George W. Bowker for leave to use a caloric engine at the corner of Albany and Dedham streets. Accepted.

Alderman Power, from the Committee on Sewers, reported an order for the construction of a sewer in Buckingham street, which was passed.

Alderman Power offered the following:
Ordered, That the Committee on Police be authorized to erect a new flag staff upon "Tommy's Rocks" so called, in place of the old one, which has become decayed and dangerous, at an expense not exceeding four hundred and seventy-five dollars; to be charged to the appropriation for Police.

On motion of Alderman Clark the order was referred to the Committee on Police.

Alderman Power, from the Committee on Paving, reported orders for the removal of obstructions from Gold street, Silver street and Bowen street. The orders were severally read twice and passed.

Alderman Clark offered the following:
Ordered, That there be allowed and paid to William R. Clark, the sum of one hundred and sixty thousand dollars, upon his giving to the city a deed of the estate on Broad street, known as Fort Hill wharf, and also a release of all damages occasioned to said estate from the widening of Broad street, said Clark to have the buildings and other fixtures on said estate, which are within the lines of Broad street as widened, and the privilege of occupying the whole of said estate free of rent until the first day of April, A. D. 1874, and of occupying the portion remaining after the widening of Broad street, thereafterwards until wanted by the city, upon such terms as the Joint Standing Committee on Streets may direct; the said deed and release to be satisfactory to the City Solicitor, and said sum of one hundred and sixty thousand dollars to be charged to the Board District Loan.

The order was read once and laid over under the rule. Alderman Clark called attention to the importance of the subject, and hoped the members would be prepared to vote upon it at the next meeting. The city has taken a part of Fort-Hill wharf for the widening of Broad street. When Northern avenue is extended it will be necessary to take the entire wharf, and it has been deemed advisable by the Street Commissioners to take the whole of the property at the present time instead of awarding damages now, allow the proprietor to go on and make improvements, and then, in the course of three or four years, to take it and pay another bill for damages. The proprietor proposes to lease the wharf and pay seven per cent. interest on the amount which the city is to pay for it.

THE MATHER SCHOOLHOUSE.

Alderman Sayward moved the suspension of section 11 of the rules of the Board. He explained that he wished to move a reconsideration.

Alderman Power asked the reason of this departure from the rules. He had n't got any new light on

the schoolhouse matter, and unless good and sufficient reason was given he should vote against a reconsideration.

Alderman Sayward—I desire to reconsider the order directing the Committee on Public Buildings to cancel the contract for the sale of the old Mather Schoolhouse. I neglected to move a reconsideration at the last meeting, and neglected to leave notice with the Clerk within the prescribed time. I will endeavor to give further explanation if the rules are suspended.

Alderman Power remarked that he would not oppose a suspension of the rules, and they were accordingly suspended by a unanimous vote.

Alderman Sayward—I now move to reconsider the vote by which was passed the order authorizing the Committee on Public Buildings to cancel the contract between the city and the party who purchased the schoolhouse in the Mather District. In moving this reconsideration I desire to say that the passage of that order accomplished no particular object. The thing remains the same as at the last meeting. But the party who purchased the building has been deprived of the privilege of removing it either whole or in part, or in pieces. As is well known the building was sold under certain conditions; the party applied to the proper authorities for permission to remove it, and, if I am correctly informed, no action has been taken on that petitioned by the Committee on Paving, so that all the debate of two weeks ago, when it was charged upon the Committee on Paving of doing certain things out of the general run, amounts to nothing, for since then I have been informed that no action had been taken by that committee on this matter. I ask that this committee may have a chance to grant permission to the man to move the building or refuse it. As it stands now he is waiting for two weeks, and expected that some decision in reference to the moving of the building would be given on the day of the last meeting. He was told by parties that it would be settled on that day, and he informs me that he can move it by cutting it in two or three pieces with out injury to the trees. He is waiting out of courtesy to the gentleman who at the outset gave him some encouragement that he would be allowed to move it. I also understand that he applied to the Superintendent of Streets and to one of the Committee on Paving, and was told that they thought there could be no objections. I also understand that they almost gave permission, but decided to wait until two weeks ago, when it was to be settled. The Committee on Public Buildings have no right to make any bargain to cancel that contract until the order has passed both branches. I have also consulted the City Solicitor, who says the Committee on Public Buildings have no authority in the matter. The old building stands right against the new one, endangering it every day. We have had two fires in unoccupied houses in Dorchester lately. Another reason for removing this old building is that school begins a week from today, and the old building obstructs the light of the new one. If the building is allowed to remain the school must wait over a week or two until the old structures can be moved and the ground be graded. For these reasons I hope the order will be reconsidered.

Alderman Power—None of the reasons mentioned had anything to do with the action that was taken, so far as I was concerned. I have no reason to think our action should be amended. I stated at the last meeting, on the best authority, that the schoolhouse would be needed, and to sell it would put the city to a great expense. In my opinion it would be best to cancel the contract and put the schoolhouse on the site of the sheds which the people in the vicinity say are an intolerable nuisance. Then, if the city within two or three years wants a new schoolhouse, several thousand dollars will be saved. I don't know that any considerations for the purchaser of that building had anything to do with my action. I acted simply for the interest of the city, which is to have that sale cancelled if it can be done.

Alderman Sayward—The gentlemen who have done this business for the city thought it was not a question for them to consider whether it would save the city anything; the question was for the Committee on Paving to decide whether that man should remove that building or not, and not what were the accommodations for schools in Ward 16. I find that the information the gentleman received was by a note directed to Dr. Cushing by the Secretary of the School Committee. That communication was used for a purpose other than it was intended for. Dr. Cushing thinks the city ought to remove that building, and he further objects to it as a schoolhouse because the city does not own the materials under the building. He is not in favor of cancelling this contract. Those sheds belong to the First Church in Dorchester; they are said to be over

the street line, and if so the city has no authority to move the house there. If the site is in the street the street must be discontinued before it can be used by anybody; and if it is discontinued it will revert to the original owners. But these questions have no particular bearing on the case. The schoolhouse is there; it is as cheap a building as could be built at the time it was erected. It cost eight thousand dollars twenty-five years ago. A new and better one, adapted to school purposes, could be built today for ten thousand dollars. The city owns property there now which can be put in a great deal better shape for school purposes for less money if it is so desired. If they use this building they would have only nine rooms, whereas in the new one they have ten. The new building was erected to meet all the wants of the district for ten years. They may divide the classes and put part of them in the old building, but they will not use it with full classes. I also understand that they have one additional teacher more than the law allows. There is no need of this old building being there.

Alderman Quincy—I have not heard anybody say that this purchaser desires to rescind his contract, and it seems to me we are rather losing sight of his rights in this matter. He has bought this building and goes to the Committee on Paving, who, instead of giving him permission to move it, make him wait. Suppose he says it is a bargain and he don't want it rescinded. If he says he is satisfied with his bargain I am in favor of voting for the reconsideration. If he wants to rescind it I am ready to vote for that.

Alderman Gibson—The pith of the whole thing is just here: He bought the building with the condition that he would remove it. The Committee on Paving go there and discover that the city would lose a great deal of money by allowing it to be removed. He can't put that building in the street unless they give him permission. He bought it with the express understanding that the building would be taken down. They know that if the building is taken down it will be greatly diminished in value, and they have a right to hold him at bay until this question is settled. If the gentlemen differ honestly, as I have no doubt they do, I would like to see this building myself. I voted for the sale, but I am ready to be forgiven if I have done wrong. There should be no obstinacy here. Every gentleman should be in duty bound to visit the building. That man has a right to take the building down today if he sees fit, and the Committee on Paving have the right to give him permission to remove it. He has not suffered at all, because it was bought with condition that he should take it down.

Alderman Sayward—The gentleman argues that the purchaser has no right to come here and ask for anything. The Committee on Paving have no right to hold him at bay. I am not afraid of what I have done, but if he has done anything wrong he can be forgiven. As a member of the Committee on Public Buildings, it was his duty to have gone to see it.

Alderman Brown—The disposition of the matter made at the last meeting, as I understand it, was to rescind the sale and refer it back to the Committee on Public Buildings. Now, has anything been done to cancel that contract?

Alderman Sayward—There has not, because it has to pass both branches.

Alderman Quincy—This man ought to have an answer. If he is still satisfied with his contract, I don't think he ought to be kept in uncertainty; when he has had an answer then he will know whether he wants to rescind the contract or not.

Alderman Gibson thought that as the purchaser had bought the building under the condition that it be moved, he had no claim before the Board. He could make considerably more of the bargain if he could be allowed to move it. The building would have sold for four times as much if that condition had not been put in.

Alderman Sayward said it could be moved in two, or three or four pieces, and the man was waiting an answer from the Committee on Paving; the restrictions were put on the sale by vote of the committee, and it was done to protect the trees.

Alderman Gibson said it had been represented to him that the building was dilapidated. The Committee on Paving are doing their duty. That man has made a contract, and if permission is given to move the building, he will make a dollar or two out of it; and what kind of a way is that to act for the taxpayers. It is robbing them to benefit speculators.

Alderman Sayward denied using the word dilapidated. He was not asking the committee to give the man permission, but he wanted them to do right and decide whether they will give him permission or not. What he complained of is that there had been no action by the committee.

Alderman Power said the purchaser is perfectly

willing to wait. If it had been known at that sale that the building could be moved, it would have brought three times as much as it did. If it is to be torn down he will be glad to return it to the city. It has been intimated that he has been given some extraordinary privileges that no one else could have. I also understand that the church would much prefer to have these sheds removed, for they are a nuisance. It is only necessary for the Board to go there and see the sheds, and that building. If it was built for \$8000 twenty-five years ago, we all know we can't build such a one for three times that amount. The building can be put on the other place for \$500. If there is no prospective need of a new schoolhouse, it may be well enough to let this contract be carried out.

Alderman Sayward differed from Alderman Power in regard to the cost of the building. He did not know that any one would make money out of it. Dr. Cushing thinks it would be policy to buy it back.

Alderman Power said that when he went there individually he thought it would not be for the interest of the city to sell the schoolhouse. He knew parties who would give three times what that man gave if they could move it.

Alderman Sayward said he did not propose to go out of his way to investigate matters not belonging to his duty. The proceedings in this case were certainly very extraordinary.

Alderman Clark proposed a postponement of the subject until the next meeting, that members could go out then and see the building.

Alderman Sayward opposed postponement. The party wants the building on the conditions under which he bought it, but it would save him a little money if he could be allowed to move it in pieces.

Alderman Power had no doubt the Committee on Public Buildings were doing what they deemed best for the interest of the city; he thought otherwise, and felt it his duty to come here and say so.

Alderman Sayward said it would have been better to have carried it before the committee, and not brought it before the Board in the way it was done.

The motion of Alderman Clark to postpone was passed.

Alderman Sayward moved to reconsider the vote, and called for the yeas and nays on the motion, and the vote stood—

Yeas—Aldermen Quincy, Sayward, Stebbins—3.

Nays—Aldermen Bigelow, Brown, Clark, Cutter, Gibson, Hulbert, Power—7.

The motion to reconsider was lost, and the further consideration was assigned to Monday next.

ORDERS PASSED.

On motion of Alderman Sayward—

Ordered, That the Committee on County Buildings be and they are hereby authorized to cause such repairs and alterations to be made in the Court House and Probate Building, as may be required; provided said repairs and alterations do not exceed the sum of five thousand dollars, in addition to the amount heretofore authorized during the municipal year, and to be charged to the appropriation for the County of Suffolk.

Ordered, That the Committee on County Buildings be and they are hereby authorized to provide the necessary new furniture and cause such repairs to be made upon the old as may be required in the Court House and Probate Building, also for the Municipal Court rooms in the Highland and Dorchester districts during the municipal year; said expenditure to be charged to the appropriation for the County of Suffolk.

Ordered, That the Committee on Public Buildings be instructed to close the rooms in the school building on Newton street, heretofore occupied by the Normal School, so called.

Ordered, That the City Solicitor be authorized and directed to enforce payment of the policies of insurance obtained by William Smith & Co. in favor of the City of Boston on the Hospital Building on Swett street, which was destroyed by fire on the 26th of December, A. D. 1872.

On motion of Alderman Power—

Ordered, That the bill of the Boston Gas Light Company, amounting to two hundred and fifty-nine dollars and fifty cents, for gas furnished to inflate the large balloon for the city on July 4, 1872, be paid, said claim having been accidentally omitted in the settlement of the bills for the observance of that day; and that the said sum be charged to the appropriation for Incidentals.

Ordered, That the Chief of Police be directed to close against the passage of vehicles so much of Pine street as may be necessary to facilitate the removal of the front of building No. 6 Pine street, which has been ordered by the Inspector of Buildings.

INSPECTION OF BUILDINGS.

The report of David Chamberlin, Inspector of Buildings, for the half year ending June 30, 1873, was received. The report gives the following statistics:

Permits Issued—Brick, stone or iron buildings, 373; wooden and frame buildings, 456; repairs, alterations and additions, 611; special permits, 14; steam boilers, etc., 31; notices intention to put in furnace, 27; total, 1492. Of the brick, stone or iron buildings, 245 were mercantile; 13 tenement houses and stores; 5 family hotels and tenement houses; 17 dwellings and stores; 61 dwellings; 4 mechanical. They are apportioned in the different wards as follows: 1, 2; 2, 4; 3, 1; 4, 30; 5, 228; 6, 4; 7, 3; 8, 8; 9, 35; 10, 6; 11, 11; 12, 11; 13, 2; 14, 6; 15, 19; 16, 3. The roofs are Mansard 143, flat 216, pitch 14. Two buildings are six stories high; 56 five stories; 214 four; 43 three; 39 two, and 19 one.

Unsafe Buildings Examined and Reported Upon—Buildings, 63; chimneys, 380; chimney and wall, 5; cornice, 1; flues, 3; floors, 4; foundation, 1; funnels, 4; funnel collar, 1; furnace, 2; furnace pipe, 1; girder, 1; heating apparatus, 1; walk, 29; total, 495.

Following is the record of the violations of the Building statutes and ordinances:

Bay window exceeding legal height, 1; beams, no iron plates under, 1; building material poor, 24; brick, laying of, dry, 1.

Buildings—Altering and erecting without permit, 31; erecting range without brick walls, 1; exterior covering of a combustible character, 5; improper construction, 9; improper framing, 26; wooden buildings within building limits, 8.

Boilers—Woodwork near, 2; room not fire proof, 1. Cellar floor not concreted, 1.

Chimneys—Floor timbers in, 1; not plastered, 10; out of plumb, 5; supported by woodwork, 11. Cornice not balanced, 3.

Floor Timbers—Batting in party walls, 2; improperly supported, 1; not anchored, 1; not splayed, 9.

Flues—Defective, 1; woodwork near, 64; not smoothly plastered, 1. Furnace flue of insufficient thickness, 1.

Foundation—Defective, 17; dry, 6; improper, 1; insecure, 2; insufficient, 2; none, 4; not thick enough, 1. Girders—No iron plates under, 4; not properly supported, 3. Hot-Air Pipes—Woodwork against, 2.

Iron Columns—No plate under, 2; not capped, 2; too small, 3; without plates, 2. Lintels—Improperly supported, 12; no plates, 1; wooden, 22; no tie irons, 1. Violations of sections 1-5 of ordinance, 1. Insufficient piling, 1; improperly driven piles, 1.

Piers—Bond stones in 2; insufficiently built, 1; not bonded, 4; not capped, 5; without plates, 2. Privies—Insufficient, 1. Rafters not splayed, 2. Roofing material of a combustible nature, 2. Roofs leaky, 3. Steampipes—Woodwork in contact with, 1. Stoves unsafe, 2. Timber small sized, 19.

Walls—Belt course not balanced, 1; building party walls in advance of rear walls, 1; cutting doorways in party walls, 1; cutting doorways in party walls without iron doors, 1; marble facing insecurely tied; not corded, 20; not corded full thickness, 2; improperly bonded, 1; not properly supported, 4; not thick enough, 21; not carried through roof, 9; out of plumb, 1; recessing party walls, 1; stone facing of insecurely tied, 3; supported by wooden posts, 1.

Water closets—none, 1. Wood-hearth trimmer, 1. Number of violations by wards—1, 25; 2, 85; 3, 71; 4, 84; 5, 220; 6, 35; 7, 80; 8, 54; 9, 45; 10, 88; 11, 23; 12, 44; 13, 30; 14, 29; 15, 37; 16, 28. Total, 978.

Fire Escapes—In March last an examination was begun of buildings in which operatives are employed above the second story, and which are required to be provided with sufficient means of escape, with the following result:

Buildings examined, 539; notices sent out requiring fire escapes, 240; buildings having and not requiring fire escapes, 299; notices satisfactorily complied with, 100; notices responded to, being built and partially completed, 140; number of fire escapes required for buildings through the ordinary operations of the department, 69.

The report was accepted and sent down.

INSPECTION OF PRISONS.

Alderman Gibson presented the first semi-annual report of the Committee on the Inspection of Prisons and Houses of Detention in Suffolk County for the year 1873, being City Document No. 102. The committee, consisting of Aldermen Gibson, Emery and Bigelow, visited the various prisons and houses of detention on the 17th of June of the current year, and the following is a summary of the report on each institution for that date:

House of Correction. The health of the prisoners has continued very good. The prison is kept clean. Only one prisoner occupies a cell at one time. De-

privation of bed and solitary confinement are the punishments. Good discipline is maintained. Since the inspection, in December last, the number of inmates has increased 135; consequently there are more prisoners than there are cells to put them in. At present, 83 males are lodged in the prison attic, and 55 in the upper part of the brush shop—an arrangement which is not only dangerous but illegal.

Remaining as last report, 405; committed from Jan. 1 to June 17, 1873, inclusive, 446; total commitments, 851; pardoned by the Governor, 5; paid fine and costs, 15; died, 6; transferred to Lunatic Hospital, 2; discharged by Municipal Court, 20; escaped, 2; expiration of sentence, 261; total 311; remaining June 17, 1873, 540.

Lunatic Hospital. Remaining, 190—males 100, females 90; discharged during the term, 16; number in hospital Dec. 31, 1872, date of former inspection, 200—males 105, females 95; admitted since, 6—males 2, females 4; whole number under care during the term, 206; discharged during the term, 16; recovered, 3; improved, 2; not improved, 3; died, 8. Of the 8 deaths, 4 were from consumption, 2 from disease of the heart, 1 from general paralysis, and 1 from softening of the brain. Names of those who have died: Joseph L. Gifford, Edward Moylan, Elizabeth F. Stuart, Sarah Myrick, Ann Ayrin, Alexander P. Macomber, Catherine McCarty and Edward Hall. The health of the hospital has been very good. No one has died of whose recovery to mental health there was the slightest hope.

The County Jail. Number of prisoners held at that time, 164; number of prisoners at the date of previous inspection, 201; number committed between those dates was 1587; the general health of the prisoners during the present year has been good, no cases of sickness have occurred except from smallpox. During the prevalence of that disease five persons who had it were committed to the jail. Two of the number were sent to Gallop's Island, and died there; the other three were sent to Hospital No. 2, in Roxbury, and subsequently returned convalescent.

House of Industry. Remaining as per last report, January 1, 1873, 575; committed from January 1 to August 4, 1873, inclusive, 3965; total, 4540; discharged from January 1 to August 4, 1873, 3795; remaining August 4, 1873, 745—men 418, women 327; total 745.

The attention of the Government is called to the fact that both the male and female prisons contain but two hundred cells each, making four hundred in all. At this date there are seven hundred and forty-five prisoners—three hundred and forty-five more than there are cells in both prisons, who have to be lodged on prison platforms and in dormitories. Strict attention is paid to cleanliness in all departments. Good and wholesome food in sufficient quantity is provided.

House of Reformation. The number of commitments since the date of the previous inspection (Jan. 1st) was as follows: Habitual truants, 42; juvenile vagabonds, 44; larceny, 29; breaking and entering, 3; stubbornness, 4; idle and disorderly, 1; common drunkard, 1; total, 124. The number discharged by expiration of sentence was 87; by pardon of directors on probation, 28, total, 115. Remaining by last report, 299; committed from Jan. 1st to Aug. 4th, 1873, inclusive, 124; total 423. Discharged from Jan. 1st to Aug. 4th, 1873, inclusive, 115; remaining Aug. 4th, 1873, 308. Boys, 279; girls, 29; total, 308.

From the date of the last inspection till May 1, all inmates of this department attended school. Since May 1, some seventy-five of the larger boys have been employed on the farm and in various kinds of outdoor labor. The inmates are well and comfortably clothed and fed, and their health has been good. The boys' department of this institution is overcrowded, in consequence of which no proper classification of the inmates can be made.

The report was accepted and placed on file.

THE PUBLIC LIBRARY.

Alderman Clark presented City Document, No. 88, being the 21st Annual Report of the Trustees of the Public Library, as follows:

In conformity with the requirements of the fourth section of an ordinance concerning the Public Library, passed September 21, 1869, the Trustees have the honor to present to the City Council their Twenty-first Annual Report, being the fourth made under the new ordinance, and including the results of administration for the last year, in which the library was opened for the use of book-borrowers three hundred and eight days, and the reading rooms of the Central Library and its branches for the perusal of periodicals and books of reference therein contained, including twelve Sundays, three hundred and twenty days.

With the increasing magnitude of the libraries, and the new experiences called forth by the branches, the

reports of the Superintendent increase annually in detail and value. No one can properly understand or appreciate the careful oversight and the minute analysis of all the points of administration, which ought to be known, not only to the community but to every similar organization, without a careful scrutiny of his tabular statements. The duties and responsibilities of this devoted official increase from year to year. With the additional charge of the Roxbury Library, to be opened during the next month, and with the possibly impending annexation of neighboring towns and cities containing other libraries to be placed under the control of this Board, all executive labor will be proportionately magnified.

Recurring to the condition of the building, and to the inadequate accommodation, not only for the public, but also for the administrative necessities of the library, it is hoped and anticipated that some relief may be obtained, at no distant day, by the adaptation to the library's service of the estate purchased for that purpose by the city, in the spring of 1872. Want of room for the public curtails the circulation of the lower hall, and diminishes attendance at the reading room. No satisfactory plans have yet been formed for the construction upon this site of a new edifice to be attached to the main building, which should meet any considerable portion of our present and future requirements. When the City Government are of the opinion that the financial condition of the city will authorize a sufficient appropriation for the purpose, the trustees will endeavor to present suitable designs.

Upon the other point, of sufficient protection against fire, the Trustees feel sensitively the dangers so strongly set forth in the reports of the Examining Committee and of the Superintendent. The removal of the wooden skylights upon the roof of the building, and the substitution of fire-proof coverings in their places, is now going forward, under the direction of the Superintendent of Public Buildings. Everything should be done which skill or ingenuity can dictate to render the building safe from outward or internal conflagration. The library now contains a large number of works which, if lost, could never be replaced. The institution could never again rise from its ashes to the wealth of its present possessions. There must be no mistake or misunderstanding on this point. It is the duty both of the City Government and of the Trustees to see that everything practicable is done to insure the permanent safety of this inestimable property.

The operations of the past year and the present condition of the library are briefly as follows: The whole number of volumes at present contained in the libraries, parent and branches, are 209,456, of which 149,477 are in the Bates Hall. The remainder is to be found in the circulating libraries of the Lower Hall in Boylston street, the East Boston, South Boston and Roxbury branches. The increase of the library during the year has been 14,644 volumes. The whole number of pamphlets is now 112,153, of which 11,770 have been added during the year. The total circulation has been 467,855, being a daily average of 1519 for home use. The figures from the branches are most encouraging. While East Boston shows a circulation of 67,754 from a library of 7291 volumes, South Boston gives a circulation of 102,322 for 5174 volumes. The total number of names registered as applicants for the library privileges are 53,043; of these 1592 have had cards refused, principally for the reasons of non-residency or under age and 3626 have not taken their cards. 177,512 readers frequented the Periodical Reading Room of the Central Library, who read 213,599 magazines. The total number of books loaned and not returned has been between 60 and 70. Most of these were taken from the Lower Hall in Boylston street, and a portion of them may possibly be recovered. The average loss on these figures is one volume in every 7000 or more loans. The total expenditure from the city appropriations was \$86,498 01, and \$1681 79 was paid into the City Treasury from fines and sales of catalogues. Other important results will be found in the tables attached to the Superintendent's Report.

The most striking novelty in the administration of the library has been the opening of its periodical reading rooms on Sunday, at the request of the City Council. The event is too recent to admit of any decisive conclusions. There is not yet occasion for discouragement nor greatly marked features of encouragement for the enterprise. The best indications are to be found in the increasing attendance of adults, and in the presence of a considerable number of people who seldom or never came to the rooms on week days. It was for this latter class specially that the rooms were opened. Another year's trial will enable the Trustees to gauge their results more accurately, and to determine whether the advantages are in due proportion to the expense.

It is most gratifying to find that the establishment of our branches, as is also the experience of the large English cities, is more successful than could have been possibly anticipated. With the new branch shortly to be inaugurated in Roxbury in connection with the Fellowes Athenæum, quite as favorable figures may be expected. This library will at the outset possess superior advantages in having a considerable fund to be annually expended in books of permanent value, all of which, except works of reference, will be used in circulation, bringing as it were a considerable portion of the more valuable modern books, published both here and in England, such as form part of the Bates Hall collection, directly at hand to the residents of the Highland District. In view of the formation of these smaller libraries it is naturally found that convenience of access creates circulation of books where none existed before.

Like the great European libraries, our institution finds continued embarrassment in any catalogue system. We have long passed the period when it was possible to print in one alphabet, upon any intelligible system, the titles of all the books contained in our libraries. Such an undertaking would be enormously expensive, and when concluded at the end of five or ten years, the continual additions during that period would require the whole work to be done over again. The expedients which have been adopted in place of this system are well known to the frequenters of the library. The card catalogues in the Bates Hall accessible to the public, with the bulletins and class lists, afford the needed information, and the hand-book prepared by the Superintendent for the use of borrowers, indicates to every reader how and where he may find what he wants, provided it is upon the shelves of the institution.

The donations to the library have been continued by its friends during the present year, with the same liberality as before. The report of the Examining Committee shows how largely it has been indebted since its foundation to the sympathetic generosity of special benefactors and the public at large. Probably no other library in the world has received so many benefactions from so many different sources as this. In this matter the trustees would be deeply ungrateful if they felt any distrust in the future.

The most important event of the year has been the acquisition of the Barton Library, for which the negotiations were completed just previous to its close. An account of the volumes acquired, which did not come to the library until after the beginning of the new library year, will find an appropriate place in the next report of the Trustees. It is sufficient to say now that it is the most intrinsically valuable addition yet made to the library, and that it has placed the institution in a position which will render it still more invaluable and indispensable to every cultivator of elegant letters in the country. From the initial correspondence to the final termination of the purchase Mrs. Cora Livingston Barton, the widow of Thomas P. Barton, the collector of the library, conducted herself with a liberality founded on generous impulses and a large cultivation. For the purpose of fulfilling the expressed wishes of Mr. Barton, and of keeping the library together as one collection, and in placing it within the means of our institution, she undoubtedly made a large pecuniary sacrifice. In her sudden death the Trustees experienced a sense of personal loss. Indeed, the whole transaction was as creditable to her as it was advantageous to the city. It is most gratifying to the Trustees to place upon record their acknowledgment of the intelligence and public spirit of the City Government, which so promptly and decisively secured this magnificent acquisition.

In an educational point of view it is no exaggeration to say that the largest expectations of the founders of the library have been more than fulfilled. The liberality of the City Government and the intelligent generosity of private benefactors have established a store of learning and knowledge which has substantially supplemented, as well as strengthened and developed, most forms of progress known to modern civilization. It has attracted to itself the sympathetic aid and frequent use, not only of the so-called professions, but also of other laborers in science and art, whether engaged in the duties of instruction, or in the practical application of their accomplishments to the daily wants of life. But beyond this the increase of the library has received a vigorous impulse from the specialists, who have confined themselves to narrower fields of work, the outgrowth of some larger classification. Although all departments are not filled in the same proportion, continuous attention will be paid till such a result shall be measurably obtained.

It has placed within reach of our schools and colleges knowledge beyond the instruction of teachers;

it has assisted in forming a taste for reading and for culture among many to whom the chances of life had previously denied such an opportunity. Few should be the homes in the city of Boston which should not have experienced its tangible benefits, and whose inmates have not reason to bless the intelligence which renders its existence a public necessity. Signed, William W. Greenough, G. S. Hillard, George Putnam, Weston Lewis, Samuel A. Green, Daniel S. Curtis, John T. Clark, W. E. Perkins, Charles A. Burditt.

Report of the Examining Committee—In examining the several buildings, the committee have regarded it as their first duty to ascertain how far the buildings have been made fire proof, and whether any alterations are needed to provide further security to the books against injury by fire or water. At the present time the pecuniary value of the books in the Central Library alone cannot be estimated at less than half a million of dollars; but this sum very imperfectly represents the loss which would be sustained by the destruction of the library. To give but a single illustration; the Prince Library, which was deposited with the Trustees in 1866, contains about 1900 volumes, and is of inestimable value to the student of American history; but so rare are many of the volumes that probably no amount of money would enable the Trustees to duplicate them. This is true also of portions of other collections which have from time to time been given to the city. Their loss would be irreparable, and without them any one wishing to prosecute thorough and exact inquiries in history or science would have to go elsewhere for his most important materials.

In view of the new light which recent experience has thrown on the combustible character of buildings heretofore regarded as fire proof, the committee are unanimously of opinion that the Central Library is not adequately protected against fire, and that immediate attention ought to be given to this matter.

The building erected for the use of the Roxbury branch is the property of the trustees of the Fellows Athenæum. The estate on which it stands is bounded on three sides by public streets, and beside this advantage it is so far from other buildings that no anxiety need be felt at present for its safety. The committee are glad to add that it is a model of convenient arrangement, and is well worth the examination of persons interested in town libraries. Built at a moderate cost, it makes no pretension to architectural beauty, but is admirably adapted to the use for which it was designed. At a small additional expense it can be shelved to contain about one hundred thousand volumes.

The South Boston Branch is located in the second story of a stone and brick building at the corner of Broadway and E street. There are no iron shutters on the building, and on two sides it is exposed to danger from fire communicating from the adjacent buildings. But as the library is only one of several tenants, and the collection at the present time numbers little more than 5000 volumes, which could be duplicated at a comparatively small cost, the Committee do not recommend any further expenditure by the City Government, until the wants of the branch shall justify the erection of a building specially devoted to its use.

A similar remark will apply to the East Boston Branch, which occupies a part of the old Lyman Schoolhouse, in Meridian street. It is, however, less exposed to danger from fire than the South Boston Branch; and as the city owns the land and building, suitable accommodations can readily be provided whenever the increase of the library shall render a reconstruction of the building desirable.

The committee regard the establishment of these branches with great favor, as adding largely to the usefulness of the library. They not only contain books of a similar character to those in the Lower Hall in Boylston street, but by means of the daily communication which has been established with the Central Library, books from either of its departments can be obtained by application at the branch.

The report of every Examining Committee since 1864 has referred with more or less of detail to the defects of the plan adopted in the erection of the building in Boylston street. This committee have likewise been impressed by these defects, which even the large capacity for organization, and the great executive ability of the present Superintendent have not been able to overcome. The extensive alterations made within the last two years have nearly doubled the shelving, both in the Lower Hall and in the Bates Hall, and have provided improved, though still inadequate accommodations for some of the employes connected with the former. But in other respects the work of the library is carried on under great and increasing disadvantages, which can be remedied only by an enlargement of the building.

Much of the unpacking, collating, cataloguing and marking is now performed in the galleries and alcoves, and in the southeastern tower, used also as a stairway. The rooms for the Superintendent and the Assistant Superintendent are so cramped and crowded with the necessary furniture and hooks of reference as greatly to interfere with the discharge of their respective duties. Additional closets, wash-houses and other conveniences for the employes, now numbering about fifty persons, are also needed. There is no room for meetings of the Trustees. The only room available for the examination of the foreign and American patents, which now extend to more than two thousand volumes, and are in almost constant use, is so small that not more than two or three persons can easily consult them at the same time. The bindery, which occupies a portion of the basement, is much too small for the necessary work of the library. The newspaper room, which is also in the basement, is dark, damp and badly ventilated; and no one can contrast it with the small, but convenient, newspaper room recently fitted up by the Massachusetts Historical Society without a feeling of regret that this room is the only one in the Public Library which can be appropriated to this important use. If the public are to derive the fullest benefit from the library, these defects, which do not fall under the notice of an occasional visitor, should be remedied at the earliest practicable opportunity.

In the judgment of the committee, it would also be much better if separate rooms could be provided for large and valuable collections, like the recently acquired Barton Library, Parker Library, and some others. Heretofore these collections have been placed in separate alcoves, or distinct portions of the galleries, appropriately inscribed; and the committee are informed that the same course will be pursued with regard to the books in the Barton Library. The acquisition of this library, so rich in Shakspeariana and in other departments of dramatic literature, was the great event in the history of the Public Library during the past year. As the volumes have not yet been unpacked, only a few of them have come under the examination of the committee; but the great value of the collection has long been known through the elaborate description in Dr. Wynne's "Libraries of New York." The committee desire to congratulate the Trustees and the public on this important addition to the treasures of the library.

It is a noteworthy fact that with the exception of this purchase almost the whole strength of the library comes from the direct gift of individuals, or from the income of trust funds, specially given for this purpose. At the very outset Mr. Bates gave about 26,000 volumes; the Bowditch, Parker, Ticknor, and Prince libraries (the last of which, however, is only deposited with the Trustees), contain 20,326 volumes; and during their lives Mr. Everett and Mr. Ticknor, by whom the original plan for the organization of the library is understood to have been drawn up, gave 3587 volumes and 5673 volumes respectively, exclusive of an immense mass of pamphlets. Indeed, of the whole number of volumes in the library at the present time, 209,456, exclusive of the Barton collection, nearly one-half, 92,333 volumes are set down as gifts. If to this number are added the volumes purchased from the income of the trust funds, it will be seen how largely the library is indebted to private munificence. Liberal as have been the appropriations of the City Government, and they have been unstinted, even more has come from other sources. No one who has been familiar with the history of the library from that day of small things, when it was first opened to the public in the lower floor of the Mason-street Schoolhouse, can fail to be amazed at its rapid and healthy growth. For the whole cost of its administration the library is of course indebted to the annual appropriations of the City Government.

The volumes are all in good condition, with the exception of the usual amount of injury to the hooks of a more popular character which circulate from the lower hall and the branch libraries, and of a few volumes in one of the galleries of the Bates Hall, where the old bindings have been destroyed by the heat and foul air. The committee are by no means confident that such a system of ventilation can be introduced as will obviate this evil; but the subject is one worthy of investigation. The cataloguing has been regularly kept up, and the Accession Lists, the Shelf Lists and the Card Catalogue are all that can be desired in those departments. Four numbers of the Library Bulletin have also been issued during the year, and have proved of much service to readers. In 1858, the index to the lower hall catalogue was issued; and this was followed (in 1861) by the index to the Bates Hall catalogue, and in 1866 by a supplement to the latter. These three volumes were prepared under the direction of the late Professor Jew-

ett, at that time Superintendent of the library, and form a fit memorial of the bibliographical knowledge and thoroughness of research which that accomplished scholar brought to the discharge of his task.

In 1870, the excellent catalogue of the Prince Library was issued; a catalogue of the Ticknor Library is in preparation; and by the contract for the purchase of the Barton Library, a catalogue of that collection must be printed within four years. But the long-expected third volume of the Bates Hall catalogue has not yet been put to press. The committee are aware that the tendency of opinion among librarians at the present time is against the issuing of printed catalogues; but in view of the great number of students who cannot go to the library every time they wish to ascertain whether it contains some book of which they have need, it is to be hoped the time will never come when the Trustees will not include within the plan of their operations the issuing of consolidated catalogues as often as the growth of the library may require. To no better use could the city appropriations be applied; and for it the appropriations should be freely granted.

Complaint in regard to the sensational character of some of the juvenile books in the library has come to the knowledge of the committee; but they are not able, from their own examination, to say how far these complaints have a solid foundation. They accordingly recommend the subject to the consideration of the Trustees. They are, however, of the opinion that a closer scrutiny should be made, and a stricter rule should be observed, as to the character of books purchased for the juvenile department, than would be proper in the case of books ordered at the request of adult readers. No doubt a large part of the juvenile literature of the day is of a very unprofitable, if not pernicious, character: it does not afford healthful amusement, and it is not instructive. But it is possible to select from the immense mass of juvenile books some which are harmless, and at the same time not uninteresting to the youthful reader. That the excessive reading of works of fiction is an evil will not be denied, and in the case of school children it is a very great evil; but in their case the remedy is in the hands of parents and guardians, and not with the managers of a public library. It is not easy to see how they could frame rules to prevent the abuse of its privileges, without narrowing its scope and practically limiting its usefulness.

From records kept by the superintendent, it appears that the number of persons who use the reading rooms on Sunday is more than half as large as the number using them on other days; and that a very large proportion are persons who use the library only on Sunday. No case of improper conduct has been reported; and no injury has been done to the buildings or the periodicals. The result of the experiment thus far has probably disappointed the expectations of those who took extreme views on one side or the other of this much-vexed question; but the committee regard it as highly satisfactory, and as fully justifying the increased cost of carrying on the library. (Signed) George S. Hillard, Benjamin Dean, E. D. Jordan, Charles C. Smith, George H. Vibbert, Henry A. Whitney.

Report of the Superintendent. The report begins by a reference to the alterations made in the central building during the past year, and gives a plan of the new half-story. The gain from this new arrangement is all that was expected—a much greater rapidity of delivery of the books from one floor, and an extent and convenience of offices which were never before enjoyed.

The fire of November last led to a survey of the building, and under a decision reached not long afterwards the roof of the building is to be made practically fireproof. The windows of the main lantern will be protected by iron shutters; and the ordinary skylights over the upper alcoves will be replaced by heavier glass, with honeycomb settings. Means are also to be provided for hoisting hose to the roof without dragging it through the interior of the building. I look, however, upon Hotel Pelham as a standing menace, that renders the most particular precautions advisable. A number of fire-extinguishers, as an additional safeguard, have also been placed in the building. An outer row of iron shutters on the side windows, by providing an air chamber, would afford further security; but the present shutters are at such distance from the sashes, that wet sail cloth or blankets placed in the interval will probably furnish good protection in case great heat should curl the shutters. The janitor makes a monthly report upon the condition of all appliances for guarding against and subduing a fire. It should be added that, during the winter, two agents from the office of Inspector of Buildings have examined the steam-heating apparatus to see if the library was under any danger from super-heated steam, and have

pronounced the building free from danger, except at one point, which was at once attended to.

The first year's experience with the South Boston Branch has shown a success, as compared with the operations of the East Boston Branch, proportionate to the difference in the population of the two sections of the city. While South Boston has a population about half as large again as that of East Boston, the number of people registering for the first year, and the extent of the circulation has been in much the same relations, and the immunity from loss has been nearly as favorable.

The Trustees of the Hawes Fund, having established a School of Art in the same building, have kindly placed a number of their casts upon brackets about the library rooms, adding much to their attractiveness.

The report gives a brief history of the establishment of the Fellowes Athenaeum and the Roxbury branch of the Public Library, and a description of the building and the arrangement of the books. In forming a collection for this branch about 700 volumes were taken in nearly equal proportions from the shelf duplicates of the Lower Hall and from the Duplicate Room, and to these something over 3000 had been added, mostly by purchase, up to the 30th of April, on account of the city's appropriation, while to the same date 865 of the more expensive books had been bought with the money of the Fellowes Fund, making a total of over 4600 volumes. The branch opens with something over 5000 volumes.

If we add the Barton Library (purchased, but not received at the end of the library year,) to the figures of the extent of the collections, shown in appendix I, it will be found that more than 220,000 volumes is the result, which is just double the extent of the library ten years ago. The library of Congress still surpasses it, but the Astor Library has only about an equal extent with the Bates Hall collection. The library seems now to be having a normal increase of about 12,000 to 15,000 volumes a year. Should the acts of the Legislature annexing Charlestown, Brookline, Brighton, and West Roxbury find favor with the people, three new branches—being the existing public libraries in all but the last named place—will, within a year, be added to our system, bringing to our aggregate something like 35,000 or 40,000 volumes, and swelling the total under the control of the Trustees to nearly 275,000 volumes,—an extent likely to place the Boston Public Library at the head of all American libraries in the aggregate of its collections, as it is already in the value and usefulness of them.

The increasing magnitude of the labor attending the ordering and receiving of books for all the departments of the Library has justified the division of the Library Service, by which the faithful assistant of the Superintendent in this duty is assigned to the responsible head of a new department, kept heretofore as an adjunct of the Catalogue Department.

The library suffered a small loss of books in a bindery in Hawley street, by the fire of November last; and the Italian invoice for the year, embracing a complete set of the public documents of the Italian Government since 1848, upon the collection of which considerable pains had been expended, was on board the ship Charlotte, from Leghorn, which was wrecked on Bermuda reefs, in March. Insurance will be recovered in both cases. The Italian books, it proved, were saved, though damaged, and were sold for salvage, and the purchaser has offered them to the library at one-quarter of the original cost.

The grand total of issues approximates to half a million volumes. I look during the coming year, for a larger use of the Bates Hall than ever before. The last month of the year showed that the circulation, which it maintained before the alterations, had been restored, and it will naturally increase. In the Lower Hall there was no perceptible diminution of use, from the withdrawal of readers living at East Boston, during the first year after the opening of the branch in that district. It was too remote from Boylston street to allow its inhabitants to be constant frequenters of the Central Library, and the use which the new branch got was almost entirely from readers never before enjoying the privileges of the library. With South Boston the case was different. There was far greater convenience of access for its residents to the Central Library, the drain upon whose frequenters was so severe, that the new retainers on our registration roll have not been able to make the loss good. The loss from last year is, however, only about sixteen thousand issues, while the gain to the library from the issues at the South Boston Branch has been over 102,000. The natural recuperative power of our circulation will probably more than regain during the coming year what has been lost, were no other new branch to interfere; but the opening of the Roxbury Branch is likely to produce the same temporary stay upon the accumu-

lative tendency of our statistics for the Lower Hall. The check will, however, be but temporary.

Acting upon a request of the City Council, the Trustees ordered the opening of the reading rooms for periodicals on Sundays, from 2 P. M. to 9 P. M., and this was done for the first time February 9. The use has been from one-half to three-quarters of the average week-day use. The frequenters have been uniformly decorous; and the most favorable feature of the result is, that a large proportion of the Sunday visitors are not such as are seen in the rooms on week days. After a brief interval of scrutiny among those interested favorably or adversely in the experiment, this inroad upon old custom has passed from all active observation, and the bulk of the population probably neither know nor care about the practice; leaving a comparatively small number of people to find a satisfaction in the privilege that sufficiently pays for the attendant outlay.

In pursuance of a policy of guiding rather than forcing the public taste in the selection of books, the past year has been significant in the publication of two different helps to this end. First—In August a new Hand-book for Readers was issued, including the regulatious, a description of the possessions of the library most likely to interest the curious, with a brief summary of its history. Before the year closed, an edition of five thousand had been distributed, and a second amended edition is now in press. Second—The scope of the new Lower Hall Class List for History, Biography and Travel has, in its progress through the press, been much enlarged. A supplemental List of the Tosti Engravings, including those framed in the lower floor of the Central Library, and not included already in the List of Portraits, has been prepared by Mr. Whitney, the Principal Assistant of the Library, to whom has been intrusted with confidence this critical labor. The present issue completes the work. The general work of this department, including the issue of four Bulletins, has gone forward satisfactorily under the immediate direction of Mr. Wheeler, its accomplished head.

Respectfully submitted,

JUSTIN WINSOR, Superintendent.

In the appendices which accompany the reports the following figures are given: Total volumes in all the libraries, 209,456; Bates Hall, 149,477; Lower Hall, 32,605; newspaper room, 2111; duplicate room, 8183; East Boston branch, 7291; South Boston branch, 5174; Roxbury branch, 3750; Fellowes Athenæum, 865; whole number of pamphlets added from the beginning, 112,153. Six hundred and one persons donated 3939 volumes and 8060 pamphlets during the year.

During the year the circulation was as follows: Bates Hall—home issues, 28,261; hall issues, 31,003; total issues, 59,264; daily average, 192. Lower Hall—home use, 230,111; daily average, 772; hall use, 7946;

total use, 238,057. East Boston Branch—home use, 67,754; daily average, 222; hall use, 458; total use, 68,212. South Boston Branch—home use, 101,688; daily average, 330; hall use, 634; total use, 102,322.

The appendices contain a great variety of interesting statistics in regard to the working of the library. The report was accepted and sent down.

DOING BUSINESS ON THE COMMON.

A petition was received from Howe & French representing that a portion of Boston Common has recently been leased for a business purpose and another portion set apart for the use of a secret organization for the purpose of a dinner; they, the petitioners, drug and paint dealers of this city, offer for a space of 2500 feet of said Common the sum of twenty-five hundred dollars per annum rental for the prosecution of their regular business thereon.

In the regular disposition of the petitions the above was referred to the Committee on Common, etc.

Subsequently Alderman Clark called the attention of the Board to the subject. He said the petition was an insult to the Board of Aldermen. No part of the Common had ever been leased for business purposes by which the city has received money. Permission was given to have a magnificent display of flowers, which will have an influence in elevating the taste of the rising generation, if not on the elder portions of the community. We did give permission to a respectable body of men to partake of a collation on the Common, and those are the only permits given, except to the Young Men's Christian Association to hold divine service. This petition is evidently an insult to this Board. It is a subject which the Committee on Common, etc., do not care to entertain or to act upon. I therefore move a reconsideration of the vote whereby it was referred to the Committee on Common, etc.

Alderman Sayward—I hope it will not be reconsidered. It can do no harm to investigate this matter. Howe & French ought to have the right of petition, reference to the proper committee, and a hearing if they desire it. I hope it will not be reconsidered.

Alderman Clark wanted to know if the petition to carry on the drug business on the Common ought to be considered in committee. The petition is an insult to this Board and should not be considered at all.

Alderman Sayward said there were applications to erect business houses on the Common directly after the fire in great numbers. He could see no objection to giving the parties a hearing.

Alderman Clark pronounced the subject too ridiculous for serious consideration, and called for a vote.

The motion to reconsider was carried, and on motion of Alderman Quincy, the Board voted that the petitioners should have leave to withdraw.

On motion of Alderman Power, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

SEPTEMBER 1, 1873.

A special meeting of the Common Council was held at noon today, E. O. Shepard, president, in the chair.

The following message was received from his Honor the Mayor.

EXECUTIVE DEPARTMENT, CITY HALL, }
Boston, Sept. 1, 1873. }

To the Common Council—It becomes my painful duty to announce to you the death of Thomas H. Doherty, a member of the Common Council from Ward 2.

I respectfully recommend that the Common Council recognize in some appropriate manner the loss they have sustained, and express their respect for the memory of the deceased.

HENRY L. PIERCE, Mayor.

The communication was placed on file.

Mr. Dacey of Ward 2, offered the following :

Whereas, The members of the Common Council have received with deep sorrow the intelligence of the death of Thomas H. Doherty, a member of this board, from the Second Ward,

Resolved, That in the death of our esteemed associate and co-laborer, the City Government loses the services of one whose sterling integrity and honesty of purpose have endeared him to all with whom he came in contact.

Resolved, That the President of the Common Council be requested to convey to the family of our deceased friend and associate the expression of our deep and heartfelt sympathy for their bereavement.

Resolved, That the members of this Council will attend the funeral of their late associate, and that —, with the President of the Council, be a committee to make the necessary arrangements, and that a copy of these resolutions be sent to the family of the deceased.

Mr. Dacey of Ward 2 said—In presenting those resolutions, Mr. President, I would like to say only a few words on the character of the man whose death is the occasion of our presence here today. Many here were not well acquainted with my friend and colleague, Mr. Doherty, for he had been a member only four months when taken sick by the disease which resulted in his death. Mr. Doherty was a man with whom I was well acquainted. I was proud of his acquaintance. He was honest in the full sense of the word, a model husband and father. His voice was not often heard in the debates of this Council, but he was a man of sound judgment, good sense and a deep thinker. His family loses a good husband and father and the city of Boston an honest and upright citizen. Mr. President, I move that when the vote on the

passage of these resolutions is taken it be taken by a rising vote.

Mr. Shaw of Ward 5—Mr. President, I had not intended to say a word on this mournful occasion, because I had supposed that there were members here who were better acquainted with the deceased than I was. I have, however, some satisfaction in saying that a few months ago I made his acquaintance when we came together in January last, and I formed an opinion at that time, which has since grown upon me, that the deceased was a gentleman of sterling integrity; one who was highly respected in the ward which he represented, and as his colleague has stated, he was a kind husband and an indulgent father. Certainly no man, no member of this Council, when we came here in January, had apparently a longer lease of life than the deceased. But he has been stricken down by the disease over which there seems to be no human control, and he has left us. I am one of those who sympathize most heartily with the family of the deceased, and as one of his associates in the Council, I am glad to be able to add my feeble voice in favor of the adoption of the resolutions. I think, Mr. President, although our departed associate had not to any considerable extent cultivated the acquaintance of his fellow-members, yet, sir, by his upright and manly appearance at this board, I think he has won their respect. And, as I said before, I am very glad to add my feeble voice in favor of the adoption of the resolutions.

The President—This is the first time in the annals of the year that the circle of this Council has been broken by the hand of death. Thomas H. Doherty has passed away from these to higher scenes above. My acquaintance with him has been somewhat limited, but I have seen considerable of him and can add my testimony to that which I think obtains with you all—that his constancy of attendance here, before his sickness struck him down, his faithfulness in the discharge of all the duties that devolved upon him, his genial and kindly behavior, won for him the esteem and friendship of us all. His seat has been vacant for some weeks by his illness, and the vacant place henceforth will remind us of him and his virtues, and also of the uncertainties that attend the life of each of us. As many as are in favor of the passage of the resolutions will rise and stand in their places.

The resolutions were passed unanimously.

Mr. Anderson of Ward 3, offered the following :

Ordered, That the City Messenger cause the seat of our late associate to be draped in mourning for thirty days.

The order was read twice and passed.

The President announced the following as the committee named in the resolutions:

Messrs. Dacey of Ward 2, Shaw of Ward 5, Flynn of Ward 7, Hall of Ward 10, Anderson of Ward 3, and Upham of Ward 16.

The President announced the arrangements for the funeral, and on motion of Mr. Jones of Ward 15, the Council adjourned till Thursday evening next.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
SEPTEMBER 1, 1873.

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

JURORS DRAWN.

Three grand jurors and five petit jurors were drawn for the September term of the United States Court, for the District of Massachusetts.

EXECUTIVE NOMINATIONS CONFIRMED.

Members of Fire Department—Josiah M. Nottage, William H. Mann, hosemen; R. E. Flanders, engineer; George R. Williams, driver; Thomas J. Tobey, deckhand on the fire boat.

Special Police Officers without Pay—J. H. Brown, Faneuil Hall, and India-street markets; F. G. E. Lennan, Fitchburg Railroad station and bridges in the vicinity; Warren Ewell, Quincy street and its vicinity, Ward 16.

PETITIONS PRESENTED AND REFERRED.

Of Joseph F. Paul, to erect a wooden building on Bristol and Albany streets, within the building limits; to Committee on Survey and Inspection of Buildings.

Of Jesse Y. and Simeon Baker, for renewal of lease of oyster stands in North Market street, and of Allen H. Jones, *et al.*, occupants of Faneuil Hall Market, in aid of the same; to Committee on Markets.

Of John Stetson, to place a steam boiler in building on Alden court, in rear of No. 4 Alden street; order of notice issued for hearing Sept. 22, at four o'clock P. M.

Of William T. Hart for extension of time in which to build on Plympton street; to Committee on Public Lands.

Of W. P. Coffin *et al.*, for a horse hose-carriage at the engine house of Steamer No. 21.

Of Engine Company No. 13, for permission to leave the city on September 5, for their annual excursion at Nantasket, each member to procure a substitute.

Severally referred to Committee on Fire Department.

Of Peter Gilligan, to occupy brick stable at No. 30 Mechanic street.

Of John Donnelly, to occupy stable on Sumner place, Ward 14.

Severally referred to the Committee on Health on the part of this Board.

Of J. H. Hathorne, that the ordinances relating to health be amended by striking out the last clause of section 60, because it is fully covered by section 61, and amending section 61 by inserting, after the word "shall," the words "without a written permit from the Board of Health." Referred to the Joint Standing Committee on Health.

Of E. V. Munroe, to be paid for grade damages on Commercial street, Ward 16.

Of Edward E. Rice & Co. *et al.*, that the extension of Franklin street to Broad street be completed before cold weather, and be renumbered.

Of John Haggerty, to be paid for grade damages on Commercial street, Ward 16.

Of John A. Allen *et al.*, for sidewalk on Eighth street.

Of William A. Guild *et al.*, that edgestones be set and gutters paved on Fourth street, from N to O street.

Of Richards & Co. *et al.*, that a portion of Creek square be repaved.

Of Metropolitan Railroad Company, for leave to construct an additional track on Washington street, from Essex street to Temple place.

Severally referred to the Committee on Paving.

Of J. T. Barrow *et al.*, that the Regent-street sewer be extended to Circuit street; to Committee on Sewers.

Of R. H. Wiswell, lessee, to be paid for Warren-street damages; to Committee on Streets.

Of John Brett, for leave to close a portion of Oneida street against vehicles while repairing his building.

PROTECTION OF SEAMEN.

The following communication was received:

CONSULATE OF THE GERMAN EMPIRE,
BOSTON, Aug. 28, 1873.

His Honor Mayor Henry L. Pierce, City Hall:
Dear Sir—I beg to bring the facts subjoined to your official knowledge. The master of the German ship Ludwig Heyn, now lying in this harbor, Captain J. I. Schmeling, lost two men by desertion on the 21st of this month. He instituted proceedings for their arrest on the 22d of the same month. On the 25th of August one man deserted. Two more men threatening to desert were committed to jail under the consular convention between the United States and the German Empire. Yesterday afternoon as Captain

Schmeling was going toward his vessel, then lying at Constitution wharf, he was warned by the laborers working on the wharf to beware, that he was in danger of his life. At ten o'clock P. M. two friends left his vessel to go home. When they reached the entrance to Constitution wharf one of them, who wore a straw hat exactly like the captain's, was seized by seven men, who came upon them out of darkness. His face was examined, and with the remark, "It 's a mistake, let him go," he was let go. In view of the fact that there is in existence in this city an association of sailor boarding-house keepers, one of whom a few weeks ago in this office boasted that they would get the best of us: in view of the fact that the damage these boarding-house keepers do to German trade by enticing seamen to desert is great, and in view of the fact that the earnest endeavors of this consulate are directed to the increase and strengthening of the intercourse between the German Empire and the city of Boston, I would respectfully request your Honor to take all steps in your power to protect masters of foreign vessels and to bring to swift punishment all the offenders against the laws and ordinances. In view of the fact that these convictions advanced ere this by Mr. Schlesinger, that two measures would help much to repress the lawless element in the harbor—(1) increasing the number of Harbor Police, and (2) having a steamboat in readiness to pursue and apprehend evil doers. In conclusion, I beg to assure your Honor that my remarks as above are made solely with the intention of fostering the prospects of the city of Boston as a commercial metropolis, and of securing to German masters of vessels such protection as will best promote their coming here. Believe me to be

Yours very respectfully,

C. A. SCHMIDT,

Acting Consul.

Petition of the consuls, vice-consuls and commercial agents in Boston, representing that in view of the continual and increasing desertions of crews of foreign vessels visiting this port, and the necessity of protecting such vessels in their rights, they respectfully ask that the harbor police be instructed and means provided for them to approach and board such vessels as soon as possible on their entering this harbor to prevent boarding-house agents and others from tampering with the crew. The petitioners being fully assured of the necessity of more protection to foreign ship masters during their stay at this port, respectfully ask early attention to their petition. Referred to the Joint Standing Committee on Police.

Severally referred to the Committee on Police.

ORDERS OF NOTICE.

The orders of notice on the petition of L. H. Tasker, for steam engine at 76 Chauncy street; of Newton Morton, for steam engine on K street, corner of First; of G. W. & F. Smith, to erect melting furnace on Farnham street, were considered, and there being no objection they were severally recommitted to the Committee on Steam Engines.

The order of notice for a sewer in the rear of Beacon street, between Otter and Berkeley streets, was next considered.

John Jeffries, Jr., appeared to ask an explanation of the proposed plan. He could n't see the necessity of carrying everything to the westward which comes from down Otter street. If the refuse is to be carried down Berkeley street he should certainly object. Everything that comes out of the drain on Berkeley street at ebb tide passed down and settles at the corner, forming a pool. If the idea is to avoid this, he did n't think the sewer would accomplish it. The street is private property, and by consent of all parties the owners have the right to build over it. If the city puts this drain in there the abutters ought to have some compensation for it. He did n't think the proposed drain would remedy the matter.

The subject was recommitted to the Committee on Sewers.

A POLICE BOAT FOR THE HARBOR.

The following communication was received:

OFFICE OF THE CHIEF-OF-POLICE,
BOSTON, Sept. 1, 1873.

To His Honor the Mayor and the Board of Aldermen of the City of Boston: Gentlemen—I would most respectfully ask leave to call your attention to the subject matter of providing additional means for police protection in Boston Harbor. We have within the limits of our police jurisdiction, including Boston proper, East Boston, South Boston, Dorchester and Hull, a water frontage covering a distance of at least ten miles, with some one hundred and twenty wharves, most of them loaded with merchandise, and in many instances so situated that they cannot be properly protected on the land side. There are also within the limits of the city at least ten islands which require more or less police protection, some of them having permanent residents, besides being visited daily in the summer time by pleasure parties and others, numbering hundreds of men, women and

children, and where persons of doubtful or dangerous character often find their way, especially on the Sabbath.

Our harbor is also alive with steam and sailing vessels, from all parts of the world, together with water craft of every size and description, carrying thousands of people and millions of property, and there is no field in New England offering a better opportunity for plunder and the commission of crime. The rules and regulations of the Police Department require the officers to board all foreign vessels on their arrival, and serve them with copies of the harbor regulations; to prevent boarding-house runners from visiting vessels to incite their crews to desertion and mutiny (which foreign consuls complain now frequently occurs in the lower harbor); and by an act of Congress passed June 7, 1872, they are "to give their assistance in apprehending any seaman or apprentice who deserts from or refuses to join and go to sea in any ship in which he has duly engaged to serve."

The officers are also required to challenge all boats, and to pursue and examine them when seen under suspicious circumstances; to send back vessels that have run quarantine, and assist in other quarantine regulations; to prevent the removal of gravel from the islands; to protect powder boats and lobster pots; to remove and care for the bodies of dead persons found afloat or washed ashore on the islands; to hasten to the assistance of boats that are capsized or are otherwise in distress, or to go where any accident or breach of the peace may occur in the harbor; and to give general protection to life and property, and preserve the peace at the wharves, the islands and on shipboard, and to send police aid and protection to Hull whenever occasion may require.

To do this work we have small row boats, only carrying two men each (at best, too small and too slow), with which to visit the lower harbor, even in pleasant weather, or to do in the upper harbor much of the work required there to be done. With the immense amount of property and the great variety of people and interests scattered over so large an area of wharves, islands, water and shipping, with circumstances continually arising that demand the earliest possible presence of the police, it seems to me that there is an urgent necessity in this quarter for an active and efficient police force, and that they be prepared with the best means for reaching any given point, in the shortest possible time. Some six years since arrangements were made and considerable money was expended for building a harbor-police steamboat.

The plan contemplates a boat ninety feet long, fifteen feet beam and about nine feet draft, at a cost of twenty-five thousand dollars. It was finally objected that such a boat would be too large and unwieldy, altogether too expensive, and would be liable to be called into usages not altogether profitable in the police service, and the enterprise was abandoned. If a large boat is not subject to all of these objections at the present time, I am of the opinion that a much smaller one would be much better adapted for the work required to be done. The following plan and estimate is made by a well-established firm of steam boat builders, and is respectfully submitted for your consideration:

Length of boat, 55 feet; breadth of beam, 12½ feet; hold, 6 feet; to draw not exceeding 5 feet of water, when coal, water and equipments are on board; hull made light and strong, from mostly hackmetack, with oak under the engine and boiler; planked with hard pine; composition fastenings; to have considerable shear, heavy fender, strike, light rail, and white pine deck 2x3; fastenings to be plugged, and seams puttied above the water line; to have an iron shoe under the propeller, and stem under forward; to have light joiner work, consisting of a small forecabin with one berth to be used as a lockup, with trunk companion way; a pilot house, with room for a broad upholstered seat across the rear end, and a house from there 4 feet high to cover the boiler and engine, with suitable lights for the companion way and for ventilation, and stairs aft to the engine and fire room. The engine to be 12x12, with light, strong frame and bed plate, every part proportioned to carry 100 pounds of steam for ordinary use fitted with main and cut off valves, eccentrics,—plunger pump for boiler; syphon pump of very large size, suitably connected for outside fire purposes in case of need, with hose, nozzles and independent suction pipe through the bottom of the vessel. The boiler to be horizontal circular shell, with flue and return tubes, steam jet, smoke pipe and whistle, to be connected with copper. Steam feed and exhaust pipes. To have a propeller 4½ feet diameter and 6 feet pitch. The engine to exhaust into an outside condensing pipe, so as to condense the steam and thus obviate the necessity of carrying water in tanks; to have a small air pump to connect with the condensing pipe and return the water to a small tank connected with the boiler feed pump; to be provided with bells, gong

and jingle bell, connected with the pilot house; to have suitable steering gear, and a grating over all. The house to be grained and the hull painted three coats of the most approved color. The material to be of the best quality and the work to be done in a thorough and workmanlike manner, and properly fitted for the service, except the portable furniture. The estimated amount of coal is one hundred pounds per hour when in actual service, requiring to be manned with four men and guaranteed to make ten miles an hour. The estimate includes a full apparatus for the extinguishment of fires on wharves or on other vessels, and the entire cost not to exceed ten thousand dollars. Such a boat, it is believed, would be of sufficient size and strength for all purposes in the lower harbor, and with its light draft would be conveniently serviceable in the upper harbor, about the wharves, on the flats, and on the shores of Dorchester.

Although there would seem to be an urgent necessity for providing additional means for police protection in our harbor, under present circumstances I should hardly feel at liberty to ask for such an outlay for my department were it not apparent that such a sum as is required for this purpose may be spared from the appropriation already made for the present year.

I have the honor to be,
Most respectfully,
Your obedient servant,
EDWARD H. SAVAGE,
Chief of Police.

The communication was referred to the Committee on Police.

An invitation from the German Protective Association to attend a public meeting in Faneuil Hall was received and placed on file.

THE ABBOTT LAWRENCE FUND.

The trustees of the Abbott Lawrence Fund submitted a report of the second distribution among the public charities of the city of Boston, made on the 12th day of May last, etc., as follows: Farm School for Indigent Boys, \$800; Boston Dispensary, \$800; Warren-street Chapel, \$700; Children's Hospital, \$800; Society for Prevention of Cruelty to Animals, \$1000; Fragment Society \$500; Needle Woman's Friend Society, \$500; Sailor's Snug Harbor, \$1000; Temporary Home for the Destitute, \$800; Ladies' Relief Agency, \$497 38; Industrial School for Girls, \$800; Fatherless and Widows' Society, \$1000; Total, \$9197 38. The report was placed on file.

REPORT OF THE CITY CLERK.

The quarterly report of the City Clerk, S. F. McCleary, was submitted. It makes the following exhibit of receipts: For recording mortgages of personal property, assignments, liens, etc., \$595 40; licenses of billiard saloons, \$216; licenses of intelligence offices, \$41; licenses of auctioneers, \$52; record of goods found, 25 cents; total, \$904 65; all of which has been paid to the City Treasurer. The report was accepted and sent down.

UNFINISHED BUSINESS.

Order to pay William R. Clark \$160,000 for estate on Broad street, known as Fort Hill wharf, upon condition of his giving a release of the same, and authorizing the Treasurer to borrow \$110,000, to be applied to the purchase, and charging the remaining \$50,000 to the Burnt District Loan.

The order was read a second time and passed—yeas 9, nays 0.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the applications of R. M. Field for license for Boston Museum; of L. M. W. Steere, agent, to exhibit Panorama of Ireland at Tremont Temple; of Charles K. Miller to keep a billiard saloon at 112 Harvard street, Ward 16; of Thomas Galligan to keep a billiard saloon at 863 Tremont street; of Alice Leake to keep an intelligence office at 9 Carver street; of Henry Taylor *et al.* for hack license on Tremont street, near Milford street; of Daniel Leary, to deal in second-hand articles at 45 Stillman street; of James Gateby, to deal in second-hand articles at 24 Newbern street; of John McCawley, for wagon stand at 25 Fulton street; of A. Holt and several others, for transfer of wagon licenses; of F. B. Coffin, Elijah Kinsman, Stumcke & Goodwin, Henry M. Scott, Patrick C. Ryan and John F. Driscoll, for victuallers' license, and leave to withdraw on application of James Cain, for the same. Severally accepted.

Alderman Sayward, from the same committee, reported leave to withdraw on the application of Eugene J. Sullivan, to keep a bowling saloon at 291 Dorchester street. Accepted.

Alderman Sayward from the Committee on Health reported in favor of granting the applications for leave to erect stables by Prescott Chapin, Jacob Edwards, Peter E. Brandley, Sophia A. Jackson, John Donnelly and Joseph Ham. Severally accepted.

Alderman Sayward, from the same committee, reported leave to withdraw on the application of Henry

Doherty and Dennis Sullivan for leave to occupy stables. Severally accepted.

Alderman Bigelow, from the Committee on Sewers, reported orders of notice for sewers in Catawba, Rockland and Copeland streets, and appointing hearings on the same at four o'clock P. M. on Monday, September 8. The orders were read twice and passed.

Alderman Bigelow, from the same committee, reported the following:

Ordered, That the Superintendent of Sewers be hereby authorized and directed to extend the sewer now discharging near the foot of B and Seventh streets to the Commissioners' line; the expense to be charged to the Sewer Department.

The order was read twice and passed.

Alderman Hulburt, from the Committee on Paving, reported orders to pay as follows: Trustees estate of Robert C. Hooper, \$150, on account of raising grade of Cottage and Franklin streets, Ward 16; W. G. Hickey, \$300, on account of raising grade of Chambers street; Charles C. Barry, \$73, on account of lowering grade of Alpine street. Severally read twice and passed.

Alderman Clark, from the Committee on Streets, reported an order to pay Nathan Underwood \$59 95 on account of the widening of Stoughton street. Read twice and passed.

THE NORTHAMPTON-STREET DISTRICT.

Alderman Brown, from the Committee on the Suffolk-street District, on the part of the Board of Aldermen, to whom was referred the subject of establishing a permanent grade for the lands included within the Northampton-street District, so called, in accordance with the provisions of chapter 340 of the acts of the year 1873, made a report recommending the passage of the following order:

Ordered, That the grade of the cellars, back yards and vacant lots of land included within the district which is bounded northwesterly by Washington street, southwesterly by Eustis street and Mall street, southeasterly by Albany street and northeasterly by Northampton street, being the district described in chapter 340 of the acts of the year 1873, be and the same is hereby established at twelve feet above mean low water; said grade being deemed necessary by this Board in order to secure the complete drainage of said lands so as to abate and prevent nuisances and to preserve the public health of the city.

The report was accepted and the order passed.

Alderman Brown submitted the report of the Joint Special Committee on the Suffolk-street District, who were requested to report what action is necessary on the part of the City Council to carry out the provisions of the act relating to the Northampton District so called. Having fully considered the subject, they recommend the passage of the following order:

Whereas, by an act of the Legislature of Massachusetts, approved the fifth day of June, A. D. 1873, entitled, "An act to authorize the raising of the grade of certain lands in the city of Boston, for the purpose of preserving the public health in said city," it is provided, among other things, as follows, namely:

"Section 1. The City Council of the city of Boston may order the owners of lands in said city, situated and lying within the district which is bounded northwesterly by Washington street, southwesterly by Eustis street and Mall street, southeasterly by Albany street and northeasterly by Northampton street; or any of such owners, to raise the grade of their said lands filling up the same with good materials to such permanent grade as may be deemed necessary by the Board of Aldermen in order to secure a complete drainage thereof, so as to abate and prevent nuisances and to preserve the health of the city."

Now, therefore, it is ordered, that the following named parties, being owners of the land situated and lying within the district aforesaid, be, and they are hereby severally directed to raise the grade of their said lands respectively, or such portions thereof as are below the grade established by the Board of Aldermen, by filling the same with good clean gravel, earth or ashes, to the grade of twelve feet above mean low water, as established by an order of the Board of Aldermen, approved September 1st, A. D., 1873; said lands with the portions thereof below the said grade being shown upon a plan made by the City Surveyor, dated July 25th, 1873.

[Appended to the report is a list of the names of the owners of property within the district named.]

The report was accepted and the order passed.

ORDERS PASSED.

On motion of Alderman Hulburt—

Ordered, That the Superintendent of Streets be directed to furnish and set the edgestones and pave the gutters on Fifth street, between K and M streets, and on L street, between Fourth and Fifth streets. Estimated cost, \$4000.

Ordered, That the Board establish the grade of Ruggles street, between the Providence Railroad and Parker street, at eighteen feet above mean low water.

Ordered, That the Superintendent of Streets be directed to furnish and set the edgestones and pave the gutters on the southerly side of Guild street, between

Shawmut avenue and Lambert avenue. Estimated cost, \$1200.

Ordered, That the Superintendent of Streets, under the direction of the Committee on Paving, be authorized to raise Federal, Franklin, Congress, Pearl, Kilby, Oliver, Batterymarch, Central, Lindall, Hawes, Water and Milk streets to the grade established by the Board of Aldermen for said streets Jan. 2, 1873; also to grade the streets on the Burnt District as widened by the Board of Street Commissioners and to pave the streets on said district with small granite blocks, as fast as building operations will permit and the public safety and convenience may require; the expense thereof to be charged to the appropriation for the Burnt District.

On motion of Alderman Sayward—

Ordered, That the Committee on Public Buildings be authorized to make such alterations in the rooms of the Ticknor Schoolhouse as may be necessary to accommodate pupils of the grammar school of that district; and, also, to furnish such additional accommodations as may be required for the primary schools; the expense attending the same to be charged to the appropriation for Schoolhouses, Public Buildings.

Ordered, That the expenses incurred in repairing Neponset Bridge, to an amount not exceeding eleven hundred dollars, be allowed and paid; said amount to be charged to the Appropriation for Bridges.

Ordered, That the Committee on Public Buildings be authorized to locate a stand pipe in the City Hall Building, and connect the same with the high-service supply; also, to provide the necessary hose and fixtures in order that the same may be made available in case of fire; the expense to be charged to the appropriation for Public Buildings.

On motion of Alderman Clark—

Ordered, That the Committee on Police be authorized to erect a new flag-staff on Washington Park, so-called, in place of the old one, which has become decayed and dangerous, at an expense not exceeding \$475; to be charged to the appropriation for Police.

Ordered, That the Chief Engineer be and he hereby is authorized to organize and equip a steam fire engine company for Steam Fire Engine No. 22, to be located on Parker street, Ward 15; the expense thereof to be charged to the appropriation for the Fire Department.

THE MATHER SCHOOLHOUSE.

Alderman Sayward called up the special assignment, being his motion to reconsider the order for the cancelling of the sale of the old Mather Schoolhouse on Meetinghouse Hill.

He said that in the absence of the chief opponent of the motion (Alderman Power), he would, as a matter of courtesy to him, move that the motion be laid on the table, although the matter was very important. The motion was carried.

THE SYSTEM OF SEWERAGE.

Alderman Bigelow submitted a report of the Committee on Sewers, to whom was referred an order requesting them to examine the present system of sewerage in the city. The report is as follows:

It is generally conceded that the rapid removal of decaying matter from habitations is part of the necessary machinery, and forms one of the conditions of life in large cities, and no doubt has a marked influence on the preservation of the public health; but so varied are the conditions of life and so many the influences that should be eliminated before a comparison could be made, that no estimate in figures of the relations of sewerage to human life has ever been given. There can be no question as to the perfect means enjoyed by our citizens in the collection and removal of sewage from their houses; it is probably in relation to its discharge into the waters surrounding the city that it was the purpose of the order to direct inquiry. Whenever a sewer may discharge into the harbor, there will undoubtedly be unpleasant odors at low stages of the tide and with some directions of the wind. The city is fortunately situated, in being able to distribute its outlets all around it, discharging only from a few such an amount of sewage as to render their location noticeable. These will be considered in detail, with the means proposed for diminishing their offensiveness as far as possible.

Some notice may be taken here of the reiterated statements that "we have no system of sewerage," or "a bad system," and that we need some "comprehensive plan" for the drainage of the city—reciting the story of flooded cellars, offensive odors, and a shoaling harbor, and pointing to some great scheme for diverting drainage from Charles River, and carrying it southward to Dorchester Bay. Our system of drainage is as perfect, though not so complicated, as that of any other city. We are favored by location with generally good grades and outlets to deep water; and though we have no long lines composed of huge sewers with their many branches, with pumping works and flushing apparatus, yet the removal of the sewage from the house to the ebbing tide in the harbor is rapid and complete; and that is a perfect system. We have probably more than 5000 cellars or

basements below extreme high water, which, with a few exceptions, are perfectly drained; but after a heavy storm the newspapers invariably report the flooding of cellars in the low parts of New York, Brooklyn and Baltimore.

In the drainage of the surface of streets and in the appliances for protecting cellars from tide water, our system is probably better than that of any other city. The offensive odors which every summer afflict the south and west parts of the city are but in small degree traceable to sewers. The most prominent cause has been the exposure of mud banks by the filling of the basin of the Water Power Company and the stagnation of a large body of shoal water. Both this year and last, as soon as fresh cold water was permitted to flow in, the offence ceased. Our sewage system had no more to do with this than with the frequent visits of sickening odors from the shores of Miller's River.

But it is said that Charles River is becoming a vast cesspool, that it is growing shoaler by sewer deposits, and enormous mud-banks are forming in its channel, and that it has become what the Thames was to London, and that a similar remedy must be employed and the sewage carried southward to the harbor. Perhaps all this may come true in the future, when Boston shall rival London in size and population, but it is undoubtedly now all false. A simple inspection will suffice to show that the river does not yet suffer from the amount of drainage it receives, being pure enough for bathing purposes; and it is a fact, indorsed by the Harbor Commissioners, and there is no trace of sewage deposit in the harbor, and that the growth of the shoal in Charles River above Cambridge Bridge is due entirely to the growth of the oyster beds. Before the diversion of the London sewage and the building of the Thames embankment, that river received in the limits of the metropolis and from the towns above the drainage of 4,000,000 people, and then the offensive smell arose chiefly from the mud-banks exposed along the shores at low water and not from the river itself.

It is also the experience here that the exposed mud banks of Miller's River, of Back Bay, in the rear of Beacon street and in Roxbury Canal, discharge the obnoxious gases, but, when covered with a small depth of water are innocuous. The Charles River receives from Boston the sewage of about sixty thousand people; it is inclosed by walls and shows no flats below Cambridge Bridge; and long before those now in the river become offensive, the needs of commerce will have applied the same remedy that was carried out with the Thames, and have embanked the channel as far as the tide reaches. Keeping in mind the fact that flats covered with organic matter and exposed at low water are, here and elsewhere, the great sources of nuisance, compare the discharge of sewage into the Charles River, with its suggested diversion into Dorchester Bay.

In one case the sewage, discharged by many outlets, is mixed and dispersed in a rapidly flowing river, with current strong enough to hold and keep all noxious matter suspended until it is deposited beyond our limits, and, in fact, beyond our knowledge, without any sensible pollution of its own waters. In the other the sewage would be discharged by a single outlet into a basin almost completely bare at low water, at all times without motion, except the rise and fall of the tide, and half inclosed between two rapidly growing wards of the city. This is precisely the cause of the present condition of Miller's River and of our own like nuisances, and apart from the great cost of the construction of the necessary channel, it is certain that in a few years the deposits from its mouth, having spread over a square mile of flats, would emit a miasma which would render uninhabitable portions of Wards 12 and 16, and, with a southeasterly wind, would sensibly affect the death rate of the city itself.

The committee would now draw attention to the nuisances due to sewer outlets, so far as they know them, and discuss the means for abating them. There is no complaint around the borders of the city up to the rear of Beacon street. Here a large sewer from the Church-street District and another at the end of Berkeley street discharge very near to the abrupt angle in the wall of the river, where Braman's baths were formerly located. The channel of the river sweeping round this angle leaves a triangular bit of flats on its outer edge, which becomes the resting place, not only for matter coming from the sewers, but for every filthy thing floating up or down the river. At low tide in summer the smell from this is offensive and is often ascribed to the sewers in close proximity, and they are doubtless the indirect cause of much of it, by furnishing a share of the decomposing matter.

But, years ago, a remedy concurred by all interested to be perfect was proposed, viz., to change the line of the sea wall from an angular to a circular one, built along the line of the channel, inclosing the offensive flats and extending the sewers to deep water. At the same time it was urged by this department

that provision should be made for a wide street or boulevard all along the water front from Cambridge bridge to Brookline, which might eventually serve to inclose a sewer, intercepting all the drainage on the west side and carrying it down to the bridge. This scheme, which was sanctioned by the Legislature and urged by the city, was defeated by the influence of the owners abutting, who feared to lose the water front and preferred to retain the smell from the river to losing the sight of it under their windows.

As it is improbable that this project will ever be perfected, the department is now carrying all the drainage from Church street, Berkeley and Dartmouth street sewers, by outlets submerged below low-water mark, to the channel of the river. This will remove the sight of much offence, but until the flats below are embanked they must be constantly dredged to keep them from being a nuisance. The Stony Brook, which is the receptacle of the drainage from most of the breweries and factories of Roxbury, now discharges at Parker street, and deposits more or less sediment upon the flats of the Full Basin. This basin is the property of the Boston Water Power Company, which, with the State, has filled all the flats westward from the Public Garden. The gravel filling has kept so far in advance of the construction and occupation of houses upon the land that the odors at low water have not till recently been noticeable at the dwellings of the Back Bay.

The city has covered this outlet during the past year one thousand feet toward the Milldam, and it is fair to suppose, from the progress in the past that the gravel filling will proceed fast enough to reach the line of the proposed channel for the brook, and confine it to a narrower and perhaps covered course, before the evils arising from its present discharge will become serious. If it becomes imperative, before the basin is filled, the channel of the brook can be extended so as to prevent the diffusion of sediment upon the flats, and transfer the outlet still farther from habitations. It is quite possible that a large interior basin, kept at high-water mark, may be preserved here for ornamental purposes, and its waters used to flush and purify the channel to the Milldam.

The Roxbury canal, on the east side of Ward 11, has, for a long time, furnished with Pine Island and the soap factories, its quota to the afflictions of that ward. It is the intention of this department to divert all the sewers discharging into this dock to the point of Pine Island through the new avenue formed by the extension of Swett street to South Boston. As soon as the lines of this avenue are decided, the department is ready to build the intercepting sewer, and whenever the canal can be filled as far as Albany street, all the sewers emptying into South Bay should be carried either to Pine Island or Dover-street Bridge. In laying out streets in the new territory which has come under the jurisdiction of the city by annexation, it is important that avenues should be laid out along the valleys of the various water sheds, in order that the main sewers of those valleys may be advantageously located and constructed.

The department is already embarrassed in providing necessary drainage for certain districts in Dorchester by the necessity of either taking land solely for sewer purposes at considerable expense, or else awaiting—perhaps, after all, in vain—the action of the Street Commissioners. At East Boston a new corporation is filling the flats east of the railroad and north of Maverick street. These flats have heretofore received the drainage of nearly one-half of the Ward, and the sewers must now be intercepted and new outlets provided. This will render necessary the construction of a main and branch sewers sufficient for the drainage of some 400 acres. The main line is already determined, and portions will be built as needed by the progress of the filling, so that no obstruction will be made to the free discharge of the sewers.

It has been unfortunate that almost the whole water front of the original city has been pushed out and filled by private corporations, which arrange their streets and sewers and fill and improve their lands without any control by the city, and often without any settled plan of policy of their own, but varying with the interests of powerful stockholders. This course compels the city to do the best it can when possession of streets is finally forced upon it, which is generally but a makeshift for what should have been done or left undone from the beginning. Your committee have therefore "examined the present system of sewerage of the city," and report that everything which appears to them necessary to the public health or convenience will be carried out by the Department as soon as it is possible or expedient.

JAMES POWER,
THOMAS GAFFIELD,
ALANSON BIGELOW,

Committee on Sewers.

The report was laid on the table to be printed.

On motion of Alderman Brown, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

SEPTEMBER 4, 1873.

The regular weekly meeting of the Common Council was held last evening, E. O. Shepard, President, in the chair.

PAPERS FROM THE ALDERMEN.

The Reports of the Trustees of Public Library, Inspector of Buildings, Trustees of the Sinking Fund Overseers of the Poor, City Clerk, City Register, Superintendent of North City Scales and Auditor's Exhibit for August, were accepted and placed on file.

Petitions were referred in concurrence.

The following papers were disposed of in concurrence:

Reference to Committee on Common, etc., of an order requesting said committee to cause the asphalt to be removed twenty feet in radius from trunks of elms on Tremont-street Mall.

Reference to Committee on Public Institutions of recommendations of the grand jury of Suffolk County of 13th of June last.

Report no action necessary on petitions—1. Of Thomas Carberry, for leave to erect a range of wooden sheds at 1482 Tremont street; 2. Of Newton Morton, for leave to erect a wooden building on K street. Severally accepted.

Report leave to withdraw on petition of S. Weld & Co., concerning ofal contract. Accepted.

Report and order authorizing a license to be issued to Jno. Sullivan to construct a basement cellar at the corner of Kneeland and Albany streets. Report accepted and order passed.

Order authorizing and directing payment to be enforced of the policies of insurance in favor of the city on the Hospital Building, Swett street, destroyed by fire. Passed.

Order authorizing the reward of \$500 for the detection of incendiaries. Passed.

Order to furnish additional primary school accommodations in Dorchester-Everett District. Passed.

Order to furnish additional school accommodations in Minot District. Passed.

Order authorizing alterations to be made in Ticknor Schoolhouse to accommodate the grammar school in that district. Passed.

Report of the Joint Special Committee on the Suffolk-street District, and order directing owners of land in Northampton-street District to raise the grade of said land as provided by law. Report accepted and order passed.

Order authorizing organization and equipment of Steam Fire Engine Company 22, to be located on Parker street, Ward 15. Passed.

Order to close the school building on Newton street heretofore occupied by the Normal School. Laid on the table on motion of Mr. Brackett of Ward 10.

Report and order authorizing fixtures to be placed on City Hall Building, for E. S. Tobey's invention for extinguishing fires. Laid on the table on motion of Mr. Dean of Ward 12.

The following orders were read once:

Order to pay Gas Company's bill of \$259 50, for gas for balloon on Fourth of July last.

Order authorizing a stand pipe to be located in City Hall Building and connected with high service supply.

Order for necessary repairs and alterations to be made on Court House and Probate Building, at not exceeding \$5000.

Mr. Shaw of Ward 5—I want to know what is contemplated by this order, and should be glad to have it explained. In the present condition of affairs it would seem that no more money should be spent on the Court House until it is understood what is to be done in regard to building a new one. Five thousand dollars spent on the old Court House would hardly be sufficient, and why it is contemplated to spend this money when there has been for several years a proposal to build a new one for the county of Suffolk is a very singular thing to my mind. Now, Mr. President, I have an idea that the city of Boston can save about two million dollars by a certain arrangement, and by which the present Court House can be made available for all the purposes required by the courts. The whole of this area around the Court House leading to Court street can be taken for the purposes of a Court House and blocked up from public travel. Then the noise consequent upon the use of Court square by the express teams will be abated, and the

courts be better accommodated at an expense of from a hundred and fifty to two hundred thousand dollars, better than the courts in any county in the United States. I wish members to think of this and see whether the plan I propose is not feasible. Shut up the whole area this side of Court street from public travel so that it shall be used only for the purposes of the courts, except the Municipal Court, which I would remove from that building entirely. It brings twenty-five persons to the court house against one brought to any other. Then I would propose to extend City Hall to Tremont street, the necessity for which has become more apparent every day. I would then have the Municipal, Criminal, and perhaps the Civil, court in this extended building. This would accommodate the Supreme and Superior courts better than they are accommodated in any city in the United States. I have this opinion from persons familiar with public buildings in different States and counties. By this expenditure of a hundred and fifty or two hundred thousand dollars the present Court House can be made available for years to come, and perhaps for a century. Rather than go back upon the site of the reservoir on Beacon Hill, and build a new Court House at an expense of a couple of millions or more, let us try to economize, let us avail ourselves of the property that belongs to the city. I undertake to say that this plan never has been suggested before. I know the fertile minds of the Suffolk Bar may originate anything, but I never heard of this proposition until it occurred to me today. I had the honor sometime since to suggest an enlargement of City Hall, and I think if this matter were to be taken hold of properly—and the Committee on Public Buildings are abundantly able to examine this matter—I think they will see the necessity of doing something, and I know of nothing more apparently in the line of economy than this. It will be said that parties who own the estates on either side of the Court House will come in for damages. If I owned a building like Barrister's Hall, or any other there, and I should get two hundred dollars where I now get only one, if these offices were made available for the bar, I would not object. Instead of being damaged the property would be enhanced in value. I can see no reasonable objection to the plan which I suggest now, because when I see this small appropriation asked for it is proper to inquire what it is for and whether it is available. I leave this matter to the Council today whether the suggestion I have made is worthy of consideration.

The order was read once and laid over.

Order authorizing sale at auction of iron-fence on westerly side of Tremont street, between Park and Boylston streets.

Mr. Burt of Ward 16, moved to strike out the words "sell by public auction" and insert the words "transfer to Mount Hope Cemetery."

Mr. Dacey of Ward 2 asked the reason for the proposed transfer to Mount Hope Cemetery.

Mr. Burt of Ward 16—The city of Boston owns both, and Mount Hope Cemetery needs just such a fence as that around the Common. It would be much more advisable to transfer the fence there than to sell it for one fourth what it is worth.

The amendment was adopted and the order as amended passed.

Orders to pay William R. Clark \$160,000, on his giving to the city a deed of estate on Broad street, known as Fort Hill wharf, and also a release from all damages to said estate on account of the widening of said street, and for a loan of \$110,000.

Mr. Shaw of Ward 5 asked for an explanation of this appropriation, which seemed to have just started out fresh. He wanted to know if there is any necessity for it.

Mr. Perkins of Ward 6—It is because the land is needed to widen Broad street, and the terms mentioned are the best that the owner of the property and the Committee on Streets could arrive at.

Mr. Shaw—That is not a proper explanation, though it may be all that the gentleman can give. I have known this property for several years, and unless some more satisfactory explanation is given I don't mean to vote for the order. The property is situated in the district which I represent, and I propose to have an explanation from some source with regard to it. I undertake to say that it isn't the best trade that can be made, notwithstanding the short and bluff manner in which the gentleman from Ward 6 answered me. If the city is to pay twenty-five per cent. more for property than a private individual does, it is time people knew it. When the city has to sell anything she has to take twenty-five per cent. discount, and it is time people understood this matter, and as a member of this Council it is my duty to rise here

and say so. It is n't the best bargain that the city can make. It is made because an individual has been hovering round this City Hall and importuning members to buy his property, and it is time the people of Boston knew about this. I undertake to say that that property is n't worth anything like a hundred and sixty thousand dollars, and if the city does n't send men here competent to make good bargains it is time she left us all at home, and sent new men here. I don't propose to sit here and be bluffed in that way. The gentleman is one of the Committee on Streets, and it is perfectly proper that he should give me a fair and decent answer. I am entitled to it, and the citizens of Boston are entitled to it. I have known something of the value of this property for years. I want a better reason than the gentleman from Ward 6 gives for making this purchase, and proposing to make a new loan for it. With our loans reaching nearly up to fifty million dollars, it is time we were looking into this extravagance. It is time that we elected a City Government capable of making better bargains. I don't propose to come here and be answered in this terse, bluff and impertinent manner. I have a right to a fair answer, and when I am not satisfied with any proposition here I propose to ask an explanation.

Mr. Flynn of Ward 7—This matter has been before the Committee on Streets for some time and was reported to the Aldermen last Monday. In City Document No. 67, which relates to the widening of Broad street, the Street Commissioners awarded Mr. Clark for the widening of Broad street, Mr. Clark applied to the Harbor Commissioners to extend his wharf. The Street Commissioners thought that the proper place to extend Northern avenue, and they prevented the extension of the wharf until a good trade could be made for the city. The matter was finally left to a referee, who decided that the property is worth \$175,000. After several weeks the committee made the best trade they could and allowed him to stay there till next April. The city will be obliged to have this sometime or other. If this arrangement is not carried out the commissioners will have to allow Mr. Clark to extend his wharf at an expense of twenty thousand dollars, which the city would have to pay when the avenue is extended.

Mr. Shaw of Ward 5—I thank the gentleman for his answer and for the gentlemanly manner in which he put it. It is so different from the answer made by the gentleman from Ward 6 that I appreciate it.

Mr. Flynn of Ward 7—Another statement I intended to make was that Mr. Clark is to pay seven per cent. interest on the property while he retains it.

On motion of Mr. Flynn the rules were suspended and the order passed in concurrence—yeas 48, nays 0.

Order to hire the building at 23 Pemberton square, for the use of certain city officers, which had been amended in the Council by an order to lease the upper rooms in Niles Block, and connect the same with City Hall by a bridge, came from the Aldermen with the amendment non-concurred in.

On motion of Mr. Flynn of Ward 7, the Council voted to adhere to the amendment.

PETITIONS.

Mr. Martin of Ward 7 presented the petition of Fowler & Bennett, to be reimbursed for damages to a horse caused by a defect in a street. Referred to Joint Standing Committee on Claims.

Mr. Kelley of Ward 15 presented a petition from Andrew J. Noyes for leave to erect a wooden building. Referred to Joint Standing Committee on Survey and Inspection of Buildings.

THE FIRE DEPARTMENT.

Mr. Burt of Ward 16, from the Joint Standing Committee on the Fire Department, reported that, after a careful examination of the system and management of fire departments in the leading cities of the Union, as compared with that of our own, the committee are thoroughly convinced that by the adoption of the within-named recommendations the Boston Fire Department would be as powerful in its armament, and as thoroughly equipped as any department in the United States, and its members as intelligent and disciplined a body of men as can be found in any city. The committee present the following table of expenditures of the different fire departments:

New York.					
Years.	No. of companies in service.	No. of men in service	Expense of dept.	Exp. per company.	Exp. per man.
1870...52	590		\$1,006,212 87	\$19,350 24	\$1,705 44
1871...52	590		1,125,897 83	21,651 88	1,908 30
1872...52	590		1,050,195 38	20,196 06	1,779 99

Philadelphia.					
Yr.	No. of Cos.	No. of Men.	Of Department.	EXPENSE Per Co.	Per man.
1869...87	993		\$114,798 50	\$1,319 52	\$115 60*
1871...27	329		400,000 00	14,814 81	1,215 80
1872...27	373		425,534 32	14,673 59	1,140 84
*Volunteer.					
Baltimore.					
1869...10	114		\$95,549 56	\$9,554 95	\$838 15
1870...10	123		105,739 53	10,578 95	860 07
1871...11	139		156,394 00	14,217 63	1,125 20
Boston.					
1870...38	466		\$361,139 07	\$9,504 97	\$775 08
1871...38	466		331,169 45	8,714 98	710 66
1872...42	475		438,494 10	10,440 33	923 14

While the committee are slow to recommend any measure that will increase the burden of taxation, yet, in view of the fact that our dwelling houses are giving place to warehouses and stores, making it impossible to obtain tenements for the members of the department in the central portion of the city, they believe that the extra expenditure for their maintenance in this district will be cheerfully met by our citizens for carrying out the following recommendations, viz.: The organization of one steam fire-engine company and one hook and ladder company, to be located on Fort Hill, said companies to be permanently employed, and one engine company to be located in the vicinity of Mason street, as provided for by the City Council in the annual Appropriation bill. The committee also recommend that in addition to the above engines and hook and ladder companies, Engine Companies Nos. 4 (on Bulfinch street) and 7 (on East street) be reorganized so as to consist of twelve men each, as follows:

Foreman, engineer of engine, fireman, two drivers and seven hosemen, all of whom are to be permanently employed; also that Hose Companies Nos. 1 and 8 be transferred into engine companies as above, to take charge of Engines Nos. 24 and 25, and that Hook and Ladder Company No. 8, located on Fort Hill, be composed of fifteen men, to be permanently employed and ranked as follows: Foreman, assistant foreman, driver and twelve laddermen. The Department of the city proper, as now organized, consists of seven steam fire engines, five hose companies, two hook and ladder companies, and two extinguisher corps, with a membership of thirty-three men, permanently employed, and a hundred and forty-four members who do duty only when an alarm of fire is sounded, at an annual expense for salaries of \$81,692 50. The recent vote of the City Council authorizing horse bosc carriages to run in connection with the several engines will increase the number of permanent men in the city proper to thirty-eight and the expense for salaries to \$87,167 50. By the addition of the above recommendations the city proper will have fourteen steam fire engines, nine of which will be fully manned and equipped, and in case of emergency fourteen engines can be at work within the space of fifteen minutes. Of this force there will be on duty constantly a patrol force of forty men. With the increased water supply which has been furnished by the Water Board since the 16th of May—being sixty Lowry hydrants, with additions made daily in this direction—the city will have a working force as strong as any other city on the continent. Yet the committee, notwithstanding all this, fully concur in the opinion that there should be placed in the mercantile section of the city an independent water supply for fire purposes, believing the same could be maintained with one-third the expense it now costs for the present system of extinguishing fires, and give the city of Boston in the above-named district, by the adoption of the Holly system, a power equal to a hundred and fifty steam fire engines, instead of fourteen; for each hydrant would be equal in power to any first-class steamer now in service.

On motion of Mr. Perkins of Ward 6, the report was laid on the table, to be printed.

Mr. Caton of Ward 11, from the Joint Standing Committee on Public Buildings, reported that, acting upon an order from the City Council of June 30th, 1873, to purchase the estate of the late Nathaniel Whiting between Washington square and Washington place, and erect on said lot and the lots adjoining on either side owned by the city, a building suitable for the accommodation of a steam fire engine, they had expended \$16,750 of the \$50,000 appropriated in the purchase of the Whiting estate. Plans have been prepared for a building which has the approval of the Chief-Engineer and the Committee on Fire Department, said building to accommodate two steam fire engines with horse hose carriages and a hook and ladder carriage. Proposals have been received for doing all the work necessary to complete the building, and it is found that the unexpended balance of the appro-

priation, namely, \$33,250, will not be sufficient, but at the lowest estimate the sum of \$15,000 more will be required before the work of building can be contracted for. The committee report and recommend the passage of an order authorizing the Treasurer to borrow, under the direction of the Committee on Finance, the sum of fifteen thousand dollars, to be added to the amount already authorized for the purchase of land and the erection of an engine and hook and ladder house in Ward 5.

On motion of Mr. Caton, the rules were suspended and the order was passed—yeas 48, nays 0.

THE BACK-BAY SCHOOLHOUSE.

Mr. Page of Ward 9 moved to reconsider the orders whereby the Council voted to borrow forty thousand dollars for the erection of a schoolhouse on the Back Bay. At the request of a gentleman who is absent he moved to lay the motion to reconsider on the table.

The motion was carried.

PROPOSED NEW WATER SUPPLY.

Mr. Jones of Ward 14 offered the following orders, and at his suggestion they were referred to the Joint Standing Committee on Water:

Ordered, That the Water Board be requested to consider the expediency and report the cost of supplying the territory bounded by Eliot and Tremont streets, Tremont row, Sudbury, Charlestown and Commercial streets, Atlantic avenue, Broad, Federal and Kneeland streets, to point of beginning, with salt water on the Holly system, for fire and sanitary purposes.

Mr. Jones also offered the following, which was referred to the same committee:

Whereas, the following order was passed by the City Council June 19, 1873:

"That the Water Board consider the expediency, and report the cost, of building five reservoirs at the intersection of streets, under the sidewalk, to contain about two thousand gallons each, the same to connect with a four-inch pipe from the street main";

And whereas the following advantages are stated by the City Engineer in response to a request from the President of the Cochituate Water Board, viz.:

"1st, of allowing the concentration of a number of engines at one point; 2d, of permitting the engines to get quickly at work, provided they have a sufficient pressure of steam; 3d, of furnishing a supply to any engine, whatever may be its size of couplings (this is of importance particularly when out-of-town engines are called into service); 4th, of being more quickly accessible in times of deep snow than hydrants placed in the street; 5th, of holding a quantity of water in store to compensate partially, at least, for want of capacity in the street main to deliver an adequate supply, while it is true that two thousand gallons would supply an engine under full steam, for four or five minutes only; yet if a partial supply were being received at the time the engine is working it would permit the latter to run uninterruptedly at its greatest velocity for say ten or twenty minutes; whereas, in using a hydrant, the speed of the engine, and consequently its efficiency, in case the supply is not adequate, depends upon the rate of flow from the hydrant, this condition might be of considerable importance when a large number of engines are at work within a limited area where the pipes are of small capacity."

DORCHESTER POLICE STATION.

On motion of Mr. West of Ward 16, the report and orders authorizing the erection of a Station House for Eleventh Police District, at an expense of \$40,000, and for a loan therefor, were taken from the table and the orders were passed by a vote of yeas 49, nays 0.

A NEW ENGINE HOUSE.

Mr. Dean of Ward 12 offered the following:

Ordered, That the Superintendent of Public Buildings, under the direction of the committee on that department, be directed to erect a bell tower on Hose House No. 12, located on the corner of O and Fourth streets, South Boston, at an estimated expense of fifteen hundred dollars; the same to be charged to the appropriation for Public Buildings.

The order was read once and laid over.

MASON STREET ENGINE HOUSE.

Mr. Jones of Ward 14 moved to take from the table the report and orders authorizing alterations on building formerly occupied by Natural History Society, Mason street, to accommodate a steam fire engine, horse hose carriage and men and horses connected therewith, at an estimated cost of \$15,000; and for a loan therefor. Carried.

Mr. Wells of Ward 3—It seems to me that the Committee on Fire Department ought to have located

that engine in a different locality. In driving rapidly from Mason street, four times out of five an engine will capsize. In my opinion it is a very poor locality for either an engine or hose carriage. I have hoped that they would find some better locality than the one adopted. It is a narrow passage way and nothing more nor less. I move that the orders be indefinitely postponed.

Mr. Jones of Ward 14—The Committee on Fire Department, after careful investigation of the subject, and on the strength of a petition handed in from property owners on Mason street, decided to locate a steamer there. The city owns that building, and to occupy it with an engine is the best thing the city can do with it. An engine can get out of that street almost as well as out of any other. It is really the only available lot in the vicinity of Boylston street, and is an excellent location for reaching all parts of the city.

Mr. Wells of Ward 3—I withdraw my motion to indefinitely postpone and move the recommitment of the order to the Committee on Fire Department.

Mr. Denny of Ward 9—I consider it an unfortunate thing that the subject of locating an engine house comes before this Council at any time, and I trust the Council will very soon have nothing to do with locating engine houses. This is a very important matter at this time. There is not an engine located in that vicinity and an effort has been made to get a place for one. You cannot put an engine house in any street of the city but some objection will exist. If you want them right at hand in a thickly settled part of the city, you have got to put them into locations where you can't run very fast going in and out of the house. I think this objection would exist in any part of the city where it is built up for business purposes. And that is just where we want an engine located. I see no objection to having such matters come up to be decided by discussion in this Council.

Mr. Wells of Ward 3—I still hold to my objection. I will cite you a case on Salem street, that of Engine Eight. Half the time that street has to be shovelled clear after a storm, that the engine may go through it.

Now if this is so, what must be the case with Mason street? My idea is not to have an engine go where there will be huge snow drifts, as in Mason street.

Mr. Jones of Ward 14—I don't think that objection holds good. Hardly any street in the city has so many hacks and livery stables in it as Mason street, and hardly any street would be trodden down so soon as that. I consider it the duty of the City Government to pass that order before the summer vacation. Look at the Bunt District. It is nothing but a regular carpenter shop. In case of an alarm of fire in that district an engine in Mason street could be there within five minutes.

Mr. Wells's motion to recommit was lost, and the orders passed, yeas 46, nays 1.

THE PUBLIC LIBRARY.

Mr. Dean of Ward 12, moved that the report of the trustees of the Public Library be taken from the table and referred to the Joint Standing Committee on Public Buildings. The reason of this motion is that there are so many recommendations which the trustees deem necessary to preserve that building from fire, and in order that the committee may do what is necessary. This motion was made.

The motion prevailed.

REBUILDING WASHINGTON STREET.

Mr. Perkins of Ward 6 offered the following:

Ordered, That the Inspector of Buildings be authorized to issue permits to build on the westerly side of Washington street, between Boylston and Avery streets, within the limits of the fire of May 30, 1873.

Mr. Perkins—My object is this. On July 17 the Common Council passed an order asking for an estimate of the widening of Fayette court and extending it to Tremont street. If that order had not been obstructed we should have had that estimate, a gentleman having given notice of a motion to reconsider, but did not offer it. In justice to the owners of property something should be done. It is well known that the Street Commissioners are opposed to putting that street through. If it is to be put through it can be done only by a two-thirds vote of the City Government. We should no longer compel owners of property to lose money by not allowing them to build. One owner whom I know of has a lease of \$20,000 a year, and partly on account of the motion of the gentleman from Ward 5, he has not built. It is the James Parker estate. The lease has been signed. We cannot in justice do injury to Mr. Parker's or any other estate. I don't know myself whether I favor this widening of Fayette Court, and I offer this order merely to elicit discussion.

Mr. Flynn of Ward 7—I hope the order will not pass tonight. The member from Ward 5 had tied the matter up so that the Street Commissioners could not act. I understand that they have made estimates of the expense of the widening, and will be ready to furnish them next Monday to the Aldermen.

Mr. Perkins, of Ward 6—I have no desire to press that order, only I wish to call attention to what I think is a wanton disregard of the interests of citizens, which was shown by a member. It could have been settled tonight if the member had not given notice of a motion to reconsider which he hasn't made. At the rate of ten thousand dollars a year amounts to something, and this is what owners of property are losing on account of the inexplicable action of some one on the other side of the house.

The order was laid on the table.

REORGANIZATION OF THE FIRE DEPARTMENT.

Mr. West of Ward 16 presented the printed report of the Joint Special Committee on the reorganization of the Fire Department, (City Doc. 97). He moved that the report be accepted and the ordinance read by its title.

Mr. Dean of Ward 12, presented a minority report from the same committee and moved that both lie on the table until the minority report could be printed.

The motion to lay both reports on the table prevailed.

The report is as follows:

The Joint Special Committee on the Reorganization of the Fire Department, to whom were referred the petitions of Little, Brown & Co., and many other citizens and taxpayers of Boston, praying for the appointment of an independent board to have control and management of the Fire Department, after a series of public hearings given to the petitioners aforesaid, as well as to the remonstrants against the proposed measure, having duly considered the subject, would respectfully report in favor of granting the prayer of the said petitioners, and submit the following statement of the views and considerations upon which their recommendation of the measure is based.

Until the manner of building of American cities shall be reformed altogether, we, their inhabitants, cannot too soon realize that we are living, not in a state of peace, but of war, declared against us, for good cause, by a relentless and stubborn enemy. There is no safety for us now unless our troops are kept constantly upon a war footing and in the highest state of efficiency. This no person in his senses will attempt to deny, and it is the question of means to this acknowledged end which it is the most important duty of this committee to consider. Our soldiers, in spite of their undeniable bravery, have suffered two terrible defeats. The consequence for the moment is greatly increased vigilance at all outposts, and it may be some time before the enemy again advances in force; but when he does, the community cannot feel confidence that similar or even more disastrous losses may not occur. For we cannot but come to the conclusion that the department with the old hand engines was a better protection to Boston of the past, than even with the assistance of steam and electricity it is now to Boston of today. Our business thoroughfares become daily more and more crowded, our warehouses rise higher and higher, and combustible material for a conflagration is heaped together with the increase of business to a tenfold greater degree than in former days. The introduction of steam has only partially counteracted this increased liability, for although vastly greater volumes of water can be now thrown, it will not help us so long as the problem of placing a little where it will do the most good remains unsolved. This was what the old volunteer department certainly did better than our firemen of today; for the danger of entering burning buildings and scaling roofs could not be compared with what it is at present. We would refer on this point to the testimony of ex-Alderman Fitch, a practical fireman of the old school. All parties concur in acknowledging that most important changes and improvements are imperatively called for in the department before its efficiency will again merit the confidence of the community; the difference of opinion is merely upon the question whether the desired reforms can be effected and the department brought to and kept in a state of excellence which shall enable us to court comparison with those of other cities under joint committees of the City Council and the Board of Engineers, or whether a permanent commission should be created to whom the whole authority and responsibility in the matter should be delegated.

To answer this question it will be necessary to inquire to what extent and how radically the present force needs reorganization. It appears to the committee to be at the present moment in a transition

state. That the men individually do more than ought to be expected of them, under the present system, no one can deny. But that system seems to us an unfortunate compromise between a regular and volunteer department, and gives us neither the drill, discipline and trained professional skill of the one, nor the numbers, enthusiasm and rivalry of the other. Engineers, stokers and drivers only are permanently employed; the men whose duty it is to fight the flames at close quarters still leave their private vocations—the support of their lives—to run to fires, as of old, and only at the scene of action are they under orders. If danger is anticipated, as it was recently on the Fourth of July, the chief-engineer can only *request* soldiers to assemble at any given point. They were so requested, and complied; but it was evident from the statement of Mr. Merritt that an order would have been resented as an unauthorized assumption, which, indeed, it would have been. Then what little discipline might be established voluntarily within the companies is rendered almost impossible by the fact that the foremen and assistants are still nominated by the companies, and owe their positions to popularity.

It appeared from the statement of the last-named gentleman that there are or have been volunteer drills in the hook and ladder companies, but the committee have heard of none elsewhere, and there is no power to compel them.

Then there can be no doubt that the existing apparatus is not properly distributed for the protection of the greatest amount of property. This may be owing to the recent increase of the city's area by annexation; but there would seem to be no body or official ready to take the immediate responsibility of ordering the necessary change.

The committee cannot but regard the present system of electing the chief and assistant engineers by the City Council as a dilution of responsibility; which, whenever there is competition, greatly decreases the best man's chances of success. And the fact that these officers owe their position to election and not to appointment, greatly enhances the difficulty of a removal for incompetency or misbehavior. It is not difficult to see why the chief would hesitate to attempt it, except in a case so glaring or outrageous as to render him certain of success; for if he fails, as happened a year or two since, where the committee sustained the accused, the effect must be damaging to discipline and efficiency.

The request of the petitioners that a special force be organized to take charge of the streets in the vicinity of a fire, with power to check and properly divert travel at the requisite points, appears to the committee reasonable and good. To these duties might be added that of preceding the engines on horseback, if necessary, to give warning of their approach. The chances are that the fire of May 30th would not have gained the mastery, as it did, but for the block of horse cars and other vehicles on Tremont street, which impeded the engines. The police, relieved from the duty of keeping the lines, could then devote themselves to their legitimate business of preserving order and preventing theft.

The question of the combination of light, portable apparatus, whether chemical or manual, with the powerful steamers, is one which has received, in other cities, greater attention than with us.

In like manner it has been found advantageous in all cities in which the force is kept constantly in hand, to dispense with the public alarms, which serve only to attract the curious, and announce to the criminal classes where a field for their operations may be found. But it is useless for the committee to further suggest reforms and improvements. Whenever all traces of the volunteer system shall have disappeared, and we have in its place a small, but paid, drilled and disciplined standing army, with appointed officers, under a competent and responsible head, those whose business it is to seek and devise means for increasing its efficiency will undoubtedly continue to find them.

The question for the committee is whether the reorganization indicated, which shall result, as one of our New York friends prophesied, in the production of the model American department, can be hoped or expected under the existing or any similar machinery, or whether a permanent board should be appointed, paid to make it the business of their lives and held to a corresponding responsibility. There would seem to be but one answer to this question, unless it can be shown that the evils resulting from such a system will more than counterbalance its increased efficiency. For, until, as before stated, the manner of building American cities shall be reformed altogether, the business of protecting them against fire will soon, if it has not already, come to be regarded as a profession not unworthy of the best talent and education in the land.

The conviction which seems to have justly entered the mind of the public is that the business of running the Fire Department has become too big a job, to use the common expression, to be longer intrusted to elective boards, and changing, unpaid committees, and they demand a concentration of power and responsibility in some permanent and competent body whom they may hold to strict account for shortcomings and deficiencies. And these eight thousand petitioners ask us for such a body in the shape of a fire commission of three persons, to be appointed by the Mayor.

The testimony which we have concerning the working of fire commissions, for we are not now concerned about others, seems to be almost all in one direction. The regular and striking diminution of loss by fire in New York since the adoption of this system speaks volumes in its favor. The objections thus far urged before this committee have been first, the greater opportunities for corruption which a permanent commission is alleged to present; and second, the increased expenditure which it would call for out of the pockets of the taxpayer. But the committee cannot admit that commissions should receive general condemnation because certain aristocratic thieves in our sister city succeeded in perverting one to their purposes, any more than that horse cars should be abolished because a humbler class of professionals made them their field of labors. The committee would have supposed, on the contrary, the system of electing officers, of constantly changing committees of an unpaid government, and of diluted responsibility in general, to be more favorable to dishonesty, to political influence, to jobs, and what are called rings, than would be a permanent board, whose doings would be at all times subject to the fierce light of popular criticism by the citizens whose property they were paid to protect. If we have escaped corruption under our present system, the committee cannot believe that the appointment of a fire board is about to inaugurate its reign. Next, the increased expenditure. It is evident that increased expenditures are imperatively called for, whether under a commission or the present system. Unless it can be shown that the probabilities are that they will be greater under the first-named regime than under the latter, then the increased expenditure amounts only to the salaries of the board; for the committee would certainly recommend that these be fixed at a sum which would enable us to command the services of education, talent and business capacity of the first order. If the result shall be a protection of property and a restoration of confidence in the community at large, will not this money have been well spent?

But let us follow this subject of increased expenditure a little farther. If the taxpayer should be called on to pay more for a department which does protect his property than for one which does not, it may be supposed that he would not complain. Have, then, the departments which have given the best protection to property, cost proportionally more than ours, which has just notoriously failed? Not so; the facts show the contrary. The committee would cite a few figures, taken from an excellent article upon this subject, published in the last number of the North American. It appears that the expense of various fire departments in American cities assessed per capita on their inhabitants is as follows: New York, \$1 02; Philadelphia, .57½; St. Louis, .46¼; Chicago, \$1 00; Baltimore, .57; Cincinnati, \$1 27; Boston, \$1 54. The amount of losses per capita within the last five years, exclusive of the great fires of Chicago and Boston, has been: New York, \$16 80; Philadelphia, \$16 17; St. Louis, \$13 26; Chicago, \$30 39; Baltimore, \$6 62; Cincinnati, \$16 56; Boston, \$13 08.

Of these cities the only one which had not a more permanent government of the department than that of Boston was Cincinnati, where, it will be observed, the cost per capita comes nearest to that of our own department, while the losses nearly equal those of New York and Philadelphia. So far from assuming that the department of the future will cost more to future taxpayers if run by a commission than under a continuation of the present or similar machinery, the committee consider that reason and experience have proved the contrary, and that our present system has proved itself of all others the most costly and not the most efficient.

The committee do not feel themselves called on to discuss the competency or qualifications of the present Chief-Engineer, or to criticize the management of the recent fires. They would, however, remind those loudest in censure that the Chief has never enjoyed the power which should render him responsible for the efficiency of the department. Had he, in past years, been vested with the power which it is proposed to give the commission, then the occurrence of

either of the recent fires would have justified a demand for his instant resignation. Whether he managed his forces well or ill, it is evident that under any management they were insufficient, and he should not be made a scape-goat to bear the faults of the system. It has been asked by those who oppose the appointment of a commission, Why not vest the whole power in a single head, giving autocratic power to the chief-engineer, and hold him responsible? Because, in the first place it would be too much to expect any one man to undertake. The general in command of an army, although absolute in the field and responsible for the manner of its use, yet is not responsible for the details of its organization, its armament and equipment; that is the business of the War Department, acting through boards and commissions, who give their whole study to the question of keeping the machine in the highest state of efficiency. Because it has been found in another city that five commissioners were better than seven, and three than five, the committee can by no means agree that it follows that one would be better than three, and that that one should be also chief-engineer. There is work enough for three men. In the New York department, each commissioner is at the head of a bureau, one for the extinguishment of fires, one for the investigation of the cause of fires, one in relation to the storage of combustibles.

It has been asked, Could not the present Board of Engineers, if given greater powers, accomplish all that could be expected of a commission? In the first place, different qualifications are or should be required of an engineer, and of a commissioner; and, secondly, the body is too large to properly exercise the supreme authority, and to assume the responsibility which the public require.

The committee allow the full force of the arguments in favor of building laws which should give to this city the safety of those on the continent of Europe. Could we pull down our city and rebuild it, with the fireproof floors of Paris, we might undoubtedly diminish the expense of our department and sell our steamers to London; but, though we should spare no effort in this direction in behalf of unburnt Boston, it is Boston as she stands today that we are called on to defend. It is not, however, to her superior construction alone that Paris owes her immunity from loss, but to the admirable manner in which the protection of her fire-soldiers, or *pompier*s, is dispersed throughout the city.

Stations are very numerous, patrols constant, in every theatre and public ball room the brass helmet shines; they are, in short, a fire police, always on duty and on the watch. How far such a system could be introduced or adapted to our community is exactly one of the questions to which the commissioners would undoubtedly devote all the necessary study. The principle underlying Mr. Bird's theory of a fire department, viz., portable apparatus within instant reach for the attack upon a fire in its inception, is also a valuable one. The placing of such apparatus within reach of citizens as well as firemen, with inducements and instructions for its use, may be an experiment well worth trying, on a larger or smaller scale, according to the judgment of the commissioners. The advisability of legislation upon this point might well deserve their consideration. Were the owners of all buildings stored with certain classes of combustibles compelled by law to provide apparatus on each floor for instant attack on the flames, under penalties to be enforced by the department, many a destructive fire would be avoided. With a Johnson pump and a bucket Mr. Burr might have dashed out the conflagration of May 30, even in spite of the oil and turpentine which soon gave it such fearful headway.

The committee have used the words "standing army" intentionally, because no others so well express the nature of the organization to which the defence of a large city against fire should be intrusted. That the words are repugnant to our form of government, and that our citizens look with distrust upon officials who do not owe their positions directly to the voice of the people, is well understood. But the war taught us at least that republican government could not be carried into an army; that the town-meeting principle, though admissible for the militia in time of peace, would never produce the fighting machine of an army in condition to face the enemy. Our argument in favor of a commission, therefore, is based upon the position announced at the beginning, viz., that the inhabitants of American cities, as now constructed, are living in a state of war against an enemy, ready to take instant advantage of every weak point in our lines, and that in consequence war powers and war responsibilities must be given to and imposed upon the body to whom are intrusted the

organization and management of our troops. To expect such powers and responsibilities to be properly exercised and assumed by elective boards and unpaid changing committees, whose members' time is claimed by half a dozen others in addition to the private business by which they live, seems contrary to all reason and common sense. That the appointment of a commission will act as an immediate remedy for all the faults and deficiencies of our present system, we do not claim. Men of the desired abilities and qualifications may not be immediately found. But that they will eventually appear, and that in the long run this system is the only one which will insure to Boston of the future a protection equal, if not superior, to that enjoyed by her sister cities, this committee is so convinced, that they have no hesitation in recommending the change desired. In so doing they desire to recognize and acknowledge all the zeal and industry which the existing as well as former committees have brought to a task which, for the reasons above stated, this committee would transfer to a permanent board. It must be remembered that the City Council, in deciding to try the experiment of a new system, parts with no power which it cannot resume at will if, after a fair trial, we may desire to retrace our steps, as the statute already provides that all powers in relation to the establishment and maintenance of the Fire Department may be exercised either by the City Council immediately, or through the agency of any persons or boards to whom the same may be delegated.

In accordance with the foregoing views the committee would offer the following recommendations and suggestions concerning the reorganization of the department which it is proposed to commit and intrust to a permanent board of three commissioners, in accordance with the prayer of the petitioners:

I. Such immediate increase of the permanent force of the department, both in men and apparatus, as shall, in the opinion of the commissioners, suffice for the present protection of the city.

II. The establishment and maintenance, through out the entire command, of a system of strict military discipline and responsibility, together with such instruction, training and drill, theoretical as well as practical, as shall bring it to the highest state of efficiency, together with the adoption so far as necessary for this purpose of a military form of organization.

III. The division of the city into fire districts, in each of which an assistant-engineer or other officer should reside, held to a knowledge of the character of all buildings and their contents in relation to the possible origin or spread of fires, such engineer or officer to have command in such district in the absence of the chief.

IV. The establishment of a fire patrol in each district by detail from the department, who shall make daily reports of their tour of duty to the engineer or officer in charge, to be by him transmitted to headquarters. Such patrol to be empowered to make all investigations necessary to enable them to report all changes in use of buildings, storage of merchandise, character or habits of occupants, and all other matters which may in any manner bear upon the danger of origin or spread of fire within the district. Such a system would give those in command constant information of the state of the lines and the points of danger most necessary to be strongly covered.

V. The establishment of a body of fire police, in accordance with the prayer of the petitioners, whose duty it shall be to take charge of the streets and keep the lines at fires. If it shall be found impracticable or unadvisable to detail this body from the regular force, we recommend its appointment in addition thereto, and that legislative authority therefor be obtained, if necessary, without delay.

VI. The amount of water supply necessary and available at different points should, of course, receive the immediate and earnest attention of the board. Whether all hydrants and water apparatus are in proper order for instant use should form part of the daily patrol report before alluded to, together with the condition of the fire alarm boxes.

VII. In view of the surprisingly large expenditures now incurred for the repair of engines and fire apparatus, the committee would suggest that the establishment of a city repair shop, with skilled workmen in regular employ, would, in the long run, be found to be a measure of economy, as has been shown in the case of railway corporations.

VIII. The committee have provided in the ordinance that a report containing such information concerning fires as is most interesting and useful to the public be made monthly, instead of annually. The facts will thus be known, before the interest in the matter has died out, and the lesson which they inculcate will be more likely to be remembered.

The committee would, therefore, recommend the

passage of the accompanying ordinance, to which they would call attention as embodying matters of detail necessarily omitted in the foregoing report.

SAMUEL M. QUINCY.
ALANSON BIGELOW.
WILLIAM H. WEST.
GEORGE A. SHAW.
GEORGE P. DENNY.
CHARLES E. POWERS.

City of Boston.

In the year one thousand eight hundred and seventy-three.

An ordinance to establish a 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 Fire Department of the City of Boston shall consist of a Board of three fire commissioners, a chief-engineer, and such number of assistant-engineers and other officers, and so many engineers, telegraph operators, and other members, not exceeding in the whole number — men, as the said commissioners may deem necessary to perform the duties of the department.

Sect. 2. In the month of September, in the year 1873, or as soon thereafter as may be, the Mayor shall appoint, subject to the approval and confirmation of the City Council, three persons, who shall constitute said Board of Fire Commissioners of the City of Boston, and who shall have and exercise the powers and duties hereinafter designated. One member of said board shall be appointed to hold his office until the first Monday of May in the year one thousand eight hundred and seventy-four, one until the first Monday of May in the year one thousand eight hundred and seventy-five, and one until the first Monday of May in the year one thousand eight hundred and seventy-six. In the month of April, in the year one thousand eight hundred and seventy-four, and thereafterwards annually in the month of April, the Mayor shall appoint, subject to like confirmation and approval, one person to be one of said fire commissioners for the term of three years from the first Monday of the following May. Any member of said board shall, at any time, be subject to removal by the mayor for cause, and all vacancies occurring in said board, from any cause, shall be filled in the same manner in which the original appointments are herein directed to be made. No member of either branch of the City Council shall hold the office of fire commissioner. For their services the fire commissioners shall receive such compensation as the City Council may from time to time determine.

Sect. 3. The said board shall organize forthwith upon the first appointment of its members, and thereafterwards annually on the first Monday of May, by the choice of one of their members as chairman. They shall also choose a clerk, who shall not be a member of the board; and they shall make such rules and regulations for their own government and for the government of all other officers and members of the Fire Department, including the fire-alarm telegraph, as they may deem expedient, provided that said rules and regulations shall not be inconsistent with the ordinances of the city.

Sect. 4. The duty of extinguishing fires and protecting life and property in case of fire, shall within the city of Boston be intrusted to the said Board of Commissioners; and to enable them to perform that duty in the most efficient manner, the said board is hereby authorized to appoint all other officers and members of the Fire Department, including the fire-alarm telegraph, and fix their compensation; to discharge any of said officers or members at any time for cause; to divide the city into fire districts; to organize companies and battalions to work the apparatus; to purchase steam engines, extinguishers, hose carriages, hook and ladder carriages, and all other apparatus and supplies necessary for the complete equipment of the said department, or conducive to the proper performance of its duties: provided, however that the expenditures for the purposes herein named shall not exceed in the aggregate the sums previously appropriated by the City Council for the maintenance of said Fire Department.

Sect. 5. The said Board of Fire Commissioners shall annually, on or before the fifteenth day of February, send to the City Auditor an estimate in detail of the appropriations required for the maintenance of the Fire Department during the next financial year. All bills for expenditures from the appropriations for the Fire Department shall be drawn for by the said board, examined by the Auditor, and approved by the Committee on Accounts, before they are paid by the Treasurer.

Sect. 6. The said board shall, on or before the

tenth day of each month, present to the City Council a report made up to and including the last day of the preceding month, containing a chronological statement of the number of fires in such month, with the causes thereof, a general description of the property destroyed or injured at each fire, with the names of the owners or occupants and the amount of insurance, if any, specifying the portion of the force and apparatus called into action at each fire, with the name of the officer in command; also a statement of all fatal or serious accidents to members of the department or others on account of fires or alarms of fire during the month; together with such other information or suggestions as they may deem proper. They shall also, annually, in the month of May or June, present to the City Council a report made up to and including the thirtieth day of the preceding April, containing, in addition to a consolidated statement of the facts contained in the monthly reports of the preceding year, a list of the causes of fire, alphabetically arranged, a statement of the income and expenditures on account of the department during the preceding year, a schedule of all the property belonging to the department, with a statement as to its condition on the date of the report, and an estimate of its value, also a statement of the number and location of the fire-alarm boxes; together with such other information or suggestions as they may deem proper.

Sec. 7. The Chief-Engineer and the assistant engineers appointed by the Fire Commissioners as hereinbefore provided, shall constitute the Board of Engineers of the City of Boston, and shall have and exercise all the powers conferred upon such officers by the statutes of the Commonwealth and by the ordinance in relation to the manufacture, storage and sale of petroleum, camphine and burning fluids. And they shall also have authority, under the direction of the Fire Commissioners, to inquire for and examine into all shops and other places where shavings or other such combustible materials are collected or deposited, and report to said commissioners from time to time the condition in this respect of the district to which they are assigned; and whenever, in the opinion of said commissioners, the same may endanger the security of the city from fires, they shall direct the tenant or occupant of said shops or other places to remove such shaving or other combustible materials; and in case of such tenant's or occupant's neglect or refusal so to do, they shall cause the same to be removed at the expense of such tenant or occupant, who shall, in addition, be liable to a penalty of not less than five or more than fifty dollars for such neglect or refusal; and any person who shall obstruct the said commissioners or engineers or any of them in carrying out the provisions of this section, shall also be liable to a penalty of not less than five nor more than fifty dollars.

Sec. 8. It shall be the duty of the members of the Police Department to aid the Fire Department by giving alarms in case of fire in such manner as the Fire Commissioners may direct, and in clearing the streets or grounds in the immediate vicinity of the fire so that the members of the Fire Department shall not be hindered or obstructed in the performance of their duties. If any policeman refuses or neglects to give an alarm as directed in the manner aforesaid, or refuses to obey the orders of the chief officer in command at a fire, he shall forfeit and pay a fine of not less than five nor more than twenty dollars.

Sec. 9. The said Board of Fire Commissioners shall make suitable regulations, under which the officers and men of the Fire Department shall be required to wear any appropriate uniform and badge, by which, in case of fire and at other times, the authority and relations of such officers and men in said department may be known as the exigency of their duties may require.

Sec. 10. The ordinance in relation to the Fire Department, printed in the revised ordinances adopted the thirty-first day of December, A. D. 1869, and all amendments and additions thereto, are hereby repealed, said repeal to take effect upon the organization of the Board of Fire Commissioners as herein designated.

REPORT ON THE CAUSE OF THE FIRE OF MAY 30, 1873.

This committee was instructed, by an order passed June 20, 1873, to investigate the cause of the fire of May 30. As these words are generally used in this connection, an investigation into the cause of a fire does not go beyond the circumstances of its origin. The fact that a previous order, which failed of passage, directed an investigation into the "cause and management" of the fire, would seem to forbid the assumption that any more extended meaning was in-

tended in this instance. The committee have taken the testimony of all persons who seem to be able to throw any light upon the origin of the fire, and their evidence will be found hereto annexed.

It appears that the fire originated in the back part of the room, which extended through the whole depth of the second story of Messrs. Haley, Morse & Co.'s furniture warehouse. The front part of that room was occupied by the Freeman's Bank, temporarily; the rear was used as a show-room and filled with furniture standing close, and in some cases even piled up. This furniture it was the duty of the witness, Mr. Burr, from time to time, to clean and rub over with oil, spirits of turpentine and shellac. He was at his work, rather in a hurry, on the morning of May 30. He commenced at the rear, and as he went through pushed each piece of furniture back towards the wall as fast as his work thereon was completed. He had accomplished a good portion of his task, when, thinking he saw a light in his rear, he turned round, and, to use his own words, "About twenty feet from where I was there was a light flame running up over the furniture." He instantly shouted "Fire!" and ran down stairs for water.

At the same time Mr. George R. Richards, an employé of the bank, who was in the room, hearing the shout and seeing the flames, started for the box in Boylston Market, where he happened to find a fireman, by whom the alarm was promptly pulled in. The witness, C. W. Elton, employed up stairs, testifies to hearing the bells, as he thinks, for five minutes before the smoke gave notice to those upon the fifth floor that it was their own building which was on fire, and as he escaped he met firemen at the door with hose. It would seem then that the alarm could hardly have been given sooner, and that a portion of the department responded with great promptitude. But they found the enemy in no ordinary force. Cotton-covered furniture, with woodwork annointed with spirits of turpentine not yet dry, turpentine spilled more or less on the floor and its vapor in the air, gauze mosquito bars hanging from wooden posts, open wells and elevators through the building insuring circulation of air to fan the flames,—it seems as though all possible conditions were combined to give an instant and irresistible impetus to the fire. The prompt arrival of reinforcements might have turned the battle even then, but though not in evidence, it is a matter of notoriety that a portion of these, during precious moments, were involved in a block of cars and other vehicles on Tremont street. The manner in which the forces were used when brought into action the committee do not, for reasons above stated, regard as subject to their investigation under the above order.

With regard to the actual origin of the spark which fired this train of combustibles there are two theories; one that of spontaneous combustion among a few oiled rags, which the witness admits that he left in the room a few days previous, and which, perhaps, still remained there; and the other that of a match on the floor ignited by moving the furniture. The committee are inclined to regard the latter theory as the more probable. Though smoking was strictly prohibited among the employés, yet it is evident that a match dropped by a customer might remain for a long time unobserved, until accidentally struck by the caster of a piece of furniture at the moment when everything was most inflammable and ready to flash almost like a train of powder. Spontaneous combustion of rags would, as the witness (Mr. Haley) suggests, have been preceded by smoke pretty sure to have been perceived by persons in the room, nor does it appear that the rags if present were in a quantity or position so to ignite. Leaving them in the room was, undoubtedly, careless, and a habit of so doing would be highly reprehensible; but it does not appear that such habit existed, and the committee do not think it probable that the fire resulted from this single oversight. If the committee are expected to draw any conclusion or moral from the result of their investigation, it is simply that to which allusion is made in the report on the subject of reorganization, viz., the advisability of compelling, either by law or through the insurance companies, the occupants of all buildings stored with combustible merchandise to provide apparatus upon each floor for an instant attack upon the flames when discovered. From the experiments which the committee have seen with the Johnson pump, it would seem that even this fire, exceptionally fierce and rapid from the start, might have been dashed out by Mr. Burr had this apparatus been within instant reach. The gallant and distinguished fireman, James Braidwood, lost his life in a fire which originated in a neglect of similar precautions which he himself had advised. If it were made the duty of large business firms not merely to provide the arms but to instruct and practice all employés in

their use, the victories of the fire fiend, as the reporter phrase it, would soon become greatly diminished. For the committee,

SAMUEL M. QUINCY, Chairman.

Minority Report. It would be an easy thing for the members of the committee to avail themselves of the character and number of the petitioners to grant all that is asked, and thus throw upon the petitioners the entire responsibility.

It would also be an easy thing to say, "Let us get rid of this most difficult subject by recommending the appointment of commissioners.

The care of the safety of the city will then be in their hands, and whatever errors they may make cannot be charged against us." The undersigned do not think such action the discharge of their duty.

Petitions are addressed to the sound discretion of the committee and City Council.

They do not justify neglect or careless consideration, nor can they justify a yielding to their requests unless, after careful consideration, our own convictions demand it. The petitioners would have a right to say to the Government, "It is true that we asked what you have granted, but that was without investigation, and we asked knowing it was your duty to investigate, we took the usual and proper course, to bring the subject before you; we never intended to relieve you from your duty, and if you failed to consider our requests and to refuse them if not wise ones, you neglected your sworn obligations."

While we know that the thousands who signed the petition could not have examined the details embraced in it, we take it as evidence, if any were wanted, of the deep feeling of insecurity and apprehension of danger pervading the entire community.

Perhaps the readiest relief from their fears, would be found in prompt, radical change.

The true course, however, is to endeavor from the mass of information accumulated, to adopt measures for the permanent security of the city, rather than for the temporary allayment of present fears. These fears have had since the great fire other expressions than the petitions in question.

At one time the city was, that the Chief-Engineer did not have power enough, and the Legislature was called upon to give him absolute control over the destruction of buildings, without requiring him to consult with two other firewards, though the lesson of the fire taught no such necessity, and the result on that occasion would have been the same under either plan, as the Chief authorized all that was done. Again, the Legislature was called upon to give the right of way to engines, when the time has never been known when every citizen did not get out of their way as quickly as possible.

Then it was required that the engine houses should be built by the Fire Department, as if the mere hands which erected buildings would have an effect upon fires, though the buildings have always been erected where the Fire Department required.

The same claim was made with reference to the fire-alarm telegraph, though it has been admirably managed.

It were idle to enumerate all the changes suggested. Most of them pointed to a concentration of power and responsibility in the Chief-Engineer; that is, to a concentration of power and responsibility. The present petition points rather to a division of power and responsibility; it proposes to add three persons to attend fires and control the management of them. For, having the power to remove the Chief-Engineer, they could control his action.

This is certainly a "dilution" of responsibility, if "dilution" means division; and thus those who favor the appointment of a commission with full power, do so believing they are concentrating power into one head, as is done in military affairs, to which a contest with fire is likened, when in truth they are dividing among four what now belongs to one.

The excuse for this course is, that the City Council "can resume at will its power" at any time, if the experiment prove a failure.

If we appoint a commission, we appoint it to adopt certain measures.

The majority tell us the things they want done; they desire to appoint a commissioner to do them.

Will the commissioners do these things? We don't know. If we are agreed as to what should be done, why not do the things we are agreed ought to be done? and then we shall be sure they are done and done quickly and cheaply. Why put an additional expense of from fifteen to thirty thousand dollars per annum upon our taxpayers, when by a little extra labor we can save it all and get exactly what we are agreed we want, certainly what we are asked to appoint commissioners to do.

If we "resume" our powers, after the failure of

commissioners, we shall then have the duty to perform we ought to perform now.

In one of the Transcript articles on the "Garden and Farm," is found the following:

"Two boys, John and Will, were employed by a gentleman to keep the paths of his garden weeded.

John contented himself with taking off the top of the weeds. He soon cried, 'I have cleared my path,' and having swept away the leaves, went off to play.

Will was much longer at work, for he stopped to take up all the weeds by the roots, and he was well tired when he went home.

But the rain came down in the night and all the next day, and when the boys' master went, a few days after, to look at the two paths, John's wanted weeding as much as at first, while Willie's was clear, and only needed a few turns of the roller to make it quite neat. So John went back to do his work properly, and very tired he would have been had not Will good-naturedly helped him to finish his task."

Only thorough work is worth doing. Faults only half uprooted will appear again and again, and we shall almost despair of curing them. Will you remember this? We think it better to pluck from the fire department all weeds by the roots, and do all necessary pruning rather than devolve that duty into unskilled hands, who may do it or may not do it.

As importance has been attached to the numbers of the petitioners, we desire in addition to what we have already said, to call attention to the ease with which people will sign petitions circulated, as we understand these were, by hired canvassers, without carefully considering their contents, and without any knowledge of the subject.

Even Mr. William B. Spooner, one of our citizens most esteemed for his intelligence and zeal for the public welfare, did not know that the Fire Department of our city was managed by a Board of Engineers of skill and experience, and doubtless spoke the general belief when he said, in answer to a question as to his impression of the management of the department, "I suppose there is a committee of the City Government but I suppose the Chief-Engineer has the control during fires, certainly."

From Mr. Spooner's testimony, again:

"Q.—Can you tell us if a board of three or five commissioners should be selected in what way they could govern and control the Fire Department any better than a strong board of engineers?"

A.—I should think that would be a commission, would it not?

Q.—We have such a board in existence now, have we not?

A.—I have never heard much of them. I do not know how that is, but I want some independent men who do not care for the salary, men who have an interest in the city, men of public spirit, men of independence and known character, who will set to work and look this matter up, and think it out and say what ought to be done. I want somebody to tell me. I want somebody whose business it shall be to look the matter up."

We cite this testimony because it expresses in the strongest and clearest language the sentiment that favors the appointment of a commission. And what then, is the story of the petitioners? It is this: "We don't know how the Fire Department is managed, we have an idea that it is managed by some committee of the City Government which is ever changing; these great fires make us fear that all is not right, and we want somebody to tell us what ought to be done."

This is the opinion of the undersigned, and expresses the real sentiment of the petitioners.

They do not want a "permanent" commission, a commission "independent" of control, responsible to nobody. Some say "they want somebody that they can hold responsible," and would have us appoint a commission so independent as to be responsible to nobody.

What do they mean by having persons whom they can hold "responsible"? They do not intend to indict and imprison them if they fail to put out fires. They do not intend to turn them out of office, because they are to hold for long terms, and thus be independent. They mean to have somebody whom they can scold, and talk about. Have they not that already? and have they not exercised this privilege? and are we not endeavoring to comply with their demands, as they ought to be, by endeavoring to cure every evil we can discover in the department? The objections to a commission are—First, it is unnecessary. We already have something like a commission in the Board of Engineers. They have such full control of the department that the committee on the department meets but once a month. Second, the expense would be inordinate for the duties performed. All the executive duties of the depart-

ment would be done by the engineers, leaving no necessity for the expense of a commission. Third, the commission, if independent, and of the powers asked for by the majority of the committee having the complete control of five hundred voters and all their influence, would be a political power capable of controlling almost any municipal election in the city of Boston.

The appointment of a commission, therefore, would not take the department out of politics.

Fourth, such a commission, independent, having absolute control of the large expenditures of the department, would be likely to become corrupt, and we might have a repetition of the frauds which have so recently disgraced New York. Whatever may be said of the Committee of the Fire Department, it has never been charged with corruption.

It has been a favorite method of reasoning on this subject to refer to the Water Board and the Board of Health, as examples of the successful working of boards.

It must be remembered that the Water Board has always been composed of gentlemen who could not be *hired* for any sum the city would pay, and when Mayor Gaston applied to a gentleman to take the chairmanship of the Board of Health he replied, "If the office were without pay I would undertake it."

As to the present Board of Health, however estimable the gentlemen may be, and we hold them in much esteem, it is a question whether they have done anything that would not have been done by the Board of Aldermen, except the seizing for their purposes of the Roxbury Almshouse and taking patients from the other hospitals to place in it.

They were appointed at a time when, owing to the immense amount of vaccination that had been done by (direction of) the Board of Aldermen, the disease was diminishing.

The new board continued the same policy and the disease abated, and well it might, as the whole community became protected by vaccination. The citizens will find when the account is rendered by the new Board of Health such an exceedingly expensive method of dealing with that department that they cannot afford to have all our departments managed in the same way.

If a commission was to be established for anything, it would be better far to apply it to the Department of Survey and Inspection of Buildings—a department not calling for the expenditure of half a million of money nor giving control over half a thousand voters, but requiring constant supervision, a duty that commissioners could personally discharge.

This would be striking at the root of the evil, and should meet the views of the majority of the committee, who say, "Until the manner of building American cities shall be reformed altogether, we their inhabitants cannot too soon realize that we are living not in a state of peace, but of war declared against us for good cause by a relentless and stubborn enemy." In view of their danger, however, the undersigned deprecate the insidious inroads of permanent commissioners for the discharge of any of the duties devolving upon the City Council.

Returning to the present method of electing the Chief-Engineer.

We would, agreeing with the views of the majority of the committee, instead of devolving the duty upon a commission, apply a direct remedy and provide that he be nominated by the Mayor and confirmed by the City Council. This is also in accordance with the recommendation of the learned commissioners appointed to inquire into the management of the great fire. The Chief-Engineer is purely an executive officer, and the chief executor of the city ought to take the responsibility of his nomination, and if he finds a superior candidate the City Council would readily supply the required salary. It will be remembered that at the great fire, the citizens involuntarily turned to their excellent Mayor for relief, though he had no legal authority to act, and though he had no part in the appointment of the executive (officer of the) department, who alone had authority to act.

This would be a concentration of responsibility, and in accordance with our system of government, national, State and municipal.

There has never been, to our knowledge, any difficulty in the manner of electing the assistant-engineer, and no fault has been found with them as persons of skill in the department, or as persons of respectability and substance. Besides, permitting them to be chosen as at present would avoid placing the political power resulting from the direct control of so many men in the hands of one person, and those now living in separate districts are best known to the members of the Government from their districts.

Another objection to the present system is that the members of the companies choose their foremen, which is claimed to be injurious to discipline.

Though not much fault has been found with the discipline of the department, they always responding to every call with an alacrity and zeal, which called from the commissioners to examine into the great fire, great praise:

He would change this, and provide that all the officers and members of the companies be nominated by the Board of Engineers to the Board of Aldermen, and be appointed by said board.

We now come to another change which we recommend.

The majority of the committee say, "The difference of opinion is merely upon the question whether the desired reform can be effected and the department brought to, and kept in, a state of excellence which will enable us to court comparison with those of other cities, under *joint* committees of the City Council and the Board of Engineers, or whether a permanent commission should be created to whom the whole authority and responsibility in the matter should be delegated." The committee doubtless had in mind the testimony of Mr. Avery Plumer, who, after stating that he had been chairman of the Committee on the Fire Department, said, "I had some six months' experience there, sir, and I came to the conviction at that time, and subsequent developments from time to time have only tended to strengthen that conviction, that the Fire Department should be placed in the hands of an individual or commission, or, at least, that the joint committee should be abolished, and it should be placed in the hands of the Board of Aldermen, for the reason that you would thereby narrow the responsibility, and the work would be more efficiently performed and with much less expense in my judgment than by the large board which now manages the department. I think that must be obvious to every gentleman." Here is a gentleman called to testify in favor of a commission, and having been chairman of the Fire Committee, he knows more about it than all the rest; and his complaint is of the joint committee, and he says that the purpose would be subserved by the department being placed in the hands of a committee of the Board of Aldermen.

The undersigned recommend the abolishment of the joint standing committee and the placing of the department under the control of the Board of Aldermen. They are satisfied that a committee of the Board of Aldermen will be more efficient as a general thing than any hired commissioner. For instance, no member of the present Board of Aldermen could be hired for any service which would take his whole time for any sum the city would pay or ought to pay. They are larger men than can be obtained for pay. But it is said they have not time to attend to it. The reply is, that almost without exception they attend to their duties with singular zeal and fidelity. The public demands, and generally obtains, a high class of men for Aldermen; and then demands and secures their best services in preference to their attention to their private affairs. A majority of the Aldermen of this committee are gentlemen of leisure, and not only have time to attend to their duties, but do attend to them with fidelity. It is true that commissioners might show the same energy for a short time, as a new brown sweeps clean, but commissioners afterwards show little zeal except to protect themselves, and keep themselves in office. They are not looked after as other public servants are, and become obstinate and indifferent to the public wants. A notable instance of this has lately occurred. With regard to the filling of the South Boston flats, the only important thing they have had to deal with for years, the Harbor Commissioners were not even called together to meet the committee of the city, one of their number being intrusted with the management of the whole matter.

The consequence is an immense expenditure of money and retarding the occupation of the great bulk of the flats for many years.

The one intrusted with the business actually objects to the city's making improvements that would advance the value of and expedite the occupancy of the flats.

Another notorious instance is that the Board of State Charities, because it brought money through their hands, prevented for a long time and fought gallantly to the last against the repeal of the act levying head money on immigrants. It was, however, at last, by a close vote, repealed, and immediately additional steamships steamed into our harbor. But the majority say, if the commission is a failure we can resume our powers. This is a delusion and a snare. Give three commissioners the appointment and control of five hundred men, and the expenditure of five hun-

dred thousand dollars, and it would be found that the power was too great to be resumed. It would be the importation from our sister city of an institution which has been the cause of all her evils, and which we don't like to copy. As an illustration of the political effects of commissions, we call attention to the following article in the Boston Daily Advertiser:

WASHINGTON, D. C., Aug. 24. The local political campaign this fall promises to be interesting in consequence of the reported determination of the Board of Public Works to prevent the reelection of every member of the House of Delegates who aided last spring in the defeat of Mr. Shepherd, brother of the vice-president of the board, for the position of Speaker of the present House. Two districts are already in open revolt against this movement, and in one the board is supporting one of their earliest and most persistent opponents in order to defeat the reelection of the present delegate. In the eastern part of the city much dissatisfaction exists because the market house, practically completed for five months, is not yet opened, the delay compelling all business to be done at the house of the Central Market Company, in which Vice-President Shepherd is a large stockholder. The expediency of an extra session of the Legislature is now being discussed, in order that the lately-revised code of statutes of the District may have its second formal reading, a proceeding which will occupy nearly a week."

We have heard some persons say all the business of Boston should be done by commissioners. Let us suppose that to be the case, and where would we land? Instead of the people having the power in their own hands, instead of their meeting when not satisfied with the management of municipal affairs and appointing a citizen's committee irrespective of political ties, and choosing the men they can trust with all their interests, we say instead of thus having the management of their own affairs, they would find the Fire Commission with its five hundred voters and five hundred thousand dollars; the Board of Health if intrusted with all the power of the department with four hundred men and five hundred thousand dollars; the Paving Commissioners with five hundred men and a million of money, the Public Commissioners with six hundred men, the public buildings and other departments, with their immense expenditures, to contend with, and the Citizens' Committee and citizens themselves would find themselves utterly powerless to correct abuses.

If the attempt were made, they would find these commissioners taking alarm and combining together, and with the immense patronage in their hands, absolutely irresistible, and only to be overcome by a convulsion similar to the one in New York which so recently startled the whole country.

This is no fancy sketch. It is what has always been done and is now being in Washington, and is the natural result of such a system.

Let it not be forgotten that notwithstanding the discovery of the immense frauds in New York, no one has been convicted of any offence, and it is yet undecided who will be the victors in the end.

Our city, thus far, has borne an unblemished character, and her credit has commanded money at the lowest rates on both sides of the Atlantic. This has been because her learned men, her merchant princes, and her humblest citizens, were left by the charter written by the late Chief-Justice Shaw untrammelled in the management of our municipal affairs. If the management was too lavish they met in council and changed their public servants, and if too parsimonious (for these two offences have been the only crimes charged down to this day), the same fate awaited them. Let us not change our policy in this respect, but leave the same power in the hands of the people they had when we were sent here.

The rumor that the commissioners or some of them, are already selected, and that the petitions were circulated by hired employes, in the interest of the would-be commissioners, also cautions us not to be too hasty in creating so unnecessary a political power.

As a part of their political design, we would call attention to the fact that up to the 12th of June last, the law provided that the "appointment of engine men, hose men, and hook and ladder men shall be made by the Mayor and Aldermen exclusively." All other powers could be carried into effect by the said City Government "in any manner which they may prescribe, and through the agency of any persons, or any board or boards to whom they may delegate the same."

Now the persons managing this great change, not content when it should be successful, that the commissioners should appoint the chief and assistant engineers and expend half a million of money

annually, and receive large salaries for doing so, but anxious for the political power the control of many men would give them, got the law first above quoted amended by an act finally approved June 12, 1873, by adding after the word "exclusively," these words: "Unless the said City Council shall by ordinance otherwise provide for their appointment," and the majority report does provide for the appointment by the commissioners.

The proviso was an important one. It prevented so large a political power from getting into the hands of any board or boards. The amendment which abolished it was not asked for by the city. Its Committee on Legislative Affairs knew nothing about it, except the chairman, and he does not know who proposed it, but thinking it unimportant, did not acquaint the committee with it. It will be seen at a glance that the amendment was the result of careful study and cunning design. Even the majority of the committee do not expect to reap any immediate benefit from the course they recommend; for they say, "That the appointment of a commission will act as an immediate remedy for all the faults and deficiencies of our present system, we do not claim. Men of the desired abilities and qualifications may not be immediately found."

Our belief is that what of good a commission could do, would be in the early stages of its existence, and all after that would be of evil, and if there is no immediate benefit, then there would be none whatever.

The comparison between car conductors and commissioners is a good one, as illustrating that in all walks of life we cannot resist too strong temptations.

We also agree with the opinion contained in the above quotation that success depends upon the men employed and not upon the name of the office they hold.

The successful contest with fire depends upon the Chief-Engineer and his assistants.

The efficiency of the London Fire Brigade is due to its chief officer, Eyre M. Shaw. No diluted commission could make good his place.

The Chicago Fire Department had been managed by a commission for five years prior to Chicago's great fire. We might then have said "down with commissions and submit to the control of a department of firemen like ours."

Then came our own great fire, and it proved that a mere system of government does not give safety or efficiency.

We have now one Babcock engine and one Extinguisher wagon. The value of these small engines in the early stages of fires is conceded. That being so, it is idle to expect them to do much good when confined to so few a number of vehicles. They can be rarely at fires as early as the more numerous large steam engines, and to have a great number of extinguisher wagons would increase the expense of the department beyond endurance. We therefore, recommend, that small hand engines, or Johnson pumps, and suitable buckets be carried on each engine, hose carriage, and hook and ladder carriage, and that a certain number of such pumps be placed in each police station, and that one or more policemen with hand engines at each alarm start for the fire from the police station nearest the fire.

We also recommend that hose, similar to those on the stand pipe in the City Hall, with couplings fitting on hydrants, and with stop valves on the nozzles, be placed in each police station, and that one or more policemen proceed with the same to each fire, from the station nearest the fire. We also recommend that hose, similar to those on the stand pipe in the City Hall, in addition to the heavier ones, be carried on each hose carriage, so that it can be easily carried into buildings by a few men.

The adoption of these recommendations will be a great stride towards the preventive system which Mr. Bird proves to be the best one, and which can, as it proves efficient, be more generally adopted.

These small engines will not only prevent many conflagrations, but will also prevent much damage from water. At present an immense amount of damage is caused by the great and useless quantity of water used to put out little fires. While the memory of the great fire is fresh upon us, we are apt to think only of deluges of water; but, to be prepared to stop a small fire only by a great engine and a great amount of water, is to make it certain that a small fire shall always do a large amount of damage, and in the long run our insurance companies suffer enormously from this cause, even if we leave out the great fires that would be stayed by the prompt use of small engines.

Eyre M. Shaw, chief officer of the London Fire Brigade, in his report for 1870 says, "The quantity of water used for extinguishing fires in the metropolis during the year has been 11,161,446 gallons; in round numbers a little more than eleven millions of gal-

lons, or about 50,000 tons, a most insignificant quantity for the work done.

This may have been an exceptional year, and consequently it may not be well to base any definite conclusions on the matter.

But in a professional point of view the fact referred to is especially worthy of being recorded, as evidence of the extreme care used by the brigade to reduce the unavoidable item of damage by water to the lowest possible point consistent with the certainty of extinguishing fires. Assuming the annual supply of the metropolis to be thirty-four thousand million gallons, it will be seen that the total quantity used for fires during the year has been less than one gallon for every three thousand supplied. Even in the heaviest years the water required for extinguishing fires bears a very small proportion to the total quantity; the really important object is to obtain it with quickness and certainty, which can be effected only by means of a constant high-pressure service."

The last clause quoted contains the whole wisdom in a nutshell.

We must now adopt the best appliances we can to obtain this result, namely, to place water on fire with "quickness and certainty."

In our city water can be obtained at all times, and hand engines in skilful hands sufficiently numerous to be early at fires, and a supply of hose of a size easily carried and handled, will probably best attain that end with our present water supply.

But we should never forget the last words we have quoted, namely, that this result "can be effected only by means of a constant high-pressure service."

This great remedy is so complete in the hands of an efficient force, with easily-handled hose, that we desire to enforce it by quoting another sentence from the same report: "I presume that London will not submit much longer to the inconveniences and risks of intermittent water supply, and I confidently anticipate, that, when constant high-pressure services have been established all over the metropolis, the quantity of water used in extinguishing fires will be still further reduced, for it must be remembered that in many cases a single gallon at an early stage is more effective than a million gallons half an hour later."

We have been informed that the Fire Department of Montreal consist of a few hose carriages and a few men, the high service being sufficient to carry the water wherever wanted; also that in our sister city of Providence the engines are rarely used. They are taken to the fire, it is true, but usually are returned without being used, the pressure from the hydrants being sufficient. We have heard that in one instance twenty-four streams were thrown at the same time over five-story buildings.

The Water Department is already in a board, and we recommend that high service be secured for every part of the city; when the expense of the Fire Department will be greatly reduced and its efficiency greatly increased, and the losses by water lessened.

The committee, having decided by a large majority in favor of a commission, determined that it was unnecessary to avail themselves of the privilege given by the City Council to visit other cities in quest of information.

The undersigned, however, impressed with the importance of the subject submitted to them and anxious to obtain all the information necessary without saddling the city with the greater burden of a commission, sought for it elsewhere. Their investigations were rewarded when they had examined "Birdsill Holly's system of water supply and fire protection."

This they found in operation in Lockport, N. Y., in the works of the Holly Manufacturing Company, and spent much time in studying the system, its mechanism and mode of operation. The peculiarity of the system is that the engine pumps directly into the mains, without the necessity for a reservoir or stand pipe of any kind, and the engine having been set to supply water at a given pressure, will continue to keep up that pressure under all circumstances. If much water is drawn much will be supplied; if little is drawn, little will be supplied. It was certainly a pleasant sight to see the ponderous engine working, now faster, now slower, and to see that its speed was regulated by a little mechanism which caused the engine to go faster or slower, as the pressure in the pipe was greater or less. The undersigned are convinced that the cost of these Holly pumps would not exceed the cost of the pumps for pumping water into our stand pipes and reservoirs, and the cost of the reservoirs and stand pipes for high service could be wholly saved. The cost of the changes in the pipes of the city to meet the wants of the new system cannot, of course, be ascertained without a careful examination. This system of works can be adopted to supplement and increase the pressure in all the pipes in the city; or it can be applied

to sections of the city; or it can be so arranged that the increased pressure can be applied to any district where the pressure is required for fire purposes; or it may be used to furnish an independent supply of salt water from the docks for fire purposes. The undersigned were so much pleased by the simplicity of this system of works and their adaptability to meet every requirement that they recommend the passage of the order herewith presented to secure its examination by persons of skill, and their report concerning the same to the City Council. This course is extremely desirable in view of the great expenses now being incurred and foreseen as necessary for our future wants.

We ought not to omit here to state that the Holly system has received the commendation of all the places which have adopted it, that many underwriters have extolled it, and that its adoption has been followed by the reduction of insurance rates. To furnish means to stop the losses from the frequent fires in Lockport, the place of Mr. Holly's residence, the fire engines proved inadequate. The result of the new system was so wonderful a success in putting out fires—that it does not pay to have fires at all, and the attempts to have fires have diminished in numbers.

Since the introduction of these works at Lockport similar ones have been established in about fifty different Western cities and villages, and the demand for them continues to increase. For cities located on plains this system supplied a great want, as they had no hills for reservoirs. For a city like Boston its recommendations are its efficacy and its economy.

In the meantime we think the "quickness and certainty" of obtaining water is not to be attained by the universal introduction of the Lowry hydrant, but that it should give way to the lamp-post or Lockport hydrant, hereafter described.

The Lowry hydrant placed on the main pipe in the roadway in our climate must be many times difficult to find, and its use cause much delay. Our winters are severe, and the removal of ice and snow, the opening of the hydrant and placing the cap upon it at night by the uncertain light of lanterns, cannot be conducive to "quickness and certainty." Their rapid introduction is owing to the great fire, and is a haste that will make waste. We admit there may be places when they should be placed, but so far as we look for "quickness" we must adopt some other.

The claim has been that the street mains were insufficient to supply the Boston hydrants. It is difficult to see how the great capacity of the Lowry hydrant could remedy such defects. There may be instances where their use would be beneficial, in which cases they should be retained. The lamp-post hydrant is always accessible, and readily found, will give water with "quickness and certainty," and has its light always burning. It is strange that the combination of lamp-post and hydrant should be so late an invention.

We cannot leave this subject, without alluding to a hydrant we saw in Lockport, New York, in a cylinder made of boiler-plate iron, with a movable top. Inside this case was a hundred feet of hose, with a nozzle similar to those attached to the stand pipes in the City Hall, except that there was a stop valve near the nozzle. There was also in the case a wrench to turn on the water. We saw the cap removed, and one man ran with the hose, and when it was stretched to its utmost, another turned on the water. From the taking off of the cap just twenty-five seconds elapsed before a stream of water one hundred feet high was thrown from the nozzle.

To this hydrant another hose on a steam engine could have been attached without interfering with the one we have mentioned.

These hydrants placed in reasonable proximity to each other, in connection with the Holly system, or any other system of high-pressure service, would make it difficult for any fire to get such headway as to cause great damage, as the water could be put on the fire within a minute of its discovery.

There is another respect in which haste is likely to prove waste. We allude to the clamor for stand pipes. We learned, during our investigations, that at the Chicago fire the falling buildings broke the stand pipes, and immediately large streams of water ran to waste, causing the engines to feel an immediate deficiency, and to become useless. Stand pipes, no doubt, may be valuable to individual buildings, but their introduction into general use in the city would, in the event of a large fire, be disastrous. Certainly no stand pipe should be allowed without a shut-off at a safe distance from the building.

The same precautions should, as far as possible, be taken with regard to all water supplies to large buildings. We also recommend that the plumbing of all buildings should be subject to a rigid inspection, either under the Inspector of Buildings or the Water

Board. During the coldest weather many persons are compelled to keep the water constantly running to prevent the freezing of water in the pipes. This evil is much greater than is generally supposed.

We find by the Auditor's Report the following items, viz.:

Repairs of engines, hose and hook and ladder carriages, fuel, and extinguisher wagons and pungs.....	\$47,053 67
Fire hats and badges, including repairs.....	5,362 75
Hose, hose pipes and couplings, including repairs.....	85,270 33

To those at all familiar with the department, it is well known that the struggles of the different contractors to obtain the work represented in the above items has a demoralizing effect upon the department. Here is where political influence seems to exert itself.

It would be much better if all the work that can be, should be done in a workshop owned and equipped by the city. Certainly all of the first of the above items and probably some of the others could be. Of the good effect upon the department—as well as the economy of such a change—the undersigned are convinced. They therefore recommend the establishment of such a workshop and the creation of an officer to be styled Superintendent of Construction and Repairs, to be nominated by the committee on the department, confirmed by the Board of Aldermen, and to hold his office subject to removal by the committee for cause.

This plan is not an experiment; it is already in successful operation in the Health Department, which department makes and repairs all its wagons, pungs and harnesses, and shoes its own horses.

We were prepared to recommend a moderate increase in the permanently employed men of the department, but an examination of the Holly system has convinced us that its adoption will require a diminution of the force. This in fact has been the result in many instances where that system has been adopted.

The Holly system is one or more great engines of greater power than any locomotive steam fire engine, with its iron pipes already laid wherever wanted, and with steam always up ready for action.

Of course reductions in the present service should be cautiously made. There should not be a hasty trusting to one security alone. One of the signers of

this report witnessed the recent large fire in Quebec, from the time it might have been put out with a Johnson pump to its close. The great loss was due wholly to defective water works. The supply pipe was broken in the bed of the river, and was permitted to remain so, as it still furnished a supply for domestic purposes. Of course the high service which the works were intended to supply was not in existence, and having no engines or other means of contending with the flames, the flames ran their course.

In order that the attention of the Fire Department shall not be distracted by other duties, we recommend that the Chief of Police delegate certain members of his department to attend fires, and when there take control of all members of the police present, prevent theft, prevent the populace from impeding the firemen in their work, and keep the roads clear.

We make no recommendation regarding districts in the city, because we find it already judiciously distributed by the Board of Engineers into eight districts.

The undersigned do not claim to have exhausted the subject committed to them. They present the result of all the investigations and thought they could give it, in the time allowed them. They are ready to adopt other measures if better ones can be suggested, and ask the cooperation of their fellows in the City Council to aid in improving this important department without the expense and dangers of a commission.

They do not look upon the putting out of fires as a contest with some feud—or mysterious and unknown power. Common sense should be applied to this department, as to all others. Fire will burn combustible substances when it comes in contact with them. When fires occur water will put them out if applied with "quickness and certainty." Vigilance, energy and common sense will, with the means now in existence, almost invariably put them out without much damage.

For want of time the undersigned present this report as a report of progress, asking permission to present at a subsequent meeting an ordinance, in accordance with the recommendations of the report.

JAMES POWER,
BENJAMIN DEAN.

On motion of Mr. Pease of Ward 1, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
SEPTEMBER 8, 1873.

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

EXECUTIVE APPOINTMENT CONFIRMED.

Special Police without pay—Henry H. Hyde, Union wharf.

PETITIONS PRESENTED AND REFERRED.

Of Joseph H. White, to occupy brick stable on Stanhope street. Referred to the Committee on Health on the part of the board.

Of Joseph Robbins & Co., for leave to place a wooden roof over coal shed on Carleton's wharf. Referred to Committee on Survey and Inspection of Buildings.

Of William Childs, for more pay for land taken at the corner of Third and Emerson streets. Referred to Committee on Streets.

Of Colonel H. W. Wilson, for approval of armory for headquarters at Boylston Hall. Referred to the Committee on Armories, on the part of this Board.

Of W. A. Low *et al.*, for revision of assessments for Longwood and Bellevue-street sewers.

Of James McDonough *et al.*, for a sewer in Barton street.

Remonstrance of Ai Poole *et al.*, against the construction of a sewer in Humphrey street.

Severally referred to Committee on Sewers.

Of John M. Arnold *et al.*, for a brick sidewalk on west side of Old Harbor street.

Of citizens of Baxter street, for improvements of said street.

Of Joseph Lane & Co. *et al.*, that Alden street and Alden court be paved with trap rock.

Of Charles Davenport and thirty others, that Devonshire street be renumbered.

Of William T. Brigham, that sidewalks be laid on Boylston street west of Berkeley street.

Of Henry N. Sawyer *et al.*, to be paid for grade damages on Thornley street, caused by the widening of Pleasant street, Ward 16.

Of Nathaniel C. Nash *et al.* that the Wood Pavement Commission be requested to make a supplementary report. They allege that they sought a report embracing an entire and complete process or method of putting down street pavement in the best manner, so that any one with limited skill and experience in paving would by following the recommendations of the report be able to put down pavement in the most thorough manner. They find, however, that the report commends setting the blocks square across the street with spaces between them of half an inch, but entirely omits to mention any material and process necessary to fill such spaces. The report also omits to state anything in regard to the character of the evidence in favor of the process of burnettizing, whether samples of burnettized wood that had been exposed in different places and under different conditions and for any length of time, were produced to prove the efficiency of the process, and whether or not there was any evidence excepting mere hearsay to prove the inefficiency of the process. They therefore request that a supplementary report be made embracing these points.

Of Hart Bailey, to be paid for grade damages on Stoughton street.

Of Henry Humphreys, to be paid for grade damages on Stoughton street.

Of heirs of the late Francis J. Chickey, to be heard in relation to grade damages on Warrenton street.

Severally referred to the Committee on Paving.

THE PROHIBITORY LAW.

Alderman Stebbins presented petitions from Rev. A. A. Miuer, Rev. W. H. H. Murray and two thousand male and female residents of Boston, asking that the Board will take such steps as shall secure the enforcement of the law prohibiting the manufacture and sale of intoxicating liquors.

Alderman Stebbins said the committee in charge of the petitions desired to be heard before the full Board, and on his motion a hearing was fixed at five o'clock on Monday, Sept. 22.

PAPERS FROM THE COMMON COUNCIL.

The following papers received concurrent action: Petitions of Patrick J. Myers and Fowler & Bennett were referred.

Order for Cochituate Water Board to consider the expediency of a supply of salt water through the "Holly system," for extinguishing fires. Referred to the Committee on Water.

Order for Cochituate Water Board, in consultation with engineers of the Fire Department, to construct reservoirs for water in the streets. Referred to the Committee on Water.

The report of the Trustees of the Public Library (City Doc. No. 88). Referred to the Committee on Public Buildings.

Report and orders to alter Mason-street building into an engine and hose house at a cost of \$15,000; and for a loan of that sum. Passed—yeas 10, nays 1, Alderman Power.

Orders for erection of a police station house for District No. 11, on Adams street, at a cost of \$40,000; and for a loan of that sum. Passed—yeas 11, nays 0.

Report and order for a loan of \$15,000 to be added to appropriation for engine and hook and ladder house on Washington square, in Ward 5. Passed—yeas 11, nays 0.

The order to sell the Tremont-street section of the Common fence by auction came up with an amendment to transfer said fence to Mount Hope Cemetery.

Alderman Power—I would like to make another amendment, that "the expense of the removal and transfer of the same to be charged to the appropriation for Mount Hope Cemetery."

The amendment was adopted, and the order as amended was passed.

The order to hire rooms for city officers in Pemberton square came from the Council, that body having voted to adhere in the amendment to substitute rooms in the upper stories of Niles Block, which the Board had rejected.

Alderman Sayward—I cannot conceive what is the object of members of the Council trying to hire the upper stories of Niles Building. If there were any stories in that building that could be hired they would not accommodate the offices of the City Government. And further, I understand that there are no rooms to be let there. The original order has passed this Board twice and I hope the Aldermen will not concur in the amendment.

The Board refused to concur.

AUDITOR'S MONTHLY EXHIBIT.

The monthly exhibit of the City Auditor was presented, accepted and sent down. The exhibit for the month of August is as follows:

	Appropriations, Revenues, etc.	Expended.	Unexpended.
General.....	\$11,047,450 27	\$3,371,938 34	\$7,175,511 93
Special.....	8,998,372 21	3,773,475 94	5,224,896 27
	\$20,045,822 48	\$7,645,414 28	\$12,400,408 20

ORDERS OF NOTICE.

The orders of notice for sewers in Copeland, Catawba and Rockland streets were considered. No objection being offered, the petitions were recommended to the Committee on Sewers.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Health, reported in favor of granting the petitions of Manuel Silva, George S. Martin and Peter Gilligan for leave to erect stables; and leave to withdraw on petition of Joshua D. Howard & Co. for leave to occupy stable. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported favorable on the applications of Abraham Aronson, dealer in second-hand articles; of Joseph Commassa, Michael Graney, Jr., Daniel Buckley, boot blacks; of Francis M. Gray, George E. Ladd, Patrick Noonan, Joseph Wood, William H. Kennedy, Stephen Volanti, John J. Daily, John Coughlan, William H. Burke, newsboys; John McCrillis, hackman; Margaret Fitzgerald, intelligence office; George H. Lee, W. N. Young, D. & J. E. Twigg and John Hogan, for wagon licenses; of various parties, for transfer of wagon licenses; of Thomas Mellen, victualler, and Edward R. Bailey, innholder; of Frank Damon, for leave to give public entertainment at 41 Ferry street, Sept. 12; of Rich & Stetson, for leave to give dramatic and musical entertainments at the Howard Athenæum; of Alonzo Warren, for leave to hold a fair at Gray's Hall, Oct. 14, for two weeks. Severally accepted.

Alderman Gibson, from the Committee on Fire Alarms, to whom was referred an order for placing a bell and striking apparatus on the new primary schoolhouse on Princeton street, made a report recommending the passage of the order. The order was read twice and passed.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the petitions of G. W. & F. Smith, Newton Morton, John Ritchie *et al.*, Cummings & Carlisle, and L. H. Tasker, sever-

ally, for the location of steam engines. Severally accepted.

Alderman Clark, from the Committee on Streets, reported orders to pay as follows: Louisa C., wife of Franklin Perrin, \$157 50, on account of widening of Blue Hill avenue; James Tuttle, \$5050, on account of the widening of Congress street. Severally read twice and passed.

Alderman Clark, from the same committee, reported an order to pay John I. Brown \$35,260 on account of the widening of Washington street. Read once and laid over.

REVISION OF THE CITY CHARTER.

Alderman, Quincy from the Committee on Ordinances, to whom was committed the report in relation to the revision of the city charter, made a report recommending the passage of the accompanying order:

Ordered, That his Honor the Mayor be requested to appoint a commission to consist of five persons to examine the act incorporating the city of Boston, and all other general or special statutes now in force concerning the government of the city, and report to the City Council what, if any, changes are, or will become necessary or expedient in view of the prospective increase in the area and population of the city; the expense attending such examination and report to be charged to the appropriation for incidentals.

The order was read onnce, and laid over.

Alderman Sayward, from the Joint Standing Committee on Public Buildings reported, that on account of placing a clock tower upon the new grammar schoolhouse on L street and the furnishing of more school rooms than was anticipated, an expenditure of about five thousand dollars will be required in addition to the amount authorized. They recommend the passage of the accompany order:

Ordered, That the Committee on Public Buildings be authorized to complete the furnishing of the new grammar schoolhouse on L street, at an estimated cost of five thousand dollars; the expense to, be charged to the appropriation for Schoolhouses, Public Buildings.

The report was accepted, and order read twice and passed.

Alderman Power, from the Committee on Paving, to whom was referred the petition of the Wooden Pavement Commission for increase of pay, made a report recommending that the petitioners have leave to withdraw. Accepted.

Alderman Power, from the same committee, to whom was referred the petition of the Metropolitan Railroad Company for leave to construct an additional track in Washington street, from Essex street to Temple place, made a report recommending that the petitioners have leave to withdraw.

On motion of Alderman Stebbins, the report was laid on the table.

On motion of Alderman Power, the printed report of the Committee on Sewers on the system of sewerage of Boston was taken from the table and accepted.

ORDERS PASSED.

On motion of Alderman Gibson—

Ordered, That the Committee on Fire Alarms be authorized to pay to Professor Joseph Winlock, Director of the Observatory at Harvard College, the sum of five hundred dollars, for furnishing true time to the city of Boston for the present year; the same to be charged to the appropriation for Fire Alarms.

On motion of Alderman Power—

Ordered that the collection of the following sewer assessments be postponed until entry is made into the respective sewers: Charity A. Lincoln, Prescott street, \$70 24; Patrick Tobin, Conant street, \$32 90; Mary Burnham, Palmer street, \$19 97. Also that the sum of \$64 14 assessed upon Richard Martin for a sewer in Seventh street, be hereby abated and the same amount assessed upon George Butterfield.

Ordered, That notice be and hereby is given to the abutters on Franklin street, between Federal and Pearl streets, to remove within ten days all obstructions placed by them on said street, and in default thereof the Superintendent of Streets is hereby directed to remove said obstructions at the expense of the owners thereof.

Ordered, That the Superintendent of Streets be directed to pave Creek square with small granite blocks, and to construct cesspool and drains for the surface drainage of the same. Estimated cost, \$2400.

Ordered, That notice be and hereby is given to the abutters on Washington street, between Milk and Summer streets, and on Summer street, to complete and cover the areas constructed by them under the sidewalks in front of their estates on said streets, and to remove all obstructions placed by them in said streets within fourteen days; and in de-

fault thereof the Superintendent of Streets is hereby directed to close up or cover said areas and remove said obstructions at the expense of the owners thereof

Ordered, That the Superintendent of Streets be directed to pave the approaches to the new drops of the East Boston north ferry with small granite blocks; the expense thereof, not exceeding five thousand dollars, to be charged to the special appropriation for new wings to the East Boston North Ferry.

Ordered, That notice be and hereby is given to the owners and abutters on Arch street, between Milk and Franklin streets, to remove within ten days all obstructions placed by them on said street; and in default thereof the Superintendent of Streets is hereby directed to remove said obstructions at the expense of the owners thereof.

THE MATHER SCHOOLHOUSE.

On motion of Alderman Sayward, the motion to reconsider the vote whereby an order was passed on August 11 to rescind order for sale of Mather Schoolhouse in Ward 16, was taken from the table.

The question being on Alderman Sayward's motion to reconsider, the motion was lost for want of a majority—yeas 5, nays 5, not voting 1.

REPORT OF THE TRUSTEES OF THE CITY HOSPITAL.

Alderman Power presented the ninth report of the Trustees of the City Hospital. Accepted and sent down.

Report of the Trustees. The Board of Trustees of the City Hospital, in compliance with the ordinances, respectfully present herewith their ninth annual report:

Number of patients remaining in the hospital, April 30, 1872, 223; admitted during the year—medical, 1667; surgical, 1339; ophthalmic, 78; smallpox, 220—3304; treated during the year, 3527; discharged, 2942; died, 351—3293; remaining in hospital, April 30, 1873, 234; largest number in hospital at any time, 264; smallest number in hospital at any time, 172; daily average number of patients, 218; average length of stay of each patient, days, 22½.

In the department for out-patients, there were treated—Medical patients, 2602; surgical patients, 2386; ophthalmic patients, 1519; cutaneous patients, 809; aural patients, 210; total, 7526. Number of visits made by out-patients to the hospital: Medical, 3597; surgical, 5820; ophthalmic, 8601; cutaneous, 2763; aural, 1297; total, 22,078.

The accompanying reports of the physicians and surgeons in attendance upon the hospital are transmitted herewith, and furnish tabulated statements of all the cases, with their results, treated during the year, which reach a total of 11,035 in all the departments of the hospital.

The report of the superintendent and resident physician gives further information regarding the work accomplished at the hospital, in the case of those who have sought its benefits, and exhibits also a statement in detail of the expenditures made in maintaining it.

The number of patients in the hospital during the year, 3527, were under treatment at an average of 22½ days each, making a total of 79,570 days or 11,367 1-7 weeks. The entire cost of maintaining the hospital for the year, including every expenditure, and the unexpected expenses incurred in the smallpox department, was at the rate of

\$10 60½ per week.....	\$120,552 65
But of the patients enumerated above, 146 paid for 263 weeks' board.....	3,948 64

Leaving, therefore, the sum of.....\$116,604 01

as the cost to the city of treating 3381 patients, for a period of 11,104 1-7 weeks, which is at the rate of \$10 50 per week. The cost of taking care of 229 patients in the smallpox department of the hospital during the recent epidemic, and not provided for in the appropriation for the year, amounted to \$10,219 93, or \$22 64½ per week for 451 2-7 weeks. Deducting this expenditure and estimating the average cost of maintaining each patient, in all the departments of the hospital proper, in the same manner as above, it will appear that there was expended the sum of \$107,783 24, as the cost to the city of treating 3229 non-paying patients for 10,743 5-7 weeks at the rate of \$10 03 per week. The expense of maintaining the out-patient departments, estimated at \$1500 to \$2000, has not been deducted in making these statements.

The increase in the amount of the expenditures for the year was caused, in some degree, by the greater number of patients treated, but chiefly by the large expenses on account of the Smallpox Hospital, that had not been anticipated in making the appropriation for the year, which was \$107,000. It, therefore, became necessary to ask the Government for a special appropriation of \$11,500, to cover

the additional cost of maintaining the Smallpox Hospital till it was discontinued in August.

The increase in the number of patients treated in the hospital has gone on during the past as in former years, the daily average for the year being 218 patients, nearly 12 per day in excess of the number treated in any previous year. To speak of the difficulties of management that rapidly multiply as the numbers increase above the proper capacity of the wards of the hospital, and to urge the necessity of more room for the sick, would only be to repeat the representations of the Board of Trustees in their reports of former years. There is also still the very pressing need of additional accommodations for the surgical department, both of rooms for out-patients and of a more commodious and convenient operating room. The Trustees forbear to urge the immediate attention of the Government to this matter, only because of the extraordinary demands that are being made upon it, in consequence of the recent disaster and loss that has befallen the city. It is believed, however, that as a matter of economy deserving early attention, the heating apparatus should, during the coming summer, undergo the thorough repairing that is now needed after nine years' constant use.

The vacancies in the medical staff, existing at the beginning of the year, caused by the resignation of Dr. Fitch E. Oliver as Visiting Physician and Dr. D. McB. Thaxter as Visiting Surgeon, were filled by the election of Dr. Robert T. Edes as Visiting Physician and Dr. George W. Gay as Visiting Surgeon. The resignation of Dr. John P. Reynolds as Visiting Physician having been presented and accepted, Dr. George J. Arnold was elected in his place.

Dr. S. G. Webber having declined to be a candidate for reelection as Pathologist, Dr. W. P. Bolles was chosen in his stead.

Dr. M. E. Webb was elected as Visiting Physician in the Smallpox Department, and was in attendance from May 1st till August 27th, when the department was discontinued by order of the Government.

In the month of May, at the first meeting of the Board of Trustees, a communication was received from Mr. L. A. Cutler, tendering the resignations of Mrs. Cutler as Matron and Miss Anna M. Cutler as Assistant Matron; also declining to be considered a candidate for reelection as Superintendent for the year ensuing. On the 1st of July following the connection of these officers with the hospital terminated, after eight years of constant and honorable service. At their meeting on the 11th of June the following resolutions were passed by the Trustees:

Resolved, That the cordial thanks of the board are hereby tendered to Lucius A. Cutler for his long, faithful, and arduous services as Superintendent of this hospital, and as the time approaches when Mr. Cutler's connection with the hospital is to end, the board expresses the wish and hope that success and happiness may attend his efforts in the future.

Resolved, That a copy of these resolutions be engrossed, and transmitted to Mr. Cutler.

Resolved, That the thanks of this board be presented to Mrs. Cutler and Miss Cutler, for their faithful services as Matron and Assistant-Matron.

It thus became the duty of the Trustees, in the first months of their connection with the hospital, to fill important positions by the election of new officers, as well as to take upon themselves the labor and responsibility of the management of the institution, as it was left to them by the gentlemen of the former board, in whose years of zealous labors, devotion and experience in the work the hospital had been established in its high reputation as a noble charity.

It was determined to combine the office of Admitting Physician with that of Superintendent, in order that for the convenience and benefit of those seeking admission, and for other desirable considerations, there might be a physician residing at the hospital. Upon the recommendation of the Medical Staff, Dr. Edward Cowles was elected, and entered upon the duties of Superintendent on the first of July, and upon those of Admitting Physician on the first of October, thereby relieving Dr. F. E. Bundy from the latter office, the title of which was afterwards changed to that of Resident Physician.

Mrs. Sarah A. Fletcher was elected Matron, to fill the office from the 1st of July, for the remainder of the year.

For the donations of books and other reading matter, and the personal labors of kind friends of the hospital in the improvement of the library, and for other gifts and attentions to the sick from other sources, the cordial thanks of the board are returned.

The Trustees desire to acknowledge their appreciation of the continued services of the clergymen and others, whose kind attentions to the sick in the hospital add greatly to their comfort.

To the gentlemen of the Medical Staff, and to the

Superintendent, the cordial thanks of the board are due, for their earnest and successful labors in promoting the interests of the hospital, and the welfare of the patients under their charge.

E. C. DREW, President.

Abstract of the Report of the Superintendent. During the year the number of patients examined for admission was 25,867; patients admitted, 18,212; patients accidentally injured, 3693; number of out-patients treated, 57,740.

The number of patients who visited the hospital for advice and treatment in the out-patients' department was as follows: Ophthalmic, under the charge of Drs. Williams and Wadsworth, 1519; medical, under charge of Drs. Doe and Haskins, 2602; surgical, under charge of the visiting surgeons, 2386; skin diseases, under charge of Dr. Damon, 809; ear diseases, under charge of Dr. Green, 210; total, 7526. Number of visits made by out patients to the hospital, 22,073.

Patients examined during the year, 4326; number admitted, 3304; number not admitted, 1022.

Patients in the hospital, May 1, 1872, 223; total number in hospital during the year, 3527; total number, including out-patients, treated during the year, 11,035; discharged, including deaths, 3293; daily average number in hospital, 218; largest number at any time in hospital, 264; smallest number at any time in hospital, 172; number treated in smallpox department, 229; average time remaining in hospital, 22½ days; males, 2046; females, 1258. Medical patients admitted, 1667; surgical patients admitted, 1339; ophthalmic, 78; smallpox, 220; total, 3304.

The principal nativities are thus classified: Ireland, 1465; Boston, 422; other cities in Massachusetts, 172; British provinces, 365; England, 180; Maine, 139. Condition of patients discharged—Recovered, 1764; relieved, 899; not relieved, 151; not treated, 128; died, 351.

The rate of mortality during the year was 9.9-10 per cent. of the patients treated in all the departments of the hospital. The excess of this rate over that of previous years was largely due to the fact that of the 229 patients in the smallpox department 54 died, or 23.6-10 per cent. If these cases are excluded in this estimate the rate of mortality will be reduced to 9 per cent. for the hospital proper. There were admitted during the year 95 more patients accidentally injured, than in any former year; and 79 cases in all departments resulted in death within 48 hours after admission; showing an increased proportion of cases necessarily resulting fatally, and materially enlarging the rate of mortality over that of previous years in the history of the hospital.

The net cost of maintaining the hospital for the year ending April 30, 1873, was \$105,355.73. Of the cash received, \$1309.16 was from pay patients in the Smallpox Hospital.

The business of the hospital has been still further enlarged during the past year, although it had previously reached the proper limit of the capacity of the wards, by a steady increase each year in the number of patients. Nearly five hundred more patients have been treated in the wards than in any former year; but this has been possible only by constantly crowding with beds all the available space, and by shortening the length of stay of each patient in the hospital. Many applicants were turned away for want of room, and many others, whose cases demanded immediate care and treatment, as a matter of humanity were admitted, at the risk of incurring the evils of overcrowding; some of which have, without doubt, been experienced during the latter part of the year.

That this should have been so must be apparent, when it is considered how nearly the daily average number for the year, 218 patients, approaches to the proper capacity of the hospital, which is 230 beds. But this number was much exceeded in some seasons of the year. During the months of winter and early spring there was a period of many successive weeks in which there were constantly about 250 patients in the wards, and at one time 264 were under treatment, the largest number ever attained in the wards of the hospital proper, exclusive of the smallpox department.

The want of sufficient accommodations for all the sick, who, under the present rules for admission, must be treated here, has existed for several years, and hardly needs to be set forth in stronger terms than has already been done. In view, however, of the past year, attention must be called to the fact that the enlargement of its capacity cannot be long delayed, or it will be impossible to care for, in a satisfactory manner, the increasing numbers of persons who are equally deserving with those now receiving its benefits, and who demand admission to its wards.

In the surgical department the need is more seriously felt than ever of properly arranged and larger rooms for out-patients, and of a more commodious

and convenient operating room, with waiting and reception rooms adjoining, so that those who have undergone surgical operations may be removed, as they cannot now be, from the sight and hearing of others who are waiting and fearing to go through the same ordeal. A number of valuable books have been presented during the year to the Medical Library, for which much can be done to make it creditable and useful to the hospital. Thanks are due for the packages of magazines and papers that were frequently received during the year; to the ladies and their friends, who have kindly, and with much labor, prepared a new catalogue of the general library, and to the ladies of the Flower Mission, whose regular weekly visits have given much pleasure to the patients.

The clergymen and others who have contributed to the comfort and consolation of the sick, by their frequent visits and many attentions, are remembered with grateful appreciation for their kind labors for the hospital. Trusting that the confidence that has been placed in me by the trustees may prove to be well deserved, and with grateful acknowledgments to them for their generous support, and to the gentlemen of the medical staff for the very essential aid they have given me in my undertaking, I have the honor to be, gentlemen,

Very respectfully,
EDWARD COWLES,
Superintendent and Resident Physician.

NEW HOME FOR THE POOR.

Alderman Power, from the Joint Standing Committee on Public Institutions, to whom was referred so much of the Mayor's inaugural address as relates to a new Home for the Poor, reported that, being unable to agree upon a location, they submit the accompanying reports:

The committee are unanimous in the opinion that suitable provision should be made as early as practicable for the care of our poor apart from the penal and reformatory institutions, and upon a scale sufficient to meet the requirements of the city for the next half century at least. In 1870 the inmates of the several institutions at Deer Island numbered 1004. At the present time the number is about 1260. This is exclusive of those transferred during the past year to Rainsford Island.

In his report for 1870 the Superintendent stated that the Almshouse Department, the hospitals and the dormitories were crowded to such an extent as to interfere seriously with the health and comfort of the inmates. "That a new almshouse is required," he said, "is no longer a matter of doubt. It is an imperative necessity. Immediate steps should be taken towards accomplishing this end, in order that the poor of the city of Boston may not be so crowded and limited in their accommodations, and also that they may be entirely separated from the inmates of the House of Industry."

Since this statement was made, it will be observed that the number of inmates of the institutions on this island has increased over twenty-five per cent., while no substantial increase of accommodations has been afforded. The Inspectors of Prisons for the County of Suffolk have repeatedly called the attention of the City Government to the want of additional accommodations at this place.

In the last annual report of the Board of Directors for Public Institutions, it is stated that "the transfer of the adult male paupers to Rainsford Island, in October last, afforded partial relief to the overcrowded House of Industry, but the large increase in the number of commitments has already filled the space thus obtained; and the Directors are satisfied that there can be no permanent relief until the entire main building is devoted to the House of Industry. This is not a sudden conviction, but has been for a long time considered."

The City Council of 1870 passed an order just at the close of the year, which was approved by the then Mayor, appropriating \$225,000 for the erection of a new almshouse at Deer Island; but through an oversight, the Board of Directors were not authorized to proceed with the work. When the Government of 1871 came to consider the matter, a large number of remonstrances, signed by the leading citizens of Boston, were presented against the establishment of a Home for the Poor on Deer Island. The committee to whom the subject was referred, recommended that the old Roxbury Almshouse, (since used for a smallpox hospital) should be repaired and enlarged for the purpose at an expense of \$75,000. The recommendation failed to be carried out, and no further action has been taken except in providing temporary accommodations for a portion of the paupers at Rainsford Island. The appropriation made in 1870 is still available for such uses as the City Council may see fit to direct.

Upon the question of a new location your committee are evenly divided. Four members recommend

the purchase of the lots of land known as the Whittridge and Seaverns estates on Neponset River, and within the limits of the City of Boston; and four members recommend the purchase of the Austin farm, so called, situated in the town of West Roxbury and on the line dividing that town from this city. The special advantages of the two locations are set forth in the accompanying reports.

Respectfully submitted,
CHARLES HULBERT, Chairman.

In presenting this recommendation for the purchase of the Whittridge and Seaverns estates in Dorchester, the undersigned beg leave to state briefly the principle requisites which in their opinion should be possessed by any site which may be selected for a Home for the Poor.

In order to save the city from an annual charge of several thousand dollars, the location should be within the city limits, otherwise the property will be taxed to pay the expenses of another municipality.

It should be easily accessible from the central portion of the city for the transportation of building materials and supplies, for visitation and for the conveyance of inmates and attendants either by railroad or water.

It should be on the main land, yet properly isolated where it will not affect injuriously the property surrounding it, and where the future growth of the city will not require the removal hereafter of the institutions placed upon it.

The site should be pleasant, airy, sufficiently elevated to be easily drained and well adapted from a sanitary point of view for the location of substantial structures to accommodate a large number of inmates.

A good supply of pure water should be easily obtainable.

In determining the quantity of land necessary for the purpose regard should be had, of course, to the future growth of the city for a long period and also to the fact that all land in excess of that which is necessary for the institutions will involve an annual expense for its care and embellishment.

The undersigned are satisfied from the examination which they have given to this matter that the quantity should not much exceed thirty acres.

All the requisites above named are possessed by the two estates situated on Neponset River, in Dorchester, and containing about thirty-six acres of land. The site is elevated, airy, commanding a very fine and extended view of Boston Harbor, Neponset River and the surrounding country. The land can be easily drained, and in addition to the supply of water on the premises, Cochituate water can be introduced at a slight expense, by extending the pipes a few rods from their present terminus. The soil is excellent in quality, and under good cultivation. The quantity of land is not excessive; and nearly all of it is available without material outlay. The marsh land does not exceed one acre in extent. This location is not likely to be in the way of the future growth of the city; and at the same time it is not more isolated than is required for the purpose.

The access by railroad is complete, as the tracks of the Milton Branch of the Old Colony Railroad are laid across the lower end of the land, and will furnish all the facilities for transportation which the city will ever require.

The communication by water is also admirable, as the land is bounded on one side by the Neponset River, and vessels of large draught can go up from the main harbor and discharge supplies of coal and building materials directly on the premises. There is a good wharf on land immediately adjoining, which can probably be hired for a moderate price or a wharf sufficient for the needs of the institution can be built at a small expense on the land purchased.

The situation of this land with reference to exposure, and the cost of preparing it for the reception of the buildings which are to be erected thereon, is in every respect satisfactory. A good farmhouse and outbuildings are already located on the premises, and are included in the price named for the land.

The objections to the "Austin farm" are these: It is beyond the city limits. It is not easily accessible either by railroad or by water; and building materials cannot be laid down there except at a considerably higher cost for transportation than at the Dorchester site.

The quantity of land is much greater than is needed for the purpose for which it is to be used, involving the city in unnecessary expense for its purchase and care. About one-fourth of the estate (twelve or fifteen acres) is low, wet and unavailable except for purposes of pasturage—land not at all adapted to the needs of such an institution.

If it is proposed to secure a site *outside the city limits*, it can be easily obtained on the line of a rail-

road by going a little farther in actual distance from the City Hall, and for one-fourth or one-third the sum asked for the Austin farm. Such a site would be more readily accessible, and would require less time and expense in furnishing supplies and personal transportation than the Austin farm. The large expenditure which the purchase of this place involves is therefore unwarranted, as there are other estates equally good as to the character of the grounds and better located as to facilities for communication from the business portion of the city, which can be had at much less expense. It should be understood that in selecting any site for an almshouse in another town, the statutes require that permission be first obtained from the inhabitants of that town.

The first cost of the estate in West Roxbury is \$135,000. The cost of the two estates in Dorchester, containing about the same amount of available land, is \$95,000.

In view of the foregoing facts the committee would respectfully recommend the passage of the accompanying orders.

CHARLES HULBERT,
L. R. CUTTER,
CHARLES A. BURDITT,
HARRISON LORING.

Ordered, That the Committee on Public Institutions be authorized to purchase as a site for a Home for the Poor and a Home for Neglected Children, the estate late of Charles Seaverns, bounded in part by Marsh street, Granite street, and the Neponset River in Boston, containing eighteen and a half acres, more or less; also the lot of land adjoining the same on the easterly side, known as Cushing's Hill, containing seventeen and a half acres, more or less; the price paid for said lots not to exceed six cents per square foot.

Ordered, That the Auditor of Accounts be authorized to transfer from the appropriation for a Home for the Poor at Deer Island the sum of ninety-five thousand dollars to be applied to the purchase of land for a Home for the Poor in Dorchester.

The undersigned members of the Committee on Public Institutions would respectfully recommend the purchase of the estate known as the "Austin farm" as the most suitable place on which to establish a new Home for the Poor.

This estate is about four and one-half miles from the City Hall. It is situated in West Roxbury and is bounded on the east by the city of Boston. It lies between the Boston, Hartford & Erie Railroad and the Providence Railroad, about five-eighths of a mile from the former and one mile from the latter. It is distant about one hundred feet from Blue Hill avenue, one of the best avenues out of the city. It is bounded by four streets, namely, on the east by Back street in Boston; on the south by Morton street; on the west by Canterbury street, and on the north by a private way called Austin Terrace.

The estate contains about fifty acres, of which about twelve are meadow land, the rest upland. The whole estate is surrounded by a stone wall nearly two miles in length, built in the most substantial manner. This wall is nearly or quite three feet in thickness and about four in height. It is laid in cement on a foundation at least three feet below the surface of the ground.

There are three ponds on the estate, the largest containing about two acres; the others about half an acre. The largest pond is supplied by a never-failing spring, is twenty feet deep in the centre and is always full. It is estimated that at least two thousand tons of ice can be taken from the pond in winter, and throughout the year it will furnish an ample supply of water for at least five thousand persons. The three ponds are connected by a sewer; consequently when the large one is full it flows into the two smaller ones, and thence into a branch of the Stony Brook, which runs through the estate, and will furnish the most complete system of covered sewerage.

There are at least one thousand forest trees on the premises, divided into groves or scattered about; also about one thousand fruit trees of the choicest kinds, together with an abundance of smaller fruits. Near the centre of the estate there is a fine dwelling house, containing nineteen rooms in good order, also a carriage house, a barn, an icehouse and other out-buildings usually found on a gentleman's estate. The

views from the house can hardly be surpassed. The city and country can be seen for miles about. The whole property is in the highest state of cultivation; the crop of grass alone, after supplying the stock kept on the place, was sold at public auction last season, standing for eleven hundred dollars. Good facilities are afforded for transportation by the Hartford & Erie Railroad.

All the materials required for erecting new buildings can be shipped from the East or from Quincy, and delivered at the dock, and easily be transported by cars to the grounds.

The objection which has been urged so strenuously against this estate by the other members of this committee, on account of its location outside the city limits, is without any force, as the annexation of West Roxbury during the present year is almost a certainty. If the act for that purpose should, however, fail to be accepted in October, the next Legislature would undoubtedly pass an act annexing this estate, upon the request of the City Council.

The condition of the institutions at Deer Island calls for the promptest action in this matter. If the Austin farm is purchased, there need be no delay in erecting the necessary buildings, as the grounds are already prepared for their reception. The buildings now standing upon the estate are available for immediate occupation. The estate in Dorchester will have to be improved before it is fitted for occupation, causing a good deal of delay and considerable expense. To bring that estate into an equally good condition with the Austin farm would require an outlay of at least fifty thousand dollars. Its situation with reference to the adjoining property presents many objectionable features. It is very irregular in shape, and in order to lay out the grounds properly and define the boundaries, other estates must be purchased. To secure communication by water it will be necessary to build a wharf on Neponset River or buy the wharf property adjoining, covering $2\frac{1}{2}$ acres of land, for which fifteen cents per foot is asked.

It should be borne in mind that the Austin farm contains fourteen more acres of land than the estate in Dorchester, and that the actual difference in the prices of the two estates is less than a quarter of a cent per foot. In order to accommodate the buildings required at present, and allow room for enlargement from time to time as the growth of the city will require, it would not be judicious to purchase an estate containing less than fifty acres. Every foot of the Austin farm, except the small portion covered by the ponds, is available for the purposes of the institutions which are to be placed upon it. The number of square feet contained in the estate is 2,161,455.

The owners will convey to the city the lands with the buildings and other fixtures thereon for the round sum of \$135,000, (something less than $6\frac{1}{4}$ cents per foot) and pay the taxes for the present year.

In view of these facts the undersigned believe that although the first cost of the Austin farm is somewhat larger than the Dorchester estate, it will in the end be found the most economical site for the city to purchase; and they would therefore recommend the passage of the accompanying orders.

JAMES POWER,
WASHINGTON L. PRESCOTT,
WILLIAM G. THACHER,
HILLMAN B. BARNES.

Ordered, That the Committee on Public Institutions be authorized to purchase as a site for a Home for the Poor and a Home for Neglected Children, the lot of land known as the Austin farm, bounded on the easterly side by Back street between Boston and West Roxbury, on the southerly side by Morton street, on the westerly side by Canterbury street and on the northerly side by Austin terrace, so called; containing fifty acres, more or less, the price paid therefor not to exceed the sum of \$135,000.

Ordered, That the Auditor of Accounts be authorized to transfer from the appropriation for a Home for the Poor at Deer Island the sum of \$135,000 to be applied to the purchase of the Austin farm as a Home for the Poor.

The reports were laid on the table to be printed. On motion of Alderman Brown the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

SEPTEMBER 11, 1873.

The regular weekly meeting of the Common Council was held this evening, at half-past seven o'clock, E. O. Shepard, President, in the chair.

PAPERS FROM THE ALDERMEN.

Ninth Annual Report of Trustees of City Hospital, in print; Auditor's Monthly Exhibit, dated Sept. 3 (Printed City Doc. No. 104, 1873), were placed on file.

Petitions were referred in concurrence.

The following papers were acted upon in concurrence:

Report recommending passage of orders for placing a bell and striking apparatus on Primary School-house, Princeton street. Accepted, and orders passed.

Report and order to complete the furnishing of new grammar schoolhouse, L street, at an estimated cost of \$5000. Passed under a suspension of the rules, on motion of Mr. Caton of Ward 11.

Order concerning removal of iron fence on westerly side of Tremont street came from the Aldermen amended by adding the words, "the expense of removing and resetting the same to be charged to the appropriation for Mt. Hope Cemetery." The amendment was adopted and the order passed.

The following orders were severally read once and laid over.

Order to pay Professor Joseph Winlock, director of the Observatory of Harvard College, \$500 for furnishing true time to the city of Boston.

Order authorizing the approaches to the new drops of East Boston (North) Ferry to be paved with small granite blocks, at an expense not exceeding \$5000.

The substitute order of the Council to the order for hiring certain offices for the city at 23 Pemberton square, came from the Aldermen non-concurred in.

Mr. Page of Ward 9—I move that the order be committed to the Committee on Public Buildings.

Mr. Denny of Ward 9—I would like to inquire if it has not already been before the committee.

Mr. Page—It has, and the committee reported in favor of the Pemberton-square site. There seems to be some difficulty in ascertaining which is the better, and I thought that possibly the committee could determine it.

Mr. Denny—I don't think the members of the Council have had the merits of the question laid before them. I would prefer to have it laid on the table for explanation and discussion, and I was going to make that motion.

Mr. Page agreed to the motion to lay on the table, and it was adopted.

UNFINISHED BUSINESS.

The following papers came up as unfinished business and were passed in concurrence.

Order to pay Gas Company's bill of \$259.50, for gas for halloon on 4th July, 1872.

Order authorizing erection of a bell tower on Hose House No. 12, at an estimated expense of \$1500.

Order for necessary repairs and alterations to be made on Court House and Probate Building, at not exceeding \$5000.

The order authorizing a stand pipe to be located in City Hall building and connected with high-service supply, being under consideration—

Mr. Shaw of Ward 5 said, I would like to have some explanation of this order from the Committee on Public Buildings. If such a thing as putting a stand pipe in the City Hall is in contemplation, and it is necessary, I shall vote for it. If there is no necessity for it I want to know it. As a member of the City Government I don't want to be misunderstood. If the committee do not show any necessity for the pipe I shall vote against the order.

Mr. Caton of Ward 11—I have heard nothing of this in the Committee on Public Buildings. I believe the stand pipes are in the City Hall now, and I don't know that there is a proposition to put any more in.

Mr. Shaw—If I understand aright it is n't proposed to put a stand pipe in. Then why call for the passage of this order. It calls for an appropriation of money and if the pipes are not necessary I shall not vote for it. Perhaps I don't understand the gentleman aright, and if so I should be glad to have the order further explained.

Mr. Caton—The standpipes are already in, and the appropriation is to pay for them.

Mr. Shaw—Now I have reached the point. I knew it all before. [Laughter.] If the Committee on Public Buildings are to expend five hundred or a thousand dollars, we should like to know it. I presume the gentleman is right. I undertake to say that this pipe was put in without any authority. The committee has no right to expend money on any building without authority. This is not the first instance. It was asked, a few months ago, that a certain sum of money should be expended for repairing the fire hoat. Long before that matter was brought into this room that boat had been put on the stocks and a large amount of money had been expended, and that without any authority. If the committees of this Government have inaugurated this system of expending money without orders from this council it is time that we knew it. I went over to see that fire boat and was told that seventeen hundred dollars had been expended on it. At the next meeting an order was brought in here to pay three thousand eight hundred and seventeen dollars, instead of seventeen hundred dollars. That is the way the city's money is spent. I lay this to no man's door. It is the custom to go ahead and make contracts for a considerable amount of money without any authority. I rose to ask this question to see if I was right. I saw this stand pipe in the City Hall. If this is to be the rule, why may not other committees go ahead and spend a thousand dollars or more? If the committees make the expenditures, the city is bound to pay them—that is the argument made here. And yet this matter is done without any authority. If this expense is incurred without any authority, I have no doubt but that it will be repaid, but I say it is a very bad precedent—one which should not be repeated.

There are propositions which come here day after day on the same principle as this, and we know not where we are going to land. I am not opposed to any expenditure for the protection of the property of the city, but I want each member to have the right to say whether he is in favor of it or opposed to it. It is the principle I am contending against. It is a wrong principle. It is n't right under any consideration. I don't think there is a gentleman in this Board who will say that it is right. We have had the opportunity, time and again, to pass upon this very expenditure. Why was n't it proposed before the expense was incurred? I have risen to make this inquiry that it may be understood that members of the City Government make these expenditures without any authority. I am opposed to that and shall always be opposed to it.

Mr. Caton—If I remember rightly, when this matter came up before in the Committee on Public Buildings, it was argued by the members on the part of the Aldermen that the committee had the right to do anything for the preservation of public buildings. I always supposed they had the right to do so.

The order was passed, in concurrence.

PAPERS FROM THE STREET COMMISSIONERS.

In response to the order of the Council of May 26, the Street Commissioners reported that their estimate, in gross, of extending Eustis street to Magazine street, was seventeen thousand one hundred dollars. A plan for widening Magazine street and extending it as suggested in the order, to Dudley street, has been prepared, and estimates in detail of the cost of that improvement will be furnished as soon as they can be made ready to accompany an order for that purpose to be submitted to the Council for concurrence.

The report was accepted and sent up.

The Board of Street Commissioners, in response to an order of the City Council of July 17, submitted their estimate of the cost of widening and extending Fayette court to Tremont street as \$375,000, and for extending Hayward place, by the way of Exeter and Rowe places, to Kingston street, as \$232,000. These figures are based upon the supposition that the abutters upon the various courts, places and alleys that would be absorbed in the above extensions would convey the land in them to the city at no cost, except Fayette court.

On motion of Mr. Shaw of Ward 5, the report was referred to the Committee on Streets.

PETITION PRESENTED AND REFERRED.

Mr. Harrington of Ward 8 presented the petition of Cummings & Carlisle for leave to use basement of brick building, erected by them on Albany street on land purchased of the city, for a blacksmith and machine-shop purposes. Referred to the Committee on Public Lands.

REORGANIZATION OF THE FIRE DEPARTMENT.

Mr. Dean of Ward 12 presented a report from the minority of the Joint Special Committee on the Reorganization of the Fire Department, it being an ordinance for the same. On his motion it was laid on the table to be printed. The amendments to the present ordinance are as follows:

Section 1 is amended by placing the department under the control of the Board of Aldermen, instead of a joint special committee of the City Council.

Section 3 is amended as follows: The Mayor shall annually, on the first Monday of February, nominate to the City Council, and by the approval thereof expressed by the concurrent vote of both branches, appoint a Chief-Engineer and a Superintendent of Construction and Repairs.

Section 4. (The rules of the Board of Engineers are made subject to the Board of Aldermen.)

Section 8. (Amended by adding the words)—A failure to make said report as above directed shall render said Chief-Engineer ineligible to reappointment, unless confirmed by a ye and nay vote of two-thirds therefor.

Section 11. (The following is substituted): The engineer in command at a fire shall have the power to adjudge upon the necessity of pulling down and demolishing buildings to prevent the spreading of fires, and have authority to pull down and destroy them accordingly.

Section 24. (Amended by allowing members of the companies to be nominated by the Board of Engineers and confirmed by the Aldermen.)

Section 30. (Amended as follows): All the officers and members of companies shall be nominated annually, or whenever a vacancy occurs, by the Board of Engineers to the Board of Aldermen, and confirmed by the Board of Aldermen.

Section 43. (The following is substituted): No company shall have power to appoint or discharge an officer or member.

Section 49. (The following is substituted): The Mayor shall, annually, on the first Monday of February, nominate to the Board of Aldermen, and by the approval of said Board, appoint a fire marshal and an assistant fire marshal, with the rank and pay, respectively, of captain and first lieutenant of police, whose duty it shall be to attend fires, examine and make report of their origin, prevent theft, preserve order, and take all necessary measures to secure to the Fire Department all necessary facilities in the extinguishment of fires. Said marshals shall, according to rank, have command over all the police present at fires, and not actively engaged during the presence of an engineer in putting out fires. There shall be placed in each police station two or more pieces of Clark's linen hose, similar to those now attached to the stand pipe in the City Hall, of one hundred and fifty feet each in length, with couplings fitting the hydrants, and with stop valves near the nozzles; and, also, two or more small hand engines or Johnson pumps, and with suitable buckets, and upon an alarm it shall be the duty of such members of the police as may be selected for that service to repair therewith to the place where the fire may be, and there use their best skill and power to extinguish the fire; said policemen, while thus engaged, to be under the direction of the engineer, if present, otherwise, under the direction of the fire marshal.

Section 58. (A new one.) The ordinance in relation to the Fire Department, printed in the revised ordinances, adopted the 31st day of December, A. D. 1869, and all amendments and additions thereto, are hereby repealed, said repeal to take effect upon the reorganization of the Fire Department as herein printed.

SCHOOLHOUSE ON THE BACK BAY.

Mr. Holmes of Ward 6 moved to take from the table the motion to reconsider the vote whereby were passed the orders for erection of primary schoolhouse, corner of Newbury and Exeter streets; and for a loan of \$40,000 to be applied for same.

The motion prevailed, and the question recurring on the motion to reconsider—

Mr. Holmes of Ward 6 said, I remember, sir, when the gentleman from Ward 12 was speaking with reference to the filling in of the South Boston flats, he alluded in terms that struck me very forcibly, to the difficulty that outlying wards had in securing the attention of the City Council to improvements within their own limits.

I thought at the time of the desire each member had to secure fair play for his locality, and that wards farthest from the centre of the city received more attention than many others nearer. The history of this attempt to get a schoolhouse in Ward 6 seemed to be so. There is no schoolhouse on the Back Bay within two miles of the centre. An order was passed

through the School Committee to obtain a lot of land on the corner of Marlborough and Fairfield streets for the erection of a primary schoolhouse. The committee, after some effort, made arrangements for a lot suitable for that purpose. After the order passed the Aldermen and was before this body for action, a remonstrance was set on foot by some people in the neighborhood who thought that their back doors would be troubled by the children. It was said at the time that a better lot could be obtained. We tried to get it and could not. We then went to what seemed to be the next best lot, and we have purchased this one. Then came the building of the schoolhouse. The order passed the Board of Aldermen without any opposition and then passed here with not a dissenting vote. That was done at the last meeting before our adjournment for the summer. Because I did not move to reconsider at that meeting, when it would have been defeated, some one else has done so since and all the driving of piles and making of plans has been delayed. It seems to me somewhat strange that Ward 6, which pays twice as much tax as any other ward in the city except two, should not be able to get a small primary schoolhouse down on the Back Bay. It is said that the children can't be found who would go to it. I don't know how they will know that until it can be tried. I have been told that if you erect a schoolhouse there children will be sent to it. At present we have only one room, and that is so crowded that several children have been turned away. A matter which has received as careful attention as this should not be delayed any longer. It is no more than due to our ward to pass this order and have the work proceed as rapidly as it can. I have asked the cost, and if there is any risk of our coming here for more money, and Mr. Tucker said there was not. We don't ask for a grammar schoolhouse now, because we don't think we can fill it.

Mr. Page of Ward 9—The gentleman from Ward 6 lays a great deal of stress on the delay which the motion to reconsider has made in the erection of this schoolhouse. I think he is much mistaken. I went down to this land some six weeks ago, and it was about half under water, and half occupied by Munson's railroad track. I am certainly willing to vote for a schoolhouse in Ward 6, as soon as they can show any need of it. This matter is before the Committee on Schoolhouses of the School Board, and they are the proper persons to decide whether it is necessary or not. They have also under consideration the subject of redistricting the whole of that part of the city. I know there are several persons on Commonwealth avenue who desire a schoolhouse there, but whether there are enough children to fill it is not known. I have no desire to defeat this except to keep it on the table, or in some position until we can be sure that there is some need of this building at the present time. It may be found that the Primary Schoolhouse may not be the best one to build and it would be better to wait until we hear something definite.

Mr. Holmes—As for assurance that this is needed I know of nothing further that Ward 6 can give. Parents have given assurance that they will send their children to school. As for the order being before the School Committee, all I have to say is it was before them two years ago and this order requesting us to buy this piece of land was passed.

Mr. Page—Last year I had the honor to be a member of the Committee on Public Instruction when this question came up. If I remember aright there was just one man who took a particular interest in this matter, and this gentleman has asked the committee this year to give a hearing on this subject again. That hearing has not been given, and I think it would be better to wait. I don't see how anything can be done at present as the land is situated on a marsh.

The motion to reconsider was lost.

CANNON FIRING ON THE COMMON.

On motion of Mr. Dacey of Ward 2, the reports and an ordinance in relation to the discharge of cannon upon the Common or public grounds (City Doc. No. 93, 1873), were taken from the table.

On the question of giving the ordinance a second reading, Mr. Dacey said—

I am obliged to differ from the Committee on Ordinances in regard to discharging cannon on the Common and in regard to taking the authority to give permits from the Mayor and giving it to the Aldermen. There never has been any complaint from persons on Tremont street. The majority of the committee say that the firing of cannon on the Common is injurious to health, yet the committee say people will be willing to endure it on the Fourth of July and Seventeenth of June. I don't think it should be taken from the Mayor, who is just

as well able to bear the responsibility as we are. I don't believe in so much red tape, and I don't believe that a citizen should have to come here when he wants to use the Common for that purpose. I move to substitute the minority report (which recommends that no action be taken on the order) for that of the majority.

Mr. West of Ward 16—I don't consider this order of very great importance. It is perfectly right and should be passed. On the whole I think this firing of cannon on the Common had better be dispensed with. If it does no harm to fire on the Fourth of July and the Seventeenth of June it does no harm at any other time. I should be willing to vote for this ordinance and I hope the majority report will be adopted.

Mr. Dacey—I think that when the majority of a committee bring in an ordinance like this they should bring in some good reasons for it. I want to ask if there is any good reason for taking the power to issue permits from the Mayor and giving it to the Aldermen.

Mr. West—If the Mayor grants permission to one party he must perforce grant it to others. If it goes to the City Government there will be no personal feeling about it.

Mr. Dacey's motion to substitute the minority for the majority report prevailed, and the report as amended was accepted.

Subsequently Mr. Dacey moved to reconsider the vote, hoping that it would not prevail. The motion was rejected.

COMPENSATION TO A FIREMAN.

Mr. Burt of Ward 16 offered the following:

Whereas, James S. King a member of the Fire Department and attached to Engine Company No. 10, was seriously injured while in the discharge of his duty—

Ordered, That there be allowed and paid to James S. King the sum of three hundred 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. Pickering of Ward 6—Before voting I should like to hear more of the history of this case—how it occurred and what it amounts to.

Mr. Burt—He was injured about the first of May, so that he has been obliged to remain in the City Hospital ever since, and will not be able to do anything for some months to come. He is injured in the left leg and foot very badly. The order was passed to a second reading, and Mr. Burt asked a suspension of the rules that it might be passed.

Mr. Pease of Ward 1—I would like to ask the Chairman of the committee who reported that order, if that money should not come from the amount allowed to be appropriated by law, and not from the appropriation for the Fire Department.

Mr. Burt—It comes from the three thousand dollars appropriated for this purpose by the Council. If they use more than that they have to ask for more.

Mr. Pease—I don't think it should be taken from the regular appropriation. The City Council allows three thousand dollars for firemen who are injured while in the discharge of their duty.

Mr. Burt—My impression is that the especial appropriation of \$3000 is set aside for the Committee on Fire Department for such purposes.

The rules were suspended and the order was passed.

THE MATHER SCHOOLHOUSE.

Order to cancel the sale of the old Mather Schoolhouse provided it can be done by payment of expenses incurred by the purchaser, which came from the Aldermen, passed, was refused a second reading by the Council.

Subsequently Mr. West of Ward 16 moved to reconsider the vote.

Mr. West—My object is that the order may be passed to a second reading, and laid over under the rule.

The vote was reconsidered, and the order was passed to a second reading.

Mr. Wells of Ward 3—I hope the order will take its final reading this evening. I think this Council has voted money enough for schoolhouses to have this one remain where it is. That house could not be built for \$15,000. The gentleman who bought it for \$800 is willing to give up his claim by the city paying him the expenses that he has been to. It was rather a loose trade to sell the building for \$800. I hope the order will pass.

Mr. Caton of Ward 11—I hope the order will lay over until the next meeting, to let the members look into the matter. If I understand it, it is an old building, right in the shadow of the new one. If the building is worth \$15,000 the purchaser is foolish to give up his trade.

Mr. West of Ward 16—I hope the order will be laid over, as it was on that condition that I moved to reconsider. I understand the expenses are four or five thousand dollars, and that was what I wanted to ascertain.

The order was laid over.

THE FORT HILL WHARF PROPERTY.

Mr. Shaw of Ward 5 moved to reconsider the order passed the last meeting, to pay \$160,000 to W. R. Clark for the Fort Hill wharf property. Mr. Shaw proceeded to give his reasons for making this motion. What he stated at the last meeting was from a general knowledge of the value of the property, and from the impression that the price was an inordinate one. He had talked with some gentlemen who are more familiar with the property than he, and held in his hand the valuation of the property for the previous three years. This wharf, now the property of W. R. Clark, contains 22,000 feet. In 1871 it was taxed for \$2 63 per foot, or \$58,000, and the building for \$7000; in 1872, for \$3 per foot, making \$66,000 for the wharf and \$7000 more for the building. This year, on the 1st of May, three or four months ago, it was taxed at \$5 per foot, making \$110,000, which, with the building at \$15,000, will make an aggregate of \$125,000. Now we are at the 1st of September, and it is proposed to pay \$160,000 for that property. The wharf directly on the north is Packard's, taxed in 1872 at \$2 37½ per foot; this year the same property is taxed at one-eighth less than that, making an aggregate of \$50,000, for which sum it has been sold. Now take Snow's wharf, which in 1872 was taxed at \$2 25 per foot, and this year at \$3. The wharf of the James Otis heirs was taxed at \$2 25 in 1872, and \$3 this year. Pierson's wharf last year was taxed at \$2 70, this year at \$2 50; Power's wharf last year \$1 75, this year \$2 50. Foster's wharf, in 1872, at \$1 75; in 1873 at \$2 70. Rowe's wharf, the best of the whole, in comparison with Clark's and Rowe's is taxed at \$3 this year. Litchfield's wharf, adjoining this very property, was taxed in 1872 at \$2 25 per foot, this year at less than \$3. Batchelder's wharf is assessed at \$3 per foot; Dolbear's at \$2 25; Prescott & Chapin's at \$3, last year \$2 50; Liverpool at \$2 25, last year at \$2. Mr. Shaw claimed that these figures sustained his previous statements, and, as he said before, if the city has not got committees sharp enough to make good bargains, they had better all resign and go home. The question is, shall the city pay thirty-five per cent. in advance of what her assessors have valued property three or four months ago. He undertook to say that the property could be bought for what it is appraised for business purposes. If W. R. Clark is a sharp man, and comes to the City Hall and makes sharp bargains, is that any reason why the city of Boston should succumb to him or anybody else?

Mr. Shaw contended that if a business man would consent to pay such a price for that property he would be consigned to the Insane Asylum at South Boston. If those who have the making of bargains for the city are not competent they had better resign.

Mr. Burditt of Ward 16—I don't know whether the gentleman intended it or not, but it appears to me that his array of facts and figures are intended as a censure upon the Board of Assessors.

Mr. Shaw—I had no intention of censuring any one.

Mr. Burditt—I don't know whether there is anything in the value of the property to make it worth five dollars a foot. I do know, however, that the whole matter was fairly considered by the Committee on Streets, and their attention was called to it by the Street Commissioners. It was shown very clearly that we should need that property some time. The Street Commissioners had awarded some \$50,000 for the land taken in the widening of Broad street. We should have to pay that anyhow. I am not aware that a man is obliged to sell for what his property is assessed at, and we must expect the city to pay at least twenty-five per cent. more than the market value of property. Mr. Clark is not anxious to make this trade. The wharf will be worth much more when the street is widened. He agrees to pay the city seven per cent. for the use of the property until the street is widened, and I don't see that the city is going to lose anything on the original cost. I think it will be found to be a very sound trade.

Mr. West of Ward 16—I happen to know a little something about real estate in that locality. I had the management of some real estate opposite Packard's wharf which has been taxed at \$6000 this year and I sold it for \$11,600. I mention this merely to show how little you can tell by going to the Assessors books. I suppose Mr. Clark is going to make some money out of his wharf,

but I don't think \$160,000 is a very exorbitant price. If the city does n't take it he will get permission to extend his wharf; then the city will have to pay for the improvements.

Mr. Shaw of Ward 5—I think the gentleman has admitted all that I claim. The Harbor Commissioners have already refused to do what Mr. Clark wishes. They will never give him the right to extend his wharf and they ought not to do so. Is Boston Harbor to be encroached upon in this way? Are the rights of commerce to be encroached upon? What says my friend of Ward 16? Mr. Shaw then alluded to another insane project, the proposed widening of Atlantic avenue another hundred feet, the petition for which he had seen. These wharves must not be extended to the detri-

ment of commerce. Mr. Shaw did n't care how much money Mr. Clark makes out of this wharf, but gentlemen had n't brought a single argument to refute what he (Mr. Shaw) had said. Mr. Shaw concluded by reiterating his statement that the price was too large, and hoped that each member would investigate for himself, as he had done. He hoped the motion would prevail.

Mr. West of Ward 16—I think the city ought to pay fair prices for land, but it is n't in the nature of things that the city can drive as sharp bargains as individuals.

Mr. Shaw—I don't know the reason why.

The Council rejected the motion to reconsider.

On motion of Mr. Wilbur of Ward 9, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

SEPTEMBER 15, 1873.

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

EXECUTIVE NOMINATIONS CONFIRMED.

Special police officers without pay—Charles F. Harwood, for John A. Andrew Hall; Isaiah Wadleigh, Jr., District Telegraph Co.; William Blake, for the burnt district.

Weighers of coal—George W. Coney, Charles H. Moseley.

PETITIONS PRESENTED AND REFERRED.

To the Joint Standing Committee on Survey and Inspection of Buildings—W. R. Clark, to erect wooden building on Foster's wharf for a coal elevator.

To the Committee on Public Lands—Edward F. Meany, to erect wooden building on Albany and Mechanic street.

To the Committee on Health on the part of the Board—Michael Moore, to erect wooden stable for eight horses on First street, near K Street.

D. S. Jordan, to occupy wooden stable on Blue Hill avenue.

L. C. Chase, to occupy brick stable on Chardon street, near No. 20.

John Morgan, to occupy wooden stable on Kemble and Girard streets.

To the Committee on Sewers—William E. Peckett and others, for a sewer in Heath and Centre streets; Albert Brown, for a new sewer in Gough street. Order of notice issued for hearing next Monday, at four o'clock P. M.

Luther Adams and others, that the sewer in Washington street, from Summer to Bromfield street, may be lowered. Order of notice issued for a hearing next Monday, at four o'clock P. M.

To the Committee on Ferries—J. T. Blanchard and other police officers, to be allowed to pass over the ferries free of toll.

To the Joint Standing Committee on Armories—Company F, First Regiment, for approval of armory.

To the Committee on Claims—John Mullen, to be paid for injury to his horse and harness on Federal-street Bridge, on September 12.

To the Committee on Common on the part of this Board—James B. Aiken, for the removal of two trees from Norfolk street, Ward 16.

To the Committee on Licenses—Remonstrance of James M. Jacobs, chairman of the Standing Committee of the Second Universalist Society, against the establishment or continuance of hack stands on School street, against the estate Nos. 24 to 32, inclusive.

To the Committee on Paving—James J. Grace and 68 others, representing that the condition of the sidewalk on the easterly side of Washington street, between Hayward place and Essex street, is injurious to those persons doing business in the vicinity and dangerous to pedestrians, and praying that the above difficulties may be obviated.

Jacob Bleiler *et al.*, that edgestones be set on Mechanic street.

Joseph Forristall, to be paid for grade damages on Chambers street.

George F. Davis *et al.*, that Warren street, from Washington to Dudley street, be paved with granite blocks.

Seth Pettee, trustee, *et al.*, that Chatham row be repaved with small granite blocks.

Walworth Manufacturing Company, to place steam pipes under Hawley and Franklin streets.

David H. Blaney *et al.*, that Meridian street, from Paris to Saratoga street, be paved.

James Lynch *et al.*, that Niuth street, from E to Dorchester street, be paved.

Winthrop Railroad Company, that the fence on Saratoga street, over Breed's Island, may be set back.

School Committee, that Cove street be paved from East to Beach street, for the benefit of the Bowditch Grammar School.

Metropolitan Railroad Company, to locate tracks on Beacon street, from Gloucester street to near Brighton avenue.

THE POULTRY TRADE.

A petition was received from Nathan Robbins and seven other poultry dealers at Faneuil-Hall Market, representing that section fourteen of the city ordinances in relation to said market, passed June 3,

1859, and amended May 18, 1866, declares that "no poultry shall be sold or offered for sale in said market until the same has been properly dressed, by removing the heads, crops, entrails and feathers"; that large quantities of poultry shipped to this city arrives and is offered for sale, and sold, without having the entrails, crops or heads removed; and if said ordinance is observed or enforced the occupants of the poultry stalls in said market do not have an opportunity to purchase and sell such poultry, or to compete with poultry dealers doing business in other markets in the city, or with the established provision stores and commission houses; that the result of the enforcement of said ordinance is to take away from said market many other kinds of produce for the reason that persons sending poultry to this city generally send other produce with it, and prefer to send all their goods to one place, and the goods sent are naturally consigned or sold to such parties as have a legal right to resell or dispose of the same; that much of the poultry consumed in the United States is raised in and shipped from the Canadas before the heads, entrails, or crops are removed, and the Canadians are obliged to send their poultry to New York city and other places, where no law exists which prohibits any person from selling such undressed poultry. Wherefore the petitioners pray that said ordinance may be repealed, or so far modified as to place the dealers in poultry in said market on an equal footing with merchants in the same business in other parts of the city.

The petition was referred to the Joint Standing Committee on Markets.

STATEMENT FROM THE GERMAN CONSUL.

The following communication was received and placed on file:

CONSULATE OF THE GERMAN EMPIRE, {
6 Oliver street, Boston, Sept. 9, 1873. }

To His Honor Mayor Pierce: Dear Sir—In my letter of August 28, 1873, asking for better protection of life and property in Boston Harbor, I took the following positions:

In view of the fact that there is in existence in this city an association of sailors' boarding-house keepers, one of whom, a few weeks ago, in this office, boasted that they would get the best of us; in view of the fact that the damage these boarding-house keepers do to German trade by enticing seamen to desert, is great, etc., etc.

I have had occasion since then to satisfy myself that the sailors' boarding-house keeper had no warrant to use the language which led to the above remarks; that the "Seamen's Mutual Benefit Association" does not pursue lawless objects; on the contrary, that they endeavor to repress lawlessness among their members.

I cheerfully make the above statement in order to correct any wrong impression my language may have given of the objects and actions of the "Seamen's Mutual Benefit Association." As my first letter was laid before the Board of Aldermen and there may have created a false impression, I would respectfully ask that this letter be sent in to that body likewise.

I have the honor to be, sir, very respectfully yours,
G. A. SCHMITT, Acting Consul.

SEWER ASSESSMENTS.

The Superintendent of Sewers submitted statements of sewer assessments as follows: Saratoga street, between Bremer and Swift street, total cost \$2666 05, assessed to individuals \$1999 54; Lexington street, between Eagle and Prescott streets, total cost \$2198 94, assessed to individuals \$1649 21; Vine street, total cost \$462 30, assessed to individuals \$324 23; George street, total cost \$846 22, assessed to individuals \$634 67; Sawyer street, total cost \$494 29, assessed to individuals \$370 72.

Severally referred to the Committee on Sewers.

THE WATER SUPPLY.

The following communications were received from the Cochituate Water Board. They were referred to the Joint Standing Committee on Water and ordered to be printed:

OFFICE OF THE COCHITUATE BOARD, {
CITY HALL, Sept. 12, 1873. }

To the City Council of Boston—By the direction of this board I inclose the report and plans submitted by Mr. J. P. Davis, City Engineer, to whom were referred certain questions regarding needed changes and additions to the present system of water pipes, detailed in an order of the Board of Aldermen to this board June 16, 1873.

The "adequate supply of water for all necessary purposes," referred to in the order, doubtless refers to an adequate supply to meet such conflagrations as occurred in November last, as the present system of supply is ample for all domestic and manufacturing purposes, while in addition it furnishes a better sup-

ply for fire purposes than is possessed by any other large city in the country.

While the supply for fire purposes is so large and generous, still it will be wise, perhaps, to incur a reasonable amount of expenditure to further increase it, so that no just cavil or criticism can be made as to the action of the City Government, or its agents having the matter more particularly in charge.

With this view this board concurs in the additions and changes which are more particularly recommended by the City Engineer, and which he estimates will cost \$380,000. The additional improvements, costing some \$334,000, suggested in the report, "to further augment the capacity of the general system," in the opinion of the board may be safely left to a future day, as those recommended by the City Engineer, and mostly determined upon by this board, seem to meet all the reasonable requirements of the present time. The changes and improvements which have been and are now being made will probably exhaust the appropriations for the current fiscal year; and, to the end that no valuable time may be lost in forwarding the needed work, this board recommends a special appropriation of \$250,000, to be expended for the purchase of pipes and other material, and the furtherance of such needed work as may be done before the cold weather closes in this fall.

The annual appropriations for this department have usually been made so late in the spring months that much valuable time is lost before the pipe contracts are made and the delivery commences. If contracts were made in the autumn, the pipes could be made in the winter months and shipped here ready for use as soon as navigation opens, and probably better terms could be made with the manufacturers. Some \$200,000 of the appropriations asked for will be needed for pipes and fixtures, and the balance may be judiciously used for work already determined upon, should the season remain open as late as it sometimes does.

This communication has been withheld for some little time, from some considerations affecting the proposed substitution of salt water for fire purposes in certain sections of the city, by an independent system of pumping works. As this is a very important matter, and one requiring careful consideration, and as the Board of Aldermen has quite recently passed an order requiring a special report upon it, it will be best to wait until the question is more carefully investigated before a definite opinion is given upon the matter. Whether the new pumping system is adequate or not, still the appropriation recommended by this board is very desirable, should the City Council agree with the suggestions submitted by the City Engineer.

For the Cochituate Water Board.

JOHN A. HAVEN, President.

CITY ENGINEER'S OFFICE, CITY HALL, }
BOSTON, August 16, 1873. }

John A. Haven, Esq., President Cochituate Water Board: Sir—The following order of the City Council was referred to me for a report, by your board, on June 19:

"IN BOARD OF ALDERMEN, June 16, 1873.

Ordered, That the Cochituate Water Board be requested to consider and report to the City Council, as soon as practicable, what alterations in and additions to the present system of water pipes and hydrants would be required to render them of such capacity as would afford an adequate supply of water for all necessary purposes; to include the number and kind of hydrants, size and quantity of pipes, and cost, including expense of laying the same; 1st, for the city proper; 2d, for South and East Boston; 3d, for Roxbury and Dorchester. Also, what portions of the work could be completed during the present year, and whether any additional appropriation for the same would be needed."

Before giving the estimates of quantities and cost that have been prepared in answer to the above order, I desire to call attention to certain alterations and extensions of the existing system of distributing mains and pipes, that have already been either determined upon by your board or recommended to it for adoption.

A plan for repiping the "burnt district" was submitted and approved early this year, and an appropriation of \$85,000 to cover the cost of the work required has been made by the City Council.

Since then your board has decided to make a number of changes and additions in other parts of the pipe system, viz., to lay a 12-inch main from Tremont street, through Dover and Fifth streets, to the South Boston high-service district; to lay a 16-inch pipe the entire length of North Charles street; to lay a 12-inch pipe in Washington street, from Boylston to Summer; to connect one with another various lines of 12-inch pipes which now terminate with "dead ends";

to replace in a number of streets and places 6 and 4 inch pipes by 8-inch, and at other points to replace 4-inch pipes by 6-inch. The estimated cost of this work is \$78,000.

Other changes which were recommended to the Water Board, either verbally or in the May report of the City Engineer, are now under consideration. These are, to lay a 20-inch high-service main from the pumping works to Dover street, and a 16-inch main from Dover street to the Common, there to connect with the 16-inch pipe lately laid across the Common and through Joy street to Mount Vernon; to lay a 16-inch pipe on Tremont street, from Boylston to School; to lay 12-inch pipes in the following-named streets: Temple place from Tremont to Washington, Cornhill from Court to Washington, Hanover street from Court to Union, Commercial street from Prince to Fleet, Beach street from Washington to Federal, South street from Beach to Albany, Albany street from Way to Dover, Dorchester street from First to Second, First street from Dorchester to O, O street from First to Fourth, and Granite street from Second to Mount Washington avenue; to lay 8-inch pipes in Salem, Essex and other streets, and to lay 6-inch pipes at various places—as on the wharves, to replace those of 4-inch diameter. The estimated cost of this work is \$220,000.

In addition to the above there are changes and extensions which should be made at an early day in East Boston, Roxbury and Dorchester, such as to lay 12-inch pipes in Meridian and Marginal streets, and in Blue Hill avenue; to extend the 24-inch low-service main from Upham's Corner to Field's Corner, and to lay 8-inch pipes in a number of streets. The estimated cost of this work is \$91,000.

The total amount of the above estimates is \$474,000, from which is to be deducted the \$85,000 already appropriated. This leaves \$389,000 as the amount of a further appropriation required to cover the cost of the proposed work.

Of this amount about \$190,000 is for new mains and extensions, which should be laid within a year or two, at the latest, to provide for the natural increase in the daily consumption of water. The 12-inch high-service main for South Boston, the cost of which is included in the above estimate, is now being laid, at an expense of about \$40,000.

The order of the City Council, in answer to which this report is made, requires that there shall be proposed such alterations in and additions to the present system of water pipes and hydrants as will render them of capacity to afford "an adequate supply of water for all necessary purposes."

The machines now in use for extinguishing fires necessitate for their supply the delivery of large volumes of water within small areas. The present tendency is not only to increase the number of engines that are brought into action at a single fire, but also to employ more powerful ones.

Experience shows that conflagrations of great magnitude may be caused by the burning of low buildings or dwellings, as well as by the burning of larger and higher ones, used for business purposes.

It therefore follows that to furnish an adequate supply for all necessary purposes, a capacity of pipes must be provided that will deliver very large volumes of water at any point of the city which is, or which may soon be, thickly built upon.

Without fixing upon a definite quantity of water to be delivered in a given time within a given area, I have endeavored to so augment the general capacity of the pipe system, by providing new or enlarged feeders to the smaller pipes, and by cutting the latter into short lengths, that a *very liberal* supply may be delivered at all points within the range of the distributing pipes.

The accompanying plans of Boston proper, South Boston and East Boston, and the following schedule will show the alterations and additions proposed for this purpose:

Roxbury Low Service.

To lay 570 feet 12-inch pipe in Blue Hill avenue, from Stafford to Woodville square.

To lay 2900 feet 12-inch pipe in Putnam and Cabot streets, from Dudley to Ruggles street.

To lay 1160 feet 8-inch pipe in Hammond park, from Tremont street to Shawmut avenue.

To lay 550 feet 8-inch pipe in Ball street, from Washington street to Shawmut avenue.

To lay 850 feet 8-inch pipe in Winslow street, from Dudley to Eustis street.

To lay 600 feet 8-inch pipe in Dunlow street, from Elmwood to Dudley street.

To lay 440 feet 8-inch pipe in Elmwood street, from King to Clay street.

To lay 330 feet 8-inch pipe in Clay street, from Elmwood to Tremont street.

To lay 260 feet 8-inch pipe in Bumstead lane, from Conant street to Longwood avenue.

To lay 630 feet 8-inch pipe in Vine street, from Mount Pleasant avenue to Dudley street.

To lay 720 feet 8-inch pipe in Fairland street, from Mount Pleasant avenue to Moreland street.

To lay 350 feet 8-inch pipe in Cleveland street, from Winthrop to Moreland street.

To lay 930 feet 8-inch pipe in Moreland street, from Fairland street to Blue Hill avenue.

To lay 600 feet 8-inch pipe in Alaska street, from Perrin street to Blue Hill avenue.

To lay 260 feet 6-inch pipe in Cunard street, from Cabot to Tremont street.

To set 6 Lowry hydrants.

Roxbury High Service.

To lay 1500 feet 12-inch pipe in Higbland court, from Fort avenue to Norfolk street.

To lay 1200 feet 12-inch pipe in St. James street, from Shawmut avenue to Warren street.

Dorchester.

To lay 2300 feet of 24-inch pipe in Dorchester avenue, from Adams to Pleasant street.

To lay 1870 feet of 24-inch pipe in Pleasant street, from Dorchester avenue to Stoughton street.

To lay 1450 feet of 25-inch pipe in Stoughton street, from Pleasant to Boston street.

The estimates of quantities are as follows:

Boston Proper.

9260 lineal feet of 20-inch pipe.

7180 lineal feet of 16-inch pipe.

27,380 lineal feet of 12-inch pipe.

32,710 lineal feet of 8-inch pipe.

28,980 lineal feet of 6-inch pipe.

310 Lowry hydrants.

(Part of the above 20-inch pipe intended for the Beacon Hill and South Boston high service is to be laid in Roxbury.)

South and East Boston.

45,640 lineal feet of 12-inch pipe.

17,600 lineal feet of 8-inch pipe.

10,880 lineal feet of 6-inch pipe.

224 Lowry hydrants.

Roxbury and Dorchester.

5620 lineal feet of 24-inch pipe.

6170 lineal feet of 12-inch pipe.

7420 lineal feet of 8-inch pipe.

260 lineal feet of 6-inch pipe.

6 Lowry hydrants.

The estimates of cost are as follows:

First—Boston Proper.

Pipes laid, including gates and specials.....	\$325,249 00
Hydrants, on old and new pipes.....	45,290 00
House-service pipes.....	33,500 00

Total.....\$404,039 00

Second—South and East Boston.

Pipes laid, including gates and specials.....	\$214,520 00
Hydrants, on old and new pipes.....	29,580 00
House-service pipes.....	23,900 00

Total.....\$268,000 00

Third—Roxbury and Dorchester.

Pipes laid, including gates and specials.....	\$86,000 00
Hydrants, on new pipes.....	600 00
House-service pipes.....	4,500 00
Rock excavation.....	10,000 00

Total.....\$101,100 00

Total amount of estimates.....\$773,139 00

In the above estimate, the cost of that part of the work classed under the head of extension is \$228,000. It will be seen that the cost is great, and the question arises whether the advantages to be gained from the changes suggested will warrant the expenditure of so large a sum. The system as thus modified would give no greater capacity than, in view of the very large supply of water now demanded for fire purposes, most engineers would provide for a city when the distributing pipes are not already laid. If, however, the existing system of this city be modified by the laying of the new mains and pipes, as already recommended to your board, it will form a very generous supply for all purposes.

Respectfully submitted,

JOSEPH P. DAVIS, City Engineer.

UNFINISHED BUSINESS.

Order to pay John I. Brown \$25,260, for land taken to widen Washington street. Passed.

Order to pave a portion of Creek square with small granite blocks. \$2400. Passed.

Order to postpone the collection of certain sewer assessments until entries are made into such sewers. Passed.

Report and order for appointment of a commission of five persons to prepare a revision of the city charter.

Alderman Power moved that the subject be referred back to the committee. He made the motion at the request of a gentleman who, among other reasons assigned, expressed the desire to make a minority report.

Alderman Quincy would not oppose a motion to allow a gentleman an opportunity to make a minority report, but it seemed to him that time enough had been given to every member of the committee to make up his mind and express it. He would not oppose the postponement, but he did not wish to establish the precedent. After the matter had been before the committee and decided by a large majority, he did not see why the gentleman should at this late hour wish it referred back.

Alderman Power replied that the gentleman did not expect the report would be made at the last meeting and that was the reason the request had been made.

The motion to recommit was carried.

PAPERS FROM THE COMMON COUNCIL.

Petition of Cummings & Carlisle was referred in concurrence to Committee on Survey and Inspection of Buildings.

The following papers received concurrent action:

Report from Board of Street Commissioners that the estimated cost of widening and extending Fayette court is \$375,000; of extending Hayward place to Kingston street, \$232,000. Referred to Joint Committee on Streets.

Report from Board of Street Commissioners that the proposed extension of Eustis street to Magazine street would cost \$17,100. Placed on file.

Order to pay James S. King, a member of the Fire Department, \$300 for injuries received while in discharge of his duties. Passed.

Order authorizing erection of a bell tower on Hose House No. 12, at corner of O and Fourth streets, at an estimated expense of \$1500. Passed.

FIRING CANNON ON THE COMMON.

The report and an ordinance in relation to the discharge of cannon upon the Common or public grounds (City Doc. No. 93, 1873), came up from the Council with an amendment to substitute for said ordinance the report of the minority of the committee, viz., that "no action is necessary" on the subject.

On the question of concurrence with the Council in the substitution of the minority report of inexpedient to legislate, Alderman Quincy said—

I observe that the ground taken for this substitution in the other branch, is in substance that the power to authorize the practice should not be taken from the Mayor where it now resides, and that those desirous of indulging therein ought not to be embarrassed by the red tape or useless formality of an application to the Council. As the vote shows almost unanimity of opinion on this point, I am willing to concede it and to amend the ordinance by continuing to the Mayor his present authority in the matter. The existing ordinance permits the practice when authorized "by the military authority of the Commonwealth," without specifying by whom such authority shall be exercised, thereby as I submit placing our Common at the disposal for this purpose of any officer in command of artillery who may desire to practise the same thereon, which by virtue of his commission he does "by military authority of the Commonwealth."

Now, my point is simply this, that the military authorities of the Commonwealth, whether high or low, captain or commander-in-chief, ought to be held to come here to the City Hall and ask leave of somebody before using our pleasure grounds in the heart of our city for this purpose. I have no doubt that gentlemen of the other branch will meet this issue fairly and decide according to their convictions.

The Board non-concurred in the substitution of the minority report and adopted an amendment to the ordinance continuing to the Mayor his present authority to grant permission for artillery firing. The ordinance as amended was then passed.

REPORTS OF COMMITTEES.

Alderman Gibson, from the Joint Standing Committee on the Survey and Inspection of Buildings, submitted reports and orders in favor of granting the following petitions:

Joseph F. Paul, to erect wooden building on Bristol and Albany streets.

F. Robbins & Co., to place a wooden roof over coal sheds on Carleton's wharf.

Albert F. Cole, to erect wooden ell to building No. 131 Broadway.

Patrick O'Donohue, to erect lumber shed at 434 Harrison avenue.

C. P. Clark, to erect wooden building on Boston wharf.

Patrick J. Myers, to erect wooden building on Ward street.

Davis Damon, to erect a wooden building at 64 Eutaw street.

McQuesten & Fogg, to enlarge lumber shed at 170 Border street.

The reports were severally accepted, and the orders were read twice and passed.

Alderman Gibson, from the same committee, reported "no action necessary" on the petition of R. J. Elder, to erect wooden building on Border street. Accepted.

Alderman Sayward, from the Joint Standing Committee on Health, reported on the petition of J. H. Hathorne, for change of Health ordinance relative to removal of manure from stables, that such a change is desirable, and recommended that the subject be referred to the Committee on Ordinances.

The report was accepted and the petition was so referred.

Alderman Sayward, from the Committee on Health, reported in favor of granting the petitions of Edward Ripley, to occupy stable on Harvard street; Joseph H. White, to occupy brick stable on Stanhope street; George A. Fuller, to occupy wooden stable on Van Winkle street, Ward 16; Patrick Norton, for stable on Pearl street, Ward 16.

Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the applications of Charles Crosby and others, for transfer of hack licenses; of O. J. Gallagher and Nathan Whiting, innholders; of Eugene McNulty, W. S. Lovejoy and Charles Arnold, victuallers; of Joseph Baxter, dealer in second-hand articles; of J. B. Thompson, to give photographic exhibition at Tremont Temple, September 17; of Warren-street Chapel Association, to hold festival in Music Hall, October 1; of John Kasson, Charles M. Sullivan, J. L. Knox, Patrick Fardy and George H. Kuhn, for wagon licenses; of John H. Flack, George W. Crocker, Dominico Leverono and Theo. Twickler, for billiard-saloon licenses; of Annie Johnson, George L. Pierce, Rollin H. Carnes, to keep intelligence offices.

Severally accepted.

Alderman Power, from the Committee on Sewers, reported orders for the construction of sewers in Rockland, Catawba and Copeland streets. Severally read twice and passed.

Alderman Clark, from the Joint Standing Committee on Streets, reported orders to pay as follows: Charlotte Brown, executrix, \$20 35, on account of widening of Stoughton street; heirs of Sarah A. Brown, \$6437, on account of the widening of Essex street. Severally read twice and passed.

Alderman Power, from the Committee on Paving, to whom was referred the petition of Nathaniel C. Nash *et al.*, made a report recommending that the Commission on Wood Pavements be requested to make a supplementary report in accordance with the prayer of the petitioners. Accepted.

Alderman Power, from the same committee, made a report recommending that the petition of Charles Davenport, *et al.*, that Devonshire street be renumbered, be granted. Accepted.

Alderman Power from the same committee, on the petition of Alvert Brown *et al.*, reported the following order:

Ordered, That the Superintendent of Streets be directed to pave Gouch street with small granite blocks. Estimated cost, \$600.

Report accepted and order passed.

Alderman Emery, from the Committee on Public Lands, to whom were referred the petitions of William T. Hart and Adoniram Burrill, made a report recommending the passage of the accompanying orders:

Ordered, That the time for erecting a building upon the lot of land as decided to William T. Hart by the city of Boston January 2, 1872, be extended to September 1, 1874, upon condition that the sum of \$200 is paid to the Superintendent of Public Land within ten days from the passage of this order.

Ordered, That the conditions set forth in an agreement given by the city of Boston to Messrs. Burrill and Whitney, May 15, 1869, to convey to them certain land on M and Third streets, be so far modified as will permit of the erection of a brick stable upon said land in conformity to the height and width as set forth in the petition of Adoniram Burrill, dated August 5, 1872.

The reports were accepted, and the orders were read twice and passed.

SPECIAL CITY ELECTION.

On motion of Alderman Stebbins—

Ordered, That warrants be issued for the meeting of the legal voters of this city, in their respective wards, on Tuesday, the seventh day of October

next, at nine o'clock A. M., then and there to give in their ballots—"Yes" or "No"—in answer to each of the following propositions, viz.:

1. Shall an act passed by the Legislature of this Commonwealth in the year eighteen hundred and seventy-three, entitled, "An act to unite the city of Boston and the town of Brighton," be accepted?

2. Shall an act passed by the Legislature of this Commonwealth in the year eighteen hundred and seventy-three, entitled, "An act to unite the city of Boston and the town of Brookline" be accepted?

3. Shall an act passed by the Legislature of this Commonwealth in the year eighteen hundred and seventy-three, entitled "An act to unite the city of Charlestown with the city of Boston," be accepted?

4. Shall an act passed by the Legislature of this Commonwealth in the year eighteen hundred and seventy-three, entitled "An act to unite the city of Boston and the town of West Roxbury," be accepted?

All the answers to the foregoing propositions to be deposited on one ballot. The polls to be kept open until six o'clock, P. M.

Alderman Gibson offered the following:

Ordered, That the Superintendent of Fire Alarms, under the direction of the committee on that department, procure a new alarm repeater for the Central Office (the present one in use being unreliable) at an estimated expense of twenty-three hundred dollars; the same to be charged to the appropriation for that department.

Alderman Clark asked if the one in present use could not be repaired for a sum much less than a new one would cost.

Alderman Gibson replied that the instrument is said to be valueless. He had himself suggested that the old one be repaired, but the Superintendent of Fire Alarms assured him that a new one would be better, as it had some improvements which made it preferable to the old one.

The order was passed.

Alderman Stebbins offered the following:

Ordered, That on and after the first day of October, 1873, the fees for measuring wheat, corn and other grains shall be one cent a bushel, which shall be in full for all services rendered by the measurer or by his deputies.

Alderman Stebbins—The Measurer of Grain is appointed by the Mayor and Aldermen, in accordance with the General Statutes. At the time the office was created the fee was fixed at three-quarters of a cent per bushel, which was good pay at the time. Now nineteen-twentieths of the grain comes here over the railroads and goes into elevators, and the amount of labor performed by the measurer at the present time is very light. He is now charging one cent per bushel, and it has been thought best to make this change in the rates.

The order was passed.

ORDERS PASSED.

On motion of Alderman Clark—

Ordered, That the Chief-Engineer of the Fire Department he and he is hereby authorized to organize a steam fire engine company, to consist of twelve men, as follows: Foreman, engineer, fireman, two drivers and seven hosemen, to take charge of Steam Fire Engine No. 25, the same to be located in the temporary house on Washington square, the above company to be permanently employed; also, a hook and ladder company, to consist of fifteen men, as follows: Foreman, assistant-foreman, driver and twelve laddersmen, the same to be permanently employed and located in the same house.

Ordered, That the Committee on Common and Public Grounds be authorized to expend a sum not exceeding four thousand five hundred dollars, in grading and otherwise improving Orchard square, said sum to be charged to the appropriation for Common and Public Grounds.

Ordered, That the Committee on Common and Public Grounds be authorized to expend a sum not exceeding two hundred dollars in the improvement of South Boston squares; said sum to be charged to the appropriation for Common and Public Grounds.

Ordered, That the Committee on Common and Public Grounds be authorized to expend a sum not exceeding four thousand seven hundred and thirty dollars, in payments for labor and team work in that department; said sum to be in addition to the appropriations heretofore made and to be charged to the general appropriation for Common and Public Grounds.

Ordered, That the Committee on Common and Public Grounds be authorized to expend an additional sum of two hundred dollars in erecting and furnishing a toolhouse and wagon shed on the Common; said sum to be charged to the appropriation for the Common and Public Grounds.

Ordered, That the sums of one hundred and twenty-five and one hundred dollars be and the same hereby are abated—for cause—from the respective assessments of seven hundred and twenty and two hundred and twenty-five dollars upon the estates of Allen Putnam and Caroline Geib, for betterment, from the widening of Dudley and other streets, under an order of the Board of Street Commissioners of August 5, last, leaving the said assessments at five hundred and ninety-five dollars upon the estate of Allen Putnam and one hundred and twenty-five dollars upon the estate of Caroline Geib.

On motion of Alderman Quincy—

Ordered, That until otherwise ordered there be allowed and paid for rent of headquarters for the Ninth Regiment of Infantry, M. V. M., at No. 562 Washington street, the sum of six hundred dollars per annum, beginning on the first day of September, 1873.

Yeas 11, nays 0.

Ordered, That the allowance for rent of headquarters for the First Regiment of Infantry, M. V. M., at No. 11 Pemberton square, be discontinued from and after the first of September, 1873; and that until otherwise ordered the sum of six hundred dollars per annum be allowed and paid for rent of headquarters for said regiment in Boylston Hall, beginning on the first of September, 1873.

Yeas 11, nays 0.

On motion of Alderman Power—

Ordered, That the Superintendent of Streets be directed to pave the sidewalks with brick on the south side of Cedar street, between Thornton and Hawthorn streets, and to report to this Board a schedule of the expense thereof.

Ordered, That the Committee on Paving consider and report what measures it is expedient to take either to prohibit or to regulate the projection of hoisting beams from the fronts of stores in this city, and the raising of goods thereby.

On motion of Alderman Hulbert—

Ordered, That the Superintendent of Streets be directed to notify in writing the Superintendent of Sewers and the President of the Water Board before proceeding to pave or macadamize any street or place within the city of Boston.

Ordered, That the several gaslight companies whose pipes are laid in the streets or ways of the city of Boston be requested to notify in writing the Superintendent of Streets, the Superintendent of Sewers and the President of the Water Board before proceeding to open any street or way in this city for the purpose of laying gas pipes therein.

Ordered, That the Cochituate Water Board be directed to notify in writing the Superintendent of Streets and the Superintendent of Sewers, before proceeding to open any public street or way in the city of Boston for the purpose of laying water pipes therein.

Ordered, That the Superintendent of Sewers be directed to notify in writing the Superintendent of Streets and the President of the Water Board before opening any street or way in the city of Boston for the purpose of laying drains or sewers therein.

On motion of Alderman Sayward—

Ordered, That the Committee on Public Institutions be authorized to provide suitable office accommodations for the Board of Directors of Public Institutions; the expense to be charged to the appropriation for Public Buildings.

On motion of Alderman Brown—

Ordered, That the Committee on Lamps be authorized to visit New York, for the purpose of examining the method of lighting the streets in that city; the expense, not exceeding \$200, to be charged to the appropriation for Lamps.

On motion of Alderman Emery—

Ordered, That the Board of Street Commissioners be requested to report to the City Council an estimate of the cost of extending Granite street, in South Boston, from its junction with Second and Third streets on a line parallel with A street to Broadway.

METROPOLITAN RAILROAD.

On motion of Alderman Stebbins, the report, "leave to withdraw" on petition of the Metropolitan Railroad Company, for an additional track on Washington street, was taken from the table.

Alderman Stebbins—I move that the petitioners be given a hearing three weeks from today, instead of leave to withdraw.

Alderman Power—I should like to amend by issuing an order of notice which would give the petitioners and any one opposed a hearing the same day.

Alderman Stebbins—An order of notice is given before the committee report in favor of granting a location. It was my intention that all parties should be heard.

Alderman Power—In most cases the order of notice is issued before the committee comes to a deci-

sion. In this case the committee decided to give the petitioners leave to withdraw before the order of notice was issued. The Committee on Paving have no objection to the issue of an order of notice that will effect the object of the gentleman's motion and be satisfactory to the petitioners.

Alderman Stebbins—I shall be satisfied if the petitioners be given a hearing.

Alderman Quincy moved to amend by inserting the words "and remonstrants" and after the words petitioners.

The Chair suggested the customary term "all parties interested," which was agreed to and the order of notice was passed.

A NEW SMALLPOX HOSPITAL.

Alderman Sayward submitted the following report from the Joint Standing Committee on Health:

By an order of the City Council approved April 25, 1873, the Board of Health was requested, with a view to early closing of the building now occupied as a smallpox hospital on Marcella street, to report what action should be taken to provide permanent accommodations for the treatment of persons suffering from contagious diseases. On the third of May the board reported that, in its opinion, a permanent hospital was absolutely necessary for the preservation of the public health, and upon the recommendation of your committee a bond for a deed was obtained of a lot of land which appears to be well adapted for the purpose.

The Sweet-street Hospital, which was established last year, has been abandoned as being unsuitable, in the opinion of the leading physicians of Boston, for the successful treatment of the smallpox patients. The occupation of the building on Marcella street, known as the old almshouse, has been continued to the present time because there was no other suitable place to which persons sick with contagious diseases could be sent. When the building was first taken for the purpose its occupation was not contemplated beyond the exigency which called it into use. With this understanding the people who lived, or owned real estate in the immediate vicinity, have submitted with great patience for nearly eight months to an unwholesome fear of smallpox contagion, and to the inconvenience and annoyance resulting therefrom. The paramount consideration for the public health, which justified the board in taking the action which it did, no longer exists. Justice to these people demands that different provisions should be made as speedily as possible.

It is evident that this city has now reached a point in its growth where some more permanent and extensive accommodations than have heretofore existed should be provided for the care of persons sick with contagious or infectious diseases. The extensive commerce which is carried on here with all parts of the world greatly increases the liability to epidemics, and it is of the first importance that the means should always be at hand to enable the health officers to carry out the policy of isolation which operated so effectually in preventing the spread of smallpox.

After giving a good deal of attention to the subject of a new location, the Board of Health and your committee have agreed in recommending the selection of a lot of land on Columbia street, in Ward 16, situated about three miles from State street, and containing 426,984 square feet, or about ten acres. The price for which it can be purchased is twenty cents per square foot. The site combines all the requisites for the purpose for which it is intended. The neighborhood is sparsely populated. The grounds are high and dry, ample in extent, with pure air from all quarters, good water, plenty of trees, and easily accessible from other sections of the city. There is a good building on the premises, which can be put in condition, without much expense, to serve the purposes of a hospital for some years to come. As soon as accommodations are provided in this place,—and there need be no delay in the matter,—the almshouse estate at the Highlands, containing 477,530 square feet, or about eleven acres, can be divided into house lots and sold for more than double the cost of the proposed location. The first cost of the lot on Columbia street can be considerably reduced by the sale of a large quantity of material suitable for building streets, which can be removed from it without interfering with the use for which it is purchased.

In view of the facts here presented, the committee would respectfully recommend the passage of the accompanying orders.

WILLIAM SAYWARD.
N. GIBSON,
GEORGE P. DENNY.
H. W. PICKERING.

Ordered, That the Committee on Health be authorized to purchase, as a site for a hospital for contagious and infectious diseases, a lot of land situated on Columbia street, Ward 16, together with the buildings and other fixtures thereon, owned by Edward McKechine, Otis Shepard, H. S. Shepard and W. R. Chester, said lot containing four hundred and twenty-six thousand nine hundred and eighty-four square feet, more or less; the price paid therefor, including the fixtures, not to exceed the sum of twenty cents per square foot.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$86,000, to be applied to the purchase of a site for a hospital for contagious and infectious diseases.

The orders were read once and laid over.

HOME FOR THE POOR.

On motion of Alderman Power, the reports of the Committee on Public Institutions on purchase of a site for a Home for the Poor (City Doc. No. 108) were taken from the table.

Alderman Power moved that the report recommending the purchase of the Austin Farm be adopted.

Alderman Hulbert—I did intend to oppose taking this subject from the table, but instead of that I would remark that it would be better to defer the consideration of this subject for at least a week, as the printed reports have just come before the Board, and the members have not had an opportunity to examine them. I hope the report may be laid on the table a week longer at least; though I do not wish to dictate in the matter. I really did not suppose it would come up today.

Alderman Power—I would not have asked to bring this matter up today, but the gentleman who is absent has expressed to me his intention of voting for the Austin Farm, so I do not wish to take advantage of that. This matter has been before us more than a year, and all of us ought to be familiar with the subject. If any one is not, I have no desire to press this matter. The gentleman who is absent has expressed his opinion to me as in favor of the Austin Farm.

Alderman Stebbins called attention to the fact that on next Monday at 5 P. M., there would be a very long hearing before the Board.

Alderman Power—All who signed both reports urged the importance of some action being taken on this matter as soon as possible. There is not a gentleman here but is pretty well acquainted with the state of affairs at Deer Island and of the urgent necessity of some action being taken. The state of affairs at Deer Island is a disgrace to the city. If gentlemen say they are not posted I will not press the subject.

Alderman Sayward—I agree with the gentleman on my left that there is necessity for action on this matter of a home for the poor. It has been before the

Council for six years, passing from one to the other without anything being done. I suppose each member has made up his mind as to which lot he will favor, but I am not so clear how the gentleman who is absent will vote. I understood that he had not made up his mind definitely. It is very seldom that I inquire how parties vote, and I don't go around inquiring whether any measure is going through or not. My preferences were in favor of the Dorchester lot, but some questions have come up in reference thereto, so that I am not so clear that I should vote for it today. For this reason I desire that it be laid over another week.

Alderman Clark—I hope the subject will be laid over another week. The committee are pretty evenly divided, four for one report and four for the other, and it may be this Board will stand that way. My mind is made up as to which place I shall vote for. If there is such need of prompt action, the committee have not shown their appreciation of it. The subject was given to them last May; yet the summer is past and the harvest is almost ended, and still they have not decided on a place.

Alderman Power—I have had considerable work to perform on many committees, and I am justified in saying that the Committee on Public Institutions have given the subject all the attention due to it. This Board can readily imagine what we have done when they take into consideration the kind and number of propositions for sites made within fifteen miles of the city, and the number of visits the committee have had to make. Other matters have caused unavoidable delay. I have no desire to press the subject, but I think the importance of the case demands speedy action. The gentleman who is absent expressed to me his opinion in favor of the Austin farm. I know nothing of how the majority are going to vote on this question, and I bring it up today simply because its importance has been so strenuously urged by members on the other side.

Alderman Sayward—I desire to say just one word in behalf of the committee, which has done better than any other of two former years, they having made a report before the close of the year. They are therefore entitled to some credit.

Alderman Quincy—I have read the two reports and am prepared to vote if it is necessary, this afternoon, although I have had no opportunity to visit the premises. The delay of a week would result in good rather than harm, it seems to me, as we would then vote as a Board more intelligently than we can this afternoon. If any gentleman would move to lay it on the table I should vote in favor of it.

Alderman Power—I would state again that all the urging has been done by those opposed to the Austin farm. As the sentiment seems to be for a postponement, I withdraw my motion.

On motion of Alderman Hulbert, the reports were again laid on the table.

On motion of Alderman Clark, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

SEPTEMBER 18, 1873.

The regular weekly meeting of the Common Council was held this evening, E. O. Shepard, President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The following papers received concurrent action: Petitions of J. B. Blanchard and other police officers, Company F, W. R. Clark, E. F. Meaney and John Mullen, were referred.

Reference to Committee on Water, and ordered to be printed, report of Cochituate Water Board on supply of water for extinguishment of fires.

Reference to Committee on Ordinances of petition of J. H. Hathorne, for an amendment of health ordinance relating to removal of manure from stables.

Report no action necessary on petition of R. J. Elder, for leave to erect a wooden building on Border street, exceeding legal limits. Accepted.

Report granting leave to Joseph Robbins & Co., to place a wooden roof over coal-sheds on Carlton's wharf, on conditions named in said report. Order passed.

Reports and orders authorizing permits to be issued to Joseph F. Paul to erect a wooden building on Albany and Bristol streets; to Patrick J. Myers, to erect a wooden building on Ward street; to Davis Damon, to erect a wooden building at 64 Eutaw street; to C. P. Clark, to erect a wooden building on Boston wharf; to Patrick O'Donahoe, to erect a lumber shed at 454 Harrison avenue; to Albert F. Cole, to erect a wooden building at 131 Broadway; to McQuesten & Fogg, to enlarge a lumber shed at 170 Border street. Reports accepted and orders passed.

Order requesting Board of Street Commissioners to report an estimate of cost of extending Granite street from its junction with Second and Third streets to Broadway. Read twice and passed.

Report and order extending time for erecting a building on a lot of land deeded to W. T. Hart. January 2, 1873. Read twice and passed.

Report and order to modify conditions in an agreement with Burrell & Whitney of May, 15, 1869, so as to permit the erection of a brick stable on certain land on M and Third streets. Read twice and passed.

The following were severally read once and laid over:

Order authorizing the additional sum of not exceeding \$4730 to be expended for labor and team work in the Department of the Common and Public Grounds.

Order authorizing an expenditure of not exceeding \$4500, to be made in grading and improving Orchard square.

Order authorizing an additional expenditure of not exceeding \$1200, in erecting and repairing fences on and around the public grounds.

Order authorizing an additional expenditure of \$200, in erecting and furnishing a wagon shed and tool house on the Common.

Order to allow for rent of headquarters of Ninth Regiment M. V. M., 562 Washington street, \$600 per annum.

Order to discontinue allowance for rent of headquarters of First Regiment M. V. M., at 11 Pemberton square, and that \$600 be allowed for said headquarters in Boylston Hall.

On the question of recommitting to the Joint Standing Committee on Ordinances the report of said committee, with an order, relating to revision of city charter, Mr. Shaw of Ward 5 inquired if an amendment would be in order. He would be willing to concur if they would make the commission three instead of five. He thought a recommitment very proper, but the size of the commission named is too large.

Mr. Perkins of Ward 6—I should like to inquire whether there is a reasonable prospect of the report of the whole committee coming before the Council in time to be acted upon this year.

Mr. West of Ward 16—There is no objection on the part of the committee to a recommitment.

The Council concurred in the recommitment.

The order authorizing, not exceeding \$2000, to be expended in improving the South Boston squares being under consideration, Mr. Blackmar of Ward 11 said, I should like to ask if these expenditures have been considered and are supported by the committee,

and if they are to come out of the general or a special appropriation.

Mr. Perkins of Ward 6—They are from the Committee on Common and Public Grounds, and the expenditure is to be taken from the general appropriation for that purpose.

The order was read once and laid over.

The order authorizing suitable office accommodations to be procured for the Board of Directors for Public Institutions came from the Aldermen passed, that Board having refused to concur in the Council's amendment authorizing the hiring of the upper stories of Niles Block.

Mr. Flynn of Ward 7—I hope the committee will be instructed not to hire the building in Pemberton square, as this seems to be an attempt to get round that order.

Mr. Shaw of Ward 5—I would like to know what is being done now to the rooms of the Directors of Public Institutions. I have had occasion to pass that way several times lately, and noticed that a number of mechanics were at work there. I wish to ask if any order has passed the Council to authorize this expenditure of money.

Mr. Page of Ward 9—I would inform the gentleman that the room formerly used for the office of the Board of Directors of Public Institutions has been separated in the middle, and that part nearest School street is to serve as a vault for the Treasury Department. The work is being done by the Committee on Public Buildings.

Mr. Shaw—That answers a considerable portion of my question, but I want to know by what authority; if any orders have been before the Council authorizing the committee to make that change. I incorporated that in my first inquiry, and I should like to have it answered if it can be, and if it cannot I shall have something to say.

Mr. Flynn of Ward 7 offered the following as a substitute:

Ordered, that the Committee on Public Buildings be authorized to select suitable accommodations for the Directors of Public Institutions, and report to the City Council.

Mr. Shaw—I have no objection to the substitute, because it is a very proper one. Now I want to know what authority has been given to any committee of the City Government to make any alterations in the public property of the city. I don't come here to interfere with the rights or prerogatives of any one, but to act and vote intelligently, and when I see money expended I want to know the reason. I want to know why it is that a committee can spend money and come here or into the coordinate branch and ask for money for that very purpose. I propose to speak on this question until I get some satisfaction,—to speak as I believe I am authorized to do and as I believe I am required by my oath of office. Here are committees, boards of directors, elected by this City Government, who are required to make returns of their expenditures every three months. One board, at least, has not done so, and that board is expending a great deal of money. I have inquired of the City Clerk and can't find any report from them. I also find that in case of an expenditure of over \$300 they are required to advertise for proposals; I have read the newspapers and have never found any such advertisements. And yet such expenditures of this board amount to several hundred thousand dollars, right in the face and eyes of this ordinance. Now, until that board complies with the ordinance I shall never vote for any appropriation for which they may ask. I charge nobody with corruption, it may be a misapprehension on my part. They ought to know better and to comply with the city ordinances. When I know of such non-compliance with the city ordinances it is my duty to state it here. I suppose the gentlemen of whom these boards consist are friends of mine, and I don't come here to find fault with them. I come here, having mentioned this subject to several members of those boards, having told them that they are non-complying with the ordinance.

Mr. Flynn's substitute was adopted, and the order as amended was read a second time and passed.

The order authorizing a new alarm repeater to be procured for central fire-alarm office, at an estimated expense of \$2300, having been read once, Mr. Upham of Ward 16 moved a suspension of the rules that the order might be passed, for this reason: The Committee on Fire Alarms in making their estimate for the year included this amount therein, as it was known that a new one would be needed. The manufacturer has one almost ready to be put in use; it is well known that it is desired by another city, and it is desirable that we should obtain it.

The rules were suspended and the order was passed.

Order for organization of a company for Engine No. 25, and for a new hook and ladder company, being under consideration, Mr. Burt of Ward 16 moved to suspend the rules, that it might be passed. He said the building and the apparatus are all ready, and much needed in that locality.

The rules were suspended and the order was passed.

FIRING CANNON ON THE COMMON.

The amendment of the Council, viz., adoption of the minority report "no action necessary," in relation to discharge of cannon on the Common or public grounds, came from the Aldermen non-concurred in and with the ordinance recommended by the majority committee, passed, with the additional words "or the Mayor."

The question was whether the Council would redecide or concur.

Mr. Dacey of Ward 2—I am still of the opinion that the ordinance as at present framed is sufficient. I see it comes modified by the Aldermen so as to take the authority from the military authorities, and give it to the Mayor or Aldermen. This matter has been before the City Government for some time, and, thinking that the present ordinance is sufficient, I move an indefinite postponement of the subject.

Mr. Perkins of Ward 6—As near as I can make out from the arguments of the gentleman from Ward 2, it is that because former City Governments have postponed the subject we should do so too. I think I can account to him for the reason that the order introduced last year met the fate that it did. There was a great deal of feeling among the citizens of Boston in regard to the unseasonable firing on the Common, late at night. I am of the opinion that if the order had been introduced at any other time it would not have been defeated. The firing was done by a party of influential citizens, and it was a matter of pride among the friends of those interested to sustain them. The committee found on examining the ordinance that all firing on the Common was prohibited. The result was that all authority was disregarded, and no one asked permission. I suppose the object of the committee is to get the thing in some intelligible shape, so that it may be done in the right way. The Governor could not undertake to say whether the firing shall take place or not, and the result is some unauthorized person will fire on the Common without authority—an exercise in which some are perhaps better competent to engage than in any other military duty. The question is, whether cannon ought to be fired within the city limits. Can the gentleman give a good argument in favor of it?

Mr. Dacey of Ward 2—The gentleman from Ward 6 is now speaking for a very delicate class of people who live nearest the Common. Why, I should n't be surprised if those people should ask to have the wheels of the carriages muffled. Now for years every ship which has come into Boston Harbor has given us a salute at the North End. They wish to make the Governor come before the Council and ask permission to fire a salute, and I don't think it is necessary to require him to come to City Hall every time he wishes to use the Common for that purpose.

Mr. West of Ward 16—I take it that the governor, although he is the head of the military authority of the Commonwealth, never acts in that respect. The military authorities consider themselves the authorities. I don't know why the city of Boston, through its Government, should n't have control of its own property. I hope we shall not indefinitely postpone this matter, but agree with the other board.

Mr. Blackmar of Ward 11—I only know that in 1872 this matter was considered and the ordinance was amended so that the firing may be authorized by the military authorities of the Commonwealth or the Mayor of the city of Boston. I don't see how we can change that. If the Governor chooses to authorize the firing of cannon on the Common, I don't think an ordinance would stop the firing of blank cartridges or anything else. I would leave the ordinance of 1872 just where it is, putting the authority with the Mayor or City Council, just where it should be. I don't see the object of trying by a little ordinance to prevent the military authorities from doing so. The right never has been abused in but one instance. Once, at midnight, some firing is said to have been done, and that is the gravamen of the charge now. It has done a great deal of good. It stirs the blood of the citizens to hear the cannon fire, and we know that a large class of citizens like that peculiar way of demonstrating their joy on certain occasions. While it does no serious injury there is no reason why it should be curtailed. The ordinance of 1872 fixed it and I see no reason why we should not leave it there.

Mr. Perkins of Ward 6—I think I can correct my friend from Ward 11. The ordinance of 1872 did not

come from the Committee on Ordinances. It was adopted in this hall, and the report of the committee was afterward amended. This was the result of the action of one member of the Council, and not of the committee. The firing of cannon at midnight in the midst of the city, on the occasion of the visit of a semi-military body from Philadelphia, did frighten people, and in fact killed one person—at least one person, who was very sick, died the next day. Of course she might have died any way, but we don't want to hasten the death even of persons who live in Ward 6. The Governor is the head of the military authority of the Commonwealth, but he has nothing to do with firing cannon, except on some great occasion. In this particular case there was no authority given; they did think of getting permission from the City Hall, but could n't find any one here. All I hear is that I live in Ward 6, and I don't think that is the right way to treat an intelligent body. We control the use of Boston Common so far as playing ball is concerned, and the firing of cannon is as great a nuisance as playing ball. I defy my friend to produce any better reason for opposing this than sneers against Ward 6.

Mr. Blackmar—If the gentleman wishes us to advance arguments he should advance arguments himself. It is true this firing was done at midnight, but why were not these parties punished? It is a direct imputation against the military authorities. Something has been in violation of the ordinances, and it is said simply, "Some one has violated the ordinance, then take it away from the military."

Mr. Perkins—If the term military authorities were clearly understood I should be perfectly willing to have it so. But we don't want these obscure officers firing cannon on the Common on every occasion.

Mr. Pickering of Ward 6—I am one of those peculiar people guilty of living in Ward 6. It appears to me this whole argument is in a nutshell. The city takes care of these grounds and should have control of them, and it is a very good reason for these persons who wish to use these grounds to apply to the Mayor. That is in itself a sufficient reason why the ordinance should pass.

Mr. Dean of Ward 12—As I understand it, the difficulty has been due to what has been referred to by my friend from Ward 6. The "duly authorized military authority of the Commonwealth" has been construed by every military company to be within its own power and control; that is, every battery would think that it was such duly authorized military authority. Undoubtedly, if you insert instead of the "duly authorized military authority" the "Governor or Commander-in-Chief of the military forces of the Commonwealth, or the Mayor of the city of Boston," then the real difficulty would be remedied. The difficulty is simply that every military company considers itself the duly authorized military authority of the Commonwealth. I would move to amend by inserting the words, "by the Governor of the Commonwealth, or the City Council or Mayor of Boston" after the words "duly authorized," and strike out the words "military authority of the Commonwealth."

The President ruled that the amendment was not in order, the question being on indefinite postponement.

Mr. Perkins of Ward 6—I would be glad to vote for an indefinite postponement, or for the amendment of the gentleman from Ward 12.

Mr. Dacey withdrew his motion to indefinitely postpone.

Mr. Dean of Ward 12 moved that the Council recede from its former action.

Mr. Loring of Ward 12—In reply to the gentleman from Ward 11, that no injury had been done by firing cannon on the Common, I would state that on the 4th of last July a neighbor of mine had a daughter who was very sick. He went out and tried to persuade the officers to stop firing, but they would not, and so great was his sympathy for his daughter that he was attacked with bleeding of the lungs. It is simply a question whether the feeling of humanity is stronger than the desire to burn powder on the Common.

The motion to recede was carried.

Mr. Dean renewed the offer of his amendment and it was adopted, and the order as amended was passed.

UNFINISHED BUSINESS.

The following papers came up as unfinished business and were acted upon, in concurrence:

Order to pay Professor Joseph Winlock, Director of the Observatory of Harvard College, \$500, for furnishing true time to the city of Boston. Passed.

Order authorizing the approaches to the new drops of East Boston (North) Ferry to be paved with small granite blocks, at an expense not exceeding \$5000. Passed.

THE OLD MATHER SCHOOLHOUSE.

The order to cancel the sale of the old Mather Schoolhouse, provided it can be done by payment of expenses incurred by the purchaser, coming up for consideration, Mr. Burditt of Ward 16 said, "As this is a matter which has occasioned considerable debate in the Board of Aldermen, although it don't seem to have had much interest here, I have taken some pains to look into the subject. There seems to be considerable to be said on both sides. It resolves itself into the question of expense to the city in getting rid of the property. I therefore offer the following substitute:

Ordered, That the Committee on Public Buildings be instructed to ascertain and report the expense to the city of cancelling the sale of the old Mather Schoolhouse.

The substitute was adopted, and the order as amended passed.

FROM THE SCHOOL COMMITTEE.

Requests were received from the School Committee that additional accommodations be provided for a primary class in the Bigelow School District, and that a suitable tablet be placed upon the site of the old Roxbury City Hall, bearing the name of "Dudley School." Severally referred to the Committee on Public Instruction.

SWETT-STREET HOSPITAL.

A communication was received from the Board of Health representing that the Swett-street Smallpox Hospital has remained unoccupied since March 15 last, and that two men have to be employed there as watchmen at an expense of \$3 per day each. The board request that some disposition may be made of the building.

The communication was referred to the Joint Standing Committee on Health.

SALARY OF THE PORT PHYSICIAN.

A communication was received from the Board of Health calling attention to the duties of the Port Physician and the salary of \$1000 which it was understood should be increased \$600 per year, as the custom has been heretofore. The Board of Directors of Public Institutions, by the advice of the City Solicitor, have decided that they have no authority to make such an increase, and the Board of Health ask the City Council to take such action as will fully compensate Dr. Fisher for his services.

Accompanying the above is a communication to the same effect from the Port Physician.

On motion of Mr. Page of Ward 9, the communications were referred to the Joint Committee on Public Institutions.

REPORT OF THE ANNEXATION COMMISSION.

The majority and minority reports of the Annexation Commission (City Doc. 105) were presented in print, accepted and sent up. The majority report is substantially as follows:

The commission was organized January 29, 1873. At various times meetings have been held, and committees from the towns of Brookline, Brighton and West Roxbury, and a commission from the city of Charlestown, appointed to advocate the annexation of their towns and city, were received and heard. As the city of Boston had no map that would convey a comprehensive idea of the geography of our city and surrounding towns, the commission early prepared one, under the direction of the City Surveyor, Thomas W. Davis, representing all the territory embraced in the order. The several towns and cities reported upon have been visited on different occasions, and inquiry has been pushed in every avenue of research open to us, in order that all the light attainable might be thrown upon the questions involved in the scheme presented.

Hamilton A. Hill, appointed on the commission in place of J. Tisdale Bradlee, resigned, having made arrangements to engage in business in England, left this country in the latter part of April. Before going he strenuously urged the commission to make their report in full immediately; but as no action had been taken in the matter, and important legislation on the subject was at that time pending at the State House, and time had not elapsed sufficient to obtain a knowledge of the facts requisite to an advised conclusion, and no opportunity having been offered of visiting the towns and cities under consideration, and particularly as no decisive action could be taken in the premises before fall, the majority of the commission deemed any report at that time premature and injudicious. But Mr. Hill, having written a report, submitted it to the Board, and this, so far as it recommends the annexation of Brookline, Brighton and West Roxbury, the undersigned unqualifiedly approve. The majority of the commission, however,

feel constrained to say, that, having entered upon their duties without bias or prejudice, they justify any conclusions in which they may differ from Mr. Hill as the result solely of the investigation they have given the subject.

The task assigned to us is specific—"To carefully examine the subject of the annexation of certain towns and cities to the city of Boston, in all its bearings, and to report upon the financial, industrial and sanitary questions concerned in the matter." In the furtherance of this object, a copy of the statistical tables before alluded to was sent to the clerk of each of the following-named cities and towns: Cambridge, Somerville, Brookline, Charlestown, West Roxbury, Brighton; and, though not included in the order, to the town clerks of Everett, Revere, Malden, Watertown, Medford, Winthrop, Chelsea.

As three of the towns enumerated in the order, namely, Brookline, Brighton and West Roxbury, are without any adequate supply of water, the wants of Brookline, in this respect, being already pressing, and as the subject is one that has been regarded as of vital importance, by the municipalities of all time, we have felt justified in devoting a portion of our report to a consideration of the relevancy of this subject to the whole plan submitted to us.

Aside from the reasons suggested in connection with the water question, and independent of the advantages to be secured by receiving any one of the towns or cities named in the order, some points may be presented in favor of the annexation of all of them. By this means we would establish concert of action in projecting and carrying out improvements in which the several communities have a common interest: reclaiming and filling marsh lands; constructing systems of sewerage; laying out main thoroughfares; locating engine houses, police stations, and schoolhouses; and, in brief, in conducting the business of nearly every department of a town or municipal government, particularly that having charge of the public health, may be mentioned; for it must be admitted that the spread of contagious diseases cannot be checked by the existence of imaginary lines, and the consequences of a condition of things in one of the towns or cities under discussion which would engender an epidemic there, must, to an almost equal degree, be borne by all the rest.

The Charles River is to the city of Boston what the lungs are to the human body. Yet into this stream not only our own city, but Cambridge, Somerville, Waltham, Brighton, West Roxbury and Charlestown already empty more or less of their sewage; and Brookline is constructing a large sewer to contribute the drainage of that town to the general mass of filth; this, too, notwithstanding the remonstrances of authorities on the subject whose evidence it is dangerous to reject; who denounce the system, or want of system, at present pursued, and warn us that the river is already overloaded. This condition of things undoubtedly furnishes a factor, not inconsiderable, in swelling the death rates of our city, in which respect Boston suffers by comparison with nearly every large city in the land.

The rapid multiplication of buildings upon the Back Bay and adjacent portions of the city renders it imperative that early action be taken to prevent further encroachments upon the purity of these waters; but there can be no hope of any comprehensive plan for protection in this direction except by overlooking and regulating all the sewage entering into the river from both its banks. Either State legislation must be invoked, vesting ample power in a board of health to control the entire district, or the territory must come under the management of municipal government. As bearing upon this the report quotes from the fourth annual report of the State Board of Health, pp. 6, 7, 62, 63, 450, 451. Also from Boston (City Doc. No. 92, 1872), Report of Committee on Back Bay Drainage, pp. 5, 6, 7, 9, 10, 11, and from the "Boston Medical and Surgical Journal," of the 11th of the present month.

Finally we deem superfluous any lengthy treatment of the importance of good health to our commercial prosperity; to the influence of annexation, upon which latter topic we invite your attention. The annexation of Charlestown, Brookline, Brighton and West Roxbury would give to our city an area, population and valuation as follows:

	Taxable Area in Acres.	Population, 1870.	Valuation, 1873.
Boston.....	9,583	250,513	\$693,831,400
Charlestown.....	520	28,323	*34,942,120
Brighton.....	2,370	4,967	14,548,531
Brookline.....	3,883	6,650	28,476,000
West Roxbury.....	6,627½	8,683	25,148,600
Total.....	22,983½	299,136	\$793,946,651

*Last year's valuation; not made up for this year at date.

Making our city the fifth ranked by population in the United States, according to the census of 1870, and an area in comparison with New York and Philadelphia as follows:

	Acres.
New York.....	14,502
Philadelphia.....	82,560
Boston.....	22,983½

The question, considered by itself, as to when a city becomes crowded and requires more room for growth, is in its nature deponent; but it seems desirable that it should never be limited as practically to admit of a monopoly of its vacant lands by speculators, and the maintenance of prices therefor that bar men of moderate means employed within its limits from the privileges of citizenship. Perhaps nothing has stimulated the erection of so many neat and inexpensive homes in the city of Philadelphia as the broad area of that city, rendering it not poor economy to build moderate-priced houses upon their lands, while the contracted boundaries of Boston have, with exceptional instances, placed homes of their own beyond the reach of laboring men; have induced the holding of land in large tracts, keeping it out of the market, save at exorbitant prices, and have introduced a system of speculative building that has resulted in the erection of thousands of costly, narrow and inconvenient houses, unsuited to the wants of our people, and in localities wholly unfit. It is not sufficient that a city have room enough; it is further necessary that the space be in a measure equally distributed in different directions, that citizens of every occupation and locality of employment may avail themselves of its advantages.

And a still further consideration that leads your commissioners to deprecate the continued acquisition of territory on one side of our city only, is that it shifts the centre of business, causing it to move in the direction towards which the extension tends, thus increasing values in that quarter at the expense of the sites formerly occupied. Of the community of interest between Boston and the contiguous cities and towns hardly anything new can be said, though the theme, if trite, has lost nothing of its force by age and use. Aside from the industry of Boston, none of the places enumerated in the order are doing sufficient business to warrant anything like their present valuation or population; and if their interests, which centre in Boston, were removed, there is no reason why any considerable portion of their inhabitants should stay with them. Their residents are in almost everything but name our fellow citizens.

One of the principal objects in view, by the towns recommended for annexation by your commissioners, is to obtain a plentiful supply of pure water; while on the other hand the two cities with which we have considered an alliance are provided with works at neighboring lakes that yield quantities not only sufficient for their own consumption, but a large surplus to spare. Boston today is unable to furnish all of her own citizens, and is compelled to make up the deficiency by purchase from Charlestown; the construction of new conduits between Sudbury River, Lake Cochituate and Chestnut Hill Reservoir, and a new main to the city by which an adequate quantity can be obtained, it will require about four years to complete. Meantime Brookline, Brighton and West Roxbury, if annexed, would look to this source in vain. As contingencies have arisen in the past by which we have been temporarily deprived of Cochituate, and are liable to occur in the future, any arrangement by which the danger of calamities imminent in such an event might be averted is of the utmost moment.

Boston should not only have water sufficient, but in such abundance as to admit of its free use with the least possible restrictions. We could offer no greater inducement than this to the location of manufactories in our limits, "with a city rapidly increasing in population and growing daily in business, both of a merchantile and mechanical character"; it is of the highest importance to offer them the advantage of a certain and unlimited supply of water. As an illustration of this the obstruction of the screens of the Chestnut Hill Reservoir by ice two years ago, thereby depriving the city for a part of the day, cost one corporation over \$500; and it must be borne in mind that this, or a similar difficulty, is liable to occur so long as we depend solely upon a single source. Happily, however, we have tendered to us, even at our gates, a perfect safeguard and a generous relief, to be secured by the annexation of Charlestown to our city.

In support of the foregoing we quote from Report of Cochituate Water Board, March 13, 1873, pp. 6, 7, 41, 42, 43.

If we look to Sudbury River alone in our extremity, as has been said, we cannot satisfy the towns rec-

ommended for annexation for three or four years the cost of the works there is to be enormous and disproportionate to the quantity vouchsafed. The Commission here quote from the report of the Cochituate Water Board, March 13, 1873, pp. 58, 59, 48, 44, from which it will be seen that Boston is not now, and for the next four years will not be, adequately provided with water; a fact which might well cause alarm to our citizens, were it not that by the proposed annexation we are offered the boon of a copious supply.

So far as quantity is concerned, it is fully demonstrated that Mystic Lake can not only furnish the cities and towns now depending upon it, but by addition of another pump of the same cost and capacity as the one put in operation last year—cost, \$68,250; capacity, 8,000,000 gallons per day—and laying additional mains to connect with Boston, could also probably satisfy the wants of Boston and all the towns recommended for annexation beside, at once, and, if necessary, without the use of Cochituate at all. And when the time shall come that Cochituate and Mystic will be insufficient, we are close upon the period when Cochituate and Sudbury will be equally inadequate.

Of the quality of Mystic water, since an intelligent treatment of this topic requires the knowledge of an expert, your commissioners only submit evidence from the Fourth Annual Report of the State Board of Health. p. 453; and from report of the Cochituate Water Board, March 13, 1873, p. 66.

We would say of the places not named in the order, viz., Chelsea, Everett, Malden, Revere, Winthrop Watertown and Medford, that the general knowledge of any one acquainted with their locality and the suburbs of Boston, independent of any exact statistical information, would cause him to hesitate before consenting to incorporate any of them at present as a part of our city. It is true that if these, and all intervening, were under the control of Boston, improvements might now be projected, at comparatively little cost, which, adhered to and completed, in years to come would go far toward redeeming the city from its unhappy fame for irregularity of plan and absence of design, but this is rather desirable, than at once expedient. We believe, in the language of the order, that their annexation is only a question of time, but do not think that the time is come for such action.

There having been no legislation calling upon the people of Boston to pass upon the annexation of these cities, as is the case of Charlestown, West Roxbury, Brookline and Brighton, the expression of opinions or arguments by your commissioners in favor of these acquisitions would obviously be wholly gratuitous. We have, however, secured the preparation of the tables for these cities quite as fully as for Charlestown and the towns recommended, and we cannot forbear urging a recognition by all interested of the innumerable gains to be derived mutually from the consolidation of these municipalities with the city of Boston. In regard to the annexation of these towns, your commissioners are of one mind, both for the reasons set forth in Mr. Hill's report and others deduced from a knowledge of the facts compiled in the tables appended.

Since the undersigned have been led to conclusions differing from those arrived at by Mr. Hill as to the advisability of the annexation of Charlestown to our city, they deem it incumbent upon them to give something of the reasons they have for taking the position they hold. The area of Charlestown we have placed above at 520 acres, and these are the figures returned to the Tax Commission; but they are evidently incorrect, for the assessors lay a tax upon 23,447,220 square feet, and they of course do not include streets, the navy yard, State Prison, churches, cemeteries, city buildings, squares, etc. Railroad enterprise is also reclaiming many acres from the sea, and altogether the city probably covers an area of more than eight hundred acres. The farthest point of this territory is less than two and a quarter miles distant from our City Hall, and substantially the whole population is inclosed in a circle described by a radius from City Hall to Chester park; while the two City Halls are, in an air line, about a mile apart. To this purpose the commission quote from the argument of Hon. Ellis W. Morton, on the annexation of Charlestown and Somerville to Boston, before the Committee of the Legislature on Towns, February 27, 1871.

The statistics, coupled with the fact that Charlestown runs into and intercepts our county, afford the most substantial grounds for every argument based upon propinquity of situation. By act of the Legislature, the city of Charlestown has the exclusive right to take water from upper Mystic Lake; the yield is practically inexhaustible, being estimated at 30,000,000 gallons per day, yet their admirable water works

have a capacity equal to two-thirds of this enormous supply. By these means Charlestown has not only procured an abundance of pure water, but—and in this respect it is something unique in municipal enterprise—the city has established and is carrying on a business that is paying a revenue that will eventually extinguish the water debt. Thus they have permanent contracts for the sale of water to East Boston, Chelsea, Somerville and Everett; from these and its own rates the proceeds were last year as follows: Boston, \$45,397 46; Chelsea, \$28,475 95; Somerville, \$19,879 63; Everett, \$1818 73; Charlestown, \$85,672 96; Due to January 1, \$20,713 87. Total for the year, \$201,958 60.

To maintain the works for the year ending March 1st, 1873—cost, \$63,335 54; to which add interest on Water Bonds, \$77,376 91; total, \$140,712 45.

This sum, \$140,712 45, taken from income, \$201,958 60, leaves \$61,246 15; this did not give any surplus, indeed, did not equal the expenditures; for the construction not being completed, \$97,071 51 had to be charged to that account; but the construction account was closed on the first day of last January, and all sums expended since that time go to the maintenance account. This, for the six months ending July 1, 1873, amounted to \$47,470 41, and it will not average more than this, unless the demand be greatly augmented in the future. Doubling these figures for a year we obtain the following satisfactory result: Maintenance account for one year, \$94,940 82; interest on Water Bonds, \$77,376 91; total, \$172,376 73, which, taken from the receipts of last year, \$201,958 60, leaves a balance of \$29,640 97.

In connection with this it may be mentioned that the rates in Charlestown are less than in Boston or Cambridge; thus, they charge for one closet only to each tenement house, however many there may be in fact; and to large consumers their rates are three cents per one hundred gallons, for the first five thousand gallons used in a quarter, consisting of seventy-five days; and above this, as the quantity increases, the rate diminishes to two cents per one hundred gallons, or only two-thirds the price in Boston or Cambridge, where the rates are uniformly three cents. The debt contracted for the construction of these works amounts to \$1,461,259 41, nearly the whole of which is represented by bonds to run from ten to thirty years from date—over \$400,000—bearing five per cent. interest, and none more than six, all interest payable in currency.

That such a reserve as this for the city of Boston would preclude the possibility of a water famine need not be urged, while without it the calamities of an hour may teach our people the dangers of relying upon a single source, and that the only way in which Boston can, with safety, dispense with this species of "foreign aid" is by making it domestic.

Charlestown has a water front of nearly three miles in extent, measuring around the city in an unbroken line. Of this the Navy Yard occupies about 4600 feet. If the length of wharves be computed, it will add nearly two and a half miles more, and improvements now being carried forward are rapidly expanding the available wharf privileges; and this suggests some consideration of the terminal conveniences which the city offers to railroad companies for handling their freight; opening to them an easy access to the finest wharves in the harbor. Some corporations have seen and taken advantage of this: The Boston, Lowell & Nashua have already expended about \$300,000 in the improvement of their purchase from the Mystic-River Corporation, and contemplate a further outlay of \$700,000; this will reclaim over thirty acres, and give them a water line of 4500 feet, to which a draw through Chelsea Bridge would add 2500 feet more.

The Mystic River Corporation have projected and begun work upon betterments similar to those of the Boston, Lowell & Nashua Railroad, though more extensive, and will recover about sixty acres, with a front a little broader than that of the railroad. The River Corporation reserve a connection with the railroad, and a track will run quite around their wharf, and, from its situation, it is altogether likely that some railroad company will, at no distant day, become the owner of this property. The Fitchburg Railroad now has a terminus in Charlestown. The Eastern has taken 400,000 feet near the centre of the city, on which they purpose erecting a freight depot. This company will spend about \$750,000 here, and it is probable that the heavy business growing out of the system of consolidation cultivated by this road will render the accession by it of the State's prison lands desirable, or absolutely necessary, when that institution is removed, in accordance with the legislation of last winter.

These data seem to warrant the conclusion that Charlestown will become, and even now is, a princi-

pal channel through which sets the ebb and flow of a broad and extensive internal, coast and foreign trade hearing on its current the freight of the Dominions, the Northern and New England States, and a share of that of the West. The statistics show that our exports have nearly doubled during the past two years, caused principally by the augmented facilities for the shipment of grain; and the greater improvements in this respect anticipated by the Boston, Lowell & Nashua Railroad, the Mystic-River and other corporations, the building of wharves and elevators, and the early completion of the Hoosac and its connections, unerringly foretell that Boston is destined to take front rank for the exportation of the heightened products of the country.

For the furtherance and attainment of this, Charlestown affords invaluable accommodations, and a large portion of her territory will ultimately be devoted to the objects indicated. To encourage, protect, and fully develop, therefore, every material aid, it is, in the opinion of your commissioners, of the first importance that that territory should be a part of and controlled by the City of Boston. The business will require wide wharves, safe docks, harbor, Fire and Police departments, broad and solid avenues, substantial bridges; and, in general, works of a character and on a scale which a small municipality could not, and in this instance ought not to, provide, and which can only be secured by the union of the two cities. The argument of Hon. G. W. Warren, before the Legislative Committee on Towns, May 4, 1870, is quoted in this connection.

The above allusion to the navy yard suggests the reflection that exempting so large an area from taxation is an injury only to a city so limited, that it crowds out people who would otherwise be residents, and if Charlestown had enough other available lands, this institution would be no more a burden to that city than is the Common to Boston, and annexation will cure the evil in this quarter which they experience; besides, Boston cannot afford to do without the yard, for nothing else would so insure prompt and liberal appropriations from the General Government for the protection of our harbor. In detail, it can be said that Charlestown is already provided with water, paved streets, sidewalks, City Hall, police station, engine houses, schoolhouses, library, public baths, Fire Department, fire alarm, sewerage, and generally all the necessities possessed by any ward in Boston, and comparatively little extra expenditure will be incurred in consequence of this annexation.

Such action would add largely to our population and wealth, and thus to our commercial importance. As to the citizens so received, it is interesting to notice how favorably Charlestown compares with every other city and town embraced in the order.

The following table is from the United States census of 1870:

	Total	Native.	Foreign.	Colored.
Boston.....	250,526	162,540	87,986	3,496 ^a
Somerville.....	14,685	10,553	4,132	260
Brighton.....	4,967	3,361	1,606	64
Cambridge.....	39,634	27,579	12,055	848 ^e
West Roxbury.....	8,683	6,021	2,662	58
Brookline.....	6,650	4,357	2,293	25 ^d
Charlestown.....	28,323	21,399	6,924	127

^a 12 Indians, 5 Japanese. ^b 1 Chinese. ^c 1 Indian. ^d 1 Chinese.

Finally, your commissioners believe that the future of Boston is, to a great degree, involved in the questions herein presented. Their principal reasons for advocating the annexation of the city and towns recommended may be briefly summarized: The protection of public health, by organizing under one head a general system of sewerage, demands it; an abundance of water from independent sources will be thus obtained; concert of action in projecting improvements of mutual benefit will be secured; territory for houses at moderate cost within the city's limits will be acquired; opportunities to foster and encourage our foreign trade by rendering substantial aid, and facilities afforded; increased wealth and numbers will give us additional consideration; and a people whose objects, ventures and interests are identical will be brought together under one municipal government.

The progress of a community depends not upon felicity of site, fertility of soil, nor the command of natural resources. If it did the cities of Mexico and St. Augustine would not be more celebrated for their age than development, and Boston, without a mile of navigable internal water system, the metropolis of a country "that relies for its natural exports upon the rigor of its climate and the hardness of its soil," would not be constantly crowded for room. The enterprise of a people is the controlling factor to

solve the problem of their destiny, and its unceasing exercise the sure guarantee of unlimited prosperity.

Respectfully submitted,

WESTON LEWIS,
L. FOSTER MORSE.

Boston, Sept. 18, 1873.

The minority report is signed by Hamilton A. Hill. He begins by citing the precedents for annexation both in the experience of Boston and London and says, Undoubtedly a keener interest is manifested in various propositions at the present time under discussion for enlarging the area of Boston, by the people of the suburban towns which it is sought to annex to the city, than by our own citizens, or, to discriminate more accurately, by those who transact business in Boston, but have their dwellings in the suburbs, as compared with those whose houses as well as their warehouses and offices are here. And it is not strange that this should be the case, because the former class is constantly reminded of the many inconveniences and complications which come from a divided citizenship and a twofold allegiance, and, naturally enough, seeks some way of deliverance from them. And yet, in truth, those who have their residence and cast their votes in Boston are, to say the least, as deeply concerned in every annexation project which is or may be mooted, as their neighbors beyond the city limits, and it is incumbent upon them to recognize this and to act upon it. The undersigned cannot but see that, in the broadest view, the interests of Boston and of the immediate suburbs, as effected by annexation, either in general or in particular instances, are and must be substantially in accord.

After alluding to the growth of Boston during the quarter of a century ending 1870, and giving interesting trade statistics, Mr. Hill predicts that an era of commercial growth and prosperity lies immediately before our city. It is important that the city should have room to grow. A large portion of what is now known as the city proper will shortly be devoted to business purposes, and it will be impossible to find room for all the private residences, the number of which will of course increase with the increase of business, within the present municipal limits. With no new annexation of territory, the flow of population from the city to the suburbs, although checked temporarily by the acquisition of Roxbury and Dorchester, must continue, and ultimately in greater volume than ever before.

Mr. Hill considers the scheme introduced into the Legislature last winter too arbitrary in its character, to be adopted as a whole, and not altogether practicable, in view of the number and variety of the interests which it seeks, but in his opinion would fail, should it become a law, to harmonize. The feeling undoubtedly prevails largely among our citizens that such further annexation of territory as may be made ought to take place, not as has been the case in the past, town by town, and under the pressure of an immediate necessity, but by the acquisition at one time of territory sufficiently extensive to enable the City Government to provide in advance, upon a well defined system and on an ample scale, for highways, water, drainage and sewerage, and for other wants which Boston has or will have in common with the cities and towns now surrounding it. Mr. Senator Potter's plan is generally regarded in Boston as proposing to go further and faster than is expedient or perhaps safe, providing, as it does, for a complete organic unification, the advance which it is sought to gain at once and by a simple stride, seems much beyond what it is wise to attempt.

II. Another plan now before the public is the annexation to Boston of the whole or a large portion of the remaining territory bounded by the Neponset River on the south, the Charles on the north and west, and Mother Brook on the west. The various towns inclosed by these streams, manifestly, for many purposes, form a naturally bounded district by themselves. So far as relates to drainage, sewerage and highways, if to nothing else, they ought to be under one general and comprehensive system of government. To allow them all to continue to regulate these matters, each in its own way, can only lead to permanent confusion, and, in reference to drainage and sewerage, must greatly endanger the public health. A bill now before a committee of the Legislature provides for the appointment of a commission, consisting of three competent persons, two of the number to be civil engineers, to devise and report a comprehensive plan for the grades, streets, avenues, drainage and water supply of all that territory which is inclosed by Neponset River, Charles River and Mother Brook, embracing the city of Boston, the whole of the towns of Brookline, Brighton, West Roxbury and Newton, and a portion of the town of Hyde Park; and to do the same also for the territory

lying between the Charles and the Mystic. In the arrangement of the plans, the bill provides that the present and prospective wants of the territory shall be fully taken into the account.

Mr. Hill then considers the location of Brookline, Brighton, West Roxbury, Hyde Park and Newton, their relation to each other and to Boston, which are peculiarly favorable for annexation.

III. Another plan for municipal consolidation, embraced within the first which has passed under review, and although independent of, not necessarily conflicting with the second, has reference to the cluster of cities and towns lying to the north of the Charles and on the north shore of the harbor, and thus enumerated in Mr. Senator Potter's bill: "The towns of Watertown, Belmont, Arlington, Medford, Malden and Everett, and the cities of Charlestown, Cambridge and Somerville, in the county of Middlesex; the towns of Revere and Winthrop, and the city of Chelsea, in the county of Suffolk."

Much that has been said in this report upon the oneness of interest which subsists between the city and the suburbs has force in connection with the towns just named, and yet in many essential particulars these towns do not sustain such intimacy of relation to the metropolis as the other suburban communities to which reference has been made. Situated on the other side of a broad stream, they must of necessity have their own systems of drainage, sewerage, highways, and water supply. As relates to all these very important matters, they, or most of them, have everything in common with each other, but nothing in common with Boston. It is possible that the people of these cities and towns will see it to be for their interest mutually to unite together under one municipal government, and, in this way, to administer for the common good, everything relating to the district in which they reside. It is possible also that such a municipality might, in the course of time, become united with the city of Boston.

After briefly noticing the arguments in favor of annexing Charlestown to Boston, Mr. Hill says, There is no evidence that the annexation of Charlestown to Boston will induce the shipment of an additional ton of merchandise by these lines, or that it will secure the slightest reduction in the rates of freight charged upon them. The Erie and the Pennsylvania railroads have all their termini opposite New York, in New Jersey, not only in another municipality, but in another State; yet it has never been claimed that the commerce of the metropolis has suffered in any way from the circumstance. The Cunard and White Star steam vessels also stop on the Jersey shore, and it does not appear that these ships have ever found themselves at a disadvantage on this account, as compared with the ocean steam lines which come directly to the city wharves. Boston and Charlestown constitute one port under both federal and State laws, and it will make little difference to any steam lines coming hither, or to our merchants, whether the wharves at which they lie are included within the municipality of Boston or not.

Mr. Hill would not be understood as intimating that the time will not come when it will be desirable to unite Charlestown with Boston; but, however it may be with regard to Charlestown, it is not believed that the immediate annexation of that city is demanded by the best interests of Boston, nor is it judged to be expedient at the present time to extend the municipal limits beyond Charles River.

In conclusion, Mr. Hill speaks at length of the metropolitan form of Government adopted in London, and says perhaps the metropolitan form of government might, in some particulars, be adopted to advantage in and about Boston. For the territory between the Charles, the Neponset, and Mother Brook, an absolute municipal unity seems desirable. It might be well to establish a metropolitan Board of Public Works, to superintend and regulate all matters pertaining to drainage and sewerage in Boston and the suburbs, and especially for the protection of the river Charles; or these duties might be performed by a superintendent, under the direction of the State Board of Health. It is worthy of consideration, further, whether the powers and duties of the Board of Health recently organized for the city cannot be advantageously extended so that a metropolitan scope may be imparted to it, instead of the strictly municipal sphere of action to which the board is now restricted. The cities and towns in the metropolitan district, which is called Boston, have much in common in reference to all matters of health, and these matters should be regulated in the interest and for the benefit jointly of all of them.

There can be no further question about the future of Boston. Its position as a great commercial and manufacturing city is assured. It is only necessary

that improvements now in progress shall be promptly completed; that the enterprise of recent years, and of the present time, shall continue to be displayed; and that the possibilities of the city for enlargement shall be steadily borne in mind by its people, and be acted upon by them. All legislation relating to the city should be in harmony with the prospective development which lies before it; and all local plans should be laid out with breadth of view, and with confidence of expectation. Especially, should the form and character and scope of its municipal government be such as shall efficiently protect its interests, faithfully foster its growth, and worthily maintain its reputation for solidity and integrity, among the sisterhood of cities in the American Union.

THE OLD FRANKLIN SCHOOLHOUSE.

A communication was received from T. J. B. House, superintendent of the Baptist Church Extension Society, expressing a desire to obtain the use of the old Franklin Schoolhouse, or a part of it, for Sunday school and other religious services on the Sabbath. Referred to the Joint Standing Committee on Public Buildings.

PETITIONS PRESENTED AND REFERRED.

Mr. Burditt of Ward 16 presented the petition of Leonard Pickering, to erect a wooden building on Border street; referred to Joint Standing Committee on Survey and Inspection of Buildings.

Mr. Weston of Ward 1 submitted the petition of the East Boston Railroad Company, to accept an act of incorporation. On Mr. Weston's motion the petition was referred to a Joint Special Committee. The Chair appointed as such committee Messrs. Weston of Ward 1, Pickering of Ward 6 and Kinsley of Ward 3.

Mr. Kelly of Ward 15 presented the petition of Timothy McCarty, for leave to erect a wooden building; referred to Joint Special Committee on Survey and Inspection of Buildings.

REPORTS OF COMMITTEES.

Mr. Caton of Ward 11, from the Joint Standing Committee on Public Buildings, that an additional appropriation was needed for the new grammar schoolhouse on L street, in addition to the amount already authorized. They recommend the passage of the accompanying orders:

Ordered, That the order passed Sept. 12, 1873, authorizing the Committee on Public Buildings to complete the furnishing of the grammar schoolhouse, L street, at an estimated cost of \$5000, be and the same is hereby rescinded.

Ordered, That the Committee on Public Buildings be authorized to complete the fitting, furnishing and fencing of the new Grammar Schoolhouse on L street, at an estimated cost of seventy-five hundred dollars.

Ordered, That the Auditor of Accounts be authorized to transfer from the reserved fund the sum of seventy-five hundred dollars; the same to be added to the amount already authorized for the Grammar Schoolhouse, L street.

The orders were read once and laid over.

Mr. Caton of Ward 11, from the Joint Standing Committee on Public Buildings, to whom was referred the orders from the School Committee surrendering the Oliver Primary Schoolhouse, East Boston, to the City Council, reported that the building is not needed, and the time has arrived for selling the same, and they recommend the passage of an order to that effect.

On motion of Mr. Caton, the rules were suspended, and the order was passed.

Mr. Caton of Ward 11, from the Joint Standing Committee on Public Buildings, reported that a lot, containing 7600 feet, on Dudley and Forest streets, had been purchased for \$11,391, and plans have been prepared and estimates received for the erection thereon of a hook and ladder house for Company No. 4, pursuant to an order of the City Council dated May 12, 1873, the estimated cost of the same to be \$21,000. They therefore recommend the passage of the accompanying orders—

Ordered, That the Committee on Public Buildings be authorized to erect a hook and ladder house on land owned by the city on Dudley and Forest streets, at an estimated cost of twenty-one thousand dollars.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$21,000, the same to be applied to the erection of Hook and Ladder House No. 4.

The orders were read once and laid over.

Mr. Page of Ward 9, from the Committee on Armories, presented the following:

Ordered, That the Committee on Armories be authorized to expend a sum not exceeding \$450 in repairing and furnishing the armory occupied by

Company B, First Battalion of Light Artillery, M. V. M., said sum to be charged to the appropriation for Armories.

On motion of Mr. Page, the rules were suspended and the order was passed—yeas 46, nays 0.

Mr. Page, from the same committee, submitted the following:

Ordered, That until otherwise ordered, there be allowed and paid for rent of Armory for Company I, First Regiment of Infantry, M. V. M., in American Hall, Ward 16, the sum of five hundred and seventy-five dollars per annum, beginning on the first day of June, A. D. 1873, said sum to be charged to the appropriation for Armories.

Order to allow \$1200 per annum for rent of armory of Company D, First Regiment, M. V. M., at 1806 Washington street.

Ordered, That until otherwise ordered, there be allowed and paid for rent of Armory for Company I, Ninth Regiment of Infantry, M. V. M., at No. 544 Washington street, the sum of twelve hundred dollars per annum, beginning on the first day of August, 1873, said sum to be charged to the appropriation for Armories.

Severally read once and laid over.

REBUILDING WASHINGTON STREET.

On motion of Mr. Perkins of Ward 6, the order for issuing of permits to build on westerly side of Washington street, between Boylston and Avery streets, was taken from the table.

Mr. Perkins—The Committee are unanimously in favor of the order and opposed to the running of the street through to Fayette court, and the Street Commissioners are opposed to it also. So there seems to be no reason why people should n't have permits to build at once.

The order was passed.

PROTECTION OF CITY HALL.

On motion of Mr. Loring of Ward 12, the report and order authorizing fixtures to be placed on City Hall Building, for E. S. Tobey's invention for extinguishing fires, were taken from the table.

Mr. Loring—I understand that the stand pipes are already in the building, and the expense would be but a trifle, not more than two or three hundred dollars.

Mr. Dean of Ward 12—I would like to inquire whether there is any stop valve in this stand pipe. The object is to use the present stand pipe, and that does away with the objection raised before. The only objection to large standpipes is, not that they are not a protection to a building, but if they are numerous in a building the water will escape in very large quantities in case the building falls during a fire. So far as the present building is concerned the use of the present stand-pipe would answer that objection. It would be well if we set the example at the outset of having stop valves a suitable distance from the building. That would obviate a great difficulty. It has been suggested, however, that this has been attended to by the Water Board, and I will cheerfully vote for the order.

The order was passed in concurrence.

REORGANIZATION OF THE FIRE DEPARTMENT.

On motion of Mr. West of Ward 16, the report and evidence on the reorganization of the Fire Department, and the cause of the fire May 30, 1873, and ordinance recommended therein to establish a Fire Department (printed City Doc. No. 97), were taken from the table.

The ordinance was read by the President, and on the question of giving it a second reading Mr. West said—

I do not propose to say much at this time. This committee have given a careful, full, patient and thorough investigation to this matter, and have presented their conclusions in their report, which, I trust, every member has read, so that we may all know what we are talking about, and what it is proposed to do, and that proper action may be taken.

Mr. Denny of Ward 9—At last we have come to the consideration of the question of the reorganization of the Fire Department. There seems to be no one who disputes the necessity of some radical change, and the question is, What shall be done? The majority of the committee to whom the question was submitted recommend the appointment of a permanent, paid, Board of Commissioners; the minority recommend the abolishment of the present Joint Committee on the Fire Department, and in its place to establish a committee of the Board of Aldermen alone. The Standing Committee on the Fire Department in their report recommend no change in these respects, but some changes in details—increasing the strength of the department as it is.

These three reports do not conflict in their recommendations as to changes tending to increase the strength of the force and the efficacy of the water supply. The division of opinion relates solely to the management. The report of the majority is so full in its argument, favoring a Board of Commissioners, that were I assured it had received such a careful study by all the members of the Council that its points were fixed in their minds, I should deem it unnecessary to add anything here. But believing that committees should give the reasons for their conclusions in this chamber, I shall briefly state why I am with the majority in their recommendations.

The prevention and control of fires is a matter deemed of vital importance by all; and the whole community, after the experience of the past year, are keenly alive to the importance of a better protection than that which now exists. While we are threatened constantly by attack from an enemy, we should stop at nothing which would render our lives and property secure. The majority of the committee take the ground that we have the force at hand, but failing to be under a proper system of organization and supervision, it fails to render the security we must have. There is nothing new in the principle of commissioners being at the head of a department, rather than a committee. So that we are taking no step which experience has not demonstrated to be a success. The question was repeatedly asked of witnesses in the public hearings of the committee, by the Alderman signing the minority report, "Do you of your own knowledge know anything of the working of commissions?" What is a commissioner? The Alderman himself was a commissioner, but did not seem to be aware of the fact. "Worcester" says a commissioner is one empowered to act in some matter of business for one or more persons, or for a government; so that a committee is a commission, and therefore there need be no prejudice in the name.

The committee believe that the Boston Fire Department, consisting of 497 men, 23 engines, 10 hose carriages, 7 hook and ladder carriages, 80 horses, 21 engine houses, 8 hose and 6 ladder houses, all requiring constant care and attention to be kept up to the highest degree of efficiency, at an annual expense of not less than six hundred thousand dollars (including the fire alarm telegraph), and with a vast amount of detail to be looked after in the purchasing of supplies, making repairs, etc., etc., is altogether more than can properly be looked after and economically managed by *any* committee (either joint or that of one branch alone) of the City Government. This has been found true in all the larger cities and many of the smaller ones in this country. We have in our own experience since the great fire a to me striking illustration of this fact.

Why was a commission appointed to investigate the cause of the great fire, rather than the Committee on the Fire Department, as all matters pertaining to that department come under its inquiry? Not because there was any want of confidence in that committee, but because no committee with its other duties to perform could give proper time and attention to this question of absorbing interest and importance; and also in fairness it should be said that a more impartial body should make the investigation. Well, that commission, in their able report, made many well-considered and proper recommendations for *at once increasing* the efficiency of the Fire Department. Ten months have passed, and yet scarcely any of these recommendations have been carried into effect, and the reason is that authority and responsibility is so diluted between the engineers and the committee, that it takes months for a matter to be decided by them which three commissioners should and would decide in a week; and further delay is caused by questions like the purchasing of an engine or the location of a house having to be submitted to the consideration of the City Council, and again delayed for all the members of both branches to discuss it, without apparently realizing the necessity of few words and prompt action, especially when life and property are at stake.

This is but an illustration of what the committee believe to be a fault in the present system of the management of the Fire Department. It is in the hands of too many; and again, if you reduce the numbers to a committee of Aldermen alone, as the minority report recommends, you still have it in the hands of those who cannot from necessity give that attention to it that its superior importance demands. We say they cannot give the attention, because it is well known that their attention and time is divided upon a great many other public interests. The same men must be on several committees, all of which demand attention, and it is impossible for any committee to have other than a superficial knowledge of a department comprising so much of vitally important detail as this.

Your committee believe its importance demands more of time and experience than is possessed by any committee with other interests to look after and under whose supervision it would be but for a single year, which is their term of office. We not only so conclude because it accords with our own judgment, but the evidence of those who have had experience in the City Government and on the Fire Department Committee is the same; and I especially ask your attention to the testimony of ex-Alderman Plumer, on the 13th page of the majority report. I will use his own words "In my judgment (alluding to the locating of an engine house) if the matter had been in the hands of a commission, they would have accomplished the whole thing in a very few weeks. Everything is done in that way. You cannot do anything unless you have a committee of eight men present. The chairman of the Committee on Fire Department is expected to be here, or he is here, if he attends to his duty, every day. During the time I had the honor of being chairman of the committee, my first business (every morning) was to call on the Chief-Engineer of the Fire Department, and see if anything was wanted. Gentlemen can readily see if this department is placed in the hands of one, two or three individuals, who are looking after it all the time, the wants of the community and the wants of the Fire Department will be better known and more speedily met than they can be under the present system, when you meet together once a week, or once a fortnight, or once a month, and the chief business is to have a dinner over at Young's or Parker's. I hope, sir, (and I have petitioned for that as one of the objects) that this department may be taken from the hands of the City Government and placed in the hands of a commission."

Then, again, to the statement of an ex-Alderman and ex-fireman, Hon. Jonas Fitch, on the 108th page. In answer to the question whether a committee of three from the Board of Aldermen alone would be more satisfactory than now, he says, "I don't know that it would. I believe that the great difficulty in the Board of Aldermen is in consequence of its changes. To have efficient management in any branch of business you want the men *permanent*; you want to get the proper men into the proper place and keep them there; this changing brings new men in every year and they have got to learn the business."

We had plenty of testimony in the same direction; in fact it is all one way. Even the minority themselves admit, it seems to me, not only the principle, but go farther and advocate our own views, if I understand them. They admit the principle by recommending the concentration of power and responsibility upon a fewer number, and instead of a joint committee of eight they advise a committee of but three, and also the necessity of a commission they admit, when as they say on the nineteenth page of their report, "The undersigned, anxious to obtain all the information necessary without saddling the city with the greater burden of a commission, sought for it elsewhere and were rewarded when they had examined the Birdsill Holly System at Lockport, N. Y.," etc.

Now the minority having found after their anxious investigation the right thing (they being willing as they had previously stated to do the work of reorganization which the majority proposed to hand over to a commission), do not (themselves) assume the responsibility even to recommend it—nor even that the Fire Department Committee should look into it, but recommend the "passage of the order to secure its examination by persons of skill and then report concerning the same to the City Council." Now the principal feature they bring forward, they propose to have referred to a "skilled commission," thus adopting the principle advocated by the majority of the committee.

As I stated before, on questions of detail the three reports need not necessarily conflict. Whether the Fire Department should have a greater or less number of engines, and permanently paid members, or where they should be located, or what should be their precise duties, or under what discipline, are all questions of importance, and about which we have as decided opinions as the minority of the Fire Department Committee, but we go further and say—first organize properly, and under the proper organization you will have the details best arranged; but *without* such organization your improvements will be but a partial success, and fall far short of what the citizens desire or the importance of the question demands.

I will but briefly allude to the objections to a Board of Commissioners, as presented by the minority. This first, that it is unnecessary, I think, has already been answered. They say we have something like a commission in the Board of Engineers; that is evidently in the minds of the minority a good feature,

but the Board of Engineers have but limited authority, are elected annually, and are not permanently employed in the city's interest looking after the department, and, as a matter of course, an organization whose chief commanders exercise their authority only at fires, and who, themselves, are engaged in various avocations, cannot be up to the standard of discipline and efficiency which we believe ought to exist.

The second objection regarding the expense: We believe that instead of its being increased by a Board of Commissioners, it would be less than the same department would cost under the present system. The salaries of the commissioners placed at the maximum would be more than saved many times by the more economical expenditures required in purchasing of supplies and the repairs upon apparatus done. I will leave to other members of the committee to give statistics bearing upon this point.

The third objection, to the political power such a body would have, I think without foundation. A commissioner appointed by the Mayor—not elected by the people—would have no occasion to exercise the power even if he had it, so far as his own interests were concerned: his position is secure so long as he properly and efficiently discharges its duties; and a watchful, jealous people, who felt that their property and lives were in his hands, would see to it that political power did not interfere with his duties or their interests. There would be another influence commissioners would have to meet, which would tend to keep in check the undue desire for political power. Underwriters would watch them sharply, and would hold them up to the work of efficiently managing the Fire Department. I do not either see how such a board, a new member being appointed every year, could well become corrupt. In New York the Reform Committee did not recommend the removal of the Fire Commissioners, and the testimony before our committee of the delegation of underwriters from New York was most unqualifiedly to their honesty and efficiency.

If we in Boston can have honest Aldermen, we can have honest Commissioners. The statement of the minority that no member of the present Board of Aldermen could be hired for any service which would take his whole time, may or may not be true, but we most fortunately have heads of departments who do give their whole time and receive their salaries, serving the city most faithfully and efficiently, and we therefore propose as a head to the Fire Department, three good men, under whose management we shall have an organization well equipped and disciplined, and second to none in the world. I therefore hope that the Council after due consideration, will adopt the report, and pass the ordinance proposed in the majority report.

Mr. Dean of Ward 12—I don't propose to discuss this matter at any considerable length, because so far it appears to be unnecessary, and because I fail yet to have heard the first argument in favor of a Fire Commission. I understand that there is a great deal of feeling on this subject, and I have taken a great deal of interest in it. It was the endeavor of all the members of the committee to discharge their duties faithfully. A majority, however, readily saw that so far as their duty was concerned, it could be discharged by the appointment of a commission, and that undoubtedly would be so. We can appoint a commission and readily wash our hands of the responsibility for the department. But after all, is there any need of a commission? Is there anything in the management of the Fire Department that cannot be done by the City Government? That is the question, leaving out all other considerations.

Now, what is the duty of the Fire Committee, strictly? It is admitted—and the legislation of the Commonwealth has been to that end—that engineers are a body of men who are to take entire control and management during a fire. If it is admitted that a body of engineers is not particularly skilled, it must be admitted that the Chief Engineer is the one who must take charge of the management of fires. So clearly was that fixed by the people that the destruction of buildings was taken from the fire wards and given to the Chief Engineer. The talk of the Committee is that you should have some head—and where is it to be but in the Chief Engineer? The law of the land makes him supreme there. Now, what is the object of a fire commission? It is nothing but the putting of weapons into the hands of an organization which we have already got. That is all there is, and nothing else. It is putting in the hands of the Chief Engineer the proper tools with which to manage fires. Now, what is the difficulty about that?

It would be very difficult, if you went over the world, to find a better organization than the Fire

Department of the City of Boston. It is certainly as large in the number of engines and men, in proportion to population, as that of any other city in the country. Nobody can fail to see this who will go to the engine houses and see the character of the men engaged in the department; so far as material and personnel are concerned they will challenge the admiration of the world. And a great deal of that is due to the fact that this has come down to us from the volunteer system. We look about us and hear such men as Jonas Fitch and others talk about the Fire Department, and we find that they followed the engines and helped to put out fires. I have heard others praise the men who compose the department. Now, is the department sufficient? There have been objections raised. Are they incurable? The minority think not. At first blush, so anxious was I to do everything possible to make the department effective, that I was ready to vote for a commission.

But I have considered the evils of a commission, and the question whether we could n't cure it without a commission. There has as yet been no tarnish on the escutcheon of the city of Boston, beyond a little junketing at Parker's or Young's. There has been no charge of fraud against the City Government, and for one I am against the importation into this city of those commissions which have been full of evil elsewhere. I do not understand why it is that there should be a readiness to acquiesce in commissions. I can understand how readily people will go for a commission, because they say they will take care of the department. But is there any necessity for the commission? We have a pretty large lot of engines, a considerable number of hose carriages and about 474 men, while the City of London Fire Brigade consists of only 473. Now what else is wanted?

Well the complaint suggested by the friends of a fire commission is that the Chief-Engineer should be nominated by the Mayor—and the minority have got that in the ordinance. And why should n't he? Why, after the great fire, although the Mayor had no more power than any member of this Council, the people looked to him and thought he ought to have done something. But he could n't. He was powerless. He left it where the law put it. Yet, Mr. President, he is the chief executive of the city, and he has less power than as Mayor he ought to have. It seems to me that the chief executive should have power over the Chief-Engineer to put him in nomination. It seems to me that the power ought to be in both branches of the City Government where the remedy can be more readily reached when an evil is suggested.

Now you propose to place this power in the hands of three men, to let only one of them go out at a time, to give them control of five hundred men with substitutes, and expenditure of half a million of money annually. The men of the department have got to stand by the Commissioners. If one undertakes to oppose, the majority still remains. It has always been so. It is true that we have a fire commission now, but they have not this power over men and money. Now it has been suggested that the police should be under a commission. Suppose they are. It would be seen that these men have control of this money. Who of us has not been to New York and seen the Court House creeping up inch by inch and all this corruption known to exist. The importation of that sort of rule is not the sort of thing for the City of Boston. It is n't necessary. Now, can you do without it?

The putting out of fires has got to be left with the department. Commissioners might intervene, and if they did they would do so mischievously, and do evil. Can the city of Boston, with all its own organization, supply the Fire Department with the requisite men and means? That is all of the question. If it can, why try this hazardous experiment, and why pay large salaries for the purpose? This is the simple question, and it is unnecessary to make any great speech about it. Can it be done efficiently? I submit that it can. And is there any objection to it? If the Chief Engineer is nominated by the Mayor and the City Council elects, then the City Council has its proper voice, and the chief executive has his proper voice. The Chief Engineer ought to be somewhat under the control of the Chief Executive of the city, and he is the one who should have the nomination of the man who is to take charge of the city's property. It has been suggested that this Council would not consent to give the control of this matter to the Board of Aldermen. A while ago it was in the Board of Aldermen and it was suggested that it should be given to the Common Council. It was readily yielded by the Board of Aldermen. It seems to me, under all the circumstances, that the other was the way. Now the question is with reference to what we can do without a commission. Can we give the Chief-Engineer of the department and

his assistants the requisite machinery and appointments? It seems to me that we can. But it is said the commission would have done it in a week. If it is something that can be done in a week, it would have to be undone.

With regard to the erection of buildings, so far as my experience goes, the Fire Department have told where their buildings should be. The Committee on Public Buildings erected them, and I don't know that there is any objection to giving the power to the Fire Committee and letting them have control of it. And so with the fire-alarm telegraph—though I don't understand that there is any evidence of necessity for that. What is it that we want, then? The Engineers have the control at fires, and all they can ask of you is to give them the requisite machinery to work with, the requisite engines and the necessary water. Does the City Government need to relinquish all its power? I think not. The committee gave this matter a great deal of attention, and yet they were some time in making their report.

Although I differ with the majority I accord to them one earnest desire to accomplish in the best way the object submitted to them, and that was the best reorganization of the Fire Department. But it does seem to me that the commission is entirely unnecessary. We are more readily reached by the people than a commission would be. We are here because the people at our backs urge us on to it. What people want is an effective department. The people as a people do not want a commission, and they would not if they could understand the matter. There are some who, for various reasons, are urging it all the time, I know. But what we need and what all want is an effective department. Now can we do it? If we cannot do it without a commission, then I would go for a commission.

Now I see it is suggested that the Holly system should be adopted. The minority can see no difficulty in the Holly system. It consists of a system by which, with great engines, water is driven into the mains without the necessity of stand pipes, and the amount of pressure is regulated by a proper mechanism attached to the engine to regulate its work. Suppose it should be adopted in the Burnt District, it would equal 150 engines. If you adopt what is recommended by the chief officer of the London Fire Brigade you will adopt the high service every where about the city, and then you will have an effective department. There is another thing, Mr. President. In a place like the city of Boston, where there is a great deal of inflammable material, when it is known that the quick and certain placing of water is the true remedy, there should be a large number of men somewhat skilled at putting out fires in their early stages. And for this you can have an effective aid in the machinery of the Police Department. The people themselves should be educated to deal with fires, and when a fire has started there should be people throughout the whole city having the requisite means for the management of hose, that fires can be readily extinguished in their incipiency. All that can be adopted without the aid of a commission. You have already got some machinery which has never been used. You have got police stations and small engines that have never been used. All these suggestions only go to show that wherever you turn the committee of the City Government can do everything that a commission can.

Let us suppose that you have got the Holly system, the requisite number of engines and men, and what has a commission to do? You get all the engines, machinery and men into the hands of three men. It has been said that political influences has been at work. The great trouble in that respect has been with the repairs, and if you have a repair shop, all that evil is done away with. Is there a need of a commission to do that? We have submitted an ordinance for that, and an order has been introduced for the committee to select a place for the building. What need have you for a commission after that? You will spend fifteen or twenty or thirty thousand dollars for men to superintend a department that is absolutely complete, and if it is not complete you can make it so in a day—and the City Government put it beyond their power to control it at all.

Would the citizens be better off? They reach us quicker than they could a commission, and if we do the work as well, they will be as well suited as they would by a commission. I did not propose to say as much as I have, but what I have said is upon the necessity of a commission. These are the dangers of a commission. The fact is the City Government can supply the men and the material. Now my suggestion is that if it is necessary let us have a special meeting of the Council to consider the recommendations in detail. Let us take up the ordinance, and go on, step by step, and let the gentlemen show where it

can be improved, and let us go on and take time and do it right. It isn't going to be done in a week. Let us take time enough. Let us give the requisite work to this matter, and see that it is rightly done.

The men of the department have always manifested a proper degree of subordination in the discharge of their duties. It is enough to say that they have sealed their service with their lives. I do not think the companies should have the choosing of their foremen, and if they are nominated by the engineers it takes away that trouble. Now there was a great fire in Chicago, and that was under a commission. Let us deal with the common sense of the thing. We had a great fire here, too. We were naturally inclined to criticise, still it was after all such an event as all great cities must experience. Well, there came another, and we were undertaking to condemn the system. Just now we have had another great fire in Chicago under a commission. The Board of Engineers does not suffer by that comparison. Now I will grant that if you do appoint a commission and do get good men, they will do well. But if you have the right Board of Engineers, they will do well too, and they are the ones, after all, who actually control the department. Are we not willing to take the time, make the investigation, and give the Board of Engineers everything they need? Of course we are. Then we well know that we have done it, that we have given them the requisite needs to accomplish this purpose.

I have no particular connection with the Fire Department. I neither want to be Chief-Engineer nor commissioner. I simply stand here ready to spend all the time that is requisite over this ordinance in detail for the purpose of securing what is right, requiring that the requisite means shall be placed at the disposition of the Chief-Engineer and his associates. I go for the Mayor having the nomination of that officer. There is no reason why when our attention is called to it that we shouldn't take hold of this department and cure it, wherever we may find there is any trouble; with the pressure of duty upon us it seems to me that now is the time, here is the body and these are the men to take this matter in charge and give us the most efficient department in the country, if not in the world.

Mr. Pease of Ward 1—I move the further consideration of this subject be specially assigned to next Thursday evening at half-past eight o'clock.

Mr. Shaw of Ward 5—I have prepared some statistics which I should like very much to present at this time, and I hope the Council will give me an opportunity. As one of the gentlemen has stated, this is an important matter, and requires immediate action, and when members of the Standing Committee on the Fire Department rise here and propose delay it comes with a bad grace.

Mr. Pease—Inasmuch as the gentleman seems so exercised, I withdraw my motion.

Mr. Shaw of Ward 5—I thank my friend for withdrawing his motion. Some three or four months since petitions were presented to the City Council, signed by upwards of 8000 of our citizens and taxpayers [Mr. Shaw read the petition for a Fire Commission] and not a single individual of all our population of 275,000 has ventured a remonstrance against it. The petitions were referred, as we all knew, to a joint special committee, and the committee has given long and patient hearings to everybody who offered to say a word on the subject, after having advertised in all the leading papers of Boston that public hearings would be held. A large number of our most intelligent citizens came before us, a considerable number of whom addressed the committee, giving us their views, and it is safe to say that of thirty persons who spoke twenty-five advocated strongly the appointment of a commission, while of those who said they did not quite believe in a commission—the facts they stated were altogether in favor of it, but that *whole* number even can be counted on one-half the fingers of your right hand. The fact is, the suggestions made by this half a handful of men were in reality substantial arguments in favor of the reorganization, as an examination of the evidence will show. Another fact is patent—the whole community expects this change, and even demands it.

Now, Mr. President, that is all I have to say on general principles. I have a few figures to present at this time, and if they are not complete answers to the gentleman from Ward 12, I will give up my position.

In 1860, the population of Boston was 177,840, and in 1872, 270,000, an increase of fifty-five per cent. In 1860, the total valuation was \$276,861,000, which by regular gradation increased to \$682,724,300, in 1872, the increase being 147 per cent. In 1860, the losses by fire were \$617,213, which, in 1872, (not including

the great fire of November,) was increased to \$1,516,549, an increase of 144 per cent., and that not including the great fire.

Now let us see what has been the increase in the expenditures for the Fire Department for the same time. In 1860-61 the expenditures for the Fire Department were \$112,098 53; in 1861-62, \$84,656 07; in 1862-63, \$107,555 74; in 1863-64, \$126,429 68; in 1864-65, \$158,177 31; in 1865-66, \$151,922 65; in 1866-67, \$177,743 81; in 1867-68, \$230,554 53; in 1868-69, \$284,753 03; in 1869-70, \$344,558 64; in 1870-71, \$418,507 21; in 1871-72, \$468,843 50; in 1872-73, \$661,842 25—an increase, exclusive of the great fire, of 317 per cent. Those are figures, gentlemen, which speak for themselves. Fifty-five per cent. increase of population, 147 per cent. increase of valuation, 144 per cent. increase of losses by fire, and 317 per cent. increase in expenditures for the Fire Department.

In this estimate I have given only the current expenses of the department, without including the cost of hose and engine houses and land. I will give you the expenditures for hook and ladder and engine houses from 1861 to 1872, which are \$516,829 56, no part of which has been charged to the Fire Department, and there is yet unpaid, for unfinished buildings, \$46,768 57; which, added to the amount already given, makes a total of \$563,598 13. The cost of the fire alarm from 1860 to 1870 has been over \$80,000; and we have the grand total of \$643,598 13 from 1860 to 1872, exclusive of all current expenses for the department.

Now I want to show you the current expenditures of the Joint Standing Committee on Fire Department. In 1860 they were \$440 52; in 1861, \$286 55; in 1862, \$1639 95; in 1863, \$2108 99; in 1864, \$379; in 1865, \$754 40; in 1866, \$233; in 1867, \$518 45; in 1868, \$2144 96; in 1869, \$4040 60; in 1870, \$6779 94; in 1871, \$6700 20; in 1872, \$7357 07, a total of \$33,683 63—the sums from 1868 to 1872 inclusive including the expenses of parades of the department authorized by said committee; and all this does not include one dollar for the extraordinary expenditures consequent upon the November fire. These figures are taken from original sources in this building. This increase has been at the rate of 1570 per cent. from 1860 to 1872, not including the extraordinary expenses growing out of the great fire.

It would, perhaps, be enough to rest where I am, but we have a minority report here which my friend from Ward 12 has been advocating. What does it provide for? If I understand him aright he proposes changes in the department—to prune it. Mr. Shaw read extracts from the minority report, one the quotation from the Transcript of two boys who were weeding a garden and the quotation from Hon. William B. Spooner's evidence before the committee. Now the conclusions arrived at by the gentleman this evening are but a repetition of what he states in the minority report. He criticizes the Board of Health, and then upon the next page he quotes what that board has done greatly to the interest of the city.

Mr. Shaw read other selections from the minority report, and was proceeding to answer the arguments therein, when Mr. Wells of Ward 3 raised the point of order that a quorum was not present. Immediately afterward a quorum appearing to be present, business was resumed.

During Mr. Shaw's remarks, he had been asked by Mr. Wells of Ward 3 to yield the floor for a few minutes. Mr. Shaw having again obtained the floor, said that when courteously requested, he would give way for any regular business, but he would never do so when the request was made in such a manner as it had been. It is a very great want of courtesy for any gentleman to rise here and make such a motion, and when it is repeated I rise here to protest against any such action.

Mr. Dean—I hope the gentleman will proceed with his statements.

Mr. Jones expressed the same wish; he would stay till morning.

Mr. Shaw positively declined.

On motion of Mr. Dean, the subject was assigned specially for next Thursday evening at half-past eight o'clock.

Mr. Holmes of Ward 6 offered the following, which was referred to the Committee on Public Instruction:

Ordered, That the Superintendent of Public Buildings furnish additional accommodations for a primary school in the vicinity of Marlborough and Fairfield streets.

Mr. Wells of Ward 3 rose to personal explanation. He said, "The gentleman from Ward 5 (Mr. Shaw) bore very heavily upon me in his remarks. I did nothing but what I had a right to do, and what any gentleman has a right to ask. I had a right to ask the gentleman to give way. He may be very well versed in parliamentary usages, for which, I have no doubt, he can bear off the palm in this Council. But I still hold that right, nevertheless, and he must n't expect to stand up here and browbeat any one. The gentleman has done the same thing here twenty times.

Mr. Shaw—I have never done so since I have been a member of this Council, and this is the first time I ever rose here to ask the privilege of a personal explanation. I undertake to browbeat anybody! I undertake to defend myself when the gentleman interrupts me. He knows that he was wrong. I know his animus and I know his connection with the Fire Department. Let the galled jade wince. [Laughter.] I beg the pardon of the Chair.

The President ruled the discussion out of order.

On motion of Mr. Burditt of Ward 16 the following was passed:

Ordered, That the Committee on Public Buildings be requested to consider the expediency of making the plans for the new station house in Ward 16, so that part of the building may be used for a branch of the Public Library.

On motion of Mr. Pease of Ward 1, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
SEPTEMBER 22, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M. today, Alderman Cutter, Chairman, presiding.

JURORS DRAWN.

Twenty traverse jurors for the Superior Court (first session) to appraise value of land of Merchants' Insurance Company near the Post Office; four additional traverse jurors for the September term of the Superior Criminal Court; thirty-two traverse jurors for the October term of the Superior Court, second session, and thirty-two traverse jurors for the October term of the Superior Court, first session, were drawn.

EXECUTIVE APPOINTMENTS CONFIRMED.

Drivers in the Fire Department—William B. Lottridge, Clement W. Smith, Martin B. Kimball, Christopher J. Burrell.

Special Police Officers Without Pay—John P. Lyman, Jr., Union Safe Deposit Vaults; John N. Capen, Wesleyan Association Building and its vicinity.

Undertakers—Joseph Weekerle, Joseph B. Cassidy. On motion of Alderman Gibson, the following nominations of constables were referred to the Committee on Police:

Francis M. Adams, Arthur F. Anderson, James Ball, John R. Barry, *Phineas Bates, Francis J. Baxter, *Jacob T. Beers, Morrill P. Berry, William W. Blake, Gideon B. Blasland, Charles S. Blood, Charles A. Booth, Samuel Brackett, Samuel J. Bradlee, †Francis V. Bulfinch, †William Burns, Hiram A. Campbell, Samuel Canning, Jr., James M. Carter, Derastus Clapp, Lemuel Clark, Joseph D. Coburn, *Chase Cole, William P. Cook, Henry Crane, Jr., †Daniel B. Curtis, Samuel A. Cushing, Charles R. Cutter, H. R. Darling, †William G. Davies, George W. Decatur, David M. R. Dow, Alvin S. Drew, George G. Drew, Joseph V. Dudley, John A. Duggan, Alpheus Dunbar, William E. Easterbrook, Caleb S. Emery, Ephraim W. Farr, *George M. Felch, †Thomas Folger, †Henry M. Forristall, Elijah D. Foss, †Eben F. Gay, Sarel Gleason, James F. Goodwin, William Gordon, Edward W. Griggs, Thomas Hall, James G. Harrington, John C. Harrington, Charles W. Hebard, †Sylvester H. Hebard, †William L. Hicks, John H. Hiller, John M. Hodgate, Merrill S. Holway, Joseph Hubbard, William B. Hugbes, John Huston, Henry M. Hunter, Frederick P. Ingalls, Thomas A. Jackson, John S. Jacobs, Frederick P. Knapp, Russell R. Knapp, Abbott L. Knowles, John T. Lawton, *Abraham M. Leavitt, *James P. Leeds, Harrison D. Littlefield, George D. Lund, William D. Martin, John May, †William H. McIntosh, *Samuel McIntosh, *Edward F. Mecuen, †Benjamin Meriam, George B. Munroe, Jotham E. Munroe, Samuel T. Munroe, Alonzo F. Neale, John B. Neale, †Isaac F. Nelson, John B. O'Brien, Isaiah Paine, Jr., David Patterson, †William S. Peabody, George H. Phillips, †Joseph Pierce, Jonas Pierce, William F. Pindell, George B. Proctor, John D. Reed, †Augustus M. Rice, Edwin Rice, George Richardson, Edward Riley, John Robie, John C. Robinson, William D. Rockwood, Franklin T. Ross, Joseph Rowe, Burnham Royce, George H. Royce, Charles Smith, Lebbeus W. Smith, Samuel H. Smith, Thomas M. Smith, †Edwin R. Smyth, Asa Southworth, A. Chapin Southworth, †Edwin B. Spinney, †Francis R. Stoddard, James R. Stone, William H. Stone, Henry C. Stratton, Thomas P. Sweat, Jeremiah M. Swett, William H. Swift, Henry Taylor, George W. Tuckerman, *Charles E. Turner, William G. Tyler, Johnson Warren, William H. Warren, Jr., Caleb B. Watts, David L. Wentworth, †Leonard Westerson, Wright W. Williams, †Abraham G. Wyman.

*Truant officers.

†Health Department.

‡Treasurer's deputies.

ORDERS OF NOTICE.

The order of notice for a sewer in Washington street, between Summer and Franklin streets, was considered, and there being no objection offered the subject was recommitted to the Committee on Sewers.

On the order of notice for a sewer in Gouch street, Mr. Snow appeared for the estates generally on the westerly side of Crescent place, and specially for No. 1 Crescent place, which had been drained by a private drain having its outlet in South Margin street. The facilities for drainage are and have been sufficient, and if the city requires an enlargement of this drain there is no reason why the estates he represented should be assessed therefor. The subject was recommitted to the Committee on Sewers.

On the order of notice on petition of John Stetson, Jr., to locate and use a steam engine and boiler at 4 Alden street, no one appeared to object, and the petition was recommitted to the Committee on Steam Engines.

On the petition of Blackmer, Mandell & Co., to use a steam engine at 48 Bedford street, an order of notice was issued for a hearing Oct. 13, at 4 P. M.

PETITIONS PRESENTED AND REFERRED.

To the Committee on Paving. William H. Richardson, that the grade of Savin-Hill avenue be established near his estate.

Samuel P. Loud, to be paid for grade damages on Dorchester avenue, Ward 16.

Horace Billings & Son *et al.*, that projecting signs be prohibited on High and Summer streets.

Abbott & Howard *et al.*, for plank walks upon the Oliver-street extension.

Benjamin James *et al.*, that Gold street be graded and paved from D to E street.

James Devine, for sidewalk at corner Eighth and E streets.

C. H. Callahan, for sidewalk at corner Third and H streets.

M. J. Ryder, that Bolton street be paved with wood between D and E streets.

Boston & Albany Railroad Company, that the grade of Albany street be revised.

To the Committee on Licenses. Chase, Shute & Co., for removal of hack stand from 31 Kilby street.

To the Committee on Sewers. James Parker *et al.*, for a sewer in Sturgis street, from Pearl street to Oliver street.

Ariel Snow *et al.*, for sewer in Moreland street.

To the Committee on Health on the part of the Board. Addison P. Wheelock, to occupy wooden stable on Hancock street, near Columbia.

Thomas & Griffiths, to occupy wooden stable on Drake's wharf.

James McGraim, to occupy stable on Everett street, at No. 75.

Bolton, Dewar & Fieldhouse, to occupy stable on Reed street, rear lead works.

Noyes & Walker, to erect stable at 5 North Centre street.

Fred Pope, to erect two brick stables on Fairfield street.

To the Committee on Claims. Samuel C. Davis, for compensation for injuries caused by obstructions in Dudley street, opposite the old Roxbury City Hall. Defendant was thrown from his buggy and seriously injured. He has been obliged to pay \$100 for repairs on his buggy.

To the Committee on Lamps. James H. Upham *et al.*, for lamp on Bowdoin street, Ward 16.

To the Committee on Common, etc., on part of this Board. Sidney B. Morse, for removal of a tree from sidewalk of 21 Camden street.

To the Committee on Public Lands on the part of this Board. Stanley, Gore & Co., to alter certain buildings on their Albany-street wharf.

To the Committee on Faneuil Hall. A. O. Brewster *et al.*, for use of Faneuil Hall on October 8 for a political meeting.

REMOVAL FROM THE FIRE DEPARTMENT.

A communication was received from Chief-Engineer Damrell transmitting the cause, viz., intoxication, of the removal of Thomas C. Soesman from the Fire Department. Placed on file.

FROM THE SCHOOL COMMITTEE.

A proposal was received from the School Committee to hold a joint convention with that body on Tuesday, the fourteenth day of October, 1873, at 7½ P. M., to fill the vacancy occasioned by the death of William O. Johnson, a member of the committee from Ward 4. The Board concurred.

FROM THE STREET COMMISSIONERS.

A resolve and order were received from the Street Commissioners for the widening of Essex street at the corner of Washington street, by taking land of H. Hollis Hunnewell, at an expense of \$750.

Alderman Clark—I would explain that this is no new undertaking. This 22 feet should have been taken at the time of the original extension, but through some mistake of the surveyor it was omitted, and this additional space is now proposed to be taken to make the widening of Essex street complete at the junction with Washington street.

On motion of Alderman Clark, the order was read twice and passed.

UNFINISHED BUSINESS.

Order to pave Gouch street with small granite blocks, at an estimated cost of \$6000. Passed.

Order to lay brick sidewalks on southerly side of Cedar street, from Thornton to Hawthorn street. Passed.

SITE FOR A SMALLPOX HOSPITAL.

The report of Joint Standing Committee on Health with orders to purchase 426,984 square feet of land on Columbia street, Ward 16, with all the buildings thereon, at a cost of \$86,000, as a smallpox hospital establishment, came up as unfinished business, the question being on the passage of the orders.

Alderman Clark—It seems to me that there is hardly any occasion for us to go into the expense of purchasing a site for a smallpox hospital, inasmuch as we already have a good location which was selected a year ago, after a great deal of looking about, and which, if properly graded, would answer the purpose for years to come. There are many objections to this lot, which I do not propose to mention. In order to settle the question at once I move an indefinite postponement of the subject.

Alderman Sayward—The gentleman opposite decides that there is no necessity for a smallpox hospital. If that is the fact I am perfectly satisfied. The committee to whom this matter was referred have been urged by his Honor the Mayor and various citizens of Boston to make a report of a site for a smallpox hospital. That report has been made and the reasons are given. The gentleman was on the committee which purchased the Swett-street lot, and I was on that committee also. The location of a hospital there affected the citizens of Ward 13, as the gentleman very well knows. Now this, no doubt, affects residents of Ward 16, of whom I am one. I suppose it will affect them as much as it did those in Ward 13. The only question for this Board to decide is whether this is a proper place, whether it interferes with as few people as any other locality. He says there are many objections besides this one of locality. Now is there a necessity for the city of Boston to spend seventy-five thousand dollars for a site for a smallpox hospital? It was stated when the disease was raging here that the city did nothing for the afflicted. Now it happens that no persons are suffering from the disease and it is the time for the city to decide. We have a communication from the Board of Health that a smallpox hospital is necessary and an order is before us for the sale of the Swett-street Hospital. The board was in consultation with the Mayor, and after deciding that Swett street was not a proper place for the hospital, they seized the old Roxbury Almshouse, with the understanding that it should be done away with as soon as possible. If it is not necessary to have one I shall very cheerfully vote for a postponement. My friend knows that he was as anxious as any one could be for a hospital when the disease was raging here. He visited this place more than a year ago and decided that it was as good a site as could be obtained, and would interfere with as few people. But the Swett-street plan had gone so far that that lot of land had to be taken. I want this matter to come fairly before the citizens of my ward and every other ward. If the citizens who object to this can find a better place I am in favor of taking some other site. But there seems to me to be a need of a smallpox hospital, and I should like to know the various reasons of which the gentleman speaks.

Alderman Clark—I would state that one of the very best reasons in the world is that we own the best site for a hospital in the city, which we purchased at an expense of eighty thousand dollars, and erected a building thereon in ten days. This building the physicians decided was not suitable for a smallpox hospital. I believe we should have such a hospital besides the one at Gallop's Island. We already own this location, and have made an appropriation to erect thereon a suitable institution. I admit that physicians said the smallpox hospital was not a good one, but their reasons were on account of the building and not of the locality. I have talked with some of these physicians this week, and they say if the land is raised to a proper grade there would be no objection. Some months ago I introduced an order to have this land on Swett street raised, expecting that some order of this kind would come in. If the street sweepings had been put on Swett street, it would have been already raised to a sufficient grade. It is not necessary to go into the various reasons for objecting to the Columbia-street site this afternoon, except to state that the principal reason we did not take it last year was because we found a better place. Here is a place so isolated that no one can raise any objection to it, and still within twenty minutes' ride of any part of the city. If this motion for indefinite postponement is passed, I propose to introduce an order to raise the grade of the Swett street property, and erect thereon a first-class smallpox hospital.

Alderman Sayward—I don't like to have the gentleman quibble about this matter. It was not only the building but the location that caused the decision of the physicians. If the physicians have changed

their minds I have nothing to say. We acted in communication with the Board of Health, and have to take whatever stigma there is attached to it. I have done what I believe no other Alderman, except a very few, would have done, for almost any one would have reported in favor of locating the hospital in any ward except his own. This place was located there because it was favored by the Board of Health. The gentleman says that this site was not selected a year ago for various reasons. I never heard of any reasons except that Swett street was a little nearer to the city than any other site proposed. If it is decided by the Mayor and the physicians, I am willing to indefinitely postpone, and let this matter be fixed. I am not anxious to have a smallpox hospital near me in Ward 16. My friend knows whether I have worked for smallpox patients. I visited Gallop's Island when I venture to say that he would n't have done it. Now I know I have displeased some of my neighbors in Ward 16. I know where these objections are, and one of them has come to me. If Swett street is the proper place, I can't see why the Mayor was so anxious for us to report for a site for a smallpox hospital, and it is at his solicitation and of citizens outside of this Board that we have made this report. I don't care whether it is in Ward 16 or not, but we should be Christians enough to consent to have it located within a mile of us.

Alderman Clark—I am willing to give the Alderman credit for having worked with all his power to suppress the disease. He did several things which I would not do individually. I give him credit for having done everything in his power, and I don't wish to throw out any insinuations that he has acted in any other manner in this report than what he believes to be strictly in his line of duty. But it does seem to me that there is no occasion for us to purchase any more land. We own land in various sections besides on Swett street, which might be utilized for this purpose. We already have an admirable location, and I had almost supposed that the Alderman had agreed to it. At all events we have it, and it is in almost as healthy a locality as we can expect to have a smallpox hospital located in. If a location where you can get a water view is desirable, as it seems to be on Beacon street, that on Swett street when it is raised to a proper grade will have precisely the same, and there can be no objections on that score. I mention facts when I state that I have got statements from physicians who were opposed to this location last winter, who now say that if it is raised it will be just as good as Beacon or Brimmer streets.

Alderman Sayward—I say that I agreed with the gentleman last year that Swett street was the best location then. I take only the statements of those whose opinions in regard to the location of the hospital are known. I have no other view, and I argued in favor of it in the Board of Health last year. I argued then that the patients should go to the island, that there should be provision for them to go there as easily as they could anywhere else. I argued that the city should have ferry drops, as at the East Boston ferries, that the patients could be easily and comfortably transported. This is still my view, but the physicians opposed me, and if they oppose me now I am willing to yield. I will offer an amendment that my friend may bring in any location he pleases. I move to lay the motion on the table.

Alderman Clark—Does this take precedence of my motion to indefinitely postpone?

The Chair—It does.

Alderman Clark—I hope the matter will be disposed of this afternoon, and I hope it will not be laid on the table.

Alderman Sayward—If any gentleman desires to say anything I have no objection, and will withdraw my motion for that purpose. I made this motion to give the gentleman an opportunity to bring in the order to grade Swett street.

The motion to lay on the table was defeated.

Alderman Clark—I now renew my motion to indefinitely postpone the order and request the yeas and nays thereon.

Alderman Power—I hope this matter will not be postponed, but that it will be definitely and finally settled at the present time. I think the gentlemen of this Board are as well prepared to settle this question now as at any other time, and if it is in order I would like to say something on this location of a smallpox hospital.

The Chair—It is perfectly proper to debate the question.

Alderman Power—I am opposed to this proposed location of a smallpox hospital, for the same reasons that I gave against taking the Marcella-street site, and I haven't yet had occasion to change my mind. I think the taking of that lot caused more

injury than good, for it is well known that one life was sacrificed. I do not wish to put upon the citizens of Ward 16 what I tried to prevent being put upon the people of the Highlands. If there is any sacrifice the city should bear the burden equally. It is well known that if this hospital is located in Ward 16 it will ruin property in the vicinity. The exigencies of the case do not require its location there now. The smallpox has abated entirely. I always thought that the Swett-street Hospital was in a proper place. If the wealthiest of our citizens can live on made land, such as that at the foot of the Public Garden, I think that Swett street can be made suitable for smallpox patients. At any rate there is no reason for afflicting the residents of Ward 16 with such an injury now. I think the Board is ready to settle this question today, and I hope the question will be taken on its merits.

Alderman Clark—I am certainly ignorant of my intention if an indefinite postponement does not settle the matter so far as that location is concerned. I suppose that kills the subject, and if it does not I am willing to have a yeas and nay vote on the passage of the order.

Alderman Sayward—I think an indefinite postponement would settle this matter for all time. But my friend wants to see whether there is any one in favor of this location or not. I don't know whether he will accomplish it as well this way as in any other. He says he don't wish to put a smallpox hospital on any one place. Let me ask him if there were not objections when it was located on Swett street.

Alderman Power—It is reasonable to suppose that the gentleman who advocates a measure here is going to vote for it. I want to have the matter settled definitely. I supposed it was the easiest and best way to have the matter stand on its merits, and vote it down or pass it, and not get round it by a postponement. I supposed that my way was the easiest to settle the matter entirely.

Alderman Clark—I would call for a vote on my motion to indefinitely postpone, and on that I ask the yeas and nays.

Alderman Gibson—It is well known that I have been an advocate of the Swett-street Hospital site from the commencement, and I believe that if it were raised to the proper grade it would be satisfactory. From the representations of the committee who have visited this proposed site, it seems to me that it is a first rate locality. But if the Board thinks best to come back to Swett street and raise the grade I should prefer it to taking the other site; I think the Marcella-street site very objectionable. I know of many people in Ward 16 who feel that their property would be injured; some say it will depreciate property a million and a half dollars in the next five years.

Alderman Sayward—Gentlemen may now see the dilemma in which the committee is placed. We have voted in committee for this lot of land, and I propose to stand by my report unless gentlemen will allow us to lay this report on the table and show us a better location. We have voted upon every location, and now you refuse to lay this matter on the table till a better one can be found. If this is the rule I must abide by it.

The vote on indefinite postponement was then taken, with the following result:

Yeas—Aldermen Bigelow, Brown, Clark, Cutler, Emery, Hulbert, Power, Quincy, Stebbins—9.

Nays—Aldermen Gibson, Sayward—2.

So the order was indefinitely postponed.

Alderman Clark moved a reconsideration of the vote, hoping it would not prevail.

The motion was rejected.

Alderman Clark offered the following:

Ordered, That the Joint Committee on Health be directed to raise the grade of Swett-street Hospital territory and provide suitable drainage therefor, satisfactory to the Board of Health; the expense to be charged to the existing appropriation for a Smallpox Hospital.

The rules having been suspended and the question being on the passage of the order, Alderman Sayward said—

I don't object to the passage of the order if it is a proper one. I don't know but I may be mistaken. It appears to me that the Committee on Health will have no power to grade the Swett-street-Hospital territory. If the gentleman is fully satisfied that the order is right I will have no objection to it.

Alderman Clark—I have no doubt the Committee on Health have the right to raise that grade if they are so directed by the City Council. The order was written by a party who understands it thoroughly, and I have not the slightest doubt but that is the proper location for a smallpox hospital.

Alderman Sayward—If the gentleman has asked information of some one informed it may be proper. But that property is in the immediate charge of the

Board of Health. We should think it a little singular if the Committee on Common could be directed to grade that property. The Board of Health have control of that building and land, and they are very anxious to have it transferred to the Committee on Public Laws. As chairman of the Committee on Health I am perfectly willing to do anything, but I don't wish to infringe on anybody else's duties.

Alderman Clark—The Committee on Health are the proper parties to have charge of this matter. They have charge of the street sweepings, the ashes and the offal. I am perfectly right, I think; at any rate I am willing to take the risk.

Alderman Sayward—I suppose the gentleman is a little tender of his appropriations. We do have charge of this matter of street sweepings, I know.

Alderman Clark—The expense is to be charged to the erection of a smallpox hospital, to the unexpended appropriation.

Alderman Hulbert—As this is a matter of considerable importance and deserves better consideration than I am able to give now, I move that it be laid on the table.

Several Aldermen desiring to speak, the motion was temporarily withdrawn.

Alderman Clark—I am always anxious to accede to the request of the Alderman from Ward 15, and all others, when the public interest will admit of it. But as this matter has been thoroughly ventilated this afternoon, and as it is necessary that we should have this territory graded in season to erect a building on it this fall, delay would be detrimental to the public health. If that territory is raised before we shall have occasion to use a hospital again, we can have a building in all respects suitable for the taking care of patients.

Alderman Quincy—I should like to urge that the matter be laid over. I cannot agree that the taking of the Marcella-street Hospital was unjustifiable. I think it was justifiable as a war measure. If I can be assured by the gentlemen that competent medical authorities are in favor of the location of a smallpox hospital on Swett street I will vote for it.

Alderman Sayward—I am extremely surprised that my friend is so anxious to build a hospital on Swett street. What is the cause of this great anxiety not to have this matter laid on the table another week? There is something behind all this anxiety for a particular locality to be graded up all at once.

Alderman Clark—I consider it ungentlemanly and unhandsome to make such a charge as this. It is the old cry raised again that if a man is anxious for a measure there must be some motive behind it. I suppose I could hurl this charge back at the gentleman, but I will not. I don't propose to discuss this question whether the taking of the Marcella-street Hospital, which I was opposed to at that time, was judicious or not. But I do hold that we own a piece of land well adapted for a smallpox hospital. True, last year the Board of Health did a public service, and if vaccination is looked after thoroughly we shall not have much trouble from the smallpox in the future. There is nothing whatever behind this. I don't make a dollar on this lot; I don't propose to bid for the contract for the building of this hospital, even if it is to be of brick.

Alderman Stebbins—Mr. Chairman, I call for the special assignment for five o'clock.

Alderman Hulbert renewed the motion to lay on the table, and it was defeated.

Alderman Clark—I call for the vote on the passage of the order.

Alderman Sayward—I have a word more to say. The gentleman says I have used ungentlemanly language. I made no particular charges, and if he feels hurt I beg his pardon. Now, sir, so far as the building is concerned, I don't think there is much money to be made out of it. I don't propose to build it, as I am a member of the City Government, and so far as the gentleman is concerned, he can't build it, because he don't know how. [Laughter.]

Alderman Power—I don't see why any gentleman here should object to the passage of that order. It does n't go any further. It is simply for the grading of the land, the value of which will be improved. Therefore I don't see why any one should vote against it.

Alderman Clark—The order says it shall be graded to the satisfaction of the Board of Health. At all events the raising of the grade of that land, which can be done at no expense to the city, will greatly improve it if we wish to use it hereafter.

Alderman Hulbert—That order may be right and it may not. I don't know but all the other members of the Board have looked into it and are perfectly ready to vote, but I am not. I think it should be laid on the table, and until I can look into it I shall not vote in favor of it. I think I should like to vote for it if I could look into it.

Alderman Sayward—I move to take up the special assignment.

The motion was carried—5 to 3.

Alderman Power—I move that the special assignment be postponed till six o'clock.

Alderman Stebbins—I hope it will not be postponed, as there are several parties here who have engagements later in the evening. It would accommodate them better to be heard now, and we can finish our business later in the evening.

Alderman Power—I appreciate this matter of time, but this subject before us is an important one. Everybody here is posted in regard to the value of this land. That order simply covers the matter of improvement. I don't see why it can't be settled.

The motion to postpone the special assignment was defeated, and the Board took up the special assignment. Subsequently the subject was again considered.

Alderman Clark—Inasmuch as some of the Aldermen wish this matter laid over a week in order to satisfy themselves of the practicability of raising the grade of Swett street, I will not press a vote this evening, but will agree that it go over. I therefore move that it be laid on the table for one week.

It was so voted.

ENFORCEMENT OF THE PROHIBITORY LAW.

The special assignment of the day, viz., the hearing of W. H. H. Murray, A. A. Miner and two thousand other male and female petitioners, for the enforcement of the existing Prohibitory law, by the municipal authorities of this city, was considered.

Rev. A. A. Miner, D. D.—I think we who ask this action may claim to ask a disinterested request. I see by the reports of your Chief of Police that this measure for the welfare of the city is embodied therein. It is not my purpose to deliver a temperance lecture; if I assume that the concurrent judgment of the community is that three-fourths of our pauperism and crime are from the liquor traffic, I could show that the deterioration of the labor force of the State is more than fifty million dollars a year by the liquor traffic. So long as Boston holds the position she does in regard to the liquor traffic the law cannot be enforced elsewhere. This is not a law-making power. We have a law-making, a judicial and an executive power; one body makes the laws, another construes and another executes them. We are under law in theory and not under rulers who are the instruments of the law. The law-making power says, "any mayor, alderman, selectman, chief-of-police, deputy chief-of-police, etc., may, without a warrant, arrest any person found selling, etc., any liquor," and "the several officers aforesaid shall enforce or cause to be enforced the penalties provided by this law." That law has been substantially passed upon by the Supreme Court of the United States. You, gentlemen, have no power to stand between your chief-of-police and this law. Now it has been thought that though this enactment is on the statute book that another to create the constabulary exonerates officers from enforcing this law, but this act provides that it shall not be construed to relieve the other officers from executing this law. This law says you shall enforce the law. I understand that you appoint the Chief-of-Police, and it is not right that you should stand between him and the enforcement. What he did after the great fire he ought to do every day under your sanction, and you have no right to stand between him and this law. It is your duty to say to him that the laws in relation to the manufacture and sale of liquors in this city must be enforced impartially and thoroughly. I hold it to be the bounden duty of this body to command the Chief-of-Police to enforce this and all other laws. I have no doubt you have your personal opinions, and if, after years of study, you think the principle of prohibition is adverse to the interests of Boston, you have a right to that opinion; but when you stand up as Aldermen you have no right to stand as a dead weight between the law and its enforcement. Your duty in this case would be to resign. I know that liquor selling is one of the most infamous forms of enterprise in existence. I could not hold up my head and be an Alderman in Boston and see the law not enforced. I don't know but a twenty years' trampling under foot of law has caused it to cease to be a law. The title lives in Boston, however. In this matter the city does not occupy an enviable position. For some reason or other this Board stands in as bad a position as any defalcator. There is no question considered more vital than this. Boston for twenty years has said she won't suppress the liquor traffic. What right has she to say that? This being law, you have one of two ways left—its open, frank enforcement, or resignation. With an eye to the corrupting influences, you cannot innocently neglect to do one or the other.

And I would as leave you would do one as the other. If Boston has n't Aldermen who hold themselves obedient to the laws, I suppose they could have. In the name of God, gentlemen, do one or the other, and the hour should not strike six before you have made up your minds. Dr. Miner cited the case of the Mayor of Milwaukee, who refused to require bonds of city officers, and remarked that he did n't know but the best way to settle the question would be to bring the Board before the courts for dereliction of duty. If an order were passed to instruct the Chief-of-Police to enforce the law I have no doubt all the bar rooms would be closed in twenty-four hours. We all want the liquor traffic reduced to a minimum, and why not take the action that will do it. Who doubts that if ordered to close Mr. Young, Mr. Parker or Mr. Richards would hesitate to obey? I know it is impracticable to absolutely suppress any crime; we have murders and other crimes, but it is conceded that preventing the use of liquor would reduce the tendency to such crime. A license law makes exemptions; it complicates the facts on which actions must be based. But the Prohibitory law puts the matter completely into your hands. It seems that in every view of the law it is clearly the duty of this Board. If you continue to hold your office you have no right to disregard this law any more than I have to steal your horse, and if I were speaking of grades of crime I should say you were the greater criminals. There ought to be virtue and integrity in high officials. I sleep by night and walk the streets less securely by reason of this traffic permitted. I know how men in office feel about this. Pullers at the coat tails are not givers of the law; to the law you owe allegiance. The interest is committed to your hand, and do not let any word I utter fail to prevent you from looking at this question as fairly as if your son were on the bring of perdition. You have no right to talk of fanaticism; the Legislature has made the law and the Supreme Court sustains it. You have no alternative.

Rev. George H. Vibbert—I thought it well for us to take up a subject, after this discussion for preventing a dread disease, which affects the weal or woe of thousands. Mr. Vibbert read a selection from Herbert Spencer and said, if you are interested in the prevention of noxious diseases for the body, then you ought to be interested in the prevention of broken hearts, disrupted families and ruined souls. Chief-Justice Taney decided that he could see nothing in the law to prevent a State from prohibiting any traffic which appears to be disastrous to the people, on the principle of the old maxim that "the health of the people is the supreme law." As private individuals you agree that we have an undoubted right to suppress the traffic by law. Let me ask you what would your real estate be worth if there were a distillery here, a distillery there, and a lager-bier shop here? Any gentleman when he thought of his home interests would say no, a thousand times no. That is all we ask, gentlemen. I remember that in England a justice could not be found who would license a drinking saloon in his vicinity. I wish every advocate of a license law could be concentrated in the vicinity of all the distilleries, and how soon do you suppose it would be before every citizen would rise up against it? It is a principle of law that the dram shop is a nuisance, whether in School street or North street, and we ask you to abate every one in the city. I am surprised that no leading man of the Board of Trade is here to plead our cause, because we know there is no traffic so deleterious to business. Mr. Vibbert related instances of the effect of drinking liquor upon laboring and business men in this city, in Maine and Rhode Island. In Great Britain it was decided that one day in six was wasted on account of the drinking habits of the people; in this country we waste about one in fifteen. Did you ever think of the waste of grain and land by the growing of grain for beer? I find that the brewers of New England used a million bushels of grain last year, and this amount would have made fifteen million four-pound loaves of bread. You may tell me that this law can't be executed, but you can't go to your Chief of Police and tell him so with a straight face. He will say, "Let the orders come, gentlemen." I say, in other places, this law has been executed with good results. In Vineland, N. J., where they have 10,500 inhabitants and no liquor, it cost them from 1867 to 1872 for police—in 1867, \$50; in 1868, \$50; in 1869, \$75; in 1870, \$75; in 1871, \$150; and in 1872, \$25. For the poor, since 1867, the most it has cost in one year was \$425; in 1872, \$350. Close these doors to corruption and how long would it be before your police and pauper expenses would be decreased? In last year, of all the arrests less than four hundred were for violating city ordinances. In

answer to the argument that the law had never been enforced but in a corner, Mr. Vibbert instanced communities in England and Ireland, where liquor could not be purchased for miles around. He next alluded to the great army of broken-hearted women, and made an appeal for statesmen who cared for homes, who would put away this rock of offence. Gentlemen, do your duty, put this stone out of our way, and we can go on in our civilization.

Dr. Miner said that several other gentlemen had been expected to be present, and asked whether the Board, on account of the lateness of the hour, would prefer to give a portion of another day to the subject.

Alderman Clark hoped the petitioners would proceed for half an hour or an hour; he would be happy to listen to them.

That was taken to be the sense of the Board.

Rev. Mr. Lewis of South Boston—I do not intend to go over the ground of the gentlemen who have preceded me. I take it for granted that in reference to your sworn duty we cannot differ one from another. I will call attention to a few things transpiring about us. The law is not executed. When attempts are made to execute it, obstacles are thrown in the way. At Pemberton square the commissioners will tell us that they get discouragement from the municipal forces in enforcing the law, and on several occasions only the wise actions of the State Constables prevented a riot. Under a great emergency, when the alarm struck deep into the hearts of the city, this law was enforced, and if it could be enforced ten days it can be for ten hundred days. Summon before you your Chief-of-Police and he will tell you that if he felt that this honorable Board was behind him he would enforce the law, and not a dram shop would be open in ten days. Mr. Lewis instanced the case of a policeman who had undertaken to enforce the law and been removed from his beat. He knew that the Boston police would say they could execute the law but when they do undertake it, something is in the way. In a certain ward the policemen determined that a certain shop, part news stand and part confectionery shop, was the cause of all the trouble in that ward, and they determined that on one day it should be closed—the Lord's day. They found enough evidence there to send a dozen men to the House of Correction. One man who held about thirty votes went to a prominent city official who wrote to the Chief Executive stating that that prosecution must be stopped; the first did not succeed, but after a second letter saying if the prosecution was not stopped there would be trouble, it was stopped. Those letters are now in the breast pocket of one of the police captains of the city, and any Sunday you can go to that place and get a dram at any hour. Mr. Lewis next alluded to the manner of executing the law in the courts. What is the reason that juries refuse to give a just verdict in the face of patent facts? It is because here sits a jury which refuses to give a just verdict in the face of patent facts. Alexander did not stop to untie the Gordian knot, he cut it; we call upon you to take the sword of justice and cut this Gordian knot, and say this law shall be executed.

Rev. Dr. Miner thanked the Board for the patient hearing accorded the petitioners. He called attention to the fact that in some cities the law is being executed with partial fairness, while others await the action of Boston. We stand much in fear of each other in this world. I could name a dozen business men who wish you would pass such an order, but when you bring them a petition they say they don't know what will come back on them if they do. Can it be that your philanthropic Chief-of-Police in a moment of danger shall lack your word of command? Can it be that Boston is in rebellion against the Commonwealth? That the Mayor and Aldermen shall hold five hundred policemen at bay?

On motion of Alderman Stebbins, who said the petitioners desired to have a still further hearing, the petition was referred to the Committee on Police.

PAPERS FROM THE COMMON COUNCIL.

The following papers received concurrent action:

Petitions of Leonard Pickering *et al.* were referred, in concurrence.

Request from Board of Health that the Swett-street Hospital may be sold. Referred to Committee on Health.

Petition of East Boston Railroad Company for acceptance of their charter (Chapter 66, Statutes of 1873). Referred to Messrs. Weston, Pickering and Kingsley, with such as the Board of Aldermen may join. The Board concurred, and the chairman appointed Aldermen Hulbert and Power on the committee.

Order that plans for Police Station in District Eleven be so drawn as to provide accommodations for a Branch Public Library. Passed.

Order authorizing suitable office accommodations

to be procured for the Board of Directors for public institutions came up amended so as to provide for a "report to the City Council" on that subject. The Board concurred.

Order for issuing permits to build on the westerly side of Washington street, between Boylston and Avery streets. Passed.

Order to cancel the sale of the old Mather Schoolhouse, Ward 16, provided it can be done by payment of expenses incurred by the purchaser, came up with an amendment to ascertain the probable cost of cancellation. The Board concurred.

Order to allow Company E, First Artillery, \$450 for repairs and furniture in their armory. Passed—yeas 11, nays 0.

Request of Board of Health that a full salary of \$1600 per annum be allowed the Assistant-Resident Physician at Deer Island. Referred to Committee on Public Institutions.

Requests from School Committee that additional primary school accommodation be furnished in the Bigelow District; that a suitable tablet be placed on exterior wall of the Dudley Schoolhouse; that additional temporary accommodations be furnished for primary scholars near Marlborough and Fairfield streets. Severally referred to the Committee on Public Instruction.

Report of special commissioners on annexation of adjacent territory. (City Doc. No. 105.) Placed on file.

The report and order for the sale of the Oliver Primary Schoolhouse on Sumner street, East Boston, was, on motion of Alderman Hulbert, laid on the table.

Alderman Sayward expressed the desire that members would take notice of the order and make their objections before it was passed. Sometime ago a schoolhouse was sold and some objections were raised afterward.

FIRING CANNON ON THE COMMON.

The report relating to discharge of cannon on the Common, or public grounds, and passage of the ordinance recommended by the majority committee, with the additional words "or the Mayor," came up with a further amendment, to insert "or the Commander-in-Chief of militia."

Alderman Quincy—I hope we shall concur with this amendment, although in principle I don't subscribe to it. The authority will then be taken from all inferior officers and vested in the Commander-in-Chief, although in principle I don't see why the Commander-in-Chief shall not be required to come to City Hall for permission to use the Common as much as he would have to come to me for leave to use my back yard.

The Board concurred in the amendment, and the ordinance as amended was passed.

FROM THE SUPERINTENDENT OF SEWERS.

The Superintendent of Sewers submitted an assessment of the expense of constructing sewer in Dudley and Dennis streets. Total cost, \$9388; to be paid by individuals, \$7041. Referred to Committee on Sewers.

REPORTS OF COMMITTEES.

Alderman Stebbins, from the Committee on Water, to whom was referred an order requesting the Cochituate Water Board to consider the expediency and report the cost of supplying the business portion of the city proper with salt water on the Holly system, for fire and sanitary purposes, made a report recommending the passage of the order.

Alderman Hulbert—I would ask what is the expense involved in doing this.

Alderman Stebbins—I am hardly prepared to answer that question, but I suppose it would involve the expense by the Water Board of an investigation by visiting other places and seeing tests. I would state, however, that the City Engineer and President of the Water Board have already visited New York and made an investigation, and are prepared to state the cost.

Alderman Hulbert—This is a very important thing. We are constantly patching up the Fire Department, and I would like to have the order lay over that I may look into the subject.

Alderman Stebbins—There is no objection.

The report and order were laid over.

Alderman Stebbins, from the same committee, to whom was referred the petition of Samuel R. Russell, for an appropriation to cover the expense of giving an exhibition of his apparatus, made a report recommending the passage of the accompanying order:

Ordered, That the Joint Standing Committee on the Fire Department be authorized to make an arrangement with Samuel R. Russell for an exhibition of his fire apparatus, at an expense not exceeding three hundred dollars, including the cost of the water; to be charged to the appropriation for the Fire Department.

Report accepted and order passed.

— Alderman Stebbins, from the same committee, to whom was referred an order requesting the Water Board to place fire reservoirs at the junction of such streets as shall be agreed upon by the said board and the engineers of the Fire Department, reported that the order ought to pass.

Report accepted and order read twice and passed.

Alderman Sayward, from the Committee on Licenses, reported favorably on the applications of Valentine Harding, S. W. Harvey and J. G. Chandler for innholders' license; and Simon S. Rankin, James P. Bell, Daniel Callahan, H. A. Stoehr, Henry P. Bambour, James Keenan, T. F. & J. A. Myers for victuallers' license; M. R. Noble, to give dramatic entertainment at Oakland Hall Sept. 24-26; T. F. Shaughnessey, *et al.*, to give dramatic entertainment at Institute Hall Sept. 26; Thomas Connolly, for hack stand on corner of Boylston and Clarendon streets; A. B. Davis, for hack stand at High and Hartford streets; John V. Farrar, to exhibit panorama at Institute Hall Sept. 24, 25; William M. Maynard, for pawnbroker's license at 19 Brattle square; Banchi Barber, and ten other applicants, for bootblack and newsboy licenses; Daniel Brosnahan, to deal in second-hand articles at 44 Lincoln street; W. F. Holman, for transfer of intelligence office license to J. S. Starrett; Joseph Kyle, George M. Glazier, Daniel Doherty, F. H. Phillips, N. D. Farnam for wagon licenses; G. C. Coswell, T. Sullivan, W. Billings for transfer of wagon license; Marcus Griner and Charles D. Luckie for billiard license; Henry S. Harris and George N. Armstrong for auctioneers' license; Mary F. Welsh, to keep an intelligence office. Severally accepted.

Alderman Sayward, from the same committee, reported unfavorably on the applications of E. F. Ramsell and Henry Mason for victuallers' license. Severally accepted.

Alderman Power, from the Committee on Sewers, reported orders of notice for hearings on next Monday at 4 P. M. on the petitions for sewers in Bremen street, between Brooks and Porter streets; in Crescent avenue and Carleton street; in Barton street, between Barton court and Poplar street; in Franklin street, between Walnut and Taylor streets; in Taylor street, between Franklin and Water streets, and in Water street, between Taylor and Walnut streets; in New Heath street, between Pynchon and Centre streets, and in Centre street, between Heath and Cedar streets. Severally accepted and orders passed.

Alderman Power, from the same committee, reported orders for the construction of common sewers in Washington street, between Franklin and Summer streets; and in Gough street, between South Margin and Green streets. Orders passed.

Alderman Power, from the same committee, reported "no action necessary" on the petition of John P. Squire & Co. for a commission to consider the subject of sewerage in Miller's River. Accepted.

Alderman Power, from the same committee, submitted reports of sewer assessments and orders for the collection of the same as follows: George street—total cost \$846 22, to individuals \$634 67; Saratoga street between Bremen and Swift streets—total cost \$2666 05, to individuals \$999 54; Sawyer street—total cost \$494 29, to individuals \$370 02; Lexington street between Eagle and Prescott streets—total cost \$2198 94, to individuals \$1649 21; Vine street—total cost \$432 30, to individuals \$324 23. Reports accepted and orders passed.

Alderman Clark, from the Joint Committee on Streets, reported an order to pay Nancy Shove \$262 50, damages on account of the Washington-street extension. Passed.

Alderman Power, from the Committee on Paving, reported orders as follows: Giving notice to James G. Groves to repair sidewalk on Washington street; notifying abutters on Washington street, between Essex street and Hayward place, to remove obstructions within ten days; directing the Superintendent of Streets to close Federal street, between Milk and Broad streets. Severally read twice and passed.

Alderman Power, from the Committee on Paving, reported the following orders, which were read once and laid over:

Ordered, That the Superintendent of Streets be directed in the execution of the order passed by the Board of Aldermen, December 11th, 1872, for the widening of Warren street, between Washington and Dudley streets, to pave the roadway of said street with small granite blocks; the expense thereof, not exceeding five thousand dollars in addition to the amount already appropriated, to be charged to the appropriation for widening Warren street.

Ordered, That the Superintendent of Streets be directed to gravel Condor street, between Brooks and Glendon streets. Estimated cost, \$2500.

Ordered, That the Superintendent of Streets be directed to set the edgestones and pave the gutters

on the northerly side of Egleston square, between Shawmut avenue and Walnut avenue; also to grade and surface drain said square. Estimated cost, \$4000.

Ordered, That the street leading from Oliver street to Broad street, heretofore known as Sturgis street, be hereafter called and known as Franklin street, and that the Superintendent of Streets be directed to number said street in continuation of the street now known as Franklin street.

Alderman Power, from the Committee on Paving, reported leave to withdraw on the following petitions: Weston Gray, to be paid for grade damages at No. 81 White street; Henry Souther, for the removal of the tracks of the South Boston Railroad into the centre of Emerson street; C. Schwaaz *et al.*, for removal of steps from the Maverick House; Howland Otis, Jr., and John Winn, to be paid for grade damages on Paris street; and no action necessary on petition of Winthrop Railroad Company, that the fence on Saratoga street, over Breed's Island, be set back. Severally accepted.

Alderman Power, from the same committee, reported orders to pay grade damages as follows: Timothy Madden, \$200, Paris street; Daniel and Patrick O'Connor, \$410, Paris street; Thomas Lane, \$400, Paris street. Severally read twice and passed.

On motion of Alderman Power—

Ordered, That the sum of \$35 90 be abated from the assessment levied upon George Adams's heirs for a sewer in Newman and Lowland streets.

On motion of Alderman Quincy—

Ordered, That the armory of Company I, Ninth Regiment of Infantry, at No. 544 Washington street, be and it hereby is approved as a suitable and safe place for the deposit of arms and equipments.

On motion of Alderman Quincy—

Ordered, That the Joint Standing Committee on Ordinances consider the expediency of amending the ordinance in relation to city deeds, by empowering the Mayor to execute all legal instruments necessary to recovery to persons entitled to redeem the same lands sold and bid in by the city for non-payment of taxes or assessments.

COLUMBUS-AVENUE EXTENSION.

Alderman Clark, from the Joint Standing Committee on Streets, to whom was referred the petition of Jeffrey Richardson *et al.* for the discontinuance of a portion of Columbus avenue, between Providence street and Park square, submitted the following report: The portion of Columbus avenue lying between Ferdinand street and Church street was laid out as a public highway on the 9th of October, 1868; and the portion between Ferdinand street and Northampton street was laid out October 26, 1869. Although the city was not committed in any way to the extension of the avenue in a straight line to Park square, there seems to have been a general understanding on the part of the owners and occupants of estates southwesterly of Church street that the extension when made was to be in a straight line and of the full width of eighty feet.

In the latter part of 1871 the negotiations which had been carried on a number of years with the Boston & Providence Railroad Company resulted in the purchase by the city of the lands owned by the corporation lying between Church street and Pleasant street, Madison place and Providence street. The indenture which was entered into between the city and the railroad company recited that the purchase is made for the purpose of extending Columbus avenue to Providence street and Park square, as shown on a plan by the City Surveyor, dated December 1st, 1870; and the conveyance is upon the condition that Columbus avenue shall be laid out within the year 1871. It appears by referring to the plan mentioned in the indenture that the extension of the avenue in a straight line was intended, as the northerly line is drawn straight across the back yards of the estates on Boylston street, and the areas taken from each defined.

On the 21st of December, 1871, the Street Commissioners, after the usual notice and hearing to all parties interested, laid out Columbus avenue in a straight line, eighty feet wide, from Church street to Park square, and submitted their action to the City Council for consideration or rejection. When the matter came before the Board of Aldermen a remonstrance was received from Jeffrey Richardson and others, representing the six estates on Boylston street, portions of which were taken by the action of the Street Commissioners. A hearing before the full Board was assigned for the following week (Dec. 26) and the remonstrants then appeared and a portion of them stated their objections in full; the others withdrew their opposition when they learned the avenue must be laid out before the first of January, or the lands purchased by the city would be forfeited, but they expressed a wish to be heard at a future time on the discontinuance of a portion of the avenue laid

out over their property. The plan of the Street Commissioners was then adopted unanimously by the two branches of the City Council.

In the following year, Mr. Richardson and the other owners of estates on Boylston street, petitioned the Board of Street Commissioners for the "discontinuance of a portion from the northerly side of Columbus avenue, at its entrance to Park square." After due notice in the daily papers a public hearing was given to the petitioners and all other persons interested. The owners and residents on the avenue appeared in opposition to the petition, and submitted a protest in writing against any alteration of the lines of the avenue, representing that the faith of the city was pledged to furnish a straight thoroughfare. The commissioners having declined to make any change, the Board of Aldermen, on the 12th of May last, ordered the occupants of estates on Boylston street to vacate the lands which projected over the line of the avenue as established in 1871. Upon this the petition now under consideration was presented, asking in effect, that the City Council would exercise the authority conferred upon it by the statute of 1872, and direct the Street Commissioners, by a two-thirds vote, to discontinue a portion of the avenue between Providence street and Park square.

The petitioners claim, and, as appears from the foregoing statement, with good reason, that the City Council has never had an opportunity to act independently upon this question. It may properly be inferred, however, from the action preceding the actual laying out of the avenue in 1871, that even if ample time had been allowed for independent action on the part of the City Council the result would have been the same. In considering the matter at this time we cannot ignore the fact that the avenue has been formally laid out and dedicated to the public use and that the burden of proof is upon the petitioners to show that the public safety and convenience would be promoted by the discontinuance of any portion of it. This they fail to do.

Although a slight deflection in the line at Providence street for the purpose of preserving the back yards of the estates on Boylston street might not interfere very seriously with the view from the avenue and the Common, it would in the opinion of the remonstrants tend to depress the value of estates abutting on the avenue. If any such change was made it would undoubtedly be used as an argument to secure a reduction of the assessments for betterments which are to be laid this fall on account of the extension to Park square. In contesting the matter before a jury it is not unlikely that the city would lose a larger sum in this way than it would incur for damages to the Boylston-street estates from the extension in a straight line. For these reasons the committee would recommend that the petitioners have leave to withdraw.

The report was accepted and sent down.

THE BACK BAY LANDS.

On motion of Alderman Clark—

Ordered that the Board of Street Commissioners in conjunction with the Joint Standing Committee on Streets, be requested to confer with the owners of the unfilled lands and flats lying between Beacon street, Western avenue, Longwood avenue, and the Boston & Providence Railroad, and prepare a plan for laying out streets and avenues over said district, and connecting these with other streets and avenues in the city. Passed.

THE FIRE DEPARTMENT.

Alderman Clark offered the following:

Ordered, That the Chief-Engineer of the Fire Department be and he hereby is authorized to reorganize Engine Companies Nos. 4 and 7, so that they shall each consist of twelve men, as follows: Foreman, engineer of engine, fireman, two drivers and seven hosemen, the same to be permanently employed.

Alderman Stebbins explained that one of the engines is located on Bulfinch street and the other on East street.

The order was passed.

Alderman Clark offered the following:

Ordered, That the sum of fifteen hundred dollars be and hereby is appropriated to pay for repairs made upon Steam Fire Engine No. 8; the same to be charged to the appropriation for the Fire Department.

Ordered, That the sum of fourteen hundred and fifty dollars be and hereby is appropriated to pay for repairs made upon Steam Fire Engine No. 15; the same to be charged to the appropriation for the Fire Department.

Alderman Clark—I would state that these two engines were disabled while going to fires. This is one of the most prolific sources of expenditure in the department, and it will be so until this City Government initiates the custom of making its own repairs.

A repair shop has been asked for by the Fire Department several times during the few years past, but it has never been obtained.

The orders were passed.

The order authorizing the Superintendent of Public Buildings to erect a bell tower on Hose House No. 12, at the corner of O and Fourth streets, South Boston, at a cost of \$1500, passed at the last meeting, came up on a motion to reconsider offered by Alderman Gibson, who said—

My reason for making this motion is this: The present state of the Fire Department is unsettled. If we have a commission this bell tower will be entirely useless. It seems to me that until that question is settled we ought not to trammel the Fire Department by anything of that kind. If it is agreeable, I propose to move to lay the matter over till some further action is taken. It will cost about fourteen hundred dollars to put this bell tower on, and if the City Government should think fit to inaugurate a fire commission that money will be lost.

Alderman Stebbins—I don't see why, if we get a commission, it would necessarily do away with the bells.

Alderman Gibson—In New York they do not use the bells at all; no one knows anything of a fire there by the ringing of bells.

Alderman Emery—If there is going to be such a reorganization of the Fire Department as to do away with the bells, I am willing to vote to lay this matter over. But the citizens want something to tell them when there is a fire. If there is any part of the city where such an alarm is necessary it is where it is proposed to put this bell. I know of an occasion when there was a second alarm sounded, and some gentlemen who are members of the department were at work on that very house didn't hear the alarm.

Alderman Gibson—I think we have everything arranged for the Fire Department till it is reorganized.

Alderman Stebbins—If I understand the argument, it is that the Joint Special Committee have reported in favor of making the department permanent. I don't understand that the committee have had the courage to do this. This would at once add the sum of \$500000 (speaking in round numbers) in salaries alone to the expenses of the department. I don't understand that the committee propose to do any such thing, but to put a portion of the department in the city proper on a permanent basis. The Joint Committee on the Fire Department are laboring for the same end, and an order passed this Board a few days ago to make the company in the burnt district a permanent one. I don't think the order ought to be reconsidered.

Alderman Quincy—If the gentleman who was last up had read the report of the committee with more care he would have seen that a permanent force is distinctly recommended. It was the intention in writing this report to recommend that the whole force should be permanent, but I do not think it follows necessarily that it would be best to table this matter of the bell tower. It might be a good thing to dispense with the system of public alarms, but that was a mere suggestion of the committee. Whether the Commissioners would agree to that suggestion is a question. If we have a commission it must be some time yet before it is organized. Until that time comes, it is certainly essential that the men should be notified of a fire in the most efficient manner, as the want of proper notification to them might result in more loss than this bell tower would cost.

Alderman Power—In addition to what the Alderman on my left has said I would say that I don't believe it is proper for the City Government to stand still while this question is in abeyance. At South Boston Point, where it is proposed to put this bell, when a moderately strong breeze is blowing from the eastward no alarm can be heard. This matter should go through as intended. An alarm bell is needed there very much. I don't think we should stop perfecting the department simply because a commission is talked of. It may be some time before that commission is settled upon, and even if one is appointed there is no immediate prospect of this alarm system being done away with.

Alderman Gibson—It does seem to me that we should know what we are going to do. We have bell towers up here and there at haphazard, without regard to system. I move to reconsider simply to lay the matter on the table till we can see what we are going to do. No additional jeopardy would be put on property by it. We are travelling on at a very expensive and reckless rate, to say the least. Here are petitions granted right off, and it is time that we had begun to look them over. We ought to do away with hundreds of miles of these telegraph wires, I think. It will be a very short time before this matter is decided since it has been reported by the committee.

Alderman Clark—The question is whether the bell is necessary in any emergency, whether there is a commission or not. If the proceedings in the Common Council, last week, are a criterion, it will be some time before the subject will get through that body, and it may take some time to get through this branch. In the meantime we may have a very large fire. It is our duty to look at this matter in a judicious manner, keeping the expenditures within a reasonable amount, but at all events to make the department as efficient as we possibly can, notwithstanding the possibility of our having a commission within the next three or four months. I don't believe in delaying these things. It is our duty to permanently man most of the fire engines in the city proper, and the people expect and demand it of us. I hope we shall not delay a single item, because it is in contemplation to have a commission. In my opinion we will do nothing that a commission would undo.

Alderman Emery—I can perceive no new light brought upon this subject. It has been talked over and examined, and if there is anything new I for one think we had better not take the back track. If there is a necessity for a bell tower anywhere it is down there, for when the wind is in a certain direction you will find it impossible to hear an alarm there. We have a fire over at Rainsford's Island tonight, I am told, but the alarm has not been heard here even. I hope the matter will not be laid over.

Alderman Stebbins—I have one single point to make. The Committee on Fire Department propose that the permanent men shall do patrol duty, the same as policemen. Now how could these men know when there is a fire except by having bells to sound an alarm. I am in favor of the men doing patrol duty, and think it will have a good effect on the community generally. I stated just now what would be the increase in the expense of the system, by having all the men permanently employed. The present pay roll is \$263,000; to make the entire department permanent the pay roll would be \$633,594.

Alderman Gibson—I want to remind gentlemen that the people haven't got confidence in the department. Now we shall have to leave the reorganization for some one else to do. Four thousand of the heaviest taxpayers have petitioned for a commission. I only move this reconsideration simply as an economical measure. I know there is no more danger for want of this bell than for want of any other. We have got the biggest department by half that there is on this continent today, and yet the public haven't got confidence in your ability to manage it. I fall back on the petitioners who say to the Board of Aldermen and the Common Council, you are not competent to manage the department.

Alderman Stebbins—As a member of the Joint Committee on Fire Department I propose to do my duty to the best of my ability as I understand it. I am not prepared to say I shall vote for or against a commission. I am looking at the case as it stands today, and I am willing to make, and wish to have, an effective department.

Alderman Sayward—The only question is whether we want a bell tower there or not. I believe there are bells enough. There are so many bells now that they conflict with one another. This new house is just completed and it will hardly pay, if the department is to be reorganized, to put the tower upon it at this time. It will mar the appearance of the house very much. There is a bell inside every engine house, and the men are not dependent on the alarm from the outside.

Alderman Clark—The order for this bell did not originate with the Committee on Fire Department. There is a Committee on Fire Alarms, and I would ask the gentleman from Ward 1 whether it is a fact that there is a necessity for this bell? We are not here to consider whether there is to be a commission. It may be that when the question comes up I shall hold up both hands for a commission. But that has nothing to do with making the Fire Department efficient at the present time. That question may come before us in a short time; it may go over to another year. Nine months have elapsed since the great fire and we are told that we have done nothing to make the department efficient. There is no doubt we have too small a department. There is no doubt that the number of our steam engines is too small, and that we have not men enough to work the apparatus properly. It is our duty as a Board of Aldermen to make this department efficient.

Alderman Quincy—We shall have time enough to discuss the question of a commission when it comes up. The question now is simply whether under the present system is there need of a bell to notify people in that vicinity of a fire. I assume that there is, as it has been recommended. If that is so it is clearly our duty, in order to complete our present defences, to vote for it. It is our duty to go on

strengthening our lines of defence with the best means irrespective of the future. Unless I shall hear some authoritative statement that the bell is not needed in that part of the city I shall vote for it.

Alderman Power—I don't suppose it matters much whether people over here can hear an alarm from a South Boston bell or not. The committee went to the spot, viewed the site, thought it was needed, and reported in favor of putting the bell on that house. When the wind blows stiff from the east no bells can be heard over there. Those who live in that vicinity believe a striking bell is much needed there.

Alderman Gibson—Some men may think it right to put out millions of dollars from the pockets of the tax payers, without regard any to the fact of its being needed, but I do not. I want just what is substantial, right and equitable in all parts of the city. The people have not confidence in the ability of this Board to manage the department and have petitioned for the establishment of a Commission. And it is our duty to abide by and perform the wishes of the people.

Alderman Power—I think the gentleman has no warrant for making any such remarks. I don't think the public has lost confidence in this board to manage the Fire Department. It is the opinion of the whole country that this department had been well managed up to the time of the great fire. Because some of our citizens have sent in petitions asking that the department may be taken from the City Government and put into the hands of a commission, is no reason for him to say so. It is a way they have of communicating with the Board. I expect the gentlemen here will give this matter proper attention, and if we think it should be given to a commission the public will be satisfied; and if we decide that the department had better remain in the hands of the City Government there will be no want of confidence in this body. Although a member of it, I may say that this City Government is the best Boston has had for years, and I can add with truth that the government of this city in the past has been a pattern to city governments all over the Union.

Alderman Gibson—I don't think the gentleman has made anything particular by his remarks. We have petitions here that speak for themselves, and the evidence given in the other room proves pretty conclusively that the people had no confidence in the management of the Fire Department by the City Government. I don't believe there is any one who wants any additional light on this subject. I believe we have as good a city government this year as we ever had in many particulars, and I believe a little better in most of them. But the people demand something better in the Fire Department. As the sentiment of the Board appears to be adverse to a reconsideration of the order, I withdraw my motion.

METROPOLITAN RAILROAD.

Alderman Power, from the Committee on Paving, to whom was recommitted the petition of the Metropolitan Railroad Company for leave to extend their location by the construction of tracks in Stoughton street, Ward 16, reported the accompanying 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 double track on Stoughton street, from Hudson street to Hancock street, and to connect said double track with the tracks now laid on down Stoughton street, near Hudson street, and on Hancock street at Upham's Corner.

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, the form of rail to be used, and the kind and quality of pavement to be used in paving said track, 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 said Metropolitan Railroad Company shall accept this order of location, and agree in writing to comply with its several conditions, and file said acceptance and agreement with the City Clerk, within thirty days of the date of its passage: otherwise, it shall be null and void.

The order was read twice and passed.

Alderman Power, from the same committee, to whom was referred the petition of the Metropolitan Railroad Company for leave to lay their tracks in Beacon street, reported an order of notice for a hearing of all parties interested on Monday, Oct. 13, at 4 o'clock P. M. Report accepted and order passed.

On motion of Alderman Gibson, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,
SEPTEMBER 25, 1873.

The regular weekly meeting of the Common Council was held this evening, E. O. Shepard, President, in the chair.

On motion of Mr. Collins of Ward 2, the roll was called, and thirty-four members answered to their names.

PAPERS FROM THE BOARD OF ALDERMEN.

Petition of Samuel C. Davis, for damages, referred to Committee on Claims.

The report (leave to withdraw) on petition of Jeffrey Richardson *et al.*, for a discontinuance of a portion of Columbus avenue, between Providence street and Park square, which came up accepted, having been read, Mr. Burditt of Ward 16 said that in this connection he would like to present a petition, which was from Jeffrey Richardson, William B. Spooner and Newell S. Thompson, representing that they believe a misapprehension exists as to the effect of modifying the order of the Street Commissioners laying out Columbus avenue in a straight line on its westerly side; they ask for a hearing before the Common Council to show how great expense can be saved the city and great inconvenience to the petitioners can be avoided by a slight deflection from a straight line upon said side of said street.

The President stated the question to be on the acceptance of the report.

Mr. Flynn of Ward 7—I would state that both the petitioners and remonstrants had separate hearings before the Committee on Streets, who are unanimous in the report submitted.

Mr. Burditt of Ward 16—I desire to say in the same connection that I present the petition to the Council as requested, and that the committee are unanimous in their action.

The report was accepted, and on motion of Mr. Flynn the petitioners were given leave to withdraw.

Order for Committee on Ordinances to consider the expediency of amending the ordinance in relation to City Deeds, by empowering the Mayor to execute all legal instruments to reconvey to persons entitled to redeem lands bid in by the city for non-payment of taxes. Passed, in concurrence.

The order appropriating \$1500 to pay for repairs on Steam Fire Engine No. 8 being under consideration, Mr. Shaw of Ward 5 said—

I would like to ask some explanation of this matter. It is for repairs of Steam Fire Engine No. 8. I wish some one would explain what the repairs are and when they are to be done.

Mr. Jones of Ward 14—It is done by authority of the Committee on Fire Department. The engine is at the repair shop; the machinery was out of order, and the order to have it repaired was given in the usual course of committee business, and is perfectly proper.

Mr. Shaw of Ward 5—That does not answer my question. I want to know when it is proposed to make the repairs. It is a proper question and I want a proper answer.

Mr. Jones of Ward 14—If the office of the Chief-Engineer were open I could answer the question exactly. I think the engine was sent there last week. It is not proposed to let an engine lie idle when the Council is not in session, and there may be use for it.

Mr. Shaw—That satisfies me that the Committee on Fire Department are constantly doing what they have no right to do. Why come here at all when they have the right to make repairs on the engines? Why don't they come here and ask for money when it is needed? Nothing was said of the condition of this engine till after the work was done. This is perhaps a small matter, but it is the same principle on which I have spoken two or three times. It is the same principle on which the stand pipe was put up. If I would tell the whole truth I could tell the reason. It is against the principle of right and justice for the committee to have work done until they have got authority from the City Government. That is why I ask this question, and I hope this order will not pass. I have been into the Auditor's office and have found out a good many things and have the records here in my pocket. It is the principle which I am contending for; it is demanded by the people that before contracts are made for the spending of money the proper authority shall be given by the

City Council. This matter, in itself, don't amount to much, but it is the principle that I desire to attack and which attack I hope to maintain.

Mr. Jones of Ward 14—If the gentleman knows so much about why these engines were put into the repair shop, he need not have asked anything about it. I think the people of Boston don't want an engine to wait two or three weeks doing nothing, when it is likely to be called into use at any time. It is competent and proper for the Committee on Fire Department, when any engines are out of repair, to have them repaired. The gentleman has thrown out insinuations two or three times about repairs being made by the Committee on Fire Department, and if he knows so much I wish he would state the facts.

Mr. Pease of Ward 1—I don't believe this Council wants to stand here and split hairs about small matters. If an engine breaks down Thursday night going to a fire, I don't believe the people want her to remain idle until the next week. For my part I am willing to take the responsibility, and if the gentleman from Ward 5 wants to rake down the Committee on Fire Department I am willing he should.

Mr. Shaw—I don't propose to rake anybody down. If the gentleman wants to get excited he may. Now, sir, it is not only that an engine is at the repair shops. There are a great many more matters. There was the case of the fire boat, which was put on the stocks by order of the committee, when there had been no competition as to the work, and there came an order in here to pay the expenses. I was called over to see the trial of the engine and hose. While I stood there at the wharf I was told the boat was to cost \$1700. Within three days the bill was brought in for \$3700. I don't charge the gentleman with trying to deceive me. Nevertheless, that is a fact. The boat was put on the stocks weeks before the order was sent in. I find in the Chief-Engineer's report that the expense was \$19,000 for the fire boat, when the fact is it cost \$30,000. I want to see things in black and white, and I intend, when I am not satisfied, to ask some explanation. And I am not going to be snapped up here in this sort of a way and told that I am looking after the Committee on Fire Department. My attention has been called to many matters, and when the proper time comes I propose to state what I know, notwithstanding gentlemen in this Council are interested in them. I charge no member of this present City Government with corruption, but I propose to have my say upon such matters.

Mr. Dean of Ward 12—I am tempted, Mr. President, to make one remark at this time, because it seems quite opportune. When a committee of the City Government takes any action, that action is liable to inquiry. So on this occasion, when the Fire Committee has ordered an engine to be repaired, or when the fire boat has been repaired, it is always liable to immediate investigation on the part of the members of the City Government. So the gentleman from Ward 5 very properly asks for information, which has been given him, why an engine and a fire boat have been repaired. That, Mr. President is one of the great advantages of having the business of the Fire Department conducted by committees of the City Government. But while the gentleman claims the right at all times to require information regarding the conduct of the committees, he must admit that if all the power of the City Government was given to a commission it would be beyond his power to make any inquiries regarding the expenditures of the commission, whatever. They might be as extravagant and as wild as possible; he could make no inquiry, while the committee of the City Government are always ordering expenditures at their peril. It seems to me that the position of the gentleman from Ward 5 is an argument for retaining the control of the department in the hands of the committee of the City Government, and he will vote for it if he votes according to the position he has taken.

Mr. Shaw—I presumed that we were not arguing the question of a fire commission. I notice the animus of my friend and I have witnessed his legal acumen. I shall vote in accordance with my convictions and the dictates of my conscience. I shall not place myself so out of the pale of parliamentary practice as to debate the subject of a fire commission under the head of the matter which we are now discussing. I don't come here as a special pleader for anybody or anything. But I propose to speak plainly.

Mr. Jones of Ward 14—The gentleman from Ward 5 frequently gets up here and says he don't mean to bring charges of corruption, but he keeps insinuating that there is something wrong in the Fire Department.

Mr. Shaw—I distinctly stated that I charged no man.

The President—Does the gentleman from Ward 14 yield the floor; the Chair decides that it is not a point of order.

Mr. Jones—Well, I invite the gentleman to go up and investigate the affairs of the Fire Department; he will find the whole thing recorded, the accounts for every engine in black and white, and I think it would be better for him to investigate before coming here and insinuating that some one is making a dollar out of the Fire Department, for that is all it amounts to.

Mr. Shaw—The gentleman is in error. I distinctly stated that I charged no one with corruption. If the gentleman construes my language that way he is wrong. I have not been peeping into the matters of the Fire Department, as some members have been doing over to Parker's to see if the Joint Special Committee have been there to dinner. Chickens will come home to roost, sometimes.

Mr. Train of Ward 13—I would like to know if this is a new appropriation.

Mr. Jones of Ward 14—It is to be charged to the appropriation for the Fire Department.

Mr. Train—Then it seems to me that there is no necessity for any further discussion. If we have a Committee on Fire Department we cannot ignore them altogether. If they are not competent to bring in bills, they had better be discharged. I move the previous question.

The main question was ordered, and the order was passed to a second reading and laid over.

The order appropriating \$1450 to pay for repairs on Steam Fire Engine No. 15 having been read once, Mr. Shaw of Ward 5 said—

I should like to know what this is; what is to be done with that engine, where she is and how long she has been in the repair shops, if at all. The committee are not obliged to answer any question unless they desire to. I have heard something of this and I have reason for making the inquiry.

The order was passed to a second reading and laid over.

The three following papers were severally read once and laid over:

Order authorizing Engine Companies 4 and 7 to be reorganized so that each shall consist of twelve men.

Report and order authorizing an arrangement to be made with Samuel R. Russell, for an exhibition of his fire apparatus, at not exceeding \$300.

Resolve and order from Street Commissioners for the widening of Essex street, at corner of Washington street, at an adjudged expense of \$770.

Report in favor of the preamble and order requesting the Water Board to place fire reservoirs at the junction of such streets as shall be agreed upon by them and the engineers of the Fire Department. Report accepted and order passed, in concurrence.

Order requesting the Street Commissioners, with the Committee on Streets, to confer with the owners of unfilled lands and flats between Beacon street, Western avenue, Longwood avenue, and the Boston & Providence Railroad; and prepare a plan for laying out streets and avenues over said district.

Mr. Perkins of Ward 6—At the suggestion of one of the Board of Street Commissioners I move to amend by inserting the word "principal" before the word "streets," so that it shall read "prepare plans for laying out the principal streets and avenues over said district."

The amendment was adopted.

Mr. Loring of Ward 12—I move to still further amend by striking out all after the words "Boston & Providence Railroad" and adding the following: "Also between South Boston, Dorchester, Dorchester Bay, Savin Hill and Dorchester avenue, and prepare plans for laying out streets and avenues over said district."

Mr. Perkins of Ward 6—I should think that perhaps one piece of work for the Commissioners was enough at a time. Can't the amendment come in as a separate order? I did n't know that they were laying that territory out.

Mr. Loring of Ward 12—In regard to the importance of this matter, I would say that parties are now at work grading some hundred acres of marsh land in that section of the city. They have made preparations and have already commenced the work of dredging to lay a sea wall on Dorchester Bay. The land on the Back Bay is simply for dwelling houses, and I am sorry to say that we have not had a City Government in seven years, except the last one, which has comprehended its duty in regard to the development of the commercial resources of the city of Boston. Here is a tract between Dorchester and Savin Hill which is ten times as important as those mud holes on the Back Bay. As the work of filling a portion of that land is now going on, it is more important to the city that the Street Commissioners should take into consideration the matter of laying

out streets in that section. I think it very important that the amendment be attached to the order.

Mr. Pickering of Ward 6—It seems to me that we had better not grasp too much at one time. I have no objection to the amendment of the gentleman from Ward 12 as a separate order, but if we have that mud hole on the Back Bay, it seems to me that we are entitled to have it filled up. Let the one having the most pressing necessity take precedence.

Mr. Perkins of Ward 6—Inasmuch as this subject of laying out streets in Dorchester Bay is new to most members of the Council, I think it would be better to come in as a separate proposition and be referred to the Committee on Streets to consider.

Mr. Loring's amendment was adopted—20 yeas, 13 nays.

The order, as amended, was then passed.

UNFINISHED BUSINESS.

The five following papers came up as unfinished business and received concurrent action:

Order authorizing not exceeding \$2000 to be expended in improving the South Boston squares. Passed.

Order authorizing the additional sum of not exceeding \$4730 to be expended for labor and team work in the Department of the Common and Public Grounds. Passed.

Order authorizing an expenditure of not exceeding \$4500, to be made in grading and improving Orchard square. Passed.

Order authorizing an additional expenditure of not exceeding \$1200, in erecting and repairing fences on and around the public grounds. Passed.

Order authorizing an additional expenditure of \$200, in erecting and furnishing a wagon shed and tool house on the Common. Passed.

The orders to complete the furnishing of Grammar Schoolhouse, L street, at an estimated cost of \$7500, and for a transfer of said amount from the Reserved Fund, was rejected—yeas 36, nays 0; two-thirds of those present not voting in the affirmative. Subsequently, on motion of Mr. Caton of Ward 11, the vote was reconsidered and the orders were laid on the table.

The following papers were first laid on the table on motion of Mr. Page of Ward 9, and subsequently on motion of Mr. Page were taken up and passed—yeas 34, nays 0:

Order to allow for rent of headquarters of Ninth Regiment M. V. M., 562 Washington street, \$600 per annum.

Order to discontinue allowance for rent of headquarters of First Regiment M. V. M., at 11 Pemberton square, and that \$600 be allowed for said headquarters in Boylston Hall.

Order to allow for rent of armory of Company D, First Regiment of Infantry, at 1806 Washington street, \$1200 per annum.

Order to allow for rent of armory of Company I, First Regiment of Infantry, in American Hall, Ward 16, \$575 per annum.

Order to allow for rent of armory of Company I, Ninth Regiment of Infantry, at 544 Washington street, \$1200 per annum.

Orders authorizing erection of a hook and ladder house on Dudley and Forest streets, at an estimated cost of \$21,000; and for a loan therefor.

Mr. Train of Ward 10—I would ask of this hook and ladder house whether it is proposed to put a new apparatus or to move one into it now stationed at No. 4's house. I can't see the propriety of having a new hook and ladder house there when there is enough already in the neighborhood. I move to lay the order on the table.

The motion prevailed.

REORGANIZATION OF THE FIRE DEPARTMENT.

Mr. Pickering of Ward 6 called up the special assignment of the evening, being the report and evidence on the reorganization of the Fire Department, and the cause of the fire May 30, 1873, and ordinance recommended therein to establish a fire department. (Printed City Doc. No. 97.) Minority report on same subject. (Printed City Doc. No. 106.) Ordinance and orders accompanying said minority report. (Printed City Doc. No. 109.)

The question was on giving the ordinance reported by the majority a second reading.

Mr. Shaw of Ward 5—At the last meeting of the Council I was interrupted in the course of my remarks, and was compelled to stop where I was. I will say, however, that if my worthy friend from Ward 3 had let me alone, I should have concluded what I had to say in five minutes. I shall probably take a little more than that now, because of facts which have come to my knowledge today. Before giving those figures and facts, I desire to make a personal statement. It was industriously circulated at

the last meeting by those opposed to the reorganization of the Fire Department, that I had prepared a speech which would take three hours to deliver; consequently some parties left. I don't suppose I could make a speech two hours in length, which I would be glad to read in the papers. It has also been circulated industriously that the great interest which I take in this matter is for selfish ends; that I expect to be appointed on this Board of Fire Commissioners. One is just as true as the other. I am not a candidate for any office of the kind. I hope people of tender consciences and large corns on their feet will remember that, and give me credit for candor at least. I was discussing the propositions made by the gentleman from Ward 12. I will not now bore the Council with any repetition of those matters except to refer to some of the statements in the minority report. I find here that somebody is charged with going to the State House and getting a law passed. I don't know of any law that is referred to, and my honorable friend who is a member of the committee ought to know better. I think the statement on the fifteenth page of the report, if written by him, is a mistake. [Mr. Shaw read from minority report in regard to the political design of the commission.] This is one of those statements which no one can answer because there is no foundation for it. The statement of my friends is that his great objection to the appointment of a commission is that it will be a political machine. Now it is proposed that the Mayor of the city, whoever he may be, shall nominate or appoint three men as commissioners, one to hold place for one year, one for two, and one for three years; that the nomination or appointment shall go to the City Council for confirmation. I see nothing political so far. Where does the political influence come in? The gentleman then offers the proposition that a committee of three of the Board of Aldermen shall take this whole matter of the department in charge. Everybody knows that the committee are to be elected every year, while the commissioners are to be appointed one for one year, another for two and another for three. The commission is not elected by the people, but is in the hands of the City Government. Now show me how the political influence is there. This one man is to be appointed by the Mayor and confirmed by the City Council every year, and the three men go before the people to be elected each year at the polls. Are not those gentlemen who go before the people three times as much political as the one who is appointed? The question answers itself, and I leave my friend's argument, and the minority report in that way. Now I hear my friend quoting what is done in New York, and speaking of the corruptions of commissions. Let us see what George T. Pope, president of the Continental Insurance Company, who had thirty-eight years' experience, says—[Mr. Shaw read from Mr. Pope's evidence before the joint special committee in regard to the work of commissions.] Now who are the gentlemen who came before the committee to oppose the commission? Why my friend from Ward 3 did us the honor to give his advice. [Mr. Shaw read the testimony of Mr. Welts of Ward 3, before the joint special committee, in opposition to a commission.] Why, that is the very argument I have been using against that of my friend from South Boston, and almost in so many words. Well, there is one other gentleman, and he is my friend of about three hundred avoirdupois, Mr. Josiah Dunham of South Boston. It is a most singular fact, that all this minority report comes from South Boston, with its broad avenues and thrifty population. It is singular that Mr. Dunham should come before the committee, and says he would not have a commission unless appointed by Judge Ames of the Probate Court. The whole gist and substance of what the opponents say is a very strong argument in favor of a commission. The gentleman from Ward 12 said our department is composed of the best men and the best apparatus in the world. I admit it all, and I have a few statistics that will prove it. It is a fact that with all this enormous cost of \$680,000 paid for buildings and apparatus in the department for the last twelve years, not including the current expenses of the department, we have obtained one of the best departments in the world, but why have we sustained such great losses? There is a screw loose somewhere. Nobody in Boston would complain of these enormous expenditures if we had corresponding results. I trust the Council will bear with me while I give the figures, which I suppose will be criticised as the others have been. I have given a great deal of time to the investigation of this subject. Many are asking the question why I am about the City Hall so much. Well, perhaps it will develop itself by and by. We have twenty-three organized fire companies, each with

steam fire engine, and one engine with no organized company, making twenty-four, in first-class condition. We have three or four "spares," old engines which can be used in an emergency. We have seven hook and ladder trucks and twelve hose carriages. In addition to all this, by orders voted by us this year, we have four first-class engines, costing \$18,000, five hose carriages costing \$4500, one hook and ladder truck costing \$1800, ordered to be added by vote of the City Council this year. The population of Boston is 270,000, and the area is 9902 acres. New York has thirty-eight steam engines, fifteen hook and ladder trucks, for a population of 983,284, to an area of 14,500 acres. New York's population is 264 per cent. greater than Boston's and her area 4600 acres more. The present apparatus and organizations of Philadelphia are twenty-four organized companies, each with steam fire engines, three engines without companies, five trucks and hook and ladder companies, three small hand engines in the suburbs. Philadelphia's population is 706,569, with an area of 82,560 acres. The population of Philadelphia is 161 per cent. larger than Boston, and Philadelphia's area is 700 per cent. greater than Boston. Philadelphia is more than two and a half times as large in population as Boston, and eight times as large in territory. The present apparatus and organization of the Fire Department in Brooklyn, N. Y., consists of sixteen companies, each with steam fire engine, five hook and ladder trucks. Brooklyn's population is 434,929; area 12,800 acres. Brooklyn's population is sixty per cent. larger than Boston, and the area 3000 acres larger. And yet the Fire Department of Brooklyn in 1871 cost \$277,963 48, while that of Boston cost \$418,507 21. Brooklyn's department in 1872 cost \$319,550 49; Boston's in 1872 was \$468,843 50. Brooklyn's appropriation for 1873 was \$317,800; Boston's for the same year was \$550,000. Now we will go abroad a short distance, over to London, which in the city proper covers 725 square acres, but her jurisdiction in fire matters extends over the metropolis, covering more than 78,000 square acres, and her population is 3,340,000, while Boston had, May 1, 1872, 29,736 houses and 734 unfinished houses, making in all 30,470. There were built in London during the ten years ending in 1872, 149,905 houses, or in other words, about five times as many houses were built in London during the ten years last past as there were in Boston altogether May, 1872, and yet the expenditures for supporting the Fire Department of Boston for 1872 were \$100,000 more than the expenses of the London department for same year, and this exclusive entirely of the extra expenditure on account of the November fire. Now we come to the expense per capita in the several cities.

	Population.	Exp's of Dep't.	Per capita
London.....	3,340,000	about \$30,000	5d
New York.....	983,000	997,266	\$1 01½
Philadelphia.....	706,000	*377,191	53½
St. Louis.....	360,000	166,315	46½
Chicago.....	380,000	382,000	1 00
Baltimore.....	281,000	160,635	57
Boston.....	270,000	450,000	1 66%
Cincinnati.....	221,000	281,935	1 27

*On same basis as Boston accounts are made up, not including \$30,546 37 for rents and repairs in Philadelphia—in Boston those charges are for Public Buildings, say whole expense in Philadelphia \$407,737 45, less \$30,546 37, leaves \$377,191 08.

The Fire Department of Boston (current expenditures exclusive of the great November fire) for 1872 cost every man, woman and child in Boston 1.66%; while in London it cost only 5d and Philadelphia 53½ cents.

Now I think these figures will speak for themselves and I ask for them the criticism of the sharpest of the sharp. I am ready to meet any other proposition they may bring. I know that the people of Boston, the merchants and mechanics, professional men, women and children are looking to us for relief. It is expected that we will meet this matter manfully. We want no dodging because we happen to be on the same committee, nor because we belong to any other organization. Nobody is to be intimidated; I do not propose to be intimidated because a member says, "I will demolish you when I get the floor." I suppose, because I have looked into this matter with great interest, that I am to be trampled upon. Perhaps it is. I propose to do what I believe to be right, and I think we are not doing right by the citizens of Boston if we delay the passage of this matter. I hope we shall act fairly, and that every gentleman will rise in his place and meet the issue, and not be standing around talking of men's private interests. Let us face our constituents. I am ready to face mine and give a reason for the faith that is in me. If the measure is to be defeated, it will not be because I have not advocated its passage, and if any

member has anything to say of the active stand I have taken, I am ready to meet it.

Mr. Wells of Ward 3—I have listened to the gentleman with great pleasure and interest. He seems to be the best member of the City Government for getting into a small space and crawling out of it. The gentleman tries to forestall everything. I have taken some interest in this matter. It is true I have not had the time to spare that the gentleman has. My time spent in this building has n't been as great as his. But I have been in the Council eight years, and I think I know where to hunt for figures as well as the gentleman from Ward 5 does. He claims to be a representative of the people. Well, I represent in part a constituency of seven hundred votes, which place me in this position; he has but 250 to place him where he is. In reading a certain paper I find it says figures don't lie. But the makers of certain figures make mistakes. I have certain figures here, giving the cost of the Boston Fire Department, which I will read. [Mr. Wells then read the following tabulated statement, the column headed "Mr. Shaw's figures" being those given by that gentleman at the last meeting:]

Years.	Mr. Shaw's Figures.	From the Auditor's Report.
1860-61.....	\$112,098 53	\$105,894 72
1861-62.....	81,656 07	80,419 51
1862-63.....	107,555 74	96,936 10
1863-64.....	126,429 68	114,704 13
1864-65.....	158,177 31	142,877 57
1865-66.....	151,922 65	165,605 21
1866-67.....	177,743 81	151,624 63
1867-68.....	230,554 53	180,218 46
1868-69.....	284,753 03	229,047 43
1869-70.....	344,558 64	286,275 29
1870-71.....	418,507 21	383,283 11
1871-72.....	468,843 50	399,249 63
1872-73.....	661,842 25	605,310 90

During the years 1860 and 1866, inclusive, the engine, hose and hook and ladder houses were in charge of the Boston Fire Department, and the expense of building new houses and repairing old ones is included in the Auditor's figures.

In 1866-69 Roxbury was annexed, bringing into the department three additional assistant engineers and five extra companies.

In 1870-71 Dorchester was annexed, bringing into the department six additional assistant engineers and eight extra companies; the City Council also voted to pay the Water Board \$54,990 for the care of hydrants and the use of water for extinguishing fires.

In 1871 there was paid the Water Board \$59,730 for care of hydrants and for water.

During the year 1872-3 the following extra expenditures occurred; Paid the Water Board \$73,382; for fire boat, \$31,002 39; on account of fire Nov. 9, \$29,185 25; expenses of Coliseum, \$2551 30; horse distemper, \$1327; making a total of \$137,447 94 for extraordinary expenses, which is included in the Auditor's report.

Now, the gentleman's figures—where he got them I can't tell, neither do I care—may tell us about Baltimore or New York fire departments, but they do not tell the truth about Boston. I told the gentleman that the expense of the Baltimore and New York fire departments was greater per man than that of Boston, and I believe he telegraphed for the information, but he don't give it to this Council. He has quoted my saying before the committee. I still hold to that view. I am opposed to a commission. The gentleman stated that the expenses of the Joint Fire Committee were so-and-so. I happen to have the honor of having been on that committee two years, and that committee never spent anything in proportion to what the joint special committee has. And figures won't lie either. I would ask the gentleman if every member of this Council should undertake the job of hunting up the doings of the other, where would they bring up? He can undertake to hunt up my record. I stand clearer than he does, if he does preach honesty and economy. If the gentleman wishes me to state what I know I can do it. If he does undertake to be a commissioner he can never get my vote. Good men don't look for those positions. They are obtained by some old hacks who can't get an honest living outside, who have n't got the manhood to take off their coats, who want an elevator and ask for it every year. If the gentleman has devoted so much time to hunting up figures they don't compare well with those of the Auditor.

Mr. Shaw of Ward 5—The gentleman has referred to me personally. I referred to him by his published record. Now he brings out his slang upon me personally. I'll say to him, "Come on, Macduff." If he has got a charge to bring, let him charge it before me in this Council if he dares. I say it plainly, distinctly, possibly at the expense of being called to order. He charges distinctly that my figures don't agree with the Auditor's. I challenge him to show one

single item a cent different from the auditor's. They are figures which I got from the Auditor's books, and I have them here in my package. Now let the gentleman come home, Don Quixote as he is.

"Let the Don Quixote of Ward 3
Aim his fiery shafts at me,
Feeble shadow that I am.

[Laughter.]

Let him play his game of bluff,
Give him length of rope enough,
He's sure to hang himself."

[Laughter.]

What do the gentleman's figures show? Has he shown one item of proof that my figures are not correct? It is out of place to say he will not vote for me. He is out of place to come here and intimate that I will ask his vote. There is honor among men, or there should be. I can listen to the gentleman with admiration and delight when he talks good sense. But when he makes an insinuation because I happen to take an interest in a matter as it is my duty to do, I don't want to say it is n't gentlemanly. It is out of place. Now, the gentleman says I have expended more than the Joint Fire Committee. I know where he gets his information, and I know who is instigating him. It is not a member of this Council. I have no jobs with the city; I don't work for the Fire Department. I never received a cent from the city in my life, except, perhaps, when I may have been on a jury some time ago. I don't want to make a charge here against any one, but when a gentleman flings an insinuation at me about some two-penny job, in which the committee joined with me, and authorized me to do, it is small potatoes to proceed from the gentleman from Ward 3, and any gentleman would scorn such a mean contemptible slur. Let him show the dollars and cents which have been expended by me and the committee of which I have the honor to be a member. I have almost a good mind to call for an investigation, and we will have an investigation of the Committee on Fire Department. I am not to be cowed down and bluffed down by any such propositions. When I get up here and argue a subject to the best of my poor ability I expect to be respected. When they begin to fling at me they will find that a game at which two can play.

Mr. Wells of Ward 3—I have always understood that my friend from Ward 5 was an old warrior, but I am not an old man, and have been in the business but a short time. I will stand by those figures, and if they are not correct I will resign my seat in this Council. Now he dares me to make a charge. I was not born in the woods to be scared by an owl—

The President—I would remind the gentlemen that this personal discussion must not go on any longer. The Chair does not understand that any charge has been made.

Mr. Wells—I made no charge. I said that his figures were not correct.

The President—Gentlemen will avoid any personalities.

Mr. Wells—I stand by those figures. Anything I have stated I will stand by. He can overhurl the committee; they will stand before him and their constituents too. I say that the expenses of each member of the Committee on Fire Department are not as large in proportion as those of the gentleman. He stated that he dared me. I will state for the information that I saw a bill passed into the Alderman's chamber of a hundred and some odd dollars on a prize drill, and I don't know whether it is paid or not, and I should like to ask the gentleman on whose authority that bill was run up.

Mr. Shaw—Does the gentleman desire an answer?

The President—An answer will not be in order, as it does not appertain to the question under discussion.

Mr. Pickering of Ward 6—I had no idea that such a hornet's nest was going to be stirred up, or that we should have had to take notice of which of the committees had eaten dinner. I think we have more important business before us. I have listened attentively, and I trust profitably, to all the arguments on this subject, and I have decided to vote in favor of the majority report; and I am happy to say that I have arrived at this conclusion without feeling obliged to find fault with, or to abuse, any one connected with the Fire Department as at present organized. I do not profess to be an expert in these matters, and I am therefore willing to rely on those who are. I readily admit that we have a body of able and experienced engineers and firemen—an equipment of engines and apparatus said to be equal to that of most other cities—in short, a working force well adapted for the work to be done. And yet there is evidently something necessary to meet promptly and efficiently the public demand. Now a large and in-

ought to be able to get a vote at the next meeting. The question is assigned for half-past eight. I move that the question be taken at half-past nine o'clock on the adoption of the ordinance.

Mr. Brackett of Ward 10—I am in favor of the motion, but the limitation is too near. I would prefer ten or half-past. I move to substitute half-past ten.

Mr. Denny accepted the amendment, and the motion to take the vote at half-past ten was carried.

PETITION FOR DAMAGES.

Mr. Thacher of Ward 15 presented the petition of Joshua H. Pitman, representing that he is the owner of house and land No. 89 Charter street; from which he derived an income by renting to tenants; that in January last the Board of Health ordered the house to be vacated, that it might be used for a smallpox hospital, in consequence of which the proprietor has suffered loss and damage in loss of rents, and repairs made and other expenses incurred, amounting to \$493 85, which sum he asks may be allowed to him as compensation for the actual loss and damage sustained in consequence of said action of the Board of Health. Referred to the Committee on Health.

REPORTS OF COMMITTEES.

Mr. Caton of Ward 11, from the Joint Committee on Public Buildings, reported inexpedient on the petition of the Baptist Church Extension Society for the use of the old Franklin Schoolhouse, for Sabbath services, the building being in use by the city. Accepted.

Mr. Caton of Ward 11, from the Joint Committee on Public Buildings, to whom was referred that portion of the report of the Trustees of the Public Library relating to the better protection of the library building against fire, reported that some of the precautions recommended in the report are now being made, and the committee are of the opinion that with the additional protection of a standpipe carried to the roof, with a proper means for raising hose on the outside wall, together with the covering of the lights with iron netting, the building will be as secure as is possible, unless, as is suggested by the Examining Committee of the Trustees, double iron shutters be added to the outside. The committee favor the idea of Mr. Justin Winsor, Superintendent of the Public Library, that the present iron shutters can be made secure against fire by the placing

of wet blankets or sailcloth between the shutters and the windows, furnishing a safer and better protection to the building than the outside row of iron shutters would be without the wet blankets or cloths. They recommend the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be authorized to place Hyatt lights with raised wire netting, to protect the same, upon the roof of the Public Library Building, and provide the central lantern with iron shutters; also that the water pipe be extended to the top of the building so that a hand hose can be attached; also to provide suitable apparatus to hoist hose to the roof from the outside of the building, at an estimated cost of seventy-five hundred dollars; the same to be charged to the appropriation for Public Buildings.

On motion of Mr. Caton, the rules were suspended and the order was passed.

Mr. Pickering of Ward 6 offered the following:

Ordered, That the bill of John L. Cook, police officer, for extra services performed, amounting to \$25, be allowed for payment by the Auditor of Accounts, provided it is approved in the usual manner.

Mr. Pickering—I would like, if there is no objection, to have the rules suspended, that the order might be passed tonight. The bill is for extra services for transporting the mail from the Post Office to the City Hall.

The rules were suspended, and the order was passed.

Mr. Flynn of Ward 7 presented the following:

Ordered, That the order passed by the City Council and approved by the Mayor September 17, 1873, for the purchase of W. R. Clark of the Fort Hill wharf estate, so called, be and the same is hereby amended so as to allow the conveyance of said estate to the city of Boston, subject to a mortgage of fifty thousand dollars bearing interest at the rate of seven per cent. per annum, said sum to be deducted from the amount of \$160,000 authorized to be paid by said order.

Mr. Flynn—I would state that the party who holds the mortgage is desirous of still retaining it there, and does not want to release the right. It runs out in May, and draws seven per cent.

The order was passed.

On motion of Mr. Dean of Ward 12 the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
SEPTEMBER 29, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M. today, Alderman Cutter, Chairman, presiding.

JURORS DRAWN.

Thirty-six traverse Jurors were drawn for the October term of the Superior Criminal Court for Suffolk County.

EXECUTIVE APPOINTMENTS CONFIRMED.

Constables—Dennis J. Gorman, Elbridge G. Wallis. Special Police without pay—Henry A. Davis. Undertaker—William R. Whitney. Members of the Fire Department—William Chapman, Charles R. Classes, Henry B. Phillips, Dennis McCarty, William J. Large, Edward H. Sawyer, Erastus E. Jeffrey, James E. Dooley, William G. Whitney, John H. Marks, Frederick Hill, Henry M. Dole, Thomas F. Lyons, John A. Ryan, Charles A. Ryams, Charles E. Ramsdell, James J. Hughes, Stephen W. Fletcher, Almon H. Egerton, George F. Marden.

ORDERS OF NOTICE.

The orders of notice for sewers in Crescent avenue and Carlton street, in Bremen street, in Barton street, in New Heath street, in Franklin, Taylor and Water streets, were severally considered, and there being no objection offered, the petitions were recommended to the Committee on Sewers.

PETITIONS PRESENTED AND REFERRED.

To the Committee on Claims. Mary O'Neil, to be paid for personal injuries received in Essex street on December 8, owing to defect in the sidewalk, by which she fell, dislocated her hip and broke her thigh bone.

To the Committee on Survey and Inspection of Buildings. Third Religious Society of Dorchester, to make a wooden addition to their edifice at corner of Richmond street and Dorchester avenue.

R. T. Paine, for change in the building ordinance.

To the Committee on Health on the Part of the Board. Jacob Morlock, to occupy wooden stable for one horse on Lougwood avenue, No. 74.

Parker Bryant, to occupy wooden stable for three horses on Dunreath place.

George Souther, to occupy wooden stable for one horse on Dorchester avenue, No. 671.

Cornelius Regan, to occupy wooden stable for one horse on Alger street near Middle street.

Otis S. Pierce, to occupy wooden stable for one horse on Auburn street.

George E. Willete, to occupy wooden stable for one horse on Grant street, Ward 16.

To the Committee on County Buildings. Giles H. Rich and other members of the bar, for a new court house for the Southern District, representing that the present location of the court room is entirely out of the way, inconvenient to reach by horse cars, as well from nearly all parts of the district as the city proper, and greatly to the disadvantage of lawyers, clients and the public generally. They desire a more central and convenient location.

To the Committee on Lamps. Stephen M. Allen *et al.* for gas lights in Beech Glen avenue.

William Gray, Jr., *et al.*, that Howard avenue and Hartford street be lighted.

To the Committee on Paving. James Collins, to be paid for damages caused by change of grade in Paris street.

Boston Society of Natural History, that the city construct sidewalks on the grounds of the petitioners.

Timothy J. Dacey, *et al.*, that Charter street, from Hanover street to Henchman street, be paved with wood.

Joseph Griffin, *et al.*, that I street, from Sixth to Eighth street, be paved or macadamized.

Dudley Pray, *et al.*, that Athens street, between C and D streets, be graded and put in order.

Frederick J. Strater, that the city adopt his method of wood pavement.

E. D. Emerson, *et al.*, for a sidewalk from Fifth street to the Chapin Schoolhouse.

George A. Hebard, *et al.*, that Seventh street be graded from I to K streets.

Remonstrance of Henry W. Wilson, *et al.*, against proposed change of name of Dorchester street.

To the Committee on Armories. Colonel B. F. Finan of the Ninth Regiment, for an appropriation for fitting up regimental headquarters.

To the Committee on Public Lands. Abraham S. Foss *et al.*, for change in conditions of sale of land on Seaver and Summer streets.

To the Committee on Sewers. Zelotes Prince *et al.*, for sewer in Paris street, from Marion to Bennington street.

Leonard Ware, to maintain a wooden shed in rear of Purchase street, near Oliver.

JAIL EXPENSES.

A requisition was received from the Sheriff of Suffolk County, for the sum of \$2086 30, for the current expenses of the County Jail for the month of September, which being properly audited, were ordered paid by the City Treasurer.

SEWER ASSESSMENTS.

The Superintendent of Sewers submitted assessments for the construction of sewers as follows: Silver street, between A and B streets, total, \$887 85; to be paid by individuals, \$665 89; Bolton street, between D and E streets, total, \$654 95; to be paid by individuals, \$491 21; Tudor street, between D and E streets, total, \$585 45; to be paid by individuals, \$441 35. Severally referred to the Committee on Sewers.

OVERSEERS OF THE POOR.

A communication was received from his Honor the Mayor, transmitting a communication from the Overseers of the Poor, announcing the fact that a vacancy exists in that board, caused by the decease of Dr. Thomas Blasland, whose term of office will expire in May, 1875. Referred to the Committee on the Overseers of the Poor, with directions to nominate a person to fill said vacancy.

The communication, which is addressed to his Honor the Mayor, and is signed by Hon. F. W. Lincoln, chairman of the Board of Overseers of the Poor, is as follows:

"It is my painful duty to officially inform you, and through you the City Council, that a vacancy exists in the Board of Overseers of the Poor, caused by the recent decease of Dr. Thomas Blasland of South Boston. Mr. Blasland died on the fifth instant, at his residence, after a short illness, in the seventieth year of his age. He early in life came to Boston to learn the rudiments of a business education. On maintaining his majority he established himself in his chosen pursuit, which he prosecuted with honor and success until his death. While discharging all the obligations which appertained to his private life and profession, he also met those of a more public nature which appealed directly to his sympathies, particularly those which affected the welfare of his less-favored fellow beings. He was for seven years one of the Overseers of the Poor for Ward 12, under the old organization, and about the same number of years a member of the present Board. He was also for a long period an almoner of the charities of the Howard Benevolent Society and other kindred associations. His experience and counsel were of great value in the official deliberations of this Board, and its surviving members mourn in his death the loss of an esteemed friend and associate as well as a faithful public servant."

UNFINISHED BUSINESS.

Order to continue the name of "Franklin street" through Sturgis street, and to renumber said street. Passed.

Order to pave Condor street, from Burks to Glendon street, at a cost of \$2500. Passed.

Order to pave a portion of Warren street, from Dudley to Washington street, with small granite blocks, at a cost of \$5000. Passed.

Order to set edgestones and grade Egleston square, at a cost of \$4000. Passed.

The following papers received concurrent action: Petition of Joshua Pitman was referred to the Joint Committee on Health.

Report (inexpedient) to allow the use of the old Franklin Schoolhouse by the Baptist Church Extension Society on Sundays. Accepted.

Order to pay bill (\$25) of John L. Cook, a police officer, for extra services. Passed.

Order to amend the order to purchase estate of William R. Clark, on Fort-Hill wharf, so as to permit the conveyance of said property to the city, subject to a mortgage of \$50,000 at seven per cent. interest. Passed.

Report of Committee on Public Buildings, with order to make suitable provisions for the effectual preservation of the Public Library building from fire, at an estimated cost of \$7500. Report accepted and order passed.

The following orders were passed, in concurrence—
years 11, says 0:

To allow for rent of armory of Company D, First Regiment of Infantry, at 1806 Washington street, \$1200 per annum.

To allow for rent of armory of Company I, First Regiment of Infantry, in American Hall, Ward 16, \$575 per annum.

To allow for rent of armory of Company I, Ninth Regiment of Infantry, at 544 Washington street, \$1200 per annum.

The order requesting the Street Commissioners, with the Committee on Streets, to confer with the owners of unfilled lands and flats between Beacon street, Western avenue, Lougwood avenue, and the Boston & Providence Railroad, and prepare a plan for laying out streets and avenues over said district, came up with an amendment to include also "the streets and avenues between South Boston, Savin Hill and Dorchester avenue." The amendment was concurred in and the order as amended passed.

REPORTS OF COMMITTEES.

Alderman Gaffield, from the Committee on Claims, to whom was referred the petition of Mrs. S. T. G. Webber for damages for injuries to her house in Hayward place, caused by the removal of a dangerous wall after the fire of May 30, 1873, made a report recommending that the petitioner have leave to withdraw. Accepted.

Alderman Emery, from the Committee on Public Lands on the part of the Board, to whom were referred the petitions of Stanley, Gore & Co., Cummings & Carlisle and Edward F. Meany, submitted reports recommending the passage of the accompanying orders:

Ordered, That permission be granted to Stauley, Gore & Co. to alter certain buildings now standing on that portion of the hospital wharf leased by the city to them Sept. 1, 1873, for dwellings and storage purposes, provided the same is done under the direction and supervision of the Inspector of Buildings.

Ordered, That his Honor the Mayor be and he hereby is authorized, for and in behalf of the city, to execute and deliver to Nathaniel Cummings and Ira B. Carlisle an instrument to release the land owned by them on Albany street, corner of Sharon street, of so much of the fourth condition expressed in the deed from the city to them of said land, recorded with Suffolk Deeds, lib. 1163, fol. 153, as shall be necessary to permit the use by them of the basement of the building now on said land, for blacksmith and machine-shop purposes, all the conditions in said deed otherwise to remain in full force.

Ordered, That Edward F. Meany be permitted to erect a temporary wooden shed upon a lot of land purchased by him of the city June 1, 1868, on Wareham street, provided the same is done under the direction of the Inspector of Buildings, and upon condition that the same shall be removed whenever directed by his Honor the Mayor, or the Committee on Public Lands for the time being of the city of Boston.

The reports were accepted, and the orders were read twice and passed.

Alderman Gibson, from the Committee on Public Buildings, submitted a report stating that an additional appropriation of \$3000 is needed to procure the heating apparatus for the engine house in Ward 14, and they recommend the passage of an order appropriating \$3000 for that purpose; also, an order authorizing the Auditor to transfer that amount from the Reserved Fund to the account for an engine house in Ward 14.

The orders were read once and laid over.

Alderman Gibson, from the Committee on Markets, submitted a report representing that an additional appropriation of five thousand five hundred dollars will be required to cover the expenses of their department during the present financial year. Since the estimates were made, the market accommodations have been enlarged by obtaining the use of the lands owned by the proprietors of India wharf, between India street and Atlantic avenue, until May 1, 1875. The city is allowed to occupy the lands to that date free of rent; but some expense has been incurred in preparing them for occupation, and this necessitates the present application for an additional appropriation. The occupants of stands on these new market grounds have already paid into the city treasury the sum of six thousand dollars, which is placed to the credit of the Sinking Fund. All receipts in excess of this first expense of putting the grounds in order will represent a clear profit to the city.

The following is a statement of the expenses to date: Salaries of Superintendent, \$1250; Deputy-Superintendent, \$750; Weigher, \$360; Watchman, \$3046; Furniture, etc., \$95 24; gas, \$273 37; repairs on stoves, \$8 37; electric bells and small items, \$112; expenses of committee, \$39 20; India-street market, filling, teaming, lumber and carpenter's work, \$5006 53. Total expenditure, \$9940 71. General appropriation, \$10,000; expended, \$9940 71; remaining

on hand, \$59 29. The committee recommend the passage of the accompanying order:

Ordered, That the Auditor of Accounts be authorized to transfer the sum of five thousand five hundred dollars from the Reserved Fund to the appropriation for Markets.

On motion of Alderman Brown, the report was accepted and the order was read twice and passed—years 11, says 0.

Alderman Gibson, from the Committee on Police, to whom was referred the nominations of constables made by His Honor the Mayor, reported a list of names which they recommend for confirmation. [The list includes all published in the report of the last meeting except the names of Henry M. Hunter and George H. Phillips.] The report was accepted and the appointments were confirmed.

Alderman Hulbert, from the Joint Committee on Public Institutions, to whom were referred communications from the Board of Health and the Port Physician, relative to the salary of the latter, made a report recommending the passage of the accompanying order:

Ordered, That until otherwise ordered the salary of the assistant resident physician to the institutions on Deer Island be fixed at the rate of six hundred dollars per annum, beginning on the first day of April A. D. 1873, said sum to be in addition to the amount paid to the present assistant for his services as port physician and to be charged to the appropriation for Public Institutions.

Report accepted and order read twice and passed.

Alderman Clark, from the Committee on Streets, submitted orders to pay as follows: G. E. W. Reed, \$5313, on account of widening of Warren street; Ann J. Phillips, \$567, on account of widening Stoughton street; George Lawton, \$11,110, on account of widening Federal street; David Snow, \$80,535, on account of widening Broad street; Levi L. Tower, \$16,052, on account of widening Milk street. Severally read twice and passed.

Alderman Bigelow, from the Committee on Licenses, reported in favor of granting the following applications: American Roofing Company, W. De Blois, S. Field, W. Linton and W. E. S. Carter, for transfer of wagon licenses; James A. Berry, for carriage stand at 6 Somerset street; Warren Kent, for victualler's license at 876 Washington street; Jacob F. Katzman, for hack stand at 1493 Tremont street; Wilbur & Locke, to run two hacks at stable 336 Fourth street; George F. Bonney & Co., for transfer of hack license to Albert F. Giles; E. J. Sullivan, to keep a bowling alley at 291 Dorchester street; Joseph Roberts, to keep a billiard hall at 123 North street; Bernard McAleer, 144 Prince street, S. B. Holman, Somerset near Beacon street, Kelham, Fitz & Co., 159 Friend street, H. B. Austin, 26 Causeway street; B. F. Gerry, 154 Northampton street, for wagon licenses; John E. Kenney, to deal in second-hand articles at 528 Washington street; A. O. Brewster, *et al.*, to use Fanenil Hall for a political meeting on October 8; C. Conlon, 26 Fulton street, and A. J. Breed, Park square, for hack license; M. T. Skiff, to exhibit Mirror of Ireland at Wait's Hall, October 6. Severally accepted.

Alderman Power, from the Committee on Paving, to whom was referred the order relating to the use of hoisting beams in the streets, reported that it is not expedient to prohibit entirely the use of hoisting beams, but that the use should be regulated by such restrictions and limitations as the public safety may require, in accordance with the law of the Commonwealth, set forth on page 614 of the laws and ordinances. The committee recommend the passage of the accompanying order:

Ordered, That the Chief-of-Police be and he is hereby directed to notify all persons using hoisting beams in the streets of this city to discontinue such use until duly authorized by the Board of Aldermen.

The report was accepted and order passed.

Alderman Power, from the Committee on Paving, reported orders directing the Superintendent of Streets to furnish and set the edgestones on Dale street, between Shawmut avenue and Warren street; to pave the sidewalks on I street, between Sixth and Seventh streets, and to report a schedule of the expense to this Board. Severally read twice and passed.

Alderman Power, from the Committee on Paving, reported an order directing the Superintendent of Streets to notify the owners and abutters on Columbus avenue, between Providence street and Park square, to remove all obstructions in front of their estates within ten days. Passed.

Alderman Quincy, from the Joint Committee on Ordinances, who were instructed to consider the expediency of empowering the Mayor to execute all legal documents necessary to reconvey to parties entitled to redeem the same, estates sold and bid in by the city for non-payment of taxes or assessments,

made a report recommending the passage of the accompanying ordinance:

Be it ordained, etc.—

Section 1. Whenever any person having lawful authority to redeem an estate sold for non-payment of taxes or assessments, and purchased by the city, shall make application to the Mayor for such purpose, the Mayor shall have power, on the payment of the sum of money due on said estate, made to the treasurer of the city, to execute in behalf of the city any and all deeds or other legal instruments of release or quitclaim that may be necessary to invest such person with the city's title to said estate.

The report was accepted and the ordinance read twice and passed, after an explanation from Alderman Quincy that parties are now waiting to have an estate conveyed to them.

Alderman Quincy, from the Joint Committee on Ordinances, to whom was referred the petition of J. H. Hathorne relative to the removal of manure from stables, made a report recommending the passage of the accompanying ordinance:

Be it ordained, etc.—

Section 1. The sixtieth section of the ordinance relating to the public health, passed December 2, 1872, is hereby amended by adding the following words: "Without a written permit from the Board of Health."

Section 2. The sixty-first section of said ordinance is hereby amended by adding the following words: "Without a written permit from the Board of Health."

The report was accepted and the ordinance was read once and laid over.

Alderman Power, from the Committee on Sewers, made a report, confirming the assessments made for sewers in Dudley, Dennis and Stafford streets, and recommending the passage of an order for collection. Report accepted and order read once.

Alderman Power, from the same committee, reported orders rescinding the order of January 2, 1872, whereby an assessment for sewers in Lougwood and Bellevue streets was confirmed, and ordering the collection of assessments (appended in a schedule) for sewers in Longwood and Bellevue streets, and Lougwood and Brookline avenues, submitted by the Superintendent of Sewers. Total cost, \$7848 19; to be paid by individuals, \$5886 14. Severally read once. Alderman Power offered the following:—

Ordered, That the sum of \$22 27 be abated from the assessment of A. J. Patterson for a sewer in Forest street. Read once.

Alderman Power, from the same committee, reported orders of notice for hearing on Monday next, at 4 o'clock P. M., for the construction of a sewer in Clifton, Albion and Hudson streets, and in Cottage street between Clifton and Stoughton streets, and in Moreland street two hundred feet east of Cleveland street. Report accepted and orders passed.

ORDERS PASSED.

On motion of Alderman Power—

Ordered, That notice be given to A. B. Bancroft, William Somes & Co. and Oliver Bennett, that portions of their respective houses on Marcella street project beyond the line of said street, and that they be directed to have said portions of said houses cut off or set back to the line of said street.

Ordered, That permission be given to the Walworth Manufacturing Company to lay steam pipes under and across Franklin and Hawley streets upon condition that said Walworth Manufacturing Company shall first give to the city an agreement in writing satisfactory to the City Solicitor, holding the city harmless against any and all claims for damages, costs or expenses, on account of or in any growing out of the laying and maintaining of said pipes in said streets; also upon condition that said Walworth Manufacturing Company shall remove said pipes when ordered so to do by the Board of Aldermen.

On motion of Alderman Gibson—

Ordered, That in addition to the sum of fifteen hundred dollars heretofore appropriated for repaving Dover-street Bridge, a further sum of five hundred dollars be appropriated for that object; said sum to be charged to the appropriation for Bridges.

REVISION OF THE CITY CHARTER.

Alderman Quincy, from the Joint Committee on the Ordinances, submitted the majority and minority reports of the committee on the subject of the revision of the City Charter. On his motion they were laid on the table to be printed.

Majority Report. A greater and more important increase in area and population than any which our city has yet experienced would seem to be undeniably imminent, and his Honor's recommendation in substance is that the machinery of our Municipal Government be subjected to a searching examination

by those whose ability and experience best fit them for the task, with a view of deciding where the increasing strain will probably be felt, and of suggesting what, if any, changes or modifications will best enable the same to be successfully borne. The report, embodying such suggestions, this committee understands to be placed before the City Council for exactly such action or non-action thereon, in whole or in part, as we or our successors may think fit to take. We can deal with the same at our leisure and in detail, either directly or by committees, standing or special, as we may decide; we can reject everything that fails to commend itself to our judgment, and no man can say us nay.

Why should we object to receive counsel from the greatest ability and experience which our city contains, reserving the right to follow just so much as seems good in our eyes? One argument against so doing may be stated thus: Why commit to outsiders the task of examining the working of the machinery of Municipal Government, of pointing out defects and suggesting, present and prospective changes, while we, members of that Government, by reason of our longer or shorter experience therein, can better perceive such defects or shortcomings, present or prospective, and better judge of the nature of the remedy which should be applied? Why, indeed, if this were so? But the committee cannot agree to the position. They cannot agree to that, because as we happen at this moment to be of the City Government we are necessarily better judges of its merits and its failures; that we necessarily know better where the shoe pinches than any persons of whatever previous experience or acknowledged ability, who are now living under it.

They believe, on the contrary, that the municipal shoe often pinches where City Hall feels it least of all, and that past improvements have been and future ones will be suggested by exactly that class of outsiders from whom will be selected the persons of whom we now propose to ask advice. These commissioners must serve, as did those on annexation, whose valuable report now lies before us, without compensation, and the expense will be, so far as we can see, comprised in the items of clerk hire and stationery. It is said, however, in substance, that the machine has run pretty well so far; let us wait until something goes wrong and then we can judge of the remedy and apply it. But an engineer, who acted on this principle instead of examining to see where the increasing strain has been felt, and devising means to meet it beforehand, would be clearly unfit for his position. That "an ounce of prevention is better than a pound of cure" is a homely maxim. To assume that we shall be in danger of making uncalled-for changes, and of abandoning known and tried systems which have worked well, on a mere suspicion of future inadequacy, seems to the committee something like self-stultification.

Common sense would surely teach us to reject such advice by whomsoever offered. If we have to a certain extent outgrown our city charter, it by no means follows that it is to be discarded in its entirety, like a garment, for the adoption of something strange and unknown in its stead. The commissioners, if men of sense, will recommend as few changes as possible, consistently with as good government for the Boston of the future as has been enjoyed by the Boston of the past; and if not men of sense, the committee have little fear that their recommendations will be adopted. Nor can the committee agree that by the appointment of this commission we are in any sense avoiding our own work. It is one thing to think and transfer to others labor which our constituents expect us to perform in consideration of the honor of the offices which we hold; it is another thing to accept counsel and assistance from the highest sources, to aid, not to supplant, our own judgment in important alterations in our form of government. The committee is willing that the public should decide as to the purpose of this order. It will be observed that the order contemplates an examination of the city charter and subsequent legislation.

Perhaps some members of the Government do not realize how much of this there is and how difficult it is at the present day to decide, without going to a lawyer, in what state the actual powers and functions of various bodies or officials really are left by the effect of such subsequent legislation and judicial decisions bearing thereon. Some powers are given directly, as the Mayor's power to remove policemen; some are decided to exist by implication, as has been a like power of removing firemen. The question of how much power remains to the Aldermen as Surveyors of Highways since the act appointing the Street Commissioners, is one which we must ask a lawyer to answer. And so, in regard to such other

legislation which has been obtained at the State House from time to time by various parties in pursuit of no settled policy, but just as the desirability of this or that change happened to strike different persons. Sometimes the change has been petitioned for by the City Council; sometimes by individuals; sometimes, as happened last winter in relation to Sewer and Paving committees, by members of the Legislature itself. Sometimes petitioners have obtained what they asked for, and that of which they may be supposed to know the effect; sometimes, in the wisdom of the State House, something very different which may act in an unexpected direction, and on which lawyers must again be consulted.

Now the committee submit that if these commissioners suggest no change which we decide to adopt, yet if a result of their examination of this mass of legislation shall be its codification into one instrument, which shall show under appropriate heads the various powers and functions of the Government under existing laws and decisions, they will have given us something worth many hundred times the money which we propose to expend. But is it true that no existing defects and probable remedies have been suggested for this commission to consider? It seems to the majority of your committee that from time to time there have been a good many. In the first place the subject of longer terms of office has been before the Council within the last dozen years. In 1860, '62, '64 and '65 joint special committees reported strongly in favor of an increase in the tenure of office for both branches and for the Mayor.

The committee appointed on the same subject in 1868 tell us that these recommendations failed, not from objection to the increased terms, but from disagreement upon minor points, which delayed matters until the Legislature adjourned, and it seems that their own report, which embodied the same and other important alterations in the charter, met a similar fate. The order was passed and the petition duly presented, but, owing to the illness of a Senator, it was pigeon-holed until too late for action, and went over. Another subject is that of a Metropolitan Board of Works. Whether, when the anticipated increase of area and population comes upon us, we shall be able to undertake the increased labor without the assistance of some such body.

His Honor the Mayor has also strongly expressed his opinion that the incumbent of his office should be in some manner relieved from the duty of making the police appointments, which now occupies by far an undue portion of his time. Then, again, it has been questioned whether it would not be an advantage to still further separate the functions of the Mayor and the Board of Aldermen, abandoning the analogy of town governments, and following out that of larger bodies politic, where the executive has no place in the legislative branch, and committees are appointed by the presiding officers whom the legislators elect from their own number.

These are a few of the points on which it seems to the majority of the committee that the opinion and suggestions of such a commission as is proposed would be of value to us, and we think the public will understand why it is that, in such important matters, we do not disdain asking advice and counsel to aid in guiding and forming our own judgment. The committee recommend the passage of the accompanying order. For the committee,

SAMUEL M. QUINCY, Chairman.

Ordered, That his Honor the Mayor be requested to appoint a commission, consisting of five persons, to examine the act incorporating the City of Boston, and all other general or special statutes now in force concerning the government of the city, and report to the City Council what, if any, changes are or will become necessary or expedient, in view of the prospective increase in the area and population of the city; the expense attending such examination and report to be charged to the appropriation for Incidentals.

Minority Report. It could not be expected that the committee should report in favor of the appointment of a commission to revise the charter written by the late Chief-Justice Shaw, and under whose provisions the city has grown and prospered, without being informed in what respect it is deficient, in what respect it has "outgrown its proportions," and in what respect it "must soon fail to meet the requirements of our rapidly increasing population and multiplying interests." There should appear some good reason and some loud call for so important a measure. The committee not being able to discover any such reasons, and anxious to give full consideration to the subject, and desiring to accede to the suggestion of his Honor the Mayor, waited upon him by a sub-committee.

His Honor, however, was pleased to inform the committee that there was no particular feature of the charter which had occurred to him as requiring change, but that it had occurred to him that, perhaps, owing to the increasing size of the city, it might be well to revise the charter. The Mayor had another interview with the committee, but though informed of the desire of the committee, carefully to consider any reason in favor of the measure which he could suggest, the committee were not favored with any recommendation. The question then is, Shall we send to commissioners, for revision, our charter of which we have been so justly proud, without having discovered in it any imperfections or defects? Is it worth while to move at all without having some reason therefor?

The charter makes the inhabitants a corporation and defines its powers. Its Government is made to consist of a Mayor, Board of Aldermen and the Common Council. The charter provides for their election. It also provides proceedings in case there is no choice at elections, and for the filling of vacancies. It also provides for the election of a City Clerk, Clerk of the Common Council, and for the choice of its presiding officers. It provides for the election of ward officers, the choice of assessors, the collection of taxes, a Board of Health, Surveyor of Highways, a City Treasurer, Overseers of the Poor and a School Committee. Nearly all the other provisions of law affecting the city and the powers of its officers are contained in general statutes, most of which are applicable to all the cities of the Commonwealth.

The charter contains little else than the requisite provisions for the working of the corporations. Those provisions are as applicable to the city of 300,000 inhabitants as to a city of 30,000. The undersigned do not see how it has outgrown or how it can outgrow its proportions. It is a form of government well suited to municipal corporations of great size, and was expressly adopted for that reason. Without the suggestion of weighty reason therefor, the undersigned cannot agree with the majority of the committee, and recommend the appointment of a commission to revise the city charter.

L. R. CUTTER.
BENJAMIN DEAN.
T. J. DACEY.

HOME FOR THE POOR.

On motion of Alderman Power, the reports of Committee on Public Institutions on purchase of a site for a Home for the Poor, (City Doc. No. 108) were taken from the table; the question being on the motion of Alderman Power to adopt the report recommending the purchase of the Austin farm.

Alderman Power—I suppose this matter is so well understood by the members of this Board that it is unnecessary to waste any time in the discussion of the merits of the Austin farm. All the gentlemen have visited the place, and have made up their minds, so that I suppose any remarks of mine would be superfluous.

Alderman Hulbert—As one of the committee to whom was committed the duty of making the investigation and reporting to this Board a suitable site for a Home for the Poor, I would say that the bulk of the examination of the various estates which were brought before this committee were made in my absence in Europe. On my return I found that the committee had narrowed the matter so that their decision lay between two sites and as an act of courtesy they held the matter in abeyance and requested me to make an examination of both sites, that I might come to a conclusion in order to act with them in the final decision. I did so, and as I am opposed to the adoption of the site recommended by the portion of the committee whom the Alderman who has just spoken represents, I will briefly state my reasons for my opposition to the Austin farm. In the first place, I think we ought to consider what the city wants. I suppose that most of the members of the Board, who have taken the pains to make themselves acquainted with the condition of affairs at Deer Island, can hardly feel otherwise than that it is our duty to make provision somewhere and in some way for the proper maintenance of the poor and for the neglected children. As we are all aware, they are now placed on the same island and come in contact with the criminal classes, which is certainly not proper. His Honor the Mayor called attention to this in his inaugural address, and I think it merits prompt action. We may as well understand that while the poor have been provided for at Deer Island it has been done at a minimum expense to the city. The attractions at Deer Island were so limited that no one would go there unless the urgency was extreme. In making provision elsewhere I look for a very material increase in expenditures in taking care of the poor. For when we come

on to main land, erect new buildings and separate the poor from the criminal classes, and make this home comfortable and easy of access, I have no doubt the patronage of the institution will be largely increased; and the number of the poor will never again be so small as it is now. Therefore we ought to look to see what is best for the city. I suppose the legitimate name for this ought to be almshouse. It may grate harshly on the ear, but I think a personal acquaintance with the people whom we send there from the city would make the name appear not inappropriate. It seems to me that the idea more or less prevalent is hardly in keeping with the situation. It is contemplated to erect a large and elaborately appointed building at an expense of hundreds of thousands of dollars, and the matter of site, an elevated position, a fine view, are all in the minds of the members of the City Government, as I have heard them expressed, and seem to be uppermost. The same pains are to be taken as if we were to erect a fine public building for a university. I think we should have a site that is healthful and elevated, with proper drainage and good exposure as a sanitary measure. I would make health an element of importance. I think it is very important that to be supported there will be at least five or six hundred and perhaps seven or eight hundred. The supplies must go there from the city, and of course the transportation is a very heavy item. It is essential to secure the cheapest transportation from the city proper. Then it is very important that the means of visitation from the city and the means of communication be easy and rapid, and the accessibility should be good. These are considerations more essential than whether the inmates can have a fine view. The convenience of the city officials and the expense that the city is to be put to should be considered. Then I don't believe there is any necessity for getting a very large amount of land. I think thirty acres would be abundant, sufficient for every purpose. When you get more land than is required it only becomes a matter of annual expense for its care and embellishment. My objection to the Austin farm, in the first place, is this: The quantity of land that it is proposed to purchase is more than is required—it being some fifty acres, and one quarter of it, at least, is low, wet meadow land,—they call it meadow, but only rank grass can be raised upon it. It is a low wet spot that cannot be drained, or never has been. If the city is to purchase this whole estate of fifty acres, this twelve or fourteen acres is only available by being filled up at an enormous expense; on the other side of the road is a deep, wet morass, unavailable and undrainable. I hold that for the reason of health alone this site is not suitable. In the second place, the expense of the land is exorbitant. The property as it stands is worth no such price in my opinion. I can say here that a man on the same street, and very near this estate, owns an estate which can be bought at less than three cents a foot, and I feel warranted in saying that the price proposed to be paid for this one is exorbitant, and we will not be warranted in paying for it. Furthermore, if the city wishes to go in that direction—I will allow that West Roxbury will be annexed—for a Home for the Poor, there are localities more accessible than the Austin farm, situated upon or so near the railway as to have all the facilities of transportation, which can be reached in less time than this, the nearest station to which is little less than a mile, as I reasonably believe. There are sites equally desirable for location, far better in point of accessibility, which can be reached in much less time from City Hall and which can be had for a price much less than is asked for this. Setting aside the preference I may feel for other sites, I fail to see that the City Government is warranted in going so far away from facilities for access and in paying double, while another can be had for so much less a price. Therefore I say we are not warranted in incurring any such expense. I think we ought to guard, never more than now, against the tendency which I think members of this Board will unite with me in saying, prevails in this city at the present time. I mean in the matter of expenditure. I think we are going beyond what is a liberal expenditure in our public buildings. I think we are getting beyond the liberal into the extravagant. The talk I have heard in reference to this Home for the Poor, of an expense of a million of dollars to be incurred, is too extravagant. What we want is a building adapted to the wants of an almshouse, where all the inmates can be made comfortable. But I do protest against the erection of a building that shall be palatial and better than one-third of our population live in. Whoever has charge of this building will have his hands full not to overload the city with an enormous expense. I see no reason for making this a most at-

tractive spot or making attractiveness the chief element in the selection of a site. Furthermore I know there has been a great pressure brought to bear in reference to having this place taken by the city. Last winter there were intimations that the owner rather more than hoped that the city would take this property for this purpose. I have no doubt it would be a great disappointment to the owners if the city does not take it. I don't think that comes in as an element here why we should make the purchase. Therefore, as a member of the committee, I am opposed to the purchase of this Austin farm, for the reasons I have named, and furthermore, believing that there is not one valid reason why we should make the purchase of that estate. For the present I will say nothing of the other estate.

Alderman Power—I did not suppose it was necessary to discuss the merits of either place, supposing that gentlemen, having examined this place themselves, had fully made up their minds. But the gentleman has made some remarks which call for a reply. The most important is that he says that places equally as good can be got for one-half the price. I think the committee will bear me out unanimously when I say they could find no such place. This matter was thoroughly advertised in the papers; we had many places offered to us, and no one was so near to the City Hall, and at so low a price as this. The committee used their best exertions to make the gentleman name such a price that they could conscientiously recommend it, but we could find none at a price that they could recommend. Gentlemen are talking now about what they could do, but we have never had an offer we could rely upon for what we could get a place nearer the city. Now, as to the expectations of the gentleman who owns this place or who bought it with the expectation of selling it to the city, I don't believe there is a gentleman in this Board who was at all influenced by that matter. I did not consider it worth alluding to. In relation to the distance from a depot, the committee have made no mistake when they say five-eighths of a mile. The land is as dry today as any place on the Neponset lot. There are two acres of marshy land on the Neponset lot which are not worth \$25, while the Austin farm is well drained by strong sewers running through it. I agree with the gentleman that the attractions of the Austin farm will be greater than Deer Island, and that we shall have seven hundred or more inmates. The affairs at Deer Island justify the committee in laying before the City Government the plan of getting a place on the main land, and as to our tendency to extravagance, it is a well-known fact that no city has in that department such a state of affairs as we have. I don't think any city places its poor and prostitutes and criminals together in one place. In that respect I don't think the city has been extravagant, and the sooner we venture on a little extravagance the better it will be for the city. As to drainage, I will say and can prove, that the centre of this Neponset lot is no higher than high-water mark, nor never was, and I don't refer to the marshy part of the land either. In spring and winter there is always water there. The hill is of clay and springy, and always spongy. One of the principal reasons I recommend the Austin farm is the cost. There are fifty acres there and thirty in the other. There are some hundred of valuable fruit trees, and with the improved land and buildings I have no doubt fifty thousand dollars have been spent in the last twenty years. It will cost the city more than fifty thousand dollars to put the Neponset place in the same condition as the Austin farm is today. Then as to its being without the municipal limits, is no importance at all. We know Mount Hope lies much farther into another town, but there is no difficulty of getting to it from the city.

Alderman Stebbins—I came here prepared to vote on this measure, but after the remarks made this evening I think the Board have only one course to pursue, and that is to recommit both the reports to the committee with instructions to report a place for a Home for the Poor.

Alderman Power—I have no other object in advocating the Austin farm than the interests of the city of Boston. I did not understand the gentleman to say any place has been named to him for the same price or at any less price. But if the gentlemen are in earnest it is about time to come to some conclusion. If this is a ruse to kill it, it might as well be stated fairly. If there is any place better than the Austin farm I want to hear it authoritatively stated by somebody, and if it is a *bona fide* thing I am willing to recommit.

Alderman Hulbert—I don't wish to be misunderstood. I am informed that there is an estate of thirty acres on the same street as the Austin farm, which is offered at forty thousand dollars. In my

own mind I have no doubt that it is equally as well adapted for the Home for the Poor; it is near the railway and can be had at an expense at least half what is asked for this one. I have nothing definite in my mind, but I know what I say. That ought to settle the question so far as the Austin farm is concerned.

Alderman Power—The expense of getting supplies to this place has been alluded to. I don't think the contractor would put on much extra for the distance. No proposition came to us of property so near City Hall at a price so fair as this. We were offered property far off at a great deal less, but it seemed to be the unanimous wish of the committee to get a place much nearer the city. That is why the committee finally settled down to these two places. If there is a place nearer the city I want to get it! But if this is simply a ruse to carry Nepouset, I don't propose to put this matter off. It is imperative that we waste no time in getting a place.

Alderman Stebbins—I disclaim any intention of killing this matter. I assume that the fall has so far advanced that no building could be erected, and I thought best to refer it back to the committee, to secure another place. I have been in favor of the Austin farm, but if the committee can secure another place for \$40,000 I am willing to vote for that one.

Alderman Gibson—I would ask the chairman of the Committee on Public Institutions whether all the buildings at Rainsford's Island are occupied.

Alderman Hulbert—I understand they are. There may be one building that might be altered over and made serviceable.

Alderman Gibson—I now understand that only the poor are sent to Deer Island. I don't know that we have criminal persons there. We send men there for intoxication, and truant boys who run away from school. I don't think they can properly be ranked as common criminals. Now, in the present state of the market, with the amount of money we have spent this year, we have buildings enough at Deer Island which would be far better than many of the poor in this city have, and better than many families live in. If we have buildings unoccupied, it appears to me that we should set an example of economy and use them. We can't build a mansion house with a garden round it for every poor man or woman. Give them a good, warm building and something good to eat. Real estate is settling down and next spring we could buy cheaper than we can now. I would like to have this committee take another look and see if Rainsford Island can't be used another year.

Alderman Hulbert—It may be well for the Board to understand that the city owns the Winthrop farm, as it is called, and I have reason to say that farm can be disposed of for the amount that we would reasonably incur in purchasing on the main land. There is the appropriation made for erecting a building, which has not been used. I feel that the mixing in close contiguity of the poor and the people we send to Deer Island is neither right nor humane. On the other hand we have got to guard against carrying it the other way. I think the best name is "the Almshouse"; it is much better than "Home for the Poor." The idea should be specially for an almshouse and a home for neglected children, and all arrangements should be made with reference to that end, and not for a palatial structure. I for one should be glad to see this question of the Austin farm disposed of, and as it is up for consideration I am willing to abide by the result. I should like to have an expression of opinion upon that question, and I press no other lot for the present.

Alderman Power—I suppose the question of the necessity for a Home for the Poor has been settled long ago. If we are not to have this lot and it is thought that additional accommodations could be built on Deer Island, I should have thought the City Government would have accepted Winthrop farm. But that was not considered a suitable place. It was thought to be too far away, and that idea was abandoned. As to the position of things at Deer Island, if gentlemen call a place healthy where the corridors are piled up with mattresses and people sleeping on them, and if they can call prostitutes and night walkers anything less than criminals, I should consent to some other charitable name. We have three hundred thousand dollars' worth of land in South Boston which could be made into taxable property, if we have a Home for the Poor somewhere else.

Alderman Gibson—I don't propose to occupy Deer Island for any considerable length of time, but to husband our means to some extent. If the appropriation is already made, that doesn't help us any at all, we take it from the Reserve Fund. We have to pay interest any way. As we can't do anything this fall, we have got to go into the market and borrow this money. There is no question but real estate will succumb, and next spring you can buy at two

cents a foot less than you can this fall. Wait till next spring and it will come down a cent a month for the next six months. There is a vast amount of land lying idle in Ward 16, and parties must have to carry it for some time before they can get the prices they ask for it. Now as we can't do anything to advance the cause, is it right for us to go on in these paperky times and lay out such a great expense? If those buildings could be fitted up for a very little expense it would be better.

Alderman Hulbert—What I meant to say is that I don't expect to erect the building this autumn, but this question has been before us a long time, for two or three years. As we are getting towards the end of our time it seems to me a plain case that the plan of the city should be defined, and we should decide to procure a place for an almshouse and settle the question. I still think it is the duty of this City Government to take this step, but I perfectly agree that we can't do much this fall. But if we take the step, and define our position, it will be doing a great deal. If it is n't done now it will be left for the City Government to do something next year.

Alderman Stebbins—I withdraw my motion to recommit, that a vote may be taken on the question. But I wish to give notice that if the motion of Alderman Power is defeated I will then move to recommit the whole subject back to the committee.

Alderman Emery—This thing has been under consideration so long I think it best that we should come to some decision; and rather than not decide I would prefer to have the place accepted that I should not vote for. It is indispensably necessary to do something. This committee have visited various sites within and outside the limits of the city. It was considered last year, and we have never come to any conclusion. I hope we shall come to a vote before we adjourn.

Alderman Gibson—Gentlemen ought to recollect that we would have had an almshouse at Deer Island but for some technicality in the wording of the order by which the money was n't to be spent in that direction. We have purchased Deer Island and Rainsford's Island, and I supposed at the time we were to have a Home for the Poor there. They say it won't do for a hospital, what is it good for? We got a site for a smallpox hospital and have abandoned that. We ought to utilize what we have.

Alderman Power—I think the Winthrop farm was a good purchase for the city and the same may be said of Rainsford's Island. I should like to take it off the city's hands. But that matter has been definitely settled before. It is a very poor argument to keep waiting for land to go down. In my opinion it is just as likely to rise again in Ward 16 as it is to fall.

Alderman Clark—I fully agree with the Alderman from Ward 12 in regard to the wants of the city for a Home for the Poor. The city requires that some money should be expended for properly taking care of the poor of Boston. I don't believe in sending the virtuous poor to live with criminals. Therefore I think we should early select a place at a moderate cost where we could erect buildings suitable for the wants of the poor. I regret very much that the committee did not take into consideration the fact that there are other places in West Roxbury besides the Austin farm. One of the most magnificent places in the vicinity of Boston, the Home farm, occupied by Colonel Russell as a summer residence for several years past, was passed over lightly because it was out of the precincts of the city. That was one of the strongest arguments against its purchase. The Home farm lies no more than two miles further from the city than the Austin farm. It is on a splendid road, and is not a mile from the depot, is on an elevated position, and is one of the most productive tracts of land any member of this Board ever looked upon. There are thirty-five acres all lying in one field, high land, with a magnificent view, and there are some sixty acres, with splendid barns, all that would be necessary for the next ten years. Now this entire property can be purchased for the insignificant sum of forty thousand dollars. The land is in a high state of cultivation. The objections raised against this farm were, that it was in the town of West Roxbury and we should have to pay taxes to that town. Now, West Roxbury may be annexed within the next thirty days. There are thirty-five acres in one field, and, if that is not enough, we have got sixty acres we can sell after having erected our building, for the sum of \$40,000, and can thus get land enough for a Home for the Poor without the expense of a single dollar, and that in the town of West Roxbury. We propose to make the poor a home in a desirable locality. Here is an opportunity to get a hundred acres of magnificent land, in a splendid location, at no cost at all. This has been wholly overlooked on account of the fact that it is in the town of

West Roxbury. The committee propose to have us buy land for \$150,000, some of it morass, which would take more gravel to fill it up than has been used on the Back Bay. The Austin farm is a mile from the depot, and six miles from City Hall. The Home farm is a mile from a depot, and eight miles from City Hall; and the committee can buy the Home farm for \$40,000. The Home farm is adapted to the raising of vegetables, enough for 600 people, and there is pasturage enough to supply them with milk and butter; and you have all these facilities for \$40,000. You have a good enough home for any one to live in for the next thirty years. Is it common sense for twelve gentlemen to sit round this board and vote to pay \$135,000 for fifty acres of land, fifteen of which are good for nothing, when we can get a hundred acres for \$40,000 two miles further off. I submit that we must pay a stricter regard for the finances of the city than to show such wilful waste as to vote to pay \$135,000 for the Austin farm, when we can buy the Home farm, which is so soon to be annexed, and at the same time has twice the number of acres, and all for only \$40,000. I was glad to hear the gentleman say that the mere furnishing of supplies was a drop in the bucket. The only objection the Committee could see to the Home farm was that it was a little further off. The two places are no more to be compared with each other than the brightness of the nooday sun is with midnight darkness.

Alderman Power—The gentleman says there are fifteen acres of the Austin farm which are worthless. I would like to know whether it is as barren, if there are rocks sufficient to erect buildings; the meadow is as good as any portion of the Home farm. The sole objection to the Home farm was the distance from City Hall. The committee did not ignore that place. All acknowledged that the price was reasonable.

[At this point Alderman Gibson obtained permission to have read an invitation from George Clarke of Squantum to the members of the City Government, to visit his estate to consider its adaptability for a Home for the Poor.]

Alderman Brown—I move to amend the order as reported by the committee by substituting "\$125,000" for "\$135,000."

Alderman Clark raised the point that it was inadmissible.

The Chair stated that the amendment was admissible.

Alderman Stebbins asked if the place could be bought for that sum.

Alderman Brown said he had understood that it could.

Alderman Clark—It is n't right to be treated with in that way, and this should receive the unanimous veto from this Board. It is n't but a year since this same property sold for \$97,000. If this is the way bargains are to be made—first \$150,000, then \$135,000, and then \$125,000—then this thing should be unanimously vetoed.

Alderman Power—This argument don't hold good. The gentleman himself sold the Home farm for \$15,000 and he is now urging it upon us for \$40,000. I don't think the gentleman has his information from the owners of the property.

Alderman Clark—It is a different thing to have sold property for \$15,000 and treat with members of the City Government for \$135,000, and then to offer them the same place for \$125,000 when there is a slight chance of its not being carried through. I sold the Home farm for \$15,000; since then it has been sold for \$23,000, and now it is worth \$40,000.

Alderman Power—I don't think it was any detriment to the Home farm that it was sold at \$15,000, because there is no proper person can determine its value today and its value ten years hence. If the Alderman on my left will get up here and say any of the owners have told him that the Austin farm can be bought for \$125,000, I will cheerfully vote against it.

Alderman Brown—Whether the gentleman owns the land now or not, I am not able to say; he did own it once.

Alderman Stebbins—Did n't he intimate that that is all the property is worth?

Alderman Brown—There is no doubt, from all the facts stated, that if the committee are authorized to purchase that farm that \$125,000 will buy it, and if they cannot they can report to this Board and be authorized to report again. I will say to the Alderman from Ward 6 that if there is a decline in real estate there we had better wait till next spring and purchase the Austin farm. Real estate must decline from 25 to 33 or 37½ per cent. Why should the city purchase this property now when it can be purchased for much less? I think no great harm will be done if the Board will amend the order. If it can't be purchased for that sum the committee can report again.

Alderman Clark—I don't know when I ever knew where the price of a farm declined ten thousand dollars in three hours. I should hope if we buy the Austin farm at all, we should pay \$135,000 for it, so that this Board can maintain its dignity.

Alderman Brown—I desire to say that there is a great deal of talk influencing members of this Board. I understand that efforts have been made to induce members to vote to purchase this place. I have n't the least doubt but that if we instruct the committee to purchase for that it can be bought.

Alderman Power—I don't know anything about what gentlemen have heard.

Alderman Clark—I merely wish to state that I get my information from the Alderman from Ward 4, that he is reliably informed, that if we vote to pay \$125,000, we can get the place. I submit if that is n't good reason for vetoing it.

Alderman Power—It seems that Mr. Austin, the former owner, has some particular spite to think that the property may be sold for \$135,000, and he is the person who is running it down. This is a very dubious interest for a person to take. If the farm could be purchased for \$125,000 I should be just as glad for the city to get it as not. I know nothing further than the written propositions from the owner of the land.

Alderman Gibson—I would ask the number of acres required for the almshouse?

Alderman Hulbert—There has been a difference of opinion as to the quantity required, which has never been fixed upon. I simply stated my own conviction.

Alderman Gibson—The idea I had was we could buy ten acres much cheaper than fifty. If we want to go to farming, we had better go to a farming country, on some of the trunk railroads, and buy a place for ten thousand dollars.

Alderman Stebbins—As bearing on this point, I would state that I had occasion to ask the Directors of Public Institutions whether any of the inmates worked. He said no; if you put a shovel in their hands they desired a ticket to go up to the city, saying if they had to work, they preferred to go up to the city.

Alderman Gibson—That is an argument for buying a small place.

The question being taken on Alderman Brown's amendment, it was carried by a rising vote—7 to 2.

Alderman Stebbins moved to further amend by adding after the words \$125,000 the following: "Payable in notes or scrip of the city, having twenty years to run and bearing six per cent interest."

The amendment was adopted, and the question recurring on the adoption of the report and passage of the order as amended, it was defeated.

Yeas—Aldermen Brown, Emery, Gaffield, Power, Quincy—5.

Nays—Aldermen Bigelow, Clark, Cutter, Gibson, Hulbert, Stebbins—6.

Alderman Stebbins moved to take up the orders to buy the Neponset farm, and he then moved to recommit the report on the Neponset farm to the committee, and at the suggestion of Aldermen Clark and Gaffield, the motion was amended so as to instruct them to report in fifteen days.

Alderman Power did n't wish anything more to do with the Neponset lot.

Alderman Brown asked if Long Island had been considered; he had only had an opportunity to consider the two places named in the report, and it did n't require much exercise of judgment to say which was the better.

Alderman Quincy said that unless it was shown that the committee had neglected their duty, he should vote against recommitment.

Alderman Stebbins further amended his motion by adding "to report a place suitable for a Home for the Poor within fifteen days."

The motion was adopted by a rising vote of 6 to 4, and the report was recommitted.

Alderman Clark, in order to settle the matter of the Austin farm, moved a reconsideration of the vote rejecting the report, hoping it would not prevail.

Alderman Power charged that this was simply a disposition to kill off this place.

Alderman Clark disclaimed any such intention. He wished to vote for a Home for the Poor before his term expired, and he was willing to vote for Neponset farm. He made the motion in order that the gentleman would not be giving notice of a motion to reconsider next.

Alderman Power thought that it was an effort to prevent members from exercising their judgment.

Alderman Clark simply wished to prevent the Austin farm from being brought up again next Monday.

Alderman Power thought it would prevent the committee from bringing in the Austin farm again.

Alderman Clark contended that it would not, and inquired of the chairman.

Aldermen Gaffield and Brown both hoped the motion would be withdrawn.

Alderman Brown inquired the effect of a refusal to reconsider, and the chairman stated that as the committee were requested to report on some place within fifteen days, it would be perfectly proper to bring in the Austin farm at a different price.

Alderman Power hoped the motion to reconsider would prevail, and the vote being taken it was carried.

Yeas—Aldermen Bigelow, Brown, Emery, Power, Gaffield, Quincy—6.

Nays—Aldermen Clark, Cuttcr, Gibson, Hulbert, Stebbins—5.

Alderman Brown moved that the matter be laid on the table, but, after brief informal discussion, it was withdrawn, and Alderman Stebbins moved that the orders relating to the purchase of the Austin and Neponset estates, together with the whole subject of a Home for the Poor, be recommitted to the committee. The motion prevailed.

THE NEW POLICE STATION IN WARD SIXTEEN.

Alderman Hulbert inquired what action had been taken by the committee on the order of last week providing for a change in the plans for Police Station Eleven, so as to allow for a branch of the Public Library in the same building. He thought the people had had no expression of opinion on the subject. He regretted not having given more attention to the order when it was passed.

Alderman Gibson said the matter had been discussed in the committee, but no final action had been taken.

Alderman Clark hoped the citizens of Ward 16 would have an opportunity to express their wishes on the subject. A police station is not a proper place for a public library.

Alderman Emery was present when the matter was discussed in committee, and the architect is now preparing plans.

Alderman Hulbert offered the following, and on his motion it was laid on the table.

Ordered, That the order of September 23, authorizing the plans for a police station in Ward 16 to be so amended as to provide for plans for a public library, be and hereby is rescinded.

SWETT-STREET HOSPITAL.

On motion of Alderman Clark, the order for the grading of the Swett-street Hospital territory was taken from the table. The order was passed.

EAST BOSTON SCHOOLHOUSE.

On motion of Alderman Gibson, the order providing for the sale of the Oliver Primary Schoolhouse in East Boston was taken from the table.

Alderman Gibson explained that there is no prospect of its ever being needed.

Alderman Brown asked if it is proposed to sell the house simply or the land.

Alderman Gibson replied that the order embraced the whole territory.

The order was passed, in concurrence.

On motion of Alderman Gaffield, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

OCTOBER 2, 1873.

The regular weekly meeting of the Common Council was held at half-past seven o'clock this evening, E. O. Shepard, President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The following papers were acted upon, in concurrence:

Various petitions were referred.

Reference to Committee on Overseers of Poor (with instructions to nominate a candidate to fill vacancy) of a communication from the Mayor, transmitting a letter from said overseers, announcing a vacancy in the board, caused by the death of Thomas Blasland.

Report (leave to withdraw) on petition of S. T. G. Webber, to be paid for damages to her house in Hayward place. Accepted.

Report and order authorizing the Mayor to release to N. Cummings and I. B. Carlisle certain land on Albany street, corner of Sharon street, from a portion of the fourth condition in the deed thereof. Accepted and order passed.

Report and order authorizing Edward F. Meany to erect a wooden shed on land bought by him of the city, on Wareham street. Accepted and order passed.

Report and ordinance in addition to an ordinance in relation to deeds. Accepted and ordinance read twice and passed.

Report and order fixing the salary of the Assistant-Resident Physician, at Deer Island, at \$600 per annum, in addition to the amount paid him as Port Physician. Read twice and passed under a suspension of the rules on motion of Mr. Prescott of Ward 9.

Order for the grading of Swett-street Hospital territory, and for drainage thereof satisfactory to the Board of Health. Read twice and passed under a suspension of the rules on motion of Mr. Flynn of Ward 7.

Request and order for a transfer of \$5500 from Reserved Fund to appropriation for Markets. (City Doc. No. 113.) Read once.

UNFINISHED BUSINESS.

The following papers came up as unfinished business and were severally acted upon, in concurrence:

Order appropriating \$1500 to pay for repairs on Steam Fire Engine No. 8. Passed.

Order appropriating \$1450 to pay for repairs on Steam Fire Engine No. 15. Passed.

Order authorizing Engine companies 4 and 7 to be reorganized so that each shall consist of twelve men. Passed.

Report and order authorizing an arrangement to be made with Samuel R. Russell for an exhibition of his fire apparatus, at an expense not exceeding \$300. Passed.

Resolve and order from Street Commissioners for the widening of Essex street, at corner of Washington street, at an adjudged expense of \$770. Passed.

PETITIONS REFERRED.

Mr. Perkins of Ward 6 presented the petition of the First Company of Cadets, for increase in the allowance of rent for armory, and on his motion it was referred to the Committee on Armories.

Mr. Dacey of Ward 2 presented the petition of Captain P. Houghton of Company A Ninth Regiment, and on his motion it was referred to the Committee on Armories.

TAKEN FROM THE TABLE AND PASSED.

On motion of Mr. Train of Ward 13, the orders authorizing erection of a hook and ladder house on Dudley and Forest streets, at an estimated cost of \$21,000, and a loan therefor, were taken from the table.

Mr. Train remarked that when he moved to have the order laid on the table at the last meeting he was not informed as to its feasibility, but since then he had taken pains to inform himself and found that it is absolutely necessary. He hoped it would pass.

Mr. Denny of Ward 9—I don't object to authorizing the erection of this hook and ladder house, but I do object to the method of paying for it, in getting a loan of \$21,000 for the purpose. I don't think the city should appear in the market as a borrower for such small sums. It should be covered by some appropriation, and if there is no appropriation of this kind we should wait until another year till one is made to cover it. It does n't look well for any city

to go into the market borrowing so small a sum as \$21,000. It would be like an individual doing a large business borrowing money to pay his market bills at the end of the month. I don't believe we ought to go to any expense of this kind unless it can be put to some particular appropriation. I shall object to this unless payment can be provided for in some way other than by a loan.

Mr. Train—It was only from the extreme necessity of the case that I moved to take it from the table, and that was the object of my motion at the last meeting. I was opposed to the city making a loan for that purpose. As to the raising of the money, if the gentleman can suggest anything that will relieve us from the obligation of borrowing, I should be glad to have him do so. There is no mistake about the absolute necessity of having this house there. We are not going to the expense of putting a new hook and ladder company there. It is transferring an old company into a new location.

Mr. Denny of Ward 9—It is from the mere fact of the necessities of the case that the city should have some other way of getting the twenty-one thousand dollars than by a special loan. If the gentleman will take the pains to ascertain by next Thursday if the matter cannot be provided for in some other way, it would be best to have it lie over. It is this providing for small sums by a special loan that brings the city so much in debt. I object very decidedly to loans of this character.

Mr. West of Ward 16—I agree with the remarks of the gentleman from Ward 9 and will move to strike out the words, "Treasurer be authorized to borrow under the direction of the Committee on Finance," and insert the words, "Auditor be authorized to transfer from the Reserved Fund."

The amendment was adopted.

Mr. Adams of Ward 14—It seems to me to be immaterial how we get the money, so we get it honestly. This location overlooks a very large extent of territory and it is absolutely necessary to have a company there. I hope the order will pass.

The order was passed—yeas 47, nays 0.

On motion of Mr. Caton of Ward 11, the orders to complete furnishing of grammar schoolhouse, L street, at an estimated cost of \$7500; and for a transfer of said amount from the Reserved Fund, were taken from the table and passed—yeas 49, nays 0.

ASPHALT WALKS ON THE COMMON.

Mr. Holmes of Ward 16 called attention to an order referred to the Committee on Common relative to asphalt walks, with instructions to report thereon. He asked if there had been a report, and if not that there might be one made this week.

Mr. Perkins said his impression was that the committee did report last summer that no more asphalt walks would be laid and therefore no action was necessary. He would however consult the committee's records and ascertain whether the committee had reported in full or not.

REORGANIZATION OF THE FIRE DEPARTMENT.

On motion of Mr. Flynn of Ward 7, the Council reconsidered the vote whereby the discussion of the ordinance to establish a Fire Department, recommended in the Report and Evidence on the Reorganization of the Fire Department, and the cause of the fire May 30, 1873, (Printed City Doc. No. 97), was assigned for half-past eight o'clock, and on motion of Mr. Denny of Ward 9 it was voted to proceed to the immediate consideration of the question.

The question was on the amendment submitted by Mr. Denny of Ward 9 at the last meeting.

Mr. Dean of Ward 12 moved that the recommendations of the minority report be substituted for those of the majority, and proceeded to speak on the subject. He took up the ordinance and went through with it, explaining the amendments which had been made to the ordinance as it now stands, and also the rules which had been added. He thought the old ordinance contained many most excellent provisions for the management of the Fire Department, and that it contained in a very considerable degree what was needed for its wants, excepting, perhaps, some few which had been brought up by discussion in consequence of the late excitement caused by the great fires that unfortunately occurred. The gentlemen from Ward 6 had thought the tendency should be to have the power come into the hands of the Council instead of the Board of Aldermen. He did n't consider that to be essential, but it could easily be so changed that it should be so. He thought if there was any prerogative that the Mayor should have, it should be the nomination of his chief executive officers. If a commission were established this power would immediately be taken from the Mayor, and placed in a body which would have a continual majority. He is likely to be opposed in the selection of the men whom he is to look

to for assistance in the efforts which he makes for the welfare and protection of the city. Immediately upon his election he finds himself all at once in antagonism to a board of commissioners. It had been said that the expenses of the present Fire Department were extravagant. In what respect? Was it in respect to number of men? They had already voted to increase the number of men. Was it in their salary that the department was extravagant? That had already been increased. They could not say it was unduly extravagant in the number of machines, because they had this year voted for four new ones. In what respect, then? If it was in the annual parades, the City Council can take care of that at any time.

If it was in the matter of repairs, the majority and minority both agree that the city should have its own repair shop. If it was in junketing, that was a comparatively small thing, although it had been carried in some instances to excess. What else would the Mayor have to do except to veto a bill or two once or twice a year, if he had not the power to appoint his police and govern the Fire Department? With regard to the 49th section, he thought all would agree that it provided an excellent thing in bringing the police into action in the extinguishing of fires when they first break out. It seemed to him that with the improvements which had been made and with those proposed in the Water Department everything that could be suggested as an improvement had been provided for. If there were any other improvements he would be glad to know what they were, and thought they could easily be provided for. He thought the City Council should take the present ordinance and cure any defects that might be found to exist; but why should they throw their power all away and place it into untried hands?

Mr. Dacey of Ward 2—I have read with care the majority and minority reports. I cannot agree with the majority when they recommend that a fire commission should be appointed. Nor can I agree with the minority when they recommend that the matter should be intrusted with the Board of Aldermen. In other words I am satisfied with the present management of the department in most respects. I cannot believe that the department will do better in putting out fires than it does at present. Nor can I believe that a commission will run the department better than the gentlemen who constitute the Joint Committee on Fire Department. I believe that there should be some change. I have no objection to the Mayor having the appointment of the Chief-Engineer and assistants, and the Engineers the appointment of the firemen. I cannot see what great results a commission has achieved elsewhere. It did not prevent the large fires in Chicago and Baltimore, nor do I believe it would have prevented the great fire here. Some of the gentlemen should remember that it was the building of houses with lumber sheds on top of them that caused the fire. The commission would have nothing more to do with fires than have the present committee. Before the great fire in November there was no occasion to find fault with the department. Everybody praised it. I am just as much opposed to the minority report as to the majority. There never would be a time when we can find three men who would manage the department better than it is at present, and I should like to have an opportunity to vote on that question.

Mr. Brackett of Ward 10—Whatever may be the decision of the Council in regard to the establishment of a fire commission, I think it is quite certain that we shall not vote for the minority report and surrender what power we have to the Board of Aldermen. It seems to me this would be undesirable for two reasons. The Board of Aldermen have already too much power as compared with this body, and they have too much to do. Now I believe it is one of the good things of legislative government that the two branches should be as nearly equal as possible. In that regard we know that this is not the case. The Board of Aldermen have the exclusive control of the police and other departments; and here we are asked by the minority to give up another great department, one more important than the others, into their exclusive control. Now the gentlemen of the minority speak of the dangers which will arise if we place this immense power of the control of the Fire Department into the hands of three men. It seems to me that if this is dangerous, it will be much more dangerous to put it into the hands of the Board of Aldermen. It seems to me that it will be much more difficult to take back this power if it does not work well, than it would to take it away from a commission. If we put the power in the hands of the Board of Aldermen we cannot take it back unless the Board will concur, and I don't suppose they would do that. Again, sir, in regard to the other point that the Alder-

men have too much to do, I find that one member of the Board is on twelve different committees, of which he is chairman of five. Two or three are on eleven committees, and another is on no less than eight different standing committees, of one of which he is chairman; and this does not include the special committees which are appointed. I say they already have more to do than you can expect twelve gentlemen to do and give their services to the city. Now the minority undertake to answer this argument by saying that the Board of Aldermen attend to their duties with singular zeal and fidelity. I do not question that, but this is not a question of fidelity; it is a question of possibility. They also say that the present Board of Aldermen are gentlemen of leisure. That may be so, but it is nothing permanent. The next Board may be composed in a large measure of active business and working men. Again, they say that the Board of Aldermen are larger men than we can obtain for pay. Very well, it may be so. I have sometimes thought that it might be my privilege to vote for some member of the present Board of Alderman for Mayor; but if this is true I cannot do it, for we pay our mayors for their services, and, of course, if the Aldermen wont work for pay we can't elect them to that position. It seems to me that this is a slur on the salaried officers and heads of departments which is entirely unwarrantable. I would like to know if any one will say that our City Clerk, Auditor and Treasurer do not perform their duties just as ably and faithfully as the Board of Aldermen; and are we not warranted in expecting or hoping that if we have a fire commission the gentlemen composing it will perform their duties just as faithfully and as ably as they. It seems to me it would be in the highest degree impolitic to place in the hands of the Board of Aldermen, already overburdened, one of the most important—the most important department of the City Government. The gentleman from Ward 12 has said that there has not been any argument presented in favor of a commission. I think I may say this, that of all that has been said against a fire commission not a single valid objection has been raised against it, when carefully considered. I suppose all the objections to it have been epitomized in the minority report, but I cannot find anything against it yet. The gentlemen arguing against a fire commission, in support of their arguments cite the proceedings of other commissions. But, sir, if you look at this argument you will find it amounts simply to this. They argue against commissions because certain gentlemen who happen to be commissioners have in some respects not acted as they should. They take the action of the Harbor Commissioners in regard to the matter of the South Boston flats. There is something a little significant in the fact that both the gentlemen who sign this report come from South Boston and take a great interest in the South Boston flats. I think they have been led to look at the whole subject through colored glasses.

It presents itself in colors and shapes which do not belong to it. They speak of the Board or State Charities and of the Board of Public Works at Washington. They also make an attack upon the Board of Health, though it is made in the very courteous terms of the diplomatist. Then again they say that the introduction of the fire commission would be an importation from a sister city which has been the cause of all their woes. Then again gentlemen argue against a commission on the ground that there are certain gentlemen who aspire to the position of commissioners. This may be so or it may not. No one has come to me with any petitions. I have not heard of any one who has been approached; and even if it is so, what does that have to do with the question. Because a man is a candidate for office is it any argument for not establishing the office? I suppose you will find at the Mayor's room two or three thousand applications for appointments on the police force. Does that signify that we should not have any police? The gentleman has frequently said that there is no necessity for this. It strikes me that this is simply a begging of the question. That is a question before us. And in illustration of his argument upon this point, he says that our firemen are of the best material and of good quality; therefore, why establish a commission? The gentleman, the other night, took occasion to eulogize the Fire Department. Well, we all admit their virtue; we applaud their heroism and their many noble deeds of daring, and for one I will not yield to the gentleman in respect to adoration of them. But it seems to me that is one argument in favor of a commission. Why could not you say on the theory of the gentleman, "What is the use of having a president, superintendent and board of directors of a railroad after you have got your rolling stock,

engines and cars and your conductors and engineers appointed? What is the use in having a board of directors? The successful contest with a fire depends on the engineer and his assistants. So it does after the fire begins. Just so the successful running of a train depends upon the engineer and his assistant. You might as well ask the use of an expensive war department when the men were in the field and the officers were at their head. It has been asked further, "What is there that a commission can do that we cannot do?" I say that this is the same argument with which conservatism has met every reform in the world's history. Whenever an institution becomes defective and a new institution is proposed, conservatism says "What is the use of a new institution? We can do just as well under the old. I wonder if the gentleman from Ward 12 had lived in this country a hundred years ago, I wonder whether he would have been a Revolutionist or a Tory. If he had the same sentiments that he has now he would have been on the British side, and would have asked what is the use of a new government here? the old government can repeal these things just as well as the new. I think this department can be better managed by a commission than by the present committee. I don't say this for the purpose of finding fault with the government, but because I think the subject is large enough to engross all the attention of those who are in the management of it. The gentleman has said that the trouble is in our tall buildings. Well, let us have three gentlemen appointed to solve the question whether we can protect tall buildings, and if we cannot let some one tell us so. Again, it is said that the people don't want a fire commission, and we have learned how thoughtlessly people sign petitions. But who are these men whose testimony was so unanimous in favor of a commission but those who lost their hard-earned fortunes, the accumulations of years, by the great fire of the ninth of November? But even if this commission should not enhance the safety of property in this city, I should believe in its establishment for the establishment of confidence in the Fire Department of Boston. There is no doubt that there is a great want of confidence in the people of Boston, and it is injuring business, increasing the rates of insurance and keeping capital from coming to our city. It is imperilling the business interests of the city, and I believe it is our duty to do something to relieve the anxieties of the people upon this subject. I think we should establish it at once, and in that way reestablish the confidence of the people in the Fire Department of the city. It may be defeated here or not. I don't know how the vote will be; but, sir, if it is, I believe that the people will take the subject into their own hands and make it one of the issues in the next municipal election, and send here men who will establish it. Believing that it is our duty to establish this commission at once, I hope the majority report will be adopted.

Mr. Mahan of Ward 5 asked whether an amendment to the minority report would be in order, and the President said it would.

Mr. Mahan—Then I move that wherever the words "Board of Aldermen" occur in italics in the ordinance submitted by the minority, the words "City Council" be substituted, so that the City Council and not the Board of Aldermen, shall have control of the department.

Mr. Dean of Ward 12—The gentleman from Ward 10 has done me the honor to suggest that if I had been living in the time of the Revolution my conservatism would have led me to be a Tory. Now, my objection to this commission is that it is simple, direct Toryism, and the majority report says so when speaking of standing armies as repugnant to our form of government and citizens look upon them with distrust. And they propose to go back to Toryism, to abandon all our Republican notions, to abolish all our town meetings, to have a city government have nothing to do with the business, and appoint a commission permanent in its character and established a Tory oligarchy in the place of Republicanism. That is the argument. I am on the Republican side. It is proposed to give our men, machinery and money to three men who are to be appointed, one each year, and cannot be removed except for cause. How can you remove them then? The gentleman from Ward 16 says they can be removed at any time for cause, but you cannot remove a man except for malfeasance in office, or some heinous crime, after he is once appointed, and not then until he is convicted by a jury; so that it is coming back to Toryism to take it from the Mayor, whose duty it is to look after the city property. The gentleman from Ward 5 suggested the other night that it was taking

it out of politics. The objection is the same that was urged against the Board of Public Works in Washington, who, having control of the men and means, also control the votes of the men. That is the collar we are undertaking to put about our necks. Men who cannot be removed, except for malfeasance in office, could secure a majority of the City Government by having control of the votes. If we had a street and police commission, why just before election you would see large numbers of men employed and great works going on all over the city, and your hands bound so that you cannot do anything. There is Toryism. I call attention to the fact that the majority report recommends every alteration that the majority does except putting it out of your power and into the hands of those that you cannot control. You have said that we have done nothing for the protection of the city. Haven't we had a law passed to prevent Mansard roofs being constructed so that the city shall be saved? Has n't everything been done that could be done? I admit that I am a little conservative. I don't expect to get up a panic when I see people crying in the streets. People all sign petitions. It reminds me of Æsop's fable of the frogs who were dissatisfied with King Log, and Jupiter sent them a stork for a king, and the stork ate them all up. The moral of the fable is to caution people to take care of their liberties. That is what we say. Hold on to your liberties, and cure your Fire Department of every defect at the same time. Let your Chief-Engineer be nominated by the Mayor. Establish your repair shop, appoint a fire-marshal, do everything you can, but maintain control over the department. It is true you cannot run a railroad without a board of directors, but having got your board, your president and engineers, you wish to put them under a commission, so that on this principle each road in the Commonwealth shall be under a commission. You have a commission now, to all intents and purposes, and it is responsible to the City Government.

Mr. West of Ward 16—The gentleman seems to have found that a commission is going to eat people. It takes two to make a bargain. The city cannot be eaten up by a commission. If the commission becomes corrupt the City Council can repeal the ordinance. But I don't believe that they are going to be corrupt. If it is, why have almost all cities in the United States adopted this form of working the department and won't change it? He proposes to take this ordinance up in detail. Well, it is now the first of October, and by January we should get half way down the list, and then a new set of people would come in and they would have to go over it all, and by the next January they might get three-quarters done. There are a great many things in this; for instance, it requires Clark's linen hose to be placed in the police stations. Mr. Clark would be glad to have this, but the trouble is there are others who make linen hose, and they would doubtless like to supply their style too. How would the gentleman manage a law case if he had to consult every Harvard student about it? We are not afraid of the responsibility of recommending the commission, and have done what we deemed for the best interests of the city. We heard all the arguments, and gave ample time for the remonstrants. The gentleman says it would n't be safe to put this thing into untried hands. What is this City Government composed of but untried hands every year? A commission would soon be masters of the situation if they prove to be such men as I suppose we should get. Now he says what can a commission do that the Board of Aldermen cannot do? Well, the Board of Health has investigated 5000 nuisance cases, which is more than the Aldermen ever did, whether they could or not. They know that the public is looking after them. I propose that the City Government shall look after the commissioners, but I would have every important department managed by three men, hired to look after details and do the work. I don't believe in so many hughbears. If the Aldermen could be relieved of all the detail and trouble of these departments, and have that work done by men hired for the purpose, you could get better men in that Board. You can't get the best men to serve as Aldermen now, because it takes so much of their time. We are not always prompt at our committee meetings. We can't be. The gentleman says he has heard no argument in favor of a commission. I certainly have heard none against it. I hope the minority report will not be substituted, and I hope the majority report will be adopted. The people demand this thing and the press are a unit on it.

Mr. Blackmar of Ward 11—It seems to me that the gentleman who last spoke has struck the key note of this question, and brought us right back to the real issue. He says he should like to have all the mat-

ters of the City Government managed by commissions. That is the point. I fully sympathize with him and heartily echo his sentiments when he says the important departments should be managed by commissions. The details should be managed by hired servants, but those elected from year to year should have joint supervision of them. If that were the case we should get a better class of men into the Board of Aldermen and Common Council. It seems folly to argue this question further, so much having been said that it is almost impossible to urge anything new either for or against it, because every member must have made up his mind by this time. Still it may be well to refer to one thing which seems to me is of the most vital importance in this consideration. That is the fact that the gentlemen who have advocated the minority report with great ability have all appealed to our pride as members of this body, and threatened or rather warned us that we were losing our prerogative in letting slip the right to manage the various departments of the City Government. It is a fact that every one of us will not deny, that we cannot properly attend to the city's business. We come here without pay and devote all the time we can to our business, and go away from City Hall feeling that we have not properly done our duty. What is the result? It is not pleasant to contemplate, but the efficient clerk of the committees, and the heads of departments have more influence in the committees than many of us would like to acknowledge. Many of the petitioners know that as well as we do. Every year sends a new set of men into this and the coordinate body. The President of the Council does the best he can in making up the committees; he must take the material furnished him by the voters. In some instances we know that the very best men are not furnished. They are utterly unfit to perform the duties assigned them the first year. It takes a year to learn how to act properly, and it is our experience that the old members and the very able clerk of committees do the most of the work, and I fear had we not such an able clerk our business would not be so well done as it is. In saying this I do not mean to reflect upon members of the Council. We devote much valuable time to the city's business. But our minds are on our private affairs and the city's interests are not properly attended to, which was probably not so all the time. When the city was under a town government the selectmen could talk matters over at their tables. We have outgrown many of the institutions as at first organized. We have grown into an immense municipality, and it is simply impossible for the members of the City Council to deal justly with the affairs of the departments. We have to have paid clerks and heads of departments to attend to details. If I understand this plan it is to get the best talent, to obtain men who will devote their best knowledge to serve the city in this direction. It has been said that it will deprive us of great power, that we will be bound hand and foot. Now we do give the details and hire them done. But we are at the head of the machine. We hold the sinews of war in the purse strings. They must report to us. That we do not propose to give up. The gentleman from Ward 12 speaks very eloquently of the people and of defending their liberties. This comes right home here. Shall we have business done by properly paid commissions who will give attention to the subject? I do not pretend to reflect on the Fire Department. But those arrangements which formerly existed under a small city cannot do the work of what is now called Boston. The Board of Aldermen is composed of good men, but the number of good men who can be obtained is small. Unless we adopt some plan to get rid of caring for the departments, we shall drive good men from the City Government and leave it in the hands of men who have no employment, who are making a profession of politics, or of old fossils who should be laid upon the shelf. There is danger of drifting to this extreme, and it is too much to expect of men who are not paid for their time. The work is not attended to properly and will not be. In saying this I do not mean to reflect upon any members of the committees. I believe we do work hard and save the city money by our care of its interests. But in my opinion it often happens that we see the necessity of more investigation. But still we have a great deal to do, which takes a great amount of time and which keeps us busy. I hope that this minority report will not prevail, and that we shall comply with the wishes of the eight thousand petitioners, and appoint a commission. If they did not know what they were signing, they knew that something was wrong and radically wrong, that there is so much to do unless we

have a paid commission our business will be terribly neglected.

Mr. Mahan of Ward 5—I did not propose to be drawn into this discussion, but preferred that the Committee on the Reorganization of the Fire Department should submit their views to this Council. But the committee are not unanimous, and as one member of this body I desire to give my reasons for my vote. Both reports have been ably presented, and there is something good in each. But I cannot agree entirely with either one or the other. Therefore I must act for myself, and for this reason made the amendment to the minority report that I did. I also propose another amendment to section 24, where it says the Board of Engineers shall be confirmed by the Board of Aldermen. I propose that the words "City Council" be substituted for the "Board of Aldermen." I do this not for the purpose of distracting attention from the merits of either of the reports, but to test the feeling of the Council in that matter. I propose to be thoroughly democratic; to put the responsibility where it should rest, not with one branch of the City Government but with the City Council who are directly responsible to the people. I think the minority report is made better by this amendment. The question is, whether a commission shall take the place of the present system, or whether we shall go on and rectify any mistakes that have been made, and whether we are able to adopt these measures, or allow the department to go into the hands of three men. The last speaker said the member from Ward 16 struck the key note. If that is the idea the quicker we centralize power the better. Abolish the City Council and Mayor and centralize power in the commissions. The more talk you hear of this commission the more you see the cat in the meal. We have men who talk about salary and Credit Mobilier; they are the very men who put their hands into the city treasury and enrich the commissions. I believe in reform, and the man that would have turned out every commission in this State was defeated by the same men who are advocating commissions. They are talking of reform, but do not mean it. We are drifting into Toryism, and it was Toryism that defeated the man who favored reform. People who signed those petitions did not know what they were signing. Responsibility amounts to nothing if you are on the side of the Tories. I believe in dealing with matters which come before this Board in the light of reason, and if I cast my vote I shall give my reason for it. It is not because a president of an insurance company wants me to vote. Threats have gone out that men could not be returned to this Council unless they vote for a commission. Where is your respectability? Are your Jay Cooke's and Clewises more competent to decide this matter than we?

Gentlemen have been in the Fire Department who don't climb ladders with kid gloves. They don't stand off and say, "If I had charge of this matter how I could manage it." The Fire Department of Boston is the best in the country. A gentleman has referred to the loafers and fossils, but my experience of commissions is there is considerable of fossilism about them. It is certainly a cumbersome institution at the present time. We have three gentlemen on the Board of Health drawing money from the treasury, when they might be in better business. I believe the Board of Health is a failure. It is a paid commission, and ought to be abolished. Instead of instituting new commissions, we ought to get rid of some we have. All the good argument that has been used for a commission is in the minority report. What is needed are two fire-marshals confirmed by the City Council, men who can be removed at pleasure. But we want no more commissions. If we are to have them, let us abolish this City Government, and set up that which the people have said they would not tolerate.

Mr. Jones of Ward 14—I don't think it possible for any member of the City Council to have a deeper interest in the Fire Department than myself—that interest that will make the department the best ever known. Knowing the workings of the department as only one can who has been an active member, I feel that I know its wants, weakness and failings as well as any member of this body. The Board of Commissioners, appointed to investigate the cause of the November fire, accorded all praise to the firemen, and well they might, for I fully believe that no city or State has a superior force in regard to intelligence, ability, fidelity to duty and bravery. And yet, the majority of the Committee on Reorganization tell us we have not the drilled, disciplined and trained professional skill in the men now that we should have if we were all

a regular department. And in support they refer to the testimony of ex-Alderman Fitch, who was nine years in the Hand-Engine Department, eight and one-half of which he was foreman. On his and similar testimonies they have made their report. With all due regard to the ex-Alderman, in old hand-engine times only about one-tenth of the members were firemen—the third foreman and those on the leading hose. The foremen and those who worked the brakes of the engine certainly were not as good judges of fighting fires as those who today look at the same from the sidewalk. Today all firemen are firemen, in the full sense of the word, and those who say that the present men do not fight fires as bravely and as skilfully, and from the inside of buildings, state what cannot be substantiated by facts, as any one who will investigate at succeeding fires will be convinced to the contrary. Previous to the fire of November 9th, what body of men commanded the confidence of the community more than the Boston Fire Department? Was it not always acknowledged that the Chief-Engineer and his assistants were masters of their business, that our firemen were equal to any emergency and able to cope with any fire? Unfortunately the confidence was so strong that any requests made for additional apparatus or for an increased water supply passed by unheeded, and the chief of the department was often told that he was trying to magnify his department in asking for what he and his assistants well knew was urgently demanded. And I well know that when the alarm rang out from certain boxes, it carried terror and anxiety to the officers and members of the department, they well knowing what the chances were to stop the devouring element with their facilities should it attain a great headway.

My eloquent friend and statistician from Ward 5 has endeavored to show by figures the increased expense of the Fire Department as compared with other cities, but his figures will not bear analysis. In City Document No. 107 the Committee on Fire Department presented a table of expenditures of the different fire departments. I hope every member has carefully read it. I have prepared a few figures, Mr. President, which I think show that our department has admirably managed all fires, as the following table will show:

Name.	Date.	No. of Fires.	Total Loss.	Loss at each fire.
Chicago.....	From 1866 to 1869	1,478	\$479,940	\$5,737 00
St. Louis.	" 1868 to 1872	797	3,701,400	4,664 00
New York..	" 1866 to 1872	7,130	26,247,154	3,681 25
Philadelphia	" 1871 to 1873	1,240	3,635,963	2,932 25
Boston.....	" 1866 to 1872	2,712	4,725,953	1,742 60

This statement does not include the loss by the great fire in Chicago or the loss by the fire of November 9, and only part of the loss of November 10. All of the above departments were and are now under a board of fire commissioners except St. Louis and Boston. To attempt to change the ordinance (a relic of old hand-engine times) was only to meet with rebuff, as it has always been said that it has worked well and there was no need of a change. Allowing that the fires of November 9 and May 30 had not happened and the committee had reported expedient to place an engine and ladder company on Fort Hill, would it not, as had been previously the case in another locality, have been voted inexpedient? Would not the press (even had the order been passed favorably) sent forth in their strongest manner their denunciation of uncalled-for expenditures?

Again, if the Committee on Fire Department previous to last November had asked the City Council to pass an ordinance giving the right of way to engines going to a fire, I think it very doubtful if it would have been passed, as I am led to believe from the following article taken from the Boston Journal of April 21st, 1871, viz.:

"An alarm of fire sounds; before the location of the fire is indicated a second time, from steam fire engine houses and hose houses the machines dart out, drawn by one, two and three horses. The gongs are sounded to clear the way for these rolling fire annihilators. It may be a large warehouse stocked with valuable goods, or it may be a feather-bed in Mrs. Mulloney's attic, which is the cause of all this commotion. The firemen are equally anxious to be in season. If Hose No. 2 should get a stream on sixteen seconds before Hose No. 3, the pride of the fireman's heart would be touched. The engines and hook and ladder carriages dash on at a fearful rate of speed, through crowded thoroughfares and narrow streets. Human life, horseflesh and vehicles appear to be of little consequence, and so far as there is any evidence, the whole material of our streets, animate and inanimate, may go to everlasting smash, so that Engine No. 100 can outstrip Engine No. 200 in the race. It is a source of surprise to every one that some acci-

dent has not happened before this. There was no intent, of course, on the part of the driver of the hook and ladder carriage to injure any one, but the city authorities are responsible for permitting this species of insanity, which seizes firemen whenever there is an alarm of fire, to continue unchecked. It is supposed that our Steam Fire Department is so scattered throughout the city that no section is left unprotected, and there is no spot so far distant from an engine that it may not be reached in five minutes. Where then is the necessity for this reckless haste, when not one-half of the engines which attend a majority of the fires ever put on a stream?"

Since last November the people have realized that the Fire Department is one of the most important departments under the control of the Government, and that its growth has not been in keeping with the increased demands. We have been led to believe that the department were equal to any and all emergencies. And the commanding officer, as I said before, equal to any. And in support of this statement I need only to refer to a very few paragraphs from our own papers. The Boston Transcript of February 14, 1871, says—

"The unanimous reflection of John S. Damrell as Chief-Engineer of the Boston Fire Department is a deserved compliment to his efficiency and rare administrative ability."

On the same date the Boston Post has the following article:

The Fire Department. The Board of Aldermen paid our excellent Chief-Engineer, John S. Damrell, a well-deserved compliment Monday by unanimously reflecting him for another year; under his administration the department has reached a degree of discipline and efficiency which puts it at the head of fire departments in this country, and makes it a credit to the city. No better evidence of its efficiency is needed than the splendid manner in which it handled the fire at the Adelphi Theatre a week or two since. Our citizens have abundant reason for feeling proud of the Fire Department of Boston."

And the Post of Feb. 8, 1871, says—

"The generosity of Messrs. Hovey & Co. is alike creditable to that enterprising firm and to the reputation which our Fire Department so deservedly holds. There is no branch of the public service requiring more vigilance, endurance, promptness and hard work than that department, or in which more energy and real ability is displayed. The Fire Department of Boston is an institution in which we have both pride and satisfaction, on account of the able manner in which its duties are performed, and the undoubted security which it affords every citizen. Both in its management and in the details of its practical workings, where each man's individual exertion tells, it is worthy of all praise. In making so liberal a contribution to the charitable fund of the department, Messrs. Hovey & Co. have shown a generous appreciation of the value of the service which hard-working men render the community, which every citizen will heartily indorse, and which will doubtless be gratefully remembered by those to whom this contribution will be of the greatest value because elicited by the bravery, integrity and efficiency of the firemen of Boston."

Many more of the same kind I could read if necessary. I well know, Mr. President, that many changes can be made in the government of the department that will add to its efficiency; and in the report of the Committee on Fire Department (City Doc. No. 43) part of such changes are recommended.

In the minority report they say—

"The majority tell us the things they want done; they desire to appoint a commission to do them. Will the commissioners do these things? We don't know. If we are agreed as to what should be done, why not do the things we are agreed ought to be done? And then we shall be sure they are done, and done quickly and cheaply. Why put an additional expense of from fifteen to thirty thousand dollars per annum upon our taxpayers, when by a little extra labor we can save it all, and get exactly what we are agreed we want; certainly, what we are asked to appoint commissioners to do?"

Did not the commissioners of the November fire report that the engines were in good order, that the hose was generally excellent? What could a board of fire commissioners do more than keep the apparatus in good condition and ready for use? I is not proposed for them to fight fires, and I would ask if this Council is not fully competent to judge who are capable of fighting fires as well as any three men that may be appointed? And how far, in case of failure of any of the men they may appoint, does the responsibility rest? Do we propose to put them under bonds that no fires shall occur in this city? The whole thing is absurd. It is simply that some one wants a commission, and for what? To do just what

the commissioners say was well done—everything kept up to the maximum. Perhaps it may not be generally known that on Sunday morning, November 10, a corps of mechanics from Manchester was at work, and they brought with them link-blocks, springs, leathers, valves, etc., to repair all damages that occurred the previous night. And on Monday night, November 11, the whole department was in as good working order as at any time since its organization. Could a board of commissioners do more? It is claimed by some gentlemen that they want some one who is responsible for the management of the Fire Department. We can satisfy them if that is all they want by having the Mayor, Chairman of the Board of Aldermen and President of the Common Council added to, or having them a part of said committee. We can do all that a board of commissioners can possibly do, and can make the Fire Department as complete in efficiency as it is possible to make it. It has been argued that we must have the men always ready for duty at the several houses. I believe, in the business portion of the city where the men are likely to be away during the day, and at night where they will be obliged to sleep on the extreme outskirts, we should employ permanent men, and I would do more; I would divide the city into, say six districts, in each of which I would have an assistant-engineer appointed permanently, whose duty it would be to have the entire charge of the men in that district, to examine all places where combustible materials are stored, and to make himself perfectly familiar with the construction of all buildings, and to post himself in the best way to attack fires, occur where they may. I would have them report to the Committee on Fire Department at their regular meetings every two weeks, and there make such suggestions and reports as will in their judgment be for the interest and safety of the inhabitants in their several districts. The commissioners, if appointed, will (for they will be obliged to do as the majority recommend it) make the whole department a permanent force; this will increase the expenses over the present cost \$353,029 50 over that recommended by the Committee on Fire Department \$315,580 75, an amount I think uncalled for. I don't think the people today are in favor of commissioners. We now have the health, public institutions, Mount Hope, water, City Hospital, ferries, Public Library and streets under commissioners,—all are too far removed from the people. After the commissioners are appointed they can snap their fingers at the wishes of the people. If we are to have commissioners, let it be done by the vote of the citizens; and at this time, Mr. President, I think it proper to state what the Committee on Fire Department have done since November last, as it is often stated that they have done nothing to increase its efficiency. They have located a steam fire engine on Northampton street, one on Parker street, one on Washington square, one horse hose company on Fourth street, one hook and ladder company on Washington square; have changed some, and are constantly having the horse hose carriages altered so as to convey the firemen to the fires—have placed horse hose carriages to run in connection with Engine companies Nos. 4, 7 and 8, and will locate steam fire engines on Mason street and Warren street, as soon as the houses are completed; they have also ordered horse hose carriages to be manufactured to run in connection with all of the engines in place of the small tender now drawn behind. I concur in the recommendation for a repair shop submitted by the minority. I heartily advocated that in committee last year. In answer to the gentleman from Ward 10, in regard to insurance, I have it from the presidents of two companies that the rates in Boston are no larger than in any other city. I only hope, Mr. President, that all will vote according to the dictates of their own conscience, and not do as one of the majority Committee on Reorganization told me only a short time ago, that he thought the Fire Department was all right, that the officers were competent, and it was well managed, but the people or press was demanding a change, and he was willing to cater to their wishes.

Mr. Shaw of Ward 5—The gentleman who has just taken his seat calls my attention to figures. I am very glad to have him do so. When I can't answer his figures then I will give up the argument. I shall not undertake to controvert a single statement that he has made. He gives me credit of being a statistician and having presented some figures which may be unanswerable and have been denied here. I desire to read a response to a letter of mine from the Auditor of Accounts.

Mr. Shaw read a letter addressed by him to the Auditor of Accounts, inquiring if the statistics of the expenses of the Fire Department, presented at the last meeting by Mr. Wells of Ward 3, or those given

by Mr. Shaw at the previous meeting were correct. The reply was as follows:

CITY OF BOSTON, CITY HALL, }
Office of Auditor of Accounts, Sept. 29, 1873. }

George A. Shaw: Dear Sir—In reply to yours of this date, I would state that the statistics are correct in conformity with your request. As regards those of Mr. Wells, I can only say that they were not compiled in this office, and the method of the compiler as to what is contained in the figures in reference to expenses, I cannot say.

Yours truly,

ALFRED T. TURNER, Auditor.

Mr. Shaw—So much for the denial that my figures are correct. Now, while I am on my feet, I want to add a few more words because information has come to me today which has determined me to make this statement. I want to give the percentage of increase of expenditures of the Fire Department from 1860 to 1873 on the basis of Mr. Wells's figures, which I now quote. Mr. Wells takes from 1860-61 to 1872-73, while I carefully stated that 1872-73, with its enormous expenditures, was excluded from mine. By the calculation of Mr. Wells he gives the expense of the department in 1872-73 as \$605,310 99, avoiding the expense of the fire alarm which is as much part and parcel of the department as a wheel is a part of a coach.

Carefully avoiding the extraordinary expenditures of 1872-3, I take the amount included therein, exclusive of \$137,000, which Mr. Wells claimed as extraordinary, of 1872-73, and we have an increase on the cost of the department of 340 per cent., while all I claimed by my figures is 317 per cent. If Mr. Wells's figures prove anything they prove too much. He makes the increase 340 per cent. instead of 317. If gentlemen will bear in mind that the increased amount of population is but fifty-five per cent., and the increase in valuation of taxable property is only 147 per cent., and the increase in loss by fire 144 per cent., you will see the enormous difference in the cost of the department, which has increased 340 per cent. according to Mr. Wells's figures.

The President—The Chair would remind the gentleman that the hour (half-past ten) has arrived at which the Council has voted to take a vote on this question.

Mr. Shaw—I would ask permission to give a few more figures.

Mr. Dean of Ward 12—I move that the gentleman be allowed five minutes to close in.

Mr. Flynn of Ward 7—I understand there are other gentlemen who desire to be heard on the other side of the question.

Mr. Dean—I move the time be extended to eleven o'clock, when the vote shall be taken.

Carried by a rising vote of 23 or to 17 against.

Mr. Shaw said he had been inquired of by many persons in regard to the figures concerning the city of London, read at the last meeting, and he had fortunately received a report from Colonel Henderson, the Commissioner of Police for the metropolis of London. From this he found the number of houses built in London last year was five times as many as there are in Boston today. Between the years 1849 and 1872, inclusive, 254,876 houses were built in London, so that the proportion between London and Boston, today, is about 400,000 against thirty-one thousand and perhaps five hundred in Boston—London has twelve times as many inhabitants as Boston, eight times as much area, and from twelve to fifteen times as many houses as Boston. And yet the amount appropriated last year, and expended for the purpose of a Fire Department in London, was only about \$340,000, and the amount appropriated this year is about \$350,000, while we have appropriated this year \$550,000. At the rate we are going on unless more economy is used in the purchases for the Fire Department, and unless there is more responsibility given to or taken by somebody, or exercised by some parties, I think we shall run over \$550,000. I have been trying for some time to get at facts. Complaints have been made to me that certain expenditures were made for apparatus purchased at figures higher than the market price. I hold in my hand a letter to show why I have been doing so. Mr. Shaw then read a letter from a merchant, whose name he declined to give, stating that one thousand feet of eight-ply hose was sold to an outside party for 77½ cents a foot, which was immediately afterward resold to the Fire Department at \$1 25 per foot. The writer also thought that grave mistakes had been made in the kind of hose used. In reply to another letter from Mr. Shaw the same gentleman wrote that he had reason to believe the hose above mentioned had passed through the hands

of two or three parties before reaching the city, but he declined giving the name of the party to whom it was sold. Now, continued Mr. Shaw, I have been bluffed at every quarter in getting information. Long and frequent correspondence with officials had elicited no direct replies, only evasive answers. At the proper time I have a communication to make to the City Government, though as at present advised, I will not now charge corruption upon any one. But I do assert there is at least unlimited license about the management of the affairs of the Fire Department. While that is the case I find members of the department about City Hall making their trades and bargains to defeat this measure before us. I charge no man at present on the committee with corruption; but there have been men on the committee for whom I cannot say so much. In conclusion, Mr. Shaw hoped the substitution of the minority report would be defeated.

Mr. Loring of Ward 12—I wish to speak briefly and explain my reasons for voting against a commission. The gentleman from Ward 9 stated in substance that he had adopted the sentiment of the man who said "I know of no way to judge of the future but by the past." I too have adopted that sentiment; and judging from the past what can we expect of the future. I regret exceedingly the necessity which compels me to speak plainly of some of the commissions which have had charge of the interests of our city. I will allude to the work of the Trustees of the Public Library. From the time Mr. Ticknor and Mr. Everett left that board there was a sad tendency to hoard books, and keep them from the people. At the time when an attempt was made to remove the library to the extreme northwestern portion of the city, near Brookline, for the purpose of making it a place of retirement, and of depriving the people of the liberty of using it, the gentleman from South Boston was the only man who appeared before the Committee of the Legislature to oppose that scheme. He did it for the interests of the people. The trustees in advocating their cause before the legislative committee to determine on a site for the library stated the great advantage it would be to the students and the professors of Harvard College if the library was placed nearer that institution, forgetting wholly the interests of the people and the fact that the poor people of Boston would be compelled to go a mile or more through summer heat and winter snows to reach the advantages intended for them. The trustees at that time learned that they must act in accordance with the public sentiment of the people, and from that date to this I am happy to say that they have endeavored to popularize the institution and circulate the books for the benefit of the class of people for whom they were provided. The Boston Fire Department has been pretty severely criticised; but has any one of our number heard one word against the Water Board of the city of Boston who, in my opinion, are more to blame for the spread and extent of the fire of November 9th than any of the other boards which have been criticised for inefficiency. On the sixteenth of June last I had the honor to offer an amendment to an order calling upon the Water Board to report to the City Council as soon as possible what alterations in the water pipes and hydrants would be required to furnish an adequate supply of water to the city for all necessary purposes. I hold in my hand their report. They submit to the Council the report of the City Engineer, who recommends that not less than six miles of twenty-inch pipe, two of six-inch, five of twelve-inch and five of six-inch are required in the city proper, eight of twelve-inch, three of eight-inch and two of six-inch in East and South Boston; more than a mile of twenty-four-inch, one of eight-inch and one of six inch, in Roxbury—in all more than thirteen miles—to make alterations to afford an adequate supply of water to the city of Boston. Now in regard to the Directors of Public Institutions, I believe that no recommendations of theirs for years in regard to any feature of the city institutions has been carried through the City Council. I think that is evidence that that board is not in accord with public opinion. I am unwilling to vote for a fire commission, or any other commission until the people and the City Council of Boston require the present boards to come up to the point of efficiency at which they should be. And yet I must say that the gentlemen composing the two boards to whom I have alluded are, in my opinion, men who have a high sense of honor and duty, and obedience to the laws of God and man, but as boards they have fallen far short of their duty.

Mr. West of Ward 16—I move, when the question is taken on the substitute, it be by yeas and nays.

The motion was carried.

The motion was put on the amendment of Mr. Mahan of Ward 5, and as the President was about to announce the result, Mr. Denny of Ward 9 called attention to the order of the Council requiring every member to vote. He asked that the rule be enforced.

The President called upon members to vote, and the question was again taken by a rising vote. The result was 37 in favor and 22 against, and the amendment was declared adopted.

The question recurring on Mr. Dean's motion to substitute the minority for the majority report, it was adopted, yeas 33, nays 23, as follows:

Yeas—Messrs. Abbott, Anderson, Bleiler, Brennan, Burt, Collins, Dacey, Dean, Doherty, Edwards, Flatley, Flynn, Hine, Hughes, Jones, Kelley, Kingsley, Loring, Madden, Mahan, Marston, Martin, McCue, McKenney, Morse, Pease, Thacher, Train, Upham, Warren, Wells, Weston, Woodward—33.

Nays—Messrs. Adams, Barnes, Bicknell, Blackmar, Boardman, Brackett, Burditt, Caton, Cudworth, Darrow, Denny, Hall, Harrington, Holmes, Lamh, Page, Perkins, Pickering, Powers, Prescott, Risteen, Shaw, Shepard, Tower, West, Whiston, Wilbur, Woods—28.

The question being on the giving the substitute a second reading, it was ordered by a vote of 33 yeas to 23 nays, precisely the same as the previous vote.

Mr. Denny of Ward 9 moved that the ordinance lie on the table. This was defeated by a rising vote of 23 in favor and 35 against.

Mr. Dean of Ward 12 moved an amendment to the fifty-eighth section, by striking out the words "said repeal to take effect on the organization of the Fire Department as herein provided." The amendment was carried.

Mr. Flynn of Ward 7 moved the vote giving this ordinance a second reading be reconsidered, hoping it would not prevail.

The motion was lost.

On motion of Mr. Mahan, the ordinance was read the second time by its title, and the question being on the passage of the ordinance, Mr. West of Ward 16 said he hoped the friends of the minority report would not press the question tonight. It ought to be taken up section by section, as its advocates urged. He hoped to see it discussed in detail.

Mr. Dean of Ward 12—We have a full Council tonight, and if the gentlemen who have charge of the majority report will agree to do what they can to amend this ordinance and to perfect it without undertaking to attempt to carry the commission, I will agree to anything. But if they only wish to filibuster, to make it go at a small meeting, of course I will not consent.

Mr. Denny of Ward 9—I was totally unprepared for the passage of the ordinance tonight, and I do not believe the members of the Council can act correctly upon this question now. We have got to a point where we cannot reconsider. We should discuss this ordinance. Some members would have been in favor of placing the department in the hands of the Aldermen if they could not get a commission, while the gentleman who presented the minority report voted to keep it in the City Council. If I could not have had a commission I should have joined hands with the gentleman in giving it to the Aldermen. But he controverts the spirit of his report. I think we ought to have time to consider this matter specially.

Mr. Perkins of Ward 6 read extracts from Mr. Dean's speeches in the Council in favor of discussing the ordinance in detail, and if necessary to have a special session. He expressed the hope that time would be allowed for discussion.

Mr. Dean—My belief is that this ordinance is as perfect as it could be made. I am content, however, to debate the proposition if all will agree to it, but don't undertake to fight on the commission again. This is my proposition: Instead of going for a commission, try to perfect the ordinance. But if you undertake to pass the commission I shall object.

Mr. Denny of Ward 9—The gentleman and myself may be considered as standing opposite each other on this question. He comes in here with a report, and the radical change which he proposes in the organization of the Fire Department is that it be under the supervision of a special committee of the Board of Aldermen. He has sustained it in his speeches in this hall and in committee. Now he wishes to oblige us, if he waives this point, to give up the desire to press the commission. He is not right in urging that after making a breach of faith—I do not intend to use the term offensively.

Mr. Dean of Ward 12—If they will accept the proposition that was made, I shall certainly agree to it, so that we can go over this ordinance at any length of time, and afford an opportunity for amending it.

Mr. Denny—Will the gentleman be willing to have the question he proposed put again?

Mr. Dean—I will agree to anything but the discussion of a commission.

Mr. Flynn of Ward 7—This matter has been discussed for some time, and I don't believe the Council wish to listen to any more arguments. I therefore move the previous question.

The main question was ordered—40 to 16,—and the ordinance was passed.

Mr. Brackett of Ward 10 moved to adjourn. Lost.

Mr. Flynn moved a reconsideration of the vote whereby the order was passed, hoping it would not prevail.

Mr. Brackett moved that the motion lie on the table. Lost.

Mr. Flynn moved the previous question and the main question was ordered—40 yeas, 16 nays.

The motion to reconsider was lost.

On motion of Mr. Jones of Ward 14, the Council, at half-past eleven o'clock, adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
OCTOBER 6, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M. today, Alderman Cutter, Chairman, presiding.

JURORS DRAWN.

Four Grand Jurors were drawn for the October term of the United States Circuit Court.

EXECUTIVE APPOINTMENTS CONFIRMED.

Constables—Aaron F. Nettleton, T. Wilson Stratton. Special Police, without pay—John McLean, at Howland Athenæum.

PETITIONS PRESENTED AND REFERRED.

To the Committee on Survey and Inspection of Buildings. E. Goodfellow, to enlarge wooden building on Dorchester avenue.

To the Committee on Paving. George H. Frost, that the Old Colony & Newport Railroad Company be made to maintain a gate at their crossing on Neponset avenue.

John Moses, for a cesspool and flagstones on Cabot street, from Hampshire to Ruggles street.

Denny, Rice & Co. and others, for leave to use hoisting beams at their premises.

Francis Richards *et al.*, that obstructions be removed from the archway on Chapman place.

To the Committee on Sewers. George A. Ellis *et al.*, for sewer in Putnam street, from Bennington to Chelsea street.

J. A. Kohler *et al.*, for sewer in Parker street, from Gore to Delle avenue.

To the Committee on Health on the Part of the Board. James McGraun, for stable in rear of 75 Everett street.

Remonstrance of Charles A. Wiener *et al.*, against enlargement of stable at 134 Eighth street, owned by Mrs. Mary Hurley.

Thomas B. Cox, 606 Bennington street; R. A. Upton, 90 Zeigler street; Cornelius Driscoll, 1 Michigan street; John W. Dorsy, 547 Saratoga street; C. F. Spencley, Sawyer street; Isaac S. Burrell, 620 Munroe street, to occupy stables.

Remonstrance of Alfred P. Rockwell *et al.* against erection of stables by Fred. Pope on Marlborough street.

John Roessle, to occupy stable on Pyncheon street, Ward 15, until May 30, 1874.

Noyes & Walker, to erect wooden stable at 5 North Centre street.

To the Committee on Public Lands. Executors of George W. Blake, for change in condition of sale of land to him.

To the Committee on County Accounts. D. S. Gilchrist, to be paid for work on Probate Records of Suffolk County.

To the Committee on Lamps. Michael Travers *et al.*, that Alger street be lighted.

To the Committee on Armories. Company A, Second Battalion Infantry, for increase of armory rent.

To the Committee on Licenses. Abram French & Co., for the "privilege of using a carriage for the transportation of customers to and from their store, 151 and 153 Milk street (the condition of said street at present being very bad, and during the fall and winter months being almost impassable) with the privilege, also, of standing on Milk street, at the corner of Washington street."

ORDERS OF NOTICE.

The orders of notice for sewers in Moreland street, two hundred feet east of Cleveland street; in Clifton, Albion and Hudson streets, and in Cottage street, between Clifton and Stoughton streets, were severally considered, and there being no objection, the subjects were recommitted to the Committee on Sewers.

On the petition of Atherton Brown, to use steam engine at 167 and 169 Summer street, an order of notice was passed for a hearing October 28, at four o'clock P. M.

QUARTERLY REPORTS.

The quarterly report of the Inspector of Lighters, was submitted, accepted and sent down. During the quarter ending September 30, there have been inspected, 251 vessels, which delivered 19,367 tons; the fees for weighing, marking and inspecting which were \$1376 25; office expenses \$32 30; leaving a balance to be divided of \$1343 95.

The quarterly report of the Paymaster of the Soldiers' Relief Committee for the quarter ending September 30, made the following exhibit: Balance on hand July 1, \$954; received from the Treasurer, \$18,500; disbursed during the quarter, \$19,049; balance on hand, \$405. In July there were 1160 applicants; in August, 1125; in September, 1199. Amounts disbursed during the same period—July, \$6411; August, \$6126; September, \$6512. Report accepted and sent down.

The quarterly report of the Chief of Police was received, accepted and placed on file. It makes the following exhibit: Arrests, 7635; males, 6106; females, 1529; American, 2536; foreigners, 5099; non-residents, 1466; minors, 1590; commitments, 5467; lodgers, 5383. Property taken from prisoners and lodgers and restored to them \$14,660 73; ditto reported stolen in the city, \$16,818; do. recovered, \$15,719 42; fines imposed by the courts \$17,896; amount of imprisonment by courts 442 years 11 months; witness fees earned by officers, \$3968 68; larcenies reported 682; arrests for same 446; amount received for dog license, \$1369. The expenses of the department for the quarter have been \$170,298 96.

WOODEN PAVEMENT COMMISSION.

The Wooden Pavement Commission, who were requested to make a supplementary report, in conformity to the petition of N. C. Nash *et al.*, submitted a communication declining to make such a report, believing that their report already printed and accepted is practically full and complete. Accepted and placed on file.

SEWER ASSESSMENTS.

Assessments for the construction of sewers were submitted by the Superintendent of Sewers as follows: Sixth street from H to I, total \$861 54, to be paid by individuals \$646 16. Dorchester avenue, Shamrock and Commercial streets, total \$11,194 98; to be paid by individuals, \$8022 44. Prescott street, between Princeton and Lexington streets, total \$709 94; to be paid by individuals, \$532 45. Third street, total \$411 18; to be paid by individuals, \$308 39. Fruit street, total \$646 20; to be paid by individuals, \$484 65. Severally referred to the Committee on Sewers.

INVITATION ACCEPTED.

An invitation was received from the Massachusetts Catholic societies for the Board to review the procession of said societies on the occasion of their annual parade in this city on Friday, the 10th instant.

On motion of Alderman Stebbins, the invitation was accepted.

AUDITOR'S MONTHLY EXHIBIT.

The monthly report of the Auditor of Accounts, including the October draft, was presented in print, accepted and sent down. Following is the exhibit:

	Appropriations, Revenues, etc.	Expended.	Unexpended.
General.....	\$11,049,439 63	\$4,653,516 14	\$6,395,924 49
Special.....	9,218,372 21	4,051,354 36	5,167,017 85
	\$20,267,811 84	\$8,704,870 50	\$11,562,941 34

Accepted and sent down.

UNFINISHED BUSINESS.

Order to rescind former assessments for sewers in Longwood and Bellevue streets, and for laying new assessments therefor. Passed.

Report and order to collect assessments for sewers in Dudley, Dennis and Stafford streets. Passed.

Order to abate \$22 27 for sewer assessment upon A. J. Patterson. Passed.

Report and orders to place new steam heating apparatus and a new fence on premises of engine house in Ward 14, at a cost of \$3000, to be transferred from the Reserved Fund. Passed—yeas 11, nays 0.

Ordinance in addition to an ordinance on Health, prohibiting the removal of manure from stables "without a written permission from the Board of Health." Passed.

Order to rescind the order heretofore passed suggesting the alteration of plans of Police Station Eleven, so as to include accommodations for a public library for Ward 16. Passed.

PAPERS FROM THE COMMON COUNCIL.

The following papers were disposed of in concurrence:

Petitions of P. Holton, Company A, Ninth Regiment, and others. Referred.

Orders to complete furnishing of grammar school-house, L street, at an estimated cost of \$7500; and for a transfer of said amount from the Reserved Fund. Passed—yeas 12, nays 0.

Orders authorizing erection of a hook and ladder house on Dudley and Forest streets, at an estimated cost of \$21,000; and for a transfer therefor. Passed.

COMMUNICATION FROM THE BOARD OF TRADE.

A communication was received from Cornelius G. Attwood, secretary of the Board of Trade, transmitting the following resolutions passed by that body at its annual meeting today:

Whereas, In consequence of the late disastrous fires, attention has been called to the Fire Department of this city, and an examination into the system on which it is based proves it to be radically defective and inefficient; and

Whereas, Its continuance is the source of apprehension and distrust, involves the payment of high rates of insurance, results in inadequate protection from fire, and is otherwise detrimental to business interests; and

Whereas, More than ten thousand citizens and taxpayers petitioned for an independent board of fire

commissioners, which experience proves to be the best safeguard against fire; and

Whereas, The ordinance reported by the majority of the committee appointed to consider the subject, provides for the appointment of a paid and independent commission, and has the approval of business men, underwriters, the press and others, whose interests are at stake: therefore be it

Resolved, That the Boston Board of Trade, in behalf of the commercial and mercantile interests of the city, respectfully urges upon the members of the Board of Aldermen and of the Common Council the adoption of the said ordinance without further delay, believing its adoption is in accordance with the desire of the citizens generally, will reestablish confidence and secure the best possible protection from fire.

The communication and resolutions were placed on file.

METROPOLITAN RAILROAD.

The special assignment for five o'clock, being a hearing on the petition of the Metropolitan Railroad, for leave to lay an additional track in Washington street, between Boylston street and Temple place, was taken up.

Colonel E. O. Shepard appeared for the railroad, and stated that unless there are remonstrants he would not take up the time of the Board, but would agree that the subject be recommitted.

The Chairman said the question was on the acceptance of the report (leave to withdraw) of the Committee on Paving.

Alderman Power moved that the counsel for the railroad have permission to speak if he desires it. Carried.

Colonel Shepard said he was not aware that the committee had reported. The reason this location is asked for is for the purpose of distributing the horse-car travel more equally than it is at present. Under the present system the whole down travel centres at the corner of Tremont and Boylston streets. The Highland, Washington street and South Boston cars run into Tremont street at that point, and greatly obstruct travel at that corner. The method by which this was proposed to be obviated was to run through Chauncy street, and it did partially. A portion of the cars were enabled to run down Washington street to Temple place, and thence pass up into Tremont street, which relieved the crowd somewhat. But Chauncy street is very narrow, and there are complaints that business is obstructed by the horse cars running through there. By laying this double track, Chauncy street will be relieved of a considerable portion of that travel, and the cars can then pass down to Temple place, instead of turning up into Boylston street and thus instead of increasing the crowd in that direction, the travel will not all be between Boylston street and Temple place. When Washington street is widened it will give room enough on each side for a double track. There will be no point between Boylston street and Temple place but which will be wide enough for a vehicle to pass on each side of the tracks. In one place there will be twelve feet on each side, and in no place will it be less than eight feet.

On motion of Alderman Gaffield the report of the committee was accepted.

On motion of Alderman Stebbins, it was voted that when the Board adjourn it be to Thursday next at four o'clock P. M.

REORGANIZATION OF THE FIRE DEPARTMENT.

The ordinance in relation to the Fire Department, reported by minority of Committee on Reorganization of the Fire Department, being City Document No. 109, came from the Council adopted, with amendments to insert "City Council," in place of "Board of Aldermen," in italics, and also at end of Section 24; also, to strike out from Section 58 the words, "said repeal to take effect upon the reorganization of the Fire Department, as herein provided."

The question being on concurrence with the Council, Alderman Stebbins said—

I desire to offer a substitute for the ordinance adopted by the Council, and which comes up before us this afternoon. I have listened to the communication which has been read from the Board of Trade, and to the various debates which have been held on this subject, and as the result of it I have prepared an ordinance, which I now submit. This ordinance provides for the election of a board of seven fire directors, similar to the boards which now govern the Public Library, City Hospital and public institutions. It provides for the appointment by the Mayor of four directors, who shall serve without pay, one of whom shall be the representative of the underwriters of the city of Boston, which great interest should be represented.

It also provides for the election of two members of the Common Council and one member of this branch, who are to act with the four to be appointed by the Mayor. It also provides for the appointment of a

Committee on the Fire Department who shall make the estimates for the annual appropriations for the department. The Mayor has the power of appointing the Chief Engineer and Superintendent of Repairs. There is also a Board of nine District Engineers instead of fourteen as at present, with one each for South Boston, East Boston, Roxbury and Dorchester, the Chief-Engineer to have the same power as at present. The fire alarm is to be under the control of these directors, the office of superintendent being retained as at present. The appointments of the companies are to be made by the Board of Directors and the foremen are to be appointed by the Board of Engineers instead of being elected as at present. There are various details which are copied from both the majority and minority reports, and others from the London and New York departments. I move that this ordinance be printed, and that the whole subject be specially assigned for next Thursday, at 4 o'clock P. M. I may say frankly that there are matters of detail in the majority report which I do not approve of. So long as we can have men who will serve the city without pay, I think we ought to get them. I do not want a paid Board of Directors. We can have better men than we can hire for five thousand dollars a year. I doubt if we could get the Alderman from Ward 1 for that sum, to give his exclusive attention to the ferries, and yet he gives his time to that work for nothing. The gentlemen of the Water Board have committed to their care some nine hundred thousand dollars a year, and they give their whole time to the care of that department without cost to the city. Now, if we intend to establish all these boards as paid commissions, well and good, but unless that is so, I shall not vote for a paid fire commission.

Following is the substitute ordinance offered by Alderman Stebbins:

Be it ordained by the Aldermen and Common Council of the city of Boston, in City Council assembled, as follows:

Section 1. The Fire Department of the city of Boston shall consist of a board of seven directors, a chief-engineer, a first assistant-engineer, nine district-engineers, a superintendent of fire alarms, and as many foremen, engineers, hosemen, hook-and-ladder men, telegraph operators and other persons as the City Council may from time to time deem necessary for the public service.

Sec. 2 There shall be appointed annually in the month of January a Joint Committee of the City Council on the Fire Department, consisting of two aldermen and three councilmen. It shall be the duty of said committee to examine as often as once in each month the records and accounts of the Board of Directors and the Board of Engineers of the Fire Department; and also to examine all applications for appropriations for the Fire Department, and report thereon to the City Council.

Sec. 3. In the month of November, in the year 1873, or as soon thereafter as may be, the City Council shall elect by concurrent vote of the two branches, one member of the Board of Aldermen and two members of the Common Council, to be members of the said Board of Directors of the Fire Department, and to hold office during the remainder of the municipal year, and until others are elected in their place, unless they are sooner removed.

In the month of January, in the year 1874, and annually afterwards, in said month, the City Council shall elect by concurrent vote of the two branches, one member of the Board of Aldermen and two members of the Common Council, to hold office as members of said board during the remainder of the municipal year in which they are elected, and until others are elected in their place, unless they are sooner removed.

In the month of November, in the year 1873, or as soon thereafter as may be, the Mayor shall appoint, subject to the approval and confirmation of the City Council, four persons, one of whom shall be a member of the Board of Underwriters of Boston, who, with the three members of the City Council elected, as hereinbefore provided, shall constitute the Board of Directors of the Fire Department. No member of the City Council shall be eligible to appointment by the Mayor on said board. Two of the persons appointed by the Mayor shall be appointed to hold their office until the first Monday in May, in the year one thousand eight hundred and seventy-five, and two until the first Monday in May, in the year one thousand eight hundred and seventy-six. In the month of April, in the year one thousand eight hundred and seventy-five, and thereafter annually in the month of April, the Mayor shall appoint, subject to like confirmation and approval, two persons, not members of the City Council, to be members of said Board of Directors for the term of two years from the first Monday of the following May.

Any member of said board elected from the City

Council shall, at any time, be subject to removal by the City Council for cause; and any member appointed by the Mayor shall, at any time, be subject to removal by the Mayor for cause. All vacancies occurring in said board, from any cause, shall be filled in the same manner in which the original appointments are herein directed to be made. A majority of the whole board shall be necessary to constitute a quorum for the transaction of business.

Sect. 4. The said board shall organize forthwith, upon the first appointment of its members, and thereafter annually on the first Monday of May, by the choice of one of their members as chairman. They shall also choose a clerk, who shall not be a member of the board; and they shall make such rules and regulations for their own government and for the government of all other officers and members of the Fire Department, including the fire-alarm telegraph, as they may deem expedient, provided that said rules and regulations shall not be inconsistent with the ordinances of the city. Except where otherwise provided, the said board shall have the care and management of the Fire Department, and shall be responsible for its efficiency.

Sect. 5. The said Board of Directors shall annually, on or before the 15th day of February, send to the City Auditor an estimate in detail of the appropriations required for the maintenance of the Fire Department during the next financial year. All bills for expenditures from the appropriations for the Fire Department shall be drawn for by the said board, examined by the Auditor, and approved by the Committee on Accounts, before they are paid by the Treasurer. The said board may fix the compensation of their clerk, and the compensation of other members of the department not otherwise provided for; but the expenditures of said board shall in no case exceed the appropriations made from time to time by the City Council for the enlargement or maintenance of the department.

Sect. 6. The said Board shall, on or before the tenth day of each month, present to the City Council a report, made up to and including the last day of the preceding month, containing a chronological statement of the number of fires in such month, with the causes thereof, a general description of the property destroyed or injured at each fire, with the names of the owners or occupants and the amount of insurance, if any, specifying the portion of the force and apparatus called into action at each fire, with the name of the officer in command, also a statement of all fatal or serious accidents to members of the department or others, on account of fires or alarms of fire during the month, together with such other information or suggestions as they may deem proper. They shall also, annually, in the month of May or June, present to the City Council a report made up to, and including the thirtieth day of the preceding April, containing, in addition to a consolidated statement of the facts contained in the monthly reports of the preceding year, a list of the causes of fire, alphabetically arranged, a statement of the income and expenditures on account of the department during the preceding year, a schedule of all the property belonging to the department, with a statement as to its condition on the date of the report, and an estimate of its value, also a statement of the number and location of the fire-alarm boxes; together with such other information or suggestions as they may deem proper.

Sect. 7. As soon as may be after the first organization of the Board of Directors of the Fire Department, as hereinbefore provided, and annually afterward in the month of April, the Mayor shall appoint, subject to the approval of the said Board of Directors, a chief engineer and a first assistant-engineer of the Fire Department, to hold office until the first Monday in May in the year next ensuing, and until their successors are appointed or they are removed, and either or both of them may be removed at any time at the pleasure of the Mayor; and vacancies from any cause shall be filled in the same manner in which the original appointments are herein directed to be made. The said Chief and First Assistant shall perform such duties in addition to those hereinafter designated, keep such records and make such reports as the said Board may direct. For their services they shall receive such compensation as the City Council may from time to time determine.

Sect. 8. The Chief Engineer shall have the sole command at fires over all other engineers, and all officers and members of the Fire Department, and all other persons who may be present at fires, and shall direct all proper measures for the extinguishment of fires, protection of property, preservation of order, and observance of the laws, ordinances and regulations respecting fires; and it shall be the duty of said Chief Engineer to examine into the condition of the engines and all other fire apparatus, and the houses connected therewith; and of the engine and all other houses belonging to the city and used for the purposes of the Fire Department; and of the companies attached to the said department, as often

as circumstances may render it expedient, or whenever directed so to do by the Board of Directors.

Sect. 9. In the absence of the Chief-Engineer the First Assistant-Engineer shall perform the duties of the office and shall have full authority as chief officer for the time being; and whenever the engines or other apparatus used in the department, except the fire-alarm telegraph, require alterations, additions or repairs, the said first assistant shall, under the instructions of the Board of Directors, cause the same to be made.

Sect. 10. As soon as may be after his first appointment under this ordinance, and thereafter annually in the month of May, the Chief Engineer shall appoint, subject to the approval of the Board of Directors, nine District Engineers, of whom two shall be residents of East Boston, one of South Boston, one of the Roxbury District and one of the Dorchester District. The said District Engineers shall hold office until their successors are appointed, or they are removed, and either one or all of them may be removed at any time at the option of the Board of Directors, and vacancies from any cause shall be filled in the same manner in which the original appointments are herein directed to be made. For their services they shall receive such compensation as the City Council may from time to time determine.

Sect. 11. The Chief-Engineer, the First Assistant-Engineer and the District Engineers shall constitute the Board of Engineers of the city of Boston. The Chief-Engineer shall preside at all meetings of the board at which he is present. In his absence the First Assistant-Engineer shall preside; and in the absence of the Chief and First Assistant, a temporary chairman shall be elected by ballot. A majority of the whole board shall be necessary to constitute a quorum for the transaction of business. The said Engineers may make such rules and regulations for their own government and in relation to the various matters under their control as they may deem expedient, subject however to the approval of the Board of Directors.

Sect. 12. The said Board of Engineers shall, at their first meeting after appointment under this ordinance, and thereafter annually on the first Monday in May, choose a secretary, who shall hold his office until the first Monday in May of the year next ensuing, unless sooner removed, and he may be removed at any time at the pleasure of the Board of Engineers, and a vacancy from any cause may be filled in the same manner in which the original appointment is made. For his services he shall receive such compensation as the City Council may from time to time determine.

Sect. 13. The said secretary to the Board of Engineers shall keep a full and complete record of the acts of said board, and shall perform such other duties as said Board of Engineers and the Board of Directors may designate. He shall keep an account of the appropriations made by the City Council for the use of the Fire Department, and of the expenditures on account of the same; and shall compare his account monthly with the Auditor's books, and see that the expenditures of the Fire Department do not at any time exceed the amount of the appropriations at its disposal. He shall also keep a separate account of the expenses of each engine, hose carriage, and hook and ladder carriage, and of the horses, furniture and apparatus thereto belonging, and all other incidental expenses; and shall present to the Board of Directors, monthly, a full and detailed statement thereof.

Sect. 14. The Board of Engineers shall be responsible for the discipline and good order of all subordinate members of the department. They shall have control of all the officers and members of the several companies attached to the Fire Department, and all persons present at fires; and also of all the engine and other houses used for the purposes of the department, and all the engines, hose carriages, hook and ladder carriages, extinguishers, horses, furniture and apparatus thereto belonging.

Sect. 15. The said engineers, whenever a fire breaks out in the section of the city to which they are assigned for duty, shall immediately repair to the place of such fire, wearing such badge of office as the Board of Directors may designate; they shall take proper measures that the several engines and other apparatus be arranged in the most advantageous situations, and duly worked for the speedy and effectual extinguishment of the fire; they shall require and compel assistance from all persons, as well members of the Fire Department as others, in extinguishing the fire, pulling down or demolishing any house or building, if occasion require, in suppressing all tumults and disorders, removing furniture, goods, or other merchandise from any building on fire, or in danger thereof, and shall appoint stewards to secure the same. They shall also cause order to be preserved in going to, working at, or re-

turning from fires, and at all other times when companies attached to the department are on duty. The assistant engineers shall report their absences from fires to the secretary at the regular meetings of the board, with the reasons therefor, and he shall keep a record of the same, and, once in every month, and oftener if required, make a report thereof, stating all the facts, to the Board of Directors.

Sect. 16. The Engineers shall report to the Board of Directors the name of every person, not a member of either of said companies, who may, contrary to law, refuse or neglect to obey any orders of an engineer, given at any fire.

Sect. 17. The engineer in command at a fire shall have the power to adjudge upon the necessity of pulling down and demolishing buildings to prevent the spreading of fires, and have authority to pull them down and destroy them accordingly.

Sect. 18. The engineers shall inquire for and examine into, all shops and other places where shavings or other such combustible materials are collected or deposited, and report at the regular meeting of the board the condition in this respect of the district to which they are assigned, and whenever, in the opinion of any two of them, the same may endanger the security of the city from fires, they shall direct the tenant or occupant of said shops or other places to remove such shavings or other combustible materials; and in case of such tenant's or occupant's neglect or refusal so to do, they shall cause the same to be removed at the expense of such tenant or occupant, who shall, in addition, be liable to a penalty of not less than two or more than fifty dollars for such neglect or refusal; any person who shall obstruct the engineers, or any of them, in carrying out the provisions of this section, shall also be liable to a penalty of not less than two nor more than fifty dollars.

Sect. 19. The power of making and establishing rules and regulations for the transportation and keeping of gunpowder within the city of Boston, and of granting of licenses for keeping and sale thereof in the city, according to the provisions of an act entitled "An act for further regulating the storage and safe keeping, and transportation of gunpowder in the city of Boston," and of any other act or acts on the same subject, shall be exercised and performed by the Board of Engineers, and the power and duty of seizing any gunpowder kept or being within the city or harbor, contrary to the provisions of the said act or acts, shall be exercised and performed by the said engineers, or any of them; and in case of any seizure being made by any engineer other than the Chief, he shall forthwith report the same to the Chief-Engineer and the Chief-Engineer shall cause all gunpowder which may have been seized as aforesaid to be labeled and prosecuted in the manner prescribed in the said acts; and all other powers and duties granted and enjoined in and by the said act or acts shall be performed by the said Chief or one of the other engineers.

Sect. 20. All moneys received for fines, forfeitures and penalties arising under this ordinance or the laws of this Commonwealth regulating the storage and transportation of gunpowder, or the erection of buildings within the City or Boston, or the prevention and extinguishment of fire, unless it is by such laws otherwise specially provided, shall be paid into the treasury of the city, to be applied in such way as is provided in the acts of this Commonwealth.

Sect. 21. No license shall be granted by the said Board of Engineers for the sale of fireworks within the city of Boston, without the approval of the Board of Directors.

Sect. 22. The regular officers and members of the several engine, hose, hook-and-ladder and extinguisher companies and the insurance brigade, in service at the time this ordinance is passed, shall continue to hold the positions to which they were severally appointed by the Mayor and Aldermen, and to receive the compensation heretofore established by the City Council, until removed by the Board of Directors. And whenever vacancies occur from any cause in any companies at present organized, and whenever any increase of the force is authorized by order of the City Council, the Board of Engineers shall appoint, subject to the approval of the Board of Directors, suitable persons to fill the places created or made vacant. The compensation of the officers and members of companies shall be fixed from time to time by the City Council.

Sect. 23. The Board of Engineers shall report from time to time to the Board of Directors the names of such subordinate officers and members of the department as in their judgment should be removed, with their reasons therefor. Any member of the Fire Department, except the Chief and First-Assistant-Engineer and the Superintendent of Fire Alarms, may be at any time removed or dismissed by the Board of Directors, or deposed from any office that he may hold therein. No company shall have power to appoint or discharge any officer or member.

Sect. 24. No person under twenty-one years of age, and no person who is not a legal voter in the city of Boston, shall be an officer or member of the Fire Department.

Sect. 25. Every subordinate officer, and every member of the Fire Department shall sign the following agreement, to be deposited with the Board of Engineers: "I, A. B., having been appointed a member of the Boston Fire Department, hereby signify my agreement to abide by all the ordinances of the City Council, and the rules and regulations of the Board of Directors and of the Board of Engineers relating thereto." And any officer or member who shall neglect or refuse to sign the same shall not be entitled to any compensation whatsoever.

Sect. 26. The officers and members of the Fire Department shall be paid monthly, except when otherwise ordered by the City Council; and, except in case of sickness, death, or removal from the city, every officer or member thereof who shall not serve the whole of the month, or who shall be removed from the department or deposed from his office for cause, shall forfeit any and all compensation that would otherwise have been due to him at the time when such service ceased, or such deposing or removal took place.

Sect. 27. Every person who shall have served according to law in the Fire Department for seven successive years, shall be entitled to receive a certificate thereof, signed by the Mayor; and all persons who shall receive said certificate shall be entitled to wear the badge of the department, and to do duty therein, when desired so to do by the Board of Directors.

Sect. 28. Whenever any person has received a certificate of appointment to any office under this ordinance, he shall be thereby immediately invested with all the authority conferred, and subject to all the duties imposed by the laws, the city ordinances, and the rules and regulations of the Fire Department; and whenever a vacancy occurs in the department, the same shall be filled as soon as conveniently may be.

Sect. 29. The engineers, officers and members of the several companies shall, when on duty, wear such badges or uniform as the Board of Directors may from time to time designate, the badges to be furnished at the expense of the city; and no other person shall be permitted to wear the same, except under such restrictions and regulations as the Board of Directors may approve.

Sect. 30. The Board of Engineers shall have authority to divide the city into fire districts, and form the companies into battalions to work the apparatus in said districts; and they shall require the foremen and hosemen who are permanently employed to perform patrol duty, and to render such services in connection with the police and the department for the survey and inspection of buildings as they may deem expedient; the rules and regulations relating thereto to be subject, however, to the approval of the Board of Directors.

Sect. 31. Whenever any fire occurs in either of the adjoining cities or towns, only such and so many of the engineers shall repair thither as may have been previously designated for such purpose by the Board of Engineers. And no company shall leave the city in case of fire in either of the adjoining cities and towns, except by the express order of the Chief-Engineer or the First Assistant, or one of the District Engineers. And no company shall leave the city for any other purpose, except by permission of the Board of Directors.

Sect. 32. No associations, or organized societies or clubs of firemen, as such, shall be allowed in the department, except by the express permission of the City Council.

Sect. 33. No company shall be allowed to impose fines upon its members. For every absence or tardiness there shall be deducted from the pay of the absent or tardy officer or member the sum of one dollar, which amount so deducted shall be paid over at the end of each quarter to the treasurer of the company to which such officer or member shall belong, to meet the incidental expenses of the company. And if any officer or member shall have been absent or tardy at more than one-third of the fires, or alarms of fires, occurring during the month, if more than five, except in case of sickness, such absence or tardiness shall be considered good cause for his discharge from the department.

Sect. 34. The Board of Engineers, notwithstanding the provisions herein contained, may, with the approval of the Board of Directors, grant to any officer or member of the Fire Department, if they think it compatible with the interests of the department, a vacation not exceeding two weeks in any one year, upon such terms as they may think expedient.

And the Board of Engineers, with the advice and consent of the Board of Directors, may, if they see

fit, whenever any member or officer of the Fire Department shall not, by reason of such vacation or sickness, or otherwise, attend to his duties in the department, appoint a substitute to act in his place during his absence.

Sec. 35. As soon as may be after the first organization of the Board of Directors of the Fire Department as hereinbefore provided, and annually afterwards in the month of April, the Mayor shall appoint, subject to the approval of the said Board of Directors, a Superintendent of Fire Alarms, to hold office until the first Monday in the year next ensuing, and until his successor is appointed or he is removed, and he may be removed at any time at the pleasure of the Mayor, and a vacancy from any cause may be filled in the same manner in which the original appointment is herein directed to be made. For his services he shall receive such compensation as the City Council may from time to time determine.

Sec. 36. The said Superintendent of Fire Alarms shall have power to appoint, subject to the approval of the Board of Directors, such number of persons as may be necessary to operate and maintain the said telegraphic fire alarm; and he may, with the approval of said board, discharge any of said persons at any time. The compensation for persons employed in the said Fire Alarm Department shall be fixed by the Board of Directors.

Sec. 37. The Board of Directors shall designate the persons to whom shall be intrusted the keys of the signal boxes; and shall locate new boxes and discontinue any of those heretofore in use whenever they may deem expedient. And they shall moreover have authority to make rules and regulations under which alarms shall be given by the police and others intrusted with that duty.

Sec. 38. The Superintendent of Fire Alarms shall have the general care and management of the fire-alarm telegraph, subject to such rules and regulations as the Board of Directors may adopt; and he shall be held responsible for the good order and condition of that branch of the Fire Department.

Sec. 39. No person shall open any of the signal boxes connected with the fire-alarm telegraph, for the purpose of giving a false alarm, nor interfere in any way with said boxes, by breaking, cutting, injuring or defacing the same, nor tamper or meddle with said boxes or any part thereof.

Sec. 40. Any person who shall be guilty of a breach of any of the provisions of this ordinance, except as otherwise specially provided in any section thereof, shall forfeit and pay a fine of not less than two dollars nor more than fifty dollars for each offence.

Sec. 41. It shall be the duty of the members of the Police Department to aid the Fire Department by giving alarms in case of fire in such manner as the Fire Commissioners may direct, and in clearing the streets or grounds in the immediate vicinity of the fire, so that the members of the Fire Department shall not be hindered or obstructed in the performance of their duties. If any policeman refuses or neglects to give an alarm as directed in the manner aforesaid, or refuses to obey the orders of the chief officer in command at a fire, he shall forfeit and pay a fine of not less than five nor more than twenty dollars.

Sec. 42. The ordinance in relation to the Fire Department, printed in the revised ordinances, adopted the thirty-first day of December, A. D. 1869, and all amendments and additions thereto, are hereby repealed, said repeal to take effect upon the organization of the Board of Directors as herein designated; provided, however, that the present Chief and Assistant-Engineers and the Superintendent of Fire Alarms shall continue to hold their offices until their successors under this ordinance are appointed.

Alderman Quincy—I move to amend the substitute by striking out all after the enacting clause and inserting instead the sections of the ordinance reported by the majority of the Joint Special Committee on the Reorganization of the Fire Department. I offer this amendment for the purpose of bringing the vote first upon the ordinance as reported by the committee. I do not propose, Mr. Chairman, to occupy the time of the Board by a recapitulation of arguments in favor of this measure, which must have become familiar to each member by this time, and which the committee have endeavored to present in their report, which all are supposed to have read as clearly as was in their power. I shall confine myself to a brief examination of the soundness of some of the positions assumed in opposition thereto in the minority report and the reported arguments of the signers of the same in the other branch.

With the minority's opening statement concerning the duties of the committee and their true course of action all must heartily concur. It would have been easy to grant the prayer of the petitioners on account of their numbers and to get rid of a difficult subject, but most highly culpable so to do "unless after care-

ful consideration our own convictions demand it." That after careful consideration the convictions of the majority did so demand it the minority cannot have intended to call in question or to insinuate the neglect or careless consideration which they deprecate. The majority did undoubtedly decide that to visit other cities would delay their report without changing their convictions upon the main question to which the public were demanding an answer, but so far as time, labor and investigation bestowed on this subject at City Hall are concerned the committee cannot think that they have failed in their duty. With the exception of one member who was out of the country the chairs most often vacant at our meetings were not those of the majority, and if there was neglect or carelessness anywhere we think our skirts are clear.

We agree most heartily in the minority's definition of the true course, viz.: "To adopt measures for the permanent security of the city rather than for the temporary alleviation of present fears." Our difference is only on the somewhat important question of "which is the justice and which the thief?"—which of the two plans contemplates permanent security, and which a mere temporary relief? Could we in any manner leave this vexed question for the public to decide on the showman's appropriate principle of "you pays your money and you takes your choice," the majority would most cheerfully abide the result. For we cannot but think that these petitioners pretty fairly represent the public in this matter, and the ingenious argument twisted out of Mr. Spooner's evidence, to the effect that they did not know what they were asking for, and did not want it if they did, seems to us almost too weak to stand alone.

The position assumed by the minority, and which they endeavor to adduce arguments to support, is that the appointment of a commission would be a devolution of our own duties, which we abundantly able to perform, into unknown hands, who may perform them or may not. Instead, therefore, of devolving these powers and duties of the committee of the City Council to the unknown hands of a board selected, appointed and paid for the performance of these duties, and these alone, the minority would devolve them upon, as they contend, the better known, more reliable and efficient body of a committee of three Aldermen, annually elected to perform work of which this will be but a fraction, without pay. If there is to be a devolution of powers, which both sides admit, which would be the least known and most uncertain hands to which to commit them—a permanent board selected and paid for this and no other work, or three of each year's Aldermen elected on whatever political issue may turn up and liable to lose their seats in twelve months on some other? The majority do not consider that the weakness of the present system is to be ascribed particularly to the fact that the committee is joint, and the italics quoted are not theirs, but that it is temporary, liable to continual change on all sorts of issues and unpaid. No business man would employ such servants to do his work.

Because no member of the present board could be hired for work claiming his whole time for a commissioner's salary, it by no means follows, in our opinion, that he would make a better fire commissioner than many a man who could be hired. Because a man is a good average alderman, is a fraction of his time worth more than the whole time of a commissioner, paid to make it the business of his life? That such a commissioner could show zeal to keep himself in office otherwise than by showing zeal in the performance of his duties, we cannot regard as likely; but if he did, we are convinced that the first-mentioned zeal would be properly appreciated by the appointing power, and receive its due reward. That a permanent and paid board would be, as the minority confidently assert, public servants less looked after by their masters, whose property they protect, and more likely to become obstinate and indifferent than changing committee men, whose reflection may depend on a hundred possible issues sooner than their record in this particular regard, I, for one, cannot agree. It is, on the contrary, because I believe that such a board will be known and looked after by their masters the public to a degree in which changing and unpaid committees never have been or can be, that I propose to vote for its establishment. One of the chief objections to a commission is stated on page 8 to be the fact, that their power of appointing members would give them the complete control of five hundred voters, and that in consequence it would not "take the department out of politics." A frank admission by the gentlemen of the minority that it is now to some extent in politics. Now, if it were proposed that the office of commissioner should be elective, it is easy to see why they should aim at popularity with their subordinates to secure a continuance in office. It would seem, therefore, as if nothing would more effectually "take the department out of

politics" than putting at its head officials utterly independent of its votes. If it is not now in politics, if members of the City Government have never sought or obtained its influence to obtain reelection, then we have no fear of seeing its five hundred voters led or driven to the polls by appointed commissioners.

But let us look over our testimony in regard to the experience of our sister city upon this point. Previous to the appointment of the commission the department was volunteer and under the control of the City Council, who, of course, opposed the change. Mr. George T. Hope, president of the Continental Insurance Company, and a practical fireman for many years, says, on page 123—

"The Fire Department was too useful to them as a political machine, and they used it from end to end. Without exception, the companies were debauched and used for political purposes, as long as there was a volunteer department in any degree. An act was passed by the Legislature, which provided for the appointment of commissioners. The chairman of the committee has alluded to the effect of commissions. To us in New York, and to those in other places, that such a thing should be questioned seems strange. It seems strange that there should be any question as to whether there should be a commission, or whether a number of men, though they may be the best men that Boston or the earth can furnish, shall take the position of volunteer supervisors of the Fire Department. It is a matter of such great breadth and importance as to require the constant, incessant and closest application to know what can benefit and extend the use and efficiency of the department; and no man, no matter who he is, or where he is, will do that as a volunteer affair, or ever did, in Boston or out of it."

We find, then, the main intent and object of the New York commission was to take the department out of politics, or, in the words of Mr. Heald on page 152, "to secure at least one arm of the public service which is removed as far as possible from political influence in its administration." And certainly it was high time that this step should be taken, for the good citizens saw plainly enough that the political influence of the Fire Department in the Municipal Government was the first rung of the ladder by which the captain of Big Six, Mr. William M. Weed, ascended to his present pedestal of infamy. How, then, has the experiment succeeded? I quote again from Mr. Heald's testimony on page 152:

"I desire to make one statement so as to correct an impression that may be derived from some of the remarks which have been made, which is this: that during the changes in that commission from seven to five and from five to three, during all the changes from the time of Governor Fenton's first appointment until the present time, one thing is true; and that is, that the Fire Department essentially, the Fire Department as such, has shown no perceptible political complexion—that during all these changes, while the commissioners have changed, and the majority has been Democratic, or Republican, as I believe it was at first, there has been no perceptible influence of either party in the administration of the duties of the Fire Department. I have been a great observer of the internal politics of New York, although not a voter. I do not know when I have ever heard any complaint that the department has taken on a political character. If, therefore, we are liable in the change of politics and change of parties to have the commission itself changed, if so be that the administration of that commission standing before the public as an isolated commission, chosen for a particular and specific object, confines itself to the honest administration of its duties, irrespective of the character for voting purposes of its members, or the human machine which it uses, then certainly we have made a great advance in removing it thus far, apparently, at any rate, from the influence of politics."

This seems to be pretty direct testimony from a close observer, that the New York Commission, during the years of its existence, has confined itself to the honest administration of its duties, irrespective of the character for voting purposes of the human machine which it uses. Now, I think it hardly complimentary to our citizens to infer with the minority that in official positions, wherein the walk of New Yorkers has been upright, that of Bostonians will be in danger of becoming like that of Mr. Pherandiwud "slantindicular," and that the human machine will be used by appointed and paid commissioners, as it has not been by elective aldermen and councilmen, that is to influence elections instead of defending the city against fire. We now come, Mr. Chairman, to a matter of insinuation and innuendo which, in my opinion, is rather deserving of ridicule than the indignation which, in some quarters, it seems to have excited. The existence of a cunning and deep-laid plan, not to say plot or conspiracy, is darkly hinted at whose ne-

farious purpose is the obtaining of political power at the expense of the liberties of the people. We are first told of a rumor that the commissioners were already selected and circulating, or causing to be circulated, the petitions which came before us. Next that "those managing this great change," that is, these selected commissioners, with, it is to be presumed, their selector the Mayor, "not content when it should be successful, that the commissioners should appoint the Chief and Assistant Engineer, and expend half a million of money annually, and receive large salaries for doing so; but, anxious for the political power the control of many men would give them," did as a "result of careful study and cunning design" procure the passage of an amendment to the act providing for the appointment of engine men, etc., by the Mayor and Aldermen exclusively, "by adding after the word 'exclusively' these words: 'unless the said City Council shall by ordinance otherwise provide for their appointment'; and the majority report does provide for the appointment by the commissioners."

This amendment we are told "was not asked for by the city. Its Committee on Legislative Affairs knew nothing about it, except the chairman, and he does not know who proposed it; but, thinking it unimportant, did not acquaint the committee with it."

That is true, Mr. Chairman. I did not acquaint the committee with it. A well known Democratic Senator from Suffolk, whether himself a conspirator or merely made use of by others, accosted me one day, saying that he heard much talk about putting the Fire Department under a commission. "Now," said he, "if you do so before the next Legislature meets you will find this provision of law in your way, and we propose an amendment, just adding the words, 'unless the City Council otherwise provides.' Then if you decide for a commission it is out of your way, and if you don't no harm is done." In my confiding innocence, Mr. Chairman, I believed that Democratic Senator. I smelt no rat. If the cat's whiskers protruded from that meal I failed to see them. The Legislative Committee, one of whose members at least would have detected the villany, was not convened, and the deed was done, the "careful study and cunning design" was apparently rewarded with success.

Apparently only, Mr. Chairman, for we now see how this cunning device against popular liberty has returned to plague its inventors. Intended as a step towards saddling the citizens with an odious commission which should ride them like an old man of the sea and suck their pockets dry, it has not only failed of that effect, but has been skillfully used by the Councilman from Ward 12 and his supporters, to obtain for the popular branch of the Government powers never before enjoyed. This ordinance which they have sent us would have been impossible without the amendment so cunningly obtained by the would-be commissioners and their selector. I don't know whether I need say, like Artemus Ward, that some of my allusions to the alleged conspiracy are sarcastical, but such is certainly the case.

I believe this cunning arrangement and deep stratagem to be all in the eye of the gentlemen who think they have discovered it. It's a mare's nest which they have found, Mr. Chairman, if that is any consolation for not finding a Mayor.

In the reported argument of the member of the minority in the other branch, he states his position thus: "Now what is the object of a fire commission. It is nothing but the putting of weapons into the hands of an organization which we have already got. That is all there is and nothing else. Can the city of Boston with its own organization supply the Fire Department with the requisite men and means? That is all the question." I don't think it is quite all, Mr. Chairman. To carry out the excellent illustration of a gentleman in the other branch, supposing that during the rebellion Congress had proposed to abolish the War Department with its cumbersome machinery, and to run the army by a joint committee. The same argument would have been worth just as much. It is only putting weapons into the hands of an organization which we have already got. Cannot Congress supply the army with the requisite men and means. The general commands in the field, not these bureau-men in Washington. What is the good of them?—or the Horse Guards in London?—or the war ministries of Europe? The answer is, that to keep the complex machine of an army, or on a smaller scale the Fire Department of a large city, in the highest state of combative efficiency, there must be men making it the profession of their lives at home, in addition to the general who commands in the field. We believe that the efficiency of the London Fire Brigade is due to its system of organization and government, and not to the accidental qualifications of its commander, important as they are, just as we believe that the War Department would have made just as good an army if General Grant had never existed. That the present sys-

tem of government and administration of our Fire Department is open to some extent to the objections urged against that of King Log in the fable all hands would seem to admit, but the gentleman from Ward 12 tells us in so many words that these poor frogs of petitioners are ignorantly begging for King Stork in his place, who will gobble up their liberties, control elections, and inaugurate a system of swindling and corruption, beside which Tammany will pale its ineffectual fires. But I don't believe, Mr. Chairman, that either Messrs. Tweed, Conolly or Hall, or men of their stamp, will ever be appointed by a Boston mayor or confirmed by a Boston council. Not only that, but I believe that no mayor will dare, with the underwriters and the public after him, to use these positions to pension off fossil politicians and played-out party hacks with, as I heard an opponent of the measure predict. There will be not only live men, but the best brains and business energy which our city can command in the places, or the public will know the reason why. I have heard the attitude of the underwriters in this matter severely criticised by gentlemen of both branches. Well, Mr. Chairman, I certainly don't desire to submit to either dictation or threats, and if the insurance men have used either they have most fatally blundered. But I do believe generally in the selfish shrewdness of the breeches pocket, and when the large business class whose pockets are directly depleted by every conflagration that occurs give a measure like this their unanimous and earnest support, I think that their selfishness, if you choose to call it so, at any rate their desire to make money at their trade, shows us where our safety lies.

In one assertion concerning these petitioners, made in the other branch, I most heartily concur, though it was not intended as a compliment. Their "respectability," made the object of such withering sarcasm, I fully agree to have been precisely the same respectability which defeated General Butler for governor, the man who promised to knock over commissioners like uinepins. Eight thousand men of such respectability will not be permanently disposed of either by comparisons to frogs or by sneers at kid gloves, or vests as white as that worn by the gentleman who so eloquently denounced such badges of a bloated aristocracy. I might close, Mr. Chairman, by asserting that I failed to see the first argument on the other side, and a jury of more than average stupidity might take it for granted that there were none because I said so. But I am convinced that this Board would not. I do see arguments to which I concede a certain force, but I contend that they are far more than counterbalanced and outweighed by those which the majority have endeavored to present.

Alderman Hulbert—If there ever was a question this Government should consider in regard to the expressed feelings of the community, this one is before us now. The request itself is not groundless. It was very plain to any looker-on at the time of the great November fire that our Fire Department failed just where it ought not to have failed; and when I say this I don't charge the department with things which don't belong to it. I walked around that fire, and have n't yet changed the convictions I then formed. One thing is certain; the citizens at large demand a change, and they intend to have it. I think it will be followed up until there is a change in the management of this department. There is an intense feeling about it; every stroke of the fire alarm only deepens it and every premium that is paid makes men feel that a change ought to be made. My being an Alderman does not of itself render me wiser than thousands of our best and most intelligent and practical citizens, in this so publicly considered matter, whose names have been sent here on that petition. As I understand it, the question before us is whether the change so desired and expected, shall be made by establishing a commission, so called, instead of by the City Government as heretofore, I am very glad, in discussing this question, to say that the Joint Committee on the Fire Department is probably as good a one as this city has had for years. On the part of this Board there are three hard-working members of that committee, who devote as much time as any gentleman can be expected to. We have the best showing this year that we can expect to have for the Fire Committee. The department presents its best today. In less than ninety days they will all go out, and new and raw recruits who have n't had the experience may come in to have control of the department, and the experience of this committee, valuable as it is, is likely to be lost in this incoming City Government. And yet that new committee are within the next month after coming into office, to make up the annual appropriation required for that department for the current year. What knowledge are they of themselves likely to have of what is needed? This early making of estimate I think is a mistake in my judgment. I

came in here last January, and what did I know about the appropriations for the next year? I blundered along, but if I had had ninety days longer I could have become better acquainted with the necessities of the case. As to the mode of electing Chief-Engineer, from what I saw of its working this year, it seemed not right. Certainly my confidence in the best results being obtained in that way was not strengthened. There are members of this Board who told me that they should be glad to see a change, and there ought to be a change, in the Chief-Engineer, but they did n't know who to have. More than one said to me, If you will show us a better man I am ready to vote for him. I say the city of Boston is large enough to find a man if it wants him, instead of sitting here like a huge Miewaher, waiting for a man to turn up. I say find the right man. I think no three discreet men, with responsibility to the public, would have dared to do what this City Council did last spring—I voted blank—I mean men who are free from prejudice, for I don't believe we can be free from prejudice when we come to reelect men who have held the office before. Now, can you safely do what a few men would n't do, nor take the responsibility of doing? I have been here not many months, but long enough to feel that the longer I am here the more unhappy I am. Not a day passes that I am able to do half what I desire to do, and yet I give the majority of my waking hours to city affairs. And there are gentlemen here who it seems to me are always at work. I don't think there is any Alderman here who will say he is satisfied with his looking into the workings of his department. There is no use disguising the fact that the present good working of some of the departments is owing largely to the excellent heads of those departments, and citizens are to be congratulated on the men that are in those positions. But for them, the raw recruits annually coming in to manage the complex machinery of this Government would in many cases make a sorry mess of it.

Every man is indebted to the heads of these departments. Now, without discussing the questions of how far commissions should be introduced, I want to say something about the practicability of bringing a commission into the Fire Department. Like every other department it has its peculiar wants. The annual expenses are enormous and are growing enormously, with the various projects brought up here, and likely to be brought up, and adopted, for the whole world has got an idea about putting out fires, and we are going to have a still further enormous increase of expense, in my judgment. Every thing that the department wants now it must have and always has had. In the opinion of the public it does not meet what it is organized to be—and do—and the public and every man of property should be heard. There are, of course, some questions that we can understand better by being in City Hall, but of this question the public knows as much as we do. In my opinion the department does n't meet the public wishes; the insurance companies are not satisfied with it, and we are paying for it every day. All agree that changes are needed, but what, is not settled. The minority report is more full of changes than the majority's. It is endless in its suggestions—new apparatus, good men are needed.

Why we have n't got money enough in the treasury to meet the changes they propose. Many varied, novel and expensive suggestions are made, and investigation is needed to determine their adoption or rejection. New appliances are coming up for extinguishing fires. We want cool heads to make it a business and a study, so that whatever we do we shall not have to take any back tracks. Now I contend that although the appointment of a commission may tend to increase the improvements, it will not necessarily tend to increase the cost of protection. Ask any manufacturer, and he will tell you he was compelled to adopt costly, improved machinery, but in the end it more than paid the cost by the superiority of the work.

The expenditures are to be considered, but I contend that this item of salary will be a mere trifle. Suppose we pay each member five thousand dollars a year? I venture to say that any member of this Board, if intrusted with that department, would save more than that amount in one year. Economy has n't been the leading trait of that department for many years. We want concentrated intellect, we want the labors of intelligent men, on this subject. We want improved appliances for putting out fires, efficiency and responsibility where we can find it. You can't find responsibility now. We undertook to find it last fall, but couldn't. Another thing: I do not think a committee would be intelligently inventive enough to look into this subject thoroughly and treat it properly. The working is such that we don't give matters brought before us the attention they should have in many cases. Let us stop and try and find out where we are. We

need now what no committee are likely to do—a body of sound, practical men, who will take this department and make it a business to work it, prune it, improve it, and make it what only such attention can. I don't want any more commissioners appointed who have anything else to do. I want men who will give their whole time to it, and who will do their work under a sense of responsibility to the City Government. If these commissioners are to be appointed by the Mayor, I contend he will be blamed if he does n't find them, and not select from the small fry who float into City Hall, where there is a place offered with a salary of \$500. It is marvellous to see the small trash which runs in here when such opportunities are offered. It does n't take the highest form of talent, but it requires a good level head well applied. I am glad the Mayor is to appoint. The City Council should confirm, but never elect. The weakest, poorest work that has been done this year is the election of the persons to perform subordinate, yet important work of the assessors. I refer to the outside parties employed as assistants. I am ashamed of what I did. I inquired and did the best I could. It is astonishing that the work of assessing should be placed in the hands of such men. I say nothing against them as men—I am talking of them as assessors. No three men, made responsible, would have dared to do what we in our assembled wisdom did. Political pressure is brought to bear, and they get in. I am ashamed of what I did; I don't know whether you are or not. Now, a commission is set between the public on the one side and you on the other. There is no likelihood of their going astray, watched on both sides. We are not New York yet. Citizens have spoken very plainly. Reference has been made to Albany and New York in regard to the expense of conducting commissions, but I don't think if such commissions were appointed here the Mayor would be easy if he kept them in office thirty days. The wretched state of affairs in New York are something that good citizens are to be blamed for. They began to clean out the stables, but only half did it. A City Government, or a committee of it, or a commission, let alone, unwatched, uninvestigated, is likely to go wrong. Eternal vigilance is the price of municipal purity and honor. Our people have begun to exercise it, and with good results. The only hope for our city is for good citizens to stand up and say it is n't right; for the press to criticise, and when they get hold of a wrong expenditure, out with it. The moment the citizens let this Government alone you will have trouble. Good men have let it alone too much. But we are getting waked up a little, and there is our safety. I contend that the City Government in its committees cannot give the time and attention which are requisite to producing in this Fire Department what may be done for the proper protection of your property and mine and what it requires. We are spending more money today than any other city in the world to guard against fire, and in some respects we have got as weak an organization as can be found, and in some respects we have as good a one. We have urged upon us the necessity of great despatch at a fire—the using of pails of water, but no attention is paid to that now. I contend that no committee could give the Fire Department proper attention. Look at the committees which each Alderman is on. Divide up the hours of the day, giving six for sleep, and see how much an Alderman would have for the Fire Department. The City Government is growing larger every year. It should continue to be the supervising power. It should never let go of the expenditures. The members have n't time to study up the details, and they will not do it. Paid, steadily employed men must do this, and an unpaid City Government must supervise and correct it and make the appropriations. Albany and New York have been quoted. I look at something that we know about. Go up into the Street Commissioners' office. You can get any information you want on the subject of streets, and I venture to say that no three men could have given better satisfaction than those three gentlemen have. I have seen them under a variety of circumstances, and that commission is a success. But there is one danger, that of magnifying the office. Looking at one thing all the time, they may think of doing too much. That is what the City Government is here for—to check any department when it goes too far. They come annually from the people and can do this perfectly. I am on the Committee on Paving; we have an appropriation and can use only so much. Now I say that a commission would take the appropriation and do better with it than a committee can. Therefore I am in favor of a commission. I dare not stand up against the men who know better than I do what is best, and I don't believe this Board will do it.

Alderman Power—I don't propose to take up the time of the Board at any length by relating my views

on this subject, which have been pretty fully set forth in the minority report. The gentleman representing the majority has dwelt on the importance of the evidence which came before the committee. I have yet to learn one single person who testified that he knew the first thing about the working of a commission. A gentleman from New York eulogized their present system, dwelling on its great advantages over the old system. And well he might, for it is simply the system of a paid department, in place of the old volunteer system. The most intelligent gentleman said they always took the example from Boston and followed in our wake, and they did when they abolished the old volunteer department. Anybody will admit the superiority of our present system over the old one. One very important thing is the taking of the department out of politics. One New York gentleman, who professed to know more about the workings of the commission than any other, testified that commissioners were frequently removed for political causes. It cannot be denied that it is the political machines which have ruined New York. Its system of commissions is the curse of New York today, and they have n't yet rescued the city from the rule which was inaugurated by that system. The gentleman talks about the time of Aldermen. That is the only real argument I have seen for a commission. I don't know what interpretation gentlemen put upon the oath they took when they came here. I took an oath that I was to give all my time and attention to the city so far as it is required. That is the interpretation I put upon it. If gentlemen wish to plead guilty to having neglected duties they swore to perform, I don't. I propose to attend to the city's to the neglect of my own business. The gentlemen with whom I have been connected in the Fire Committee have done the best they could. All say it is the best committee we have had. Now, great stress is laid on the number of committees which a member is on. Well, the Committee on Fire Department is required to meet twice a month, which is as often as is necessary to transact all the business. There is no difficulty about it. Every gentleman has given, and does give, all the time that is necessary. I am opposed to a commission, because I dread its influences; and I speak from a knowledge of their workings in other cities. In reference to the ordinance offered by Alderman Stebbins, I would state that it is well known that when the question came up of organizing the Board of Health, several gentlemen said they would take it if it was without pay, but would not accept the position with a salary. The gentleman opposite has referred to the heads of departments. I take it that the committees cannot do anything for the city unless they have good men at the heads of departments. It has been understood that Mr. Damrell was the best man that we could get for Chief Engineer. I have said if we could get a better man I am ready to vote against Mr. Damrell, and if we can find a better man it is our duty to elect him. In relation to the eight thousand petitioners, I have yet to find one who said he knew anything about the workings of a commission. They signed a petition, they say, which said on its face that it looked to the improvement of the Fire Department. They are all under the impression, because we have had a great fire here, that our department is not what it should be, and if improvement can be made without a commission, they will be perfectly satisfied. The gentleman said we are not yet like New York. I am glad that we are not, and I think we are not likely to be, but if you go on appointing commissions you will be approaching the status of affairs there. Some of the underwriters who appeared before the committee tried particularly to impress upon us that they had instructions from foreign offices, on account of the great fire, to cut down their risks here. A gentleman from New York said he had no instructions in regard to Boston that did n't apply to every city in the Union. It is unnecessary, Mr. Chairman, to take up the time. This matter has been discussed privately and publicly, and everybody knows my sentiments as expressed in the minority report. I hope the majority report will not pass.

Alderman Gaffield—I hope the majority report will pass. I pretend to know something of the sentiment of the city of Boston. There are only two of us here who were born in Boston, and the other one has been emphatically in favor of a commission. I know something of the solid men of Boston who signed that petition. We did n't have that fire on the 9th of November without having convictions burned into the hearts of the community. One was that we did n't have our buildings put up right, that was fixed by the Building law. Another conviction was that some improvement should be made in the Fire Department, and gentlemen whom I have met have said they wished a fire commission. If there is anything the merchants of Boston want it is a commission to take charge of the department. I had the honor to be on that commit-

tee some years ago myself, and it is my belief that it should be under the control of a commission. I will say, in deference to the gentleman who has last spoken, that gentlemen cannot attend to all their duties here. In the last two weeks the gentleman himself has not been present at two committees. One gentleman told me that he attended eight committee meetings a day, and many of us have several a day. Every member must be upon from five to twelve committees, and it is impossible for him to give to every matter that attention it deserves. If there is any department which needs all the attention it can get, it is the Fire Department. We need a commission who shall give their whole attention to the subject. They will have enough to keep them busy all the time. The men who compose such a commission should be above political influences. Some political influence is used by this Fire Department, and I don't propose to cater to it. But I do propose to listen to such petitions and to such resolutions as have been sent by the Boston Board of Trade, and any gentleman who does not heed them will have the same lesson taught him that was taught the Board last year, when eight gentlemen were left out. I have seen half a century in Boston and can state something of the Fire Department. My own dwelling was near one of the engine houses. They managed fires well in those days, but finally it became necessary to have a paid department, and there was great opposition. Mayor Eliot had the courage to disband the department. The old members went away. People were naturally conservative and opposed to radical changes. For awhile some of the best men in Boston ran with the engines, stood at the handles and managed the department, but in a few weeks the old firemen came back, and I don't believe they have ever been sorry for the change. Then came the change for a steam department. It was established, and we all know what a cry was raised about it. Now has come the time for another change to a paid commission. With the rapid growth of the city we need changes in all our departments. The progress of the age calls for change. We need men in charge of the department who don't know so much that they can't be taught. I believe we can find men who will know more the longer they live. Therefore, I say, let us choose a fire commission and let us vote upon it tonight. One strong argument of the minority is, why put on this extra expense of twenty or thirty thousand dollars a year? This is the paltry sum we are asked to save. We lost in the fire eighty million dollars. It took two or three million dollars to reinsure again. The money did not come altogether from the rich men of Boston, but from poor widows as well. Millions of dollars had to be spent immediately. Now what is the fact today? I have consulted with careful insurance men. Our valuation, personal and real, is about seven hundred million dollars, and I suppose that we have in Boston an insurance of two hundred million dollars. I was connected with a careful insurance company myself, and the president told me that the average rate was one per cent.—call it three-quarters. We all know that the insurance rates have been increased from fifty to a hundred per cent.—take the smallest average, seventy-five per cent.—and today we are paying over \$1,125,000 more than we did on our old rates. It is an extra tax on us day after day. And yet gentlemen say we will spend fifteen or twenty thousand dollars extra! While many a firm must be paying out that amount extra every year. It is a business investment for these merchants. What are one or two hundred thousand dollars added to our annual expenses? It adds one or two per cent. to our taxes. In this connection I will read a letter from a prominent insurance gentleman in New York, to a gentleman in this city, who sent it to me:

"Anticipating that your City Council would act favorably on the reorganization of the Fire Department for its increased efficiency, I have been willing to write in Boston, but their short-sighted policy tempts me to decline any further risks. Will it remain so?"

And the Boston gentleman adds, in his note to me—

"I fear that a failure to appoint a commission will tax the merchants with still higher rates than now prevail for insurance."

Will it remain so? I believe public opinion is strong enough to move this Board. If we adopt that ordinance, and send it back to the other branch, I believe they will pass it on the sober second thought. Pass this ordinance and a thrill of joy will go through the community and through the insurance companies. We have great respect for the insurance companies today. Who will go and put his ten or twenty thousand dollars into an insurance company today? They come here and ask us to appoint three intelligent men on the fire commission. If we don't do

it we are derelict in our duty. Let us adopt this ordinance, and I have no doubt the Council will adopt it also.

Alderman Power—When the citizens of Boston did me the honor to reflect me to this Board I thought they did so because they thought I was a man who had some opinions of my own and had independence enough to stand up for them. I don't think they made any mistake. The gentleman tells me if I don't vote for a fire commission the people will send me home. The newspapers have told me so and gentlemen in this room have told me the same thing. I don't propose to be influenced by the whip and spur. I propose to act according to the convictions of my conscience. I don't propose to be driven to it by threats. The gentleman tells me substantially that if I don't vote for a commission I can't come back here. Since I have been here I have done my duty according to the oath I took to give the city business the preference at all times. I say that I have had time to learn more of the workings of the Fire Department than any gentleman outside of this Government. If any gentleman in this Government is not competent to look after this department he has not done his duty. He came here specially to give his attention to the duties and wants of the city, and to the expenditure of money. When gentlemen talk of being ashamed of voting for an improper man I don't plead guilty of that charge. I have not felt ashamed yet. There might be advantages in a commission with proper men, and gentlemen who sincerely think so ought to vote for one. I say to the gentlemen of this Board, do your duty; do what you are sent to do. There is no need of a commission at all if gentlemen act fully up to the oath they took when they came here. Commissions are contrary to the spirit of this Government. It was against that system that our forefathers rebelled and gained their independence. If the people think I have not done right by opposing a commission they will have the privilege of voting against me at the next election. They will have the privilege of voting against a man who did his duty. When you make commissions you tie up yourselves, you get four or five commissions here and you hand five or six thousand men together to elect whom they please. I have never entered to the Fire Department nor any other department since I have had a seat in this Board, and I have always maintained my independence above them. I don't allow their errors to go uninvestigated; and I don't propose, no matter what the pressure is brought against me, to vote other than as I think. I came here as an independent man and sacrifice my time for the city, but I don't propose to sacrifice my honor and independence.

Alderman Gibson—I rise to move to lay the whole subject over, and make it the special assignment for next Thursday afternoon, and likewise to have the ordinance, offered this afternoon, printed. I know something of the gentleman who originated that ordinance, and perhaps we may find something there that the Board is not aware of. I believe the time the gentleman has spent on that ordinance is worth something. If we find it is not anything special after we have examined it, we can reject it. There will be, nothing lost, as the Council meets on Thursday evening and can then act on the question again. I hope the gentleman will agree to lay the subject over. I will withdraw the motion, however, if any gentleman wishes to speak.

Alderman Quincy—I think that further delay in this matter is the policy of cowardice and nothing else. There has been too much delay and the public are justly indignant. What exactly are the merits of the new ordinance, submitted in writing, we don't know. We do know all about that which these petitioners and the public demand, and we have all made up our minds whether we ought or ought not to give it them. Now let us stand up in our boots and give them the answer, yes or no, which they demand. If it is honestly no, then I will give my whole attention to the next best thing, whatever that may be, but until that question is answered this proposition for a mixed commission is nothing but a compromise.

We are offered a compromise in the shape of the ordinance providing for a mixed board upon the model of the Water Board, consisting of members of the City Council and citizens serving without pay. There are occasions when a compromise is the most sensible and proper course to be taken, as there are others where men of principle, convinced that they are right, should utterly scout the idea. Which is here the case? In the first place, with whom is this compromise made? With the opponents of the measure, of course. Who and what are they? I am inclined to believe those newspapers which answer, "The Fire Department and its political influence." Now, convince me that this measure which the public ask of us is unwise and dangerous, and I will certainly vote to refuse it and consider the next

best plan of improvement. But if you fail so to convince me, don't ask me to compromise, because the Fire Department won't swallow the dose, and something must be compounded which they will. I have not been in the City Government long enough to know whether this political influence which the papers talk about is much or little at the present day. Perhaps I may find out at some time. It may be argued in favor of the compromise, that because it has been tried and found good for water it would succeed with fire. I can't see the logic there. The business of a water board is essentially peaceful, that of a fire board warlike—the former employs laborers, the latter commands fighters, who are expected to risk their lives, and who do it. Changing City Councilmen and unpaid citizens may constitute a body of sufficient strength, energy and promptitude to run the water works, but the public has asked for and the majority believe in giving them something far more permanent and responsible as a head to the fire army.

But has the experiment of mixed commissions in the City Government been a success so far? The gentleman from Ward 12, Mr. Loring, in arguing against a fire commission, criticises in so many words the Water Board and the Public Library Board as the most inefficient of all our boards and commissions, and then because these elective and unpaid bodies have, according to him proved a failure, he argues that an appointed and paid fire commission would but follow in their footsteps. I can't see that, Mr. Chairman, but if mixed and unpaid commissions have in reality proved themselves too weak to deal with books or water, for heaven's sake don't ask them to fight fire.

We think that we see the line, Mr. Chairman, on which it is our duty to fight this thing out, and, thinking so, a compromise would be for us similar to that defined in the "Gospel of Peace," published in war times, and from which I will venture a quotation. In the fourth chapter of the first book, the question being of a compromise between the men of the North and the Phiretahs of the South, it is said in verse 13—

"Now in the land of Unculp'salm when a man humbled himself before another which threatened him he was said to compromise. And they said, Let us compromise ourselves again unto our Southern brethren, and it shall be well with us. For behold, then they will remember that we have compromised unto them, and they will again be gracious unto their servants and will admit us unto a share in the Government, and we shall rule the land as aforetime."

I should have to be convinced, Mr. Chairman, that the compromise before us was something widely different from that here spoken of before I should vote for it.

Alderman Clark—This subject is of very great importance and should receive our careful consideration, inasmuch as it is proposed to change our entire system of managing the department. Eight thousand of our citizens have petitioned for a change of some kind. They probably did not know exactly what kind of a change would be for the best interest of the city. Every member of this Board is desirous of having a radical change in the department. A committee was appointed, and I presume they reported with as little delay as possible. It went into the other branch, where it originated. After a long and exhaustive debate, with a full Council, a yea and nay vote was taken and the minority report was adopted. It is our duty, therefore, if we believe a change is necessary in the management of the department, to adopt such changes as we believe will be for the best interest of the city, and such as will be likely to be concurred in by the other branch. The Alderman from Ward 8 has introduced an ordinance this afternoon to have a board of directors appointed on the management of the Fire Department instead of a commission. We have a dozen institutions which have been long and ably managed upon precisely such principles as proposed by the gentleman from Ward 8 for the Fire Department. No member of this Board or City Council can, at the present time or in the past, find fault with the government of the public institutions which have had among the directors some of our best citizens, devoting no less than half their time every day to them, serving year after year without pay. We have also the Public Library, which ranks first in this country, and is managed by some of the best men in the city, men who are elected by the members of this City Government. I believe there has been no fault found with the management of the library by men serving without pay. Our institutions are managed by men without pay, and do you suppose that you could get any better man at their head than Mr. Bradley? Now, it is not impossible that in the ordinance which it is proposed to have printed, something may be obtained which will be acceptable to the people, for I believe that the will of the people should be listened to. I do not believe we can stand up against

the entire press of the city and country and against eight or ten thousand business men of the city of Boston, and refuse to make a radical change in the Fire Department, or any other department when the public demand it. I do not propose tonight to discuss the qualifications of the Chief Engineer. It is not called for. Neither do I propose to discuss the question whether the Fire Department has been well managed during the last two years, or whether it has not. I believe, with the Alderman from Ward 15, that we have none but honest men at the heads of departments. And I doubt whether the expenditure of the city would be any less if managed by honest heads of departments or by commissions. For the reason that I am in favor of a radical change in the Fire Department I shall vote to lay this matter over until next Thursday, and to have the ordinance reported this afternoon printed so that we can look it over and try to adopt an arrangement which will be satisfactory to the community, and one that will pass both branches of the City Government. I hope the motion to lay over will prevail.

Alderman Power—The gentleman says in effect that nobody opposes a commission except those under the influence of the Fire Department. I have nothing to do with the Fire Department, and have never set myself up as its champion. I think I stand here as independently as any member of this Board, and while I have the highest respect for every gentleman's opinion, I state that I act on this according to the best of my belief, and for the best interest of the city of Boston, and not through fear or love of the Fire Department.

Alderman Stebbins—The ordinance which I submitted does not emanate from the Fire Department nor from the Committee on Fire Department. No member of this Board heard it read, and no one has seen it except Mr. Bugbee, the reporter and myself. Since I came into this Government I have endeavored to make the Fire Department a study. I read the report of the commission appointed after the great fire, also the reports made and the evidence taken by the Joint Special Committee. I am in favor of a change in the Fire Department, and the only question in my mind is whether to have a paid commission or one uniform with present system of commissions in this city. In my judgment the wiser course will be to have a board of directors such as has been mentioned. Still, if a majority of this Board is in favor of a paid commission I shall vote for one. But I want every member to see the ordinance which I have offered. It may have merits which will commend it to the public generally. The gentleman from the Highlands says the Fire Department is managed mostly by a board of engineers, who arrange all the details. These men have studied fires all their lives. Now if we elect three men they have got to learn the business. Establish the department in this way, and there is no reason why the Water Board should not be paid. Those gentlemen are all giving their time to the city for nothing, and are doing more in one year for the city than the Fire Committee can do in five. I hope the matter will be laid over until Thursday next.

Alderman Clark—I will corroborate the statement of Alderman Stebbins in regard to the knowledge of the ordinance by the Fire Committee. I know nothing about it, so there can be no connivance on the part of the Fire Committee or Chief-Engineer, or of the majority or minority. I believe some change can be instituted whereby we can have exactly what the people want without going to the expense of a paid commission. Thursday comes after the election, and if annexation takes place to any considerable extent it may be that some other radical changes in the majority report would have to be made. Delay will not injure the matter much, and it may be that we and the entire community will come to the conclusion that if the Fire Department can be managed as well as the City Hospital or Public Library or the public institutions or the Water Board, which are now managed by outside directors elected for terms of from one to three years, it will be all that will be required, a great expense be saved, and perhaps it may be carried through both branches of this Government and still give the people an immediate and radical change in the Fire Department.

Alderman Quincy—I should be sorry to have been understood as saying that any gentleman had been influenced by the Fire Department. I meant to say that the strength of the opposition lay in the Fire Department, and any compromise would be a compromise with the opposition of that department.

Alderman Gibson—I hope the chairman of the committee will not press this thing. I have no interest for anything but for the taxpayers of the city.

Alderman Power—The gentleman from the Highland District said he found in the minority report a basis which influences him for a commission. I think the minority report proposes more radical changes than the majority has. I think the large fires have shown conclusively that great improve-

ments can be made in the department. I am anxious to make it, as it was before, a pattern for all the departments in the country. I say here that I might vote for such a board as has been proposed this afternoon because I think gentlemen above suspicion would accept such positions who would not accept them if they were on a salary. I think we can get just that class of men who would be very valuable.

Alderman Gibson—Under this ordinance, the Mayor appoints four directors and continually has four in the board. On the other hand, he appoints three. I presume that if the Mayor believes he can't find the right men, he will say so. But I did n't propose to discuss the merits of the question. Mr. Chairman, I renew the motion to lay on the table.

Alderman Quincy called for the yeas and nays, and the vote was as follows:

Yeas—Aldermen Brown, Clark, Cutter, Emery, Gibson, Hulbert, Power, Sayward, Stebbins—9.

Nays—Aldermen Bigelow, Gaffield, Quincy—3.

The subject was laid on the table.

ENFORCEMENT OF THE PROHIBITORY LAW.

Alderman Gibson, from the Committee on Police, to whom were referred the petitions of W. H. H. Murray, A. A. Miner *et al.*, for the enforcement of the Prohibitory law, submitted the following report: The Prohibitory law, so-called, passed in 1869, provides, among other things, that any mayor, alderman, selectman, police officer, constable, etc., may, without a warrant, arrest any person whom he finds in the act of illegally selling, transporting or distributing intoxicating liquors, and seize the liquors, vessels and implements of sale. It appears from this that so far as the aldermen have anything to do in the matter, it is as individuals and not as a board. It can hardly be expected that the members of this Board will, in person, make arrests and seize liquors. The petitioners do not ask that, but they assume that the Board stands between the police and the enforcement of the law, and they ask, in effect, that this obstruction may be removed—that the police may be permitted to execute the law. In reply to this request, it is a sufficient answer to say that in no instance has this Board instructed the police, either officially or unofficially, not to enforce the law. It is the duty of the police to enforce impartially all the laws which come within their purview. It is not necessary, nor is it proper, that certain offences should be singled out, and special instructions issued for their prosecution. The rules and regulations for the government of the Police Department provide that "the chief-of-police shall see that complaints and prosecutions for violations of the laws and ordinances are instituted in all proper cases, and use his best efforts to bring offenders to punishment," and "whenever a disregard of any law, ordinance or order prevails to an extent prejudicial to the well being of the city, he shall cause the said law, ordinance or order to be published in the newspapers of the city," etc. If the police have failed to show as much energy in the execution of the Prohibitory law as they have shown in the execution of other criminal laws, it is because that law, in its present form, is obnoxious to the sentiments of the community, and not because of any influence on the part of this Board. The petitioners themselves are not without responsibility in this matter, as it is provided in the law which they ask that the police be permitted to enforce, that if any sheriff, deputy-sheriff, chief-of-police, deputy-chief-of-police, constable or police officer, after being furnished with a written notice of any violation of the law, neglects to institute proceedings thereon, any person who thereafter makes complaint shall be entitled to all fines imposed and collected for said violation. As it appears from the foregoing statement that the Board of Aldermen is not responsible for the failure to enforce the Prohibitory law, the committee are of opinion that no further action is necessary on the petitions.

(Signed)

NEHEMIAH GIBSON,
JOHN T. CLARK,
L. R. CUTTER.

The report was accepted.

REPORTS OF COMMITTEES.

Alderman Gaffield, from the Joint Committee on Public Instruction, to whom was referred the requests of the School Committee for additional accommodations in the new grammar school district; for a tablet in the new school house on the site of the old Roxbury City Hall; and for additional accommodations for a primary class in the Bigelow District; submitted reports severally recommending the passage of the accompanying orders:

Ordered, That the Committee on Public Buildings be authorized to provide temporary accommodations for pupils in the new grammar school district, Washington Village; the expense attending the same to be charged to the appropriation for Schoolhouses, Public Buildings.

Ordered, That the Committee on Public Buildings be authorized to provide temporary accommodations

for primary pupils in the Bigelow School District; the expense attending the same to be charged to the appropriation for Schoolhouses, Public Buildings.

Ordered, That the Committee on Public Buildings be authorized to procure and place in the new schoolhouse now in process of erection on the site of the old Roxbury City Hall a suitable tablet bearing the name of the school; the expense attending the same to be charged to Schoolhouses, Public Buildings.

The first order having been read, Alderman Gaffield moved that it take its second reading and be passed.

Alderman Hulbert hoped it would be laid over.

Alderman Gaffield stated that the request had been before the committee some time, and had been referred to a sub-committee with the view of purchasing a lot. There is a surplus of nine hundred and seventy-five pupils out of the schoolhouses, some of whom are in the streets. But it was decided not to borrow any more money, and the plan of buying a lot was abandoned. The taking away of Fort Hill has sent a great many children to South Boston, and this order is simply to authorize the Committee on Public Buildings to furnish additional accommodations, which are greatly needed.

Alderman Hulbert said he asked this because he thought the expenditures by the School Committee are getting too large. It may be all right, but we are putting up a class of expensive buildings. We should look more into matters before we go much further. He desired to know the expense.

Alderman Gaffield—The rent will be about \$2000 a year.

Alderman Sayward—In addition to the \$2000 rent, it is necessary to spend \$1500 to put the building in proper condition.

Alderman Hulbert waived his objections, and the order was read twice and passed, as were also the two succeeding orders.

Alderman Sayward, from the Committee on Health, reported in favor of granting the applications of L. C. Chase, Michael Moore, Thomas & Griffin, Bolton, Dewar & Fieldhouse, Addison P. Wheelock, Jacob Morlock, George Souther, George C. Willets, Cornelius Regan and Otis S. Pierce, for leave to occupy stables. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the applications of Hampton Students, to give concerts in Tremont Temple; proprietors of Wesleyan Hall, for renewal of license; James J. Prendergast, to run hackney carriage; Davis & King and ten others, for transfer of wagon license; Henry Baker, James Howell, Thomas C. Cooper and others, for wagon license; Gilman Brothers, for druggist license, at 24 Custom House street; Martha T. Beatty, 69 and 71 Beach street, inholder; Joseph L. Noyes, 197 Cambridge street, James F. Moran, 264 Federal street, victuallers. Severally accepted.

Alderman Sayward, from the same committee, reported leave to withdraw on the applications of Peter Gafrey, victualler, 38 Cooper street; William Randolph, 290 North street, victualler. Severally accepted.

Alderman Power, from the Committee on Paving, reported no action necessary on the petition of Horace Billings & Son, that projecting signs be prohibited on Summer and High streets, for the reason that the erection of projecting signs without a license from the Board of Aldermen is already prohibited by section 23 of the ordinances in relation to streets. Accepted.

Alderman Power, from the same committee, submitted an order notifying owners and abutters on Arch street, between Franklin and Summer, to remove all obstructions within ten days. Read twice and passed.

Alderman Clark, from the Joint Committee on Streets, reported orders to pay as follows: Thomas Hills, \$501 20, on account of extension of Prescott street; Massachusetts General Hospital, \$1290, on account of extension of Devonshire street; Ariel Low and Charles W. Hersey, \$10,106, on account of widening of Federal street. Severally read twice and passed.

Alderman Sayward submitted the following:

Ordered, That the Committee on Public Buildings be authorized to sell by public auction that portion of Engine House No. 12 which projects over the line of widening of Warren street, together with the land, and that portion of the building remaining; said building to be removed immediately, and the proceeds of the sale to be paid into the City Treasurer.

Alderman Stebbins inquired how much land would be left to sell.

Alderman Sayward was unable to state exactly, but it was a very small amount.

Alderman Stebbins—It is a very valuable piece of land, and it might be better to hold on to it for a while.

Alderman Sayward—The committee have the assurance that it will bring a very good price if sold at this time.

The order was read twice and passed.

Alderman Power, from the Committee on Sewers, reported orders for the construction of sewers in Cresecent avenue and Carleton street; in New Heath street, between Pynchon and Centre streets, and Centre street, between New Heath and Cedar street; in Paris street, between Marion and Bennington streets; in Bremen street, between Brooks and Porter streets; in Franklin street, between Walnut and Taylor streets; in Taylor street, between Franklin and Water streets, and in Water street, between Taylor and Walnut streets. Severally read twice and passed.

Alderman Power, from the same committee, to whom were referred the schedules of assessments for sewers in Tudor, Bolton and Silver streets, reported that they were correct, and recommended that orders for collection be passed. Reports accepted and orders passed.

Alderman Power, from the Committee on Steam Engines, reported an order of notice for a hearing on October 28, at four o'clock P. M., on the petition of John Roessle, for leave to use a steam engine on Pynchon street. Passed.

Alderman Stehbins offered the following, which was read once:

Ordered, That his Honor the Mayor be requested to petition the General Court at its next session, to establish a State normal school within the limits of the city of Boston.

On motion of Alderman Power—

Ordered, That that part of Dorchester street lying between Dorchester avenue and Boston street, be hereafter called and known as Boston street.

Ordered, That the superintendent of Streets be directed to pave Meridian street, between Paris street and Central square, with small granite blocks. Estimated cost \$17,000.

On motion of Alderman Gibson—

Ordered, That in addition to the sum heretofore appropriated for repairing the draw of Meridian-street Bridge, there be allowed the sum of twenty-five dollars and twenty-one cents; said sum to be charged to the appropriation for Bridges.

CONSTABLES' BONDS.

Alderman Stehbins presented the bonds of forty-six constables for the year ensuing. Having been examined and certified by the Treasurer, on motion of Alderman Stehbins they were approved by the Board.

HOME FOR THE POOR.

Alderman Clark moved to reconsider the vote whereby this Board agreed to recommit the report and orders respecting a site for a "Home for the Poor," with instructions to report in fifteen days.

Alderman Power could not see the propriety of a reconsideration. The subject had been thoroughly discussed, and a majority of the Board was decidedly in favor of recommitment, and he hoped the vote would not be reconsidered.

Alderman Clark thought it evident that Alderman Power intended the present City Government should not choose a home for the poor unless it takes the Austin farm, and the obnoxious institutions in South Boston are removed. It is the city's duty to take care of the poor by providing a suitable home for them, and if the reconsideration prevailed he would move that the report favoring the Neponset lot be adopted.

Alderman Power replied that while feeling that the institutions at South Boston are a detriment to that locality, his anxiety to get rid of them should not permit him to spend the city's money where he thought it was not for the city's interest, and he was not afraid to have the citizens of South Boston hear it.

Alderman Emery's choice was the rejected Austin farm, but he hoped the matter would be left with the committee, and that the motion to reconsider would not prevail.

Alderman Sayward would be glad to have the matter settled; he favored the Neponset lot. No one knew the necessity of a Home for the Poor better than he.

Alderman Clark alluded to the possibilities of delay, and that if the Neponset lot were not selected, no Home for the Poor would be secured this year. If the gentleman is as anxious as he seems to be for this measure after the vote we have had, he will yield the Austin farm and vote for the Neponset lot.

Alderman Power disclaimed any local feeling; he did not think it for the city's interest to purchase the Neponset lot, and should not vote for it.

Alderman Gaffield hoped Alderman Clark's motion would be withdrawn and the committee would make another report.

Alderman Clark did not propose to have it charged that those who voted against taking the West Roxbury site prevented the Board from selecting a Home for the Poor.

Alderman Sayward hoped the reconsideration would prevail and the vote be taken directly on the question whether they would select a home for the poor or not.

Alderman Hulbert thought the subject in proper shape now. If Brookline or West Roxbury are annexed there is no doubt that a lot could be obtained for half the amount proposed to be paid for the Austin farm.

Alderman Quincy voted against a recommitment before, but now was inclined to think a better place might be secured yet, and thought the matter had better remain as it is.

Alderman Gibson would prefer to have the committee look further; he would rather go twenty miles into the country on one of the trunk railway lines, where land could be bought a great deal cheaper. The committee ought to have some instructions as to the number of acres.

Alderman Sayward thought twenty-five acres or less would do.

Alderman Power thought not less than fifty acres should be selected.

Alderman Clark withdrew his motion to reconsider.

THE ANNEXATION VOTE.

On motion of Alderman Stehbins—

Ordered, That a committee of two be appointed to examine the returns of votes to be cast tomorrow, in this city, on the annexation questions, and to report at a future meeting of the Board.

The Chairman, appointed Aldermen Stehbins and Quincy as the committee named in the order.

WOODEN PAVEMENTS.

On motion of Alderman Power, the report of Commissioners on subject of Wooden Pavements (See City Doc. No. 100) was taken from the table.

Alderman Power explained the position of the commissioners. A petition had been sent in asking for a supplementary report on this subject. The commissioners said they were ready to give as many reports as the city would pay for.

Alderman Stehbins moved to refer the report to the Committee on Paving.

Alderman Power said that committee had had this matter before them. The commissioners had asked for additional compensation, but the Committee on Paving declined to give them any more pay, and therefore the commissioners declined to make any more reports.

Alderman Stehbins thought the report contained a great deal of information useful to the Committee on Paving, and that was the proper committee for the report to go to. He renewed his motion to refer.

Alderman Gibson wanted to know how many dollars the commissioners had received.

Alderman Hulbert said the Committee on Paving had considered the report and did not desire to have anything more to do with it. There is no appropriation for any further report.

Alderman Gibson—I would like to know what the report cost.

The Chairman—Five hundred dollars.

The Board voted to refer the report to the Committee on Paving.

THE HOLLY SYSTEM.

On motion of Alderman Power, the report and order for the Water Board to consider the expediency and report the cost of supplying the business portion of the city with salt water, by means of the Holly system, were taken from the table.

Alderman Stehbins hoped the order would remain on the table until Alderman Hulbert had finished his investigations.

Alderman Power—My reason is this: The chairman of the Water Board has informed me that the order had better be disposed of soon, as it is proposed to make some changes in the district named, and the order might affect those changes one way or another. It is simply for them to look into the matter, and it will not take them long to make a report. I understand the President of the Water Board and the City Engineer have been to Lockport and examined the system, and are prepared to make a report.

The order was passed.

THE USE OF HOISTING BEAMS.

Alderman Hulbert offered the following:

Ordered, That the City Solicitor be instructed to prepare a suitable form for a license to be issued to those parties who receive permission from this Board to use hoist beams projecting over the public ways, under the provisions of chapter 90, section 4, of the acts of the year 1816, so that the city shall not be held liable for any injury to persons or property which result from such use.

Alderman Hulbert explained that under the present statute no person is allowed to use hoist beams, although the Board of Aldermen may permit their use under certain conditions. The Committee on Paving have instructed the Chief of Police to notify all persons not to use them without a permit from this Board. The idea is that the city shall be held harmless from any injury that may arise from their use.

The order was passed.

On motion of Alderman Gibson, the Board adjourned till Thursday, 9th inst., at four o'clock P. M.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
OCTOBER 9, 1873.

An adjourned meeting of the Board of Aldermen was held at four o'clock P. M. today, Alderman Cutter, Chairman, presiding.

JURORS DRAWN.

Forty traverse Jurors were drawn for the October term of the Supreme Judicial Court for Suffolk County.

PETITIONS PRESENTED AND REFERRED.

To the Committee on Paving. John L. Gardner, to be paid for damages caused by change of grade on Tremont and Ferdinand streets.

To the Committee on Health on the Part of the Board Silas Potter, to occupy wooden stable on Alaska street; T. C. Wait, to occupy wooden stable on Hill-side avenue; Skillings & Whiting Brothers, for leave to occupy wooden stable on Burlington street.

To the Committee on Sewers. W. V. Hutchings *et al.*, for sewer in Island street; Micah Dyer *et al.*, for sewer in Eastern avenue.

METROPOLITAN RAILROAD.

A communication was received from the directors of the Metropolitan Railroad accepting the location (35th) granted by the Board, September 22d, to lay double track in Stoughton street from Hudson street to Harvard street, etc. Placed on file.

SEWER ASSESSMENTS.

Assessments for the construction of sewers were received from the Superintendent of Sewers as follows: Shawmut avenue, between Circuit and Cedar streets, total cost \$2474 10; to be paid by individuals, \$618 58. Warren street, total, \$4985 91; by individuals \$3739 43. Chelsea street, between Brooks and Putnam streets, total, \$428 05; by individuals \$321 04. Summer street, total \$12,693 50; by individuals \$9520 13. Severally referred to the Committee on Sewers.

THE VOTE ON ANNEXATION.

Alderman Stebbins, from committee appointed to examine the returns of votes cast in the several wards on the 7th inst. on the question of annexation, reported that the returns appear to be properly made, with the exception of that from Ward 4, which is *not* signed by a *majority* of the Inspectors of Elections in said ward. But as no other informality exists, the committee have not deemed it expedient to reject the vote from that ward, especially as the election was conducted in good faith and the general result is not affected thereby. The results of the election are correctly recorded in the book kept for that purpose, from which it appears that the yeas and nays are as follows:

FOR BRIGHTON.		FOR CHARLESTOWN.	
Yeas.....	5596	Yeas.....	5960
Nays.....	2165	Nays.....	1868
FOR BROOKLINE.		WEST ROXBURY.	
Yeas.....	6293	Yeas.....	5110
Nays.....	1484	Nays.....	1663

The committee recommend that the results be certified to the Secretary of the Commonwealth, as provided by law.

The report was accepted.

REPORTS OF COMMITTEES.

Alderman Quincy, from the Committee on County Accounts, to whom was referred the bill of D. S. Gilchrist, made a report recommending the passage of the accompanying order:

Ordered. That there be allowed and paid to D. S. Gilchrist, for work done on the probate records of Suffolk County, by direction of the Judge of Probate, the sum of seven hundred and fifty dollars; said sum to be charged to the appropriation for County Expenses.

The order was read once.

Alderman Quincy, from the Committee on Armories, offered the following, which was read once:

Ordered. That the Committee on Armories be authorized to expend the sum of seventy-two dollars and fifty-three cents in repairing the armory of Company K, First Regiment Infantry, M. V. M., in South Boston, said sum to be in addition to the amount appropriated for that purpose in 1872; to be charged to the Appropriation for Armories.

Alderman Power, from the Committee on Sewers, reported orders for the construction of a common sewer in Moreland street, east of Cleveland street; in Clifton, Albion and Hudson streets; and in Cottage street between Clifton and Stoughton streets. Severally read twice and passed.

Alderman Power, from the same committee, reported an order of notice for a hearing on the petition for a sewer in Franklin street, between Pearl and Oliver streets, at four o'clock P. M. next Monday. Passed.

Alderman Power, from the same committee, to whom were referred the several schedules of assessments for sewers in Prescott street, Sixth street, Dorchester avenue, Shamrock and Commercial streets, Third street and Fruit street, reported that they are correct, and recommended the passage of orders for collection. Severally read twice and passed.

Alderman Power, from the same committee, reported the following, which was read once:

Ordered. That the sum of \$88 31, assessed upon Caleb Thompson for a sewer in Seventh street, be abated, and the same amount assessed upon Patrick Coyne and Daniel Briscoe.

Alderman Gibson, from the Joint Committee on Inspection and Survey of Buildings, to whom was referred the petitions of Timothy McCarty, the Third Religious Society of Dorchester, Leonard Pickering, for permission to make additions to wooden buildings, and of W. R. Clark, to erect a coal elevator on Foster's wharf, submitted reports recommending the passage of orders for the issuing of such permits in accordance with the applications therefor. Reports accepted, and orders severally read twice and passed.

Alderman Gibson, from the same committee, reported, on the petition of Leonard Ware, to maintain a wooden shed in Purchase street, that said building was erected in violation of law, and that the City Council have no authority in the matter. Accepted.

Alderman Sayward, from the Committee on Public Buildings, reported that in compliance with an order of June 9, the committee had purchased a temporary building suitable for the accommodation of a steam fire engine, and the men and horses connected therewith, and they are now occupied by the Fire Department. The committee are now in receipt of a communication from the Chief Engineer of the Fire Department asking that accommodations be furnished for a hook and ladder carriage, together with the men and horses, and a building in the immediate vicinity of the one occupied by the steam fire engine. They recommend the passage of the accompanying order:

Ordered. That the Joint Standing Committee on Public Buildings be authorized to purchase, hire or erect upon lands owned by the city in the immediate vicinity of the temporary engine house No. 40 Washington square a building suitable for the temporary accommodation of a hook and ladder carriage, and the men and horses connected therewith, the expense to be charged to the appropriation for Public Buildings.

Alderman Clark moved that the order take its second reading at this meeting.

Alderman Sayward said that with these frequent calls on the Committee on Public Buildings another appropriation might have to be asked for before long; he hardly thought enough is left to pay for what has already been ordered.

Alderman Clark said it is necessary to have money to build engine houses. We have got a hook and ladder company, and there is no place to put it. The burnt district must be properly protected with a Hook and ladder company, as well as engine and hose carriage.

Alderman Stebbins said it is understood that this is for a temporary structure. An order has already been passed for a temporary building on the burnt district, but it was found to be not large enough. The horses made so much noise during the night that the men cannot sleep there. An order has also been passed for a permanent house on Fort Hill.

Alderman Sayward was not opposed to the appropriation, but merely wished to show the state of the finances. These orders are constantly coming up, and if the committee should have to ask for more money he desired that the Board should know it previous to their coming.

The order was read twice and passed.

Alderman Clark, from the Committee on Streets, reported orders to pay as follows: Hanford Lockwood, Smith Fowler and Mary D. Fowler, \$1050, for estate surrendered to the city under the extension of Prescott street; William Wood, \$1033 20, on account of the extension of Prescott street; John T. Mills, \$15,500, on account of the widening of South Market street. Severally read twice and passed.

Alderman Sayward, from the Committee on Health, reported in favor of granting the applications of Thomas B. Cox, 606 Bennington street, and R. A. Upton, 90 Zeigler street, for leave to occupy stables. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the applications of John B. Sherwin, to give concerts at St. Mary's Institute, October 14 and 15; Abram French & Co., for hack stand corner Milk and Washington streets, and Charles Crosby, for hack stand at 41 Devonshire street. Severally accepted.

THE CITY MILITIA.

Alderman Quincy, from the Committee on Armories, who were directed to consider what change in the amounts heretofore allowed for rents of armories will be advisable in view of the provisions of the statute for the reorganization of the militia recently passed, reported that the committee consider the passage of the statute in question due to a growing recognition in the community of the necessity in our form of government, which repudiates a standing

army, of supplying its place with a reliable, disciplined and efficient body of citizen troops ready for action when called on, a more reliable, disciplined and efficient body than we have had since the close of the war, for now that the natural reaction which occasioned its neglect has passed, our war experience shows more clearly than ever before wherein true discipline and efficiency consist, and the public, which now appreciates these qualities, demands them for the militia. An important feature in the law is the prohibition of the use of armories for other than their legitimate purpose. Such uses have beyond doubt a demoralizing tendency, but have been excused on the ground that rents could not otherwise be paid without such assessments upon the soldiers themselves as would drive much of the best material out of the service. There is much force in this argument if supported by fact, for certainly poverty ought to prevent no man from serving the State as a soldier if he so desires. To obviate this objection the law provides an important increase in the State allowance for this purpose, and the question is whether the city should not adopt a similar course and thus join hands with the Commonwealth in its policy in support of the militia. The committee regard this duty as incontestable. The larger the city the more indispensable is it that its militia be properly quartered where they can give the most efficient protection if called on. In other words, they must be where they can be got at. Their rallying points should be centralized and no longer scattered without plan, wherever cheap accommodation can be found. Fires, riots, and all occasions wherein we look to the militia for protection, come upon us unannounced, and unless the latter can be promptly called into action they come too late to prevent mischief, and of this none are better aware than the criminal classes, who can calculate to a nicety how much time will elapse before the military arm can be used against them. And the fact that the company, and not the regiment, has been regarded as the unit in the militia, has been, in our opinion, the latter's greatest weakness, as it renders the enforcement of an uniform standard of discipline next to impossible. The conclusion to which these considerations have brought this committee are, briefly, that the protection of the city, no less than the interests of the militia, alike demand a concentration of the armories, or rallying points, of each regiment or battalion under the same roof. To this policy, more than to any other, we ascribe the reputation of the New York regiments, with which ours cannot as yet court comparison. The existence of petty independent commands is, we think, to be deprecated. Without considering, therefore, what may be the comparative excellence of existing organizations, or suggesting in any manner upon what nucleus it might be best to form others, the committee are fully of the opinion that it would be a great step towards competing successfully with our sister city if the infantry within our city limits could be organized into two full regiments, each to be quartered under one roof, without expense either to men or officers. Should such reorganization be effected by the State authorities, the committee think that it would be a measure of direct economy over the present system, should the city, selecting appropriate sites, build, furnish and keep in repair, like other public buildings, such regimental armories, with quarters for each company and a hall large enough for wing drills, commanding officers could then be held responsible for the behavior of their subordinates with something like military system, applications to the City Hall would be made through the proper channel and only with the knowledge and approval of superiors who would have no excuse for not knowing the real needs of their command. There would be an end to the present slipshod and discreditable system, if such it can be called, which results in a rivalry of companies, each bent on getting the most out of the city treasury. With the increased State allowance and the rent of the lower stories of such buildings, the committee cannot but think that they would soon become a source of income instead of expense to the city. For small cities and towns the company quarters and rallying points may suffice; for the metropolis, which can hardly be supposed to call for less than a battalion, the regimental armory seems a necessity. Should these views meet the approval of the City Council, the committee would recommend that the same be communicated to his Excellency the Commander-in-Chief and his military advisers with a view of obtaining concert of action, and to that end would respectfully present the accompanying order:

Ordered, That the Joint Standing Committee on Armories be instructed to communicate the views contained in the foregoing report to his Excellency the Commander-in-Chief as those of the City Council of Boston, and to express to his Excellency their firm conviction that when the militia infantry of Boston shall receive a permanent regimental organization

the City Council will take immediate measures to provide them with such regimental quarters as shall conduce to their comfort and their reputation as Massachusetts soldiers.

On motion of Alderman Quincy the report and order were laid on the table to be printed.

THE FIRE COMMISSION.

On motion of Alderman Stebbins, the Board took up the special assignment, being the reports and ordinances relative to the reorganization of the Fire Department.

The Chair stated that the question was on the amendment offered by Alderman Quincy to the substitute of Alderman Stebbins.

Alderman Stebbins—When I presented this ordinance last Monday I stated that I desired to secure for the city the most effective fire department. I believed then and believe now that a board can be secured who will render to the city more valuable service than any paid commission will. At the same time I stated that if the majority of the Board thought otherwise I should so vote. My only wish is to secure an effective department, and now, as it is understood that the majority have agreed to the majority report, I desire to draw attention to some of the defects in it. In the ordinance I drew I guarded against what I think is a serious omission of the majority. Section one of the majority report delegates the organization of the Fire Department to a Board of Fire Commissioners. The General Statutes provide that the City Council may establish a fire department by ordinance, with such regulations as the City Council may from time to time prescribe. I am no lawyer, but have asked the best legal authority whether I am right. The City Solicitor said the City Council cannot grant to any board the power to designate the number of men in any department. Section one is therefore defective. Section four provides that the Commissioners shall have the control of fires. That power is conferred upon the Board of Engineers by the statutes. I wish to call attention to these defects, which are serious and must be corrected before it can pass.

The office of Superintendent of Fire Alarms, one of the most important we have, is also abolished. It is certain that we have one of the best electricians in the country in this office. The report also omits providing for the appointment of any committee on the part of either branch who shall have any knowledge of the department. This is unprecedented. There is a committee to supervise the Water Board, the City Hospital and the Board of Health. Another fact is, by the adoption of this ordinance all previous ordinances are repealed. By this the office of Chief-Engineer and every other office expires before vacancies could be filled. In the ordinance which I provided these officers were to hold office until their successors were appointed, and in general terms it was in conformity with the tone of the statutes.

Alderman Quincy—Do I understand the Alderman to abandon the substitute?

Alderman Stebbins—I do not, but will vote for the majority when it is put in proper form. I cannot withdraw the substitute.

Alderman Quincy—Do I understand that if the majority ordinance is put in proper shape he will vote for it?

Alderman Stebbins—I shall

Alderman Quincy—If that is so before we consider the suggestions which I am prepared to meet with proper amendments I wish to have a word or two on the subject of the compromise ordinance.

Now that Aldermen have had an opportunity of examining in detail the plan for a mixed board of directors in place of a paid commission as petitioned for, I hope and believe that they must have convinced themselves that it is anything but the radical change which the Alderman from Ward 6 agrees that the public demand. The Alderman from the Highland District well and forcibly stated last Monday that the great trouble with the present system was that you could not find responsibility when you looked for it. Now in place of any argument against the weaknesses of the system here offered as an improvement I will simply read an imaginary dialogue held under its operation between a citizen in search of responsibility and in turn a director and an engineer.

Citizen in Search of Responsibility—Why is not there a company stationed somewhere within two miles of my warehouse?

Director—They are all needed where they are.

C. I. S. O. R.—Then why don't you organize another if you have not enough to protect the city?

D.—We can't organize new companies; that is left to the City Council.

C.—Then why don't you district the city better, and change the organization of your battalions?

D.—We have nothing to do with districting or organizing the battalions; that is left exclusively to the engineers.

Alderman Stebbins—I should like to have the opportunity to answer in that dialogue.

Alderman Quincy—After I am through the gentleman can have an opportunity to proceed.

C.—Then why don't you select engineers who know their business better?

D.—We don't select engineers, that is the Chief's business. We only confirm.

C.—Then why have we got a Chief who selects incompetent men?

D.—That is the Mayor's lookout, not ours. We can neither appoint nor remove him.

C.—Then why don't your patrol ever come down my way; there 's a nest of carpenters' and painters' shops, and the nearest hydrant in no concition to work?

D.—Ask the engineers; that 's their business under the ordinance.

C.—If it 's their business why don't you see they do it?

D.—Because I can't spare more than wo hours a day for this work and support my family beside. Here comes an engineer; ask him.

C.—Mr. Engineer, why don't your patrol come down my way?

Engineer—We have n't men enough.

C.—Then enlist some more for this special duty.

E.—We can't; the ordinance prescribes exactly who shall do it,—permanent foremen and hosemen, and we can't even use hook and ladder men instead.

C.—Some of your foremen are too permanent. Why was n't that one who was drunk on duty the other night discharged the next morning?

E.—Step this way a little and I 'll tell you; I don't want him to hear. We heard the case and recommended his discharge, but you see he 's a pretty big man in ward politics, and when it came before the directors the Councilmen insisted on a rehearing to enable him to prove he was n't so very drunk, and the end of it was they voted a reprimand instead, and there he is, still swearing he 'll pay us off yet.

C.—Why did n't you go to the Mayor? can't he discharge firemen? he used to.

E.—Not under the new ordinance—he discharges only the Chief and assistant. [*Here the alarm strikes from the box on the citizen's warehouse and he suddenly abandons his search for responsibility.*]

From pillar to post, Mr. Chairman; everybody accusing some one else till it reminds one of the children's game of forfeits. "What, I, sir? Yes, you, sir. Not I, sir. Who then, sir? Mr. Blackcap. What, I, sir," etc.

I fully agree with the opinion expressed in one of this morning's papers that in many respects the present state of things or the minority ordinance itself is preferable to the compromise. I mean, of course, the minority ordinance in its original shape, before the astonishing about face executed by its signer in the other branch. To that shape I presume we could restore it if necessary, for I cannot suppose that any Alderman, even to avoid a commission, is desirous to swallow his own arguments in order to jump gracefully from the frying pan of a joint committee into the fire of the whole City Council. But I have no fear that we shall come to that. I have so much confidence in the good sense of this Board and in their willingness to abandon a prejudice when fairly convinced that it is unfounded, that I fully believe that the majority ordinance will pass.

Now, as to the objections the gentleman made to the ordinance. I had proposed to offer an amendment which I have here. In the first section, insert after the word "Chief-Engineer" the words "Superintendent of Fire Alarms." I propose also to fill up the blank with the words "not exceeding five hundred and fifty men." I have no doubt that the City Council have power to delegate the formation of battalions to any board they choose.

Alderman Stebbins—The statute prescribes that the number of enginemen shall be fixed by the City Council.

Alderman Quincy—If that is the opinion of the City Solicitor I bow to it. I relied on the general provision that the City Council can act directly or by delegation of the power to some of the boards. Unless the City Solicitor can explain it to me otherwise, I shall think it comes under that general provision.

Alderman Stebbins produced a letter from the City Solicitor in support of his assertion.

Alderman Quincy—I hope the gentleman is prepared with an amendment.

Alderman Stebbins—I am not; I leave that to the committee.

Alderman Quincy—I now propose to offer the amendment pending in the other branch providing for the appointment of a Committee of the City Council. [The Alderman submitted the amendment to the majority of the ordinance offered in the Council by Mr. Denny of Ward 9.] If the gentleman has decided to support the principle of a commission, these amendments can be adopted this evening. I

hope the objection will not be insisted upon, and that we shall adopt the ordinance without further delay.

Alderman Stebbins—The gentleman has not touched upon the section concerning the powers of the commissioners and engineers.

Alderman Clark—When I advocated laying this matter on the table last Monday, it was for the purpose of considering it carefully and comparing the report of the majority with the ordinance introduced by the gentleman from Ward 8, as was my duty as a member of this Board. I have come to the conclusion that it is the duty of this Board to vote for the appointment of a commission. The additions to the territory which have taken place within the last few days are a very strong reason why any member who was not in favor of one before that, should favor it at the present time. I believe the limits of the city have outgrown the attention and time that has been devoted to them, and require more time than any committee which can be appointed by the City Council can give. The business community evidently demand the commission: capitalists demand it, and it seems to me as though there is but one opinion. Within the last few days I have tried to find those who suppose that the commission is not necessary to the proper management of the Fire Department. I have the honor of being a member of the Committee on Fire Department this year, and was also a member last year. I have endeavored to do my duty as a member of that committee, but I do believe that its requirements are such that if we can get three practical, straightforward, upright business men, who do not desire this position for the purpose of making money, who will make it a study and give their whole time to it, the department can be managed better than it can be in its present form. I do not mean to say that my faith in the department has grown any less than it has been in years past. I believe that the city of Boston has as good and efficient Fire Department as there is in the country, and it is n't but a short time since it had the confidence of the people and the support of the entire press of the city, and that was the opinion of the underwriters of New York who came here, to whom it seemed that Boston was under the special care of Divine Providence, because we had no fires. But times change. We have had a big fire; we had two big fires; we have had a good many fires since; and in my opinion the fires since the great fire have been well managed, but that may be no reason why we should refuse to grant the petition of people who come here and ask for a change, or for the appointment of a commission, if you so desire. As I said before the annexation of Charlestown, West Roxbury and Brighton—I am sorry I cannot say Brookline also—will require the attention, certainly, of some parties a great many hours a day during the present and coming years to organize and look after, and I for one have made up my mind that the city wants, demands and is bound to have a commission, and it is our duty not to stand in the way. Therefore I shall vote for the appointment of a fire commission. If the ordinance is defective, as it evidently is, it should be recommitted into the proper hands and put into proper shape. It seems to me that we can vote to accept the report and recommendations of the majority of the Committee on the Reorganization of Fire Department, and recommit the ordinance with instructions to have it properly prepared. I would ask whether that would be a proper motion.

The Chair—There is no report before the Board to be accepted.

Alderman Power—I can't let this question be decided without saying a few words. I don't get up to make an apology. Never have I done anything that I felt ashamed of. I simply get up to defend my course on this question. My reasons are given in the majority report. The principal reason shown here for a commission is that the Aldermen did not attend to their duties or give this subject the time it deserves. I don't propose to plead guilty to shirking my duty, nor acknowledge that I have been false to the oath I took to attend to the city's business first when the citizens of Boston did me the honor to elect me to this Board. If these gentlemen did their duty there would be little need of a commission. I have given some attention to the Fire Department, and I pretend to say that I do know more about it than outside people who have no more intelligence than I have, and I am more competent to judge of what we want. If I have been deceived by members of this Fire Committee, when they told me repeatedly that we had the best department in the country—and the New York underwriters said we were a pattern for the country—if I have been deceived, I have no apology to make. But it will be some excuse for me for voting against a commission. I believed the citizens of Boston thought they elected a reform Board of Aldermen. [Mr. Power here read from the remarks of Alderman Clark on the question of raising the salary of the Chief-Engineer

to \$3500, which the latter claimed was due for his efficiency.] If Alderman Clark sincerely believed in this statement, why does he stand up here and vote for a change? Do citizens think we are to be turned by every change of the wind, or did they think we would vote according to the dictates of our own consciences, no matter how great the pressure? My confidence is shaken, and I don't wonder that of the public is too. The principle of commissions is opposed to the sentiment of our institutions. Boston has been looked upon as a pattern for integrity, and I have no reason to doubt it. I have seen no corruption since I have been here. Another thing. A gentleman said he had been here a year and did n't profess to know anything more about the business of City Hall than if he had been outside of it. I don't think that applies to the rest of the members. He has been compelled to be away on account of a sad event, for which he had the sympathy of his associates, but the rest of us must have been about here attending to our business. If they don't attend to their business I don't blame the public for wanting a commission.

Alderman Clark—I have said nothing against the management of the Fire Department, nor the Chief-Engineer. I was honest in the statements made last spring, and have had no reason to change my mind at the present time. Nor do I suppose it is intended to entirely change the present department. I understand that the commission is to take the place of the Fire Committee. I cast no reflection on the members of the department, which I believe to be as efficient as any in the United States. I would remind the gentleman that, a year ago, he reported an ordinance for a Board of Health, at the head of which department is one of the best men who could be had, and he is retained, and the commission is over him. So we have a most excellent precedent established by the gentleman himself. I believe the Board of Health has worked as a general thing to the satisfaction of the community. I do not apologize for any shortcomings of my own. I have labored according to the best of my belief. If I have failed it is unintentional and for lack of ability. I have endeavored to do my duty as a member of the Fire Committee, and if the Alderman from Ward 12 has lost confidence in any of the members I have not lost confidence in him. I think he did a good thing in establishing an independent Board of Health, and if this commission is appointed the results will be equally satisfactory.

Alderman Hulbert read from his remarks at the last meeting to correct a misapprehension on the part of Alderman Power.

Alderman Quincy—I agree to the point of law decided by the City Solicitor, but I do not think the ordinance for that reason should be sent back. All the other errors are covered by the amendments I propose to offer. There is no doubt the City Council cannot delegate the power of prescribing the number of engineers. I therefore propose to strike out the words "said engineers shall deem necessary" and insert instead "City Council shall deem necessary." The other objections, I think, are answered and the ordinance can be put into as perfect a state as possible.

Alderman Stebbins—I stated before that I should vote for the ordinance when it is amended, but I cannot vote for it in the shape it will be in. It is the best plan to perfect it here. In the other branch it met with a majority quite large against it. The Board of Engineers are the persons provided by the statute to have charge of fires. You may undertake to say that three commissioners may have charge of fires, but you cannot do it legally; it comes back to the engineers. Another provision in my substitute was that the permanent men shall render assistance to the department for the survey and inspection of buildings, and I hope the chairman will consent to have that feature incorporated.

Alderman Gibson in the chair.

Alderman Cutter—I have the high honor, Mr. Chairman, of being the chairman of the Committee on the Fire Department, and have thought that at this particular stage of proceedings I might be indulged in a few remarks on this subject. I had supposed that my associates were honest enough to speak what they believe, and that they believed our Fire Department equal in strength, and equal in power, to do today more than it has been able to do any day since the charter of the city was granted. We have improved it this year. We were found fault with by the underwriters, who held up their hands and said we were doing nothing. We were not spending money enough. Then we bought four new engines, and organized four new companies for the city proper, which will cost Boston \$150,000 a year. And I tell you, gentlemen, the taxpayers have got something to say about this.

The underwriters can control some men, perhaps, but they cannot control the votes of the taxpayers, and it is the taxpayers who are going to control this question. So far as this Board undertaking to shuffle their duties off upon a body of commissioners and taxing the people to pay them is concerned, I think

they will say that a different class of gentlemen is needed here, who will perform these duties without any shuffling. I did expect that this City Government would not be led, like the federal and State governments, into commission after commission, until we have so many office-holders that we cannot vote to turn out a President, because, in spite of you, he can elect himself through his own agency. I did n't suppose this state of things would come from a republican form of government. Now, I say the nearer you bring these things to the people the better it will be for the taxpayers of the city.

The gentleman from the Highland District says, without qualification, that we have excellent heads of departments in this city, and when in this Board the question came on voting for Chief-Engineer, he had the manly independence to cast a blank ballot. He is welcome to all the glory he can gain from a cartridge of that dimension. I never fire blank cartridges, but do my duties as best I can and this is my third consecutive year in this body. My first fight was against adorning the members with badges, costing \$40 each, paid for by the people's money. The records will show that gentlemen now wear a badge costing \$2 50 each, paid for with their own money. And the Mayor, whom we have elected, was presented by the Board with one costing \$50. Gentlemen, I have labored for the taxpayers of this city, and have been affected somewhat in the rates of taxation.

There was no fault found with the Fire Department until this unfortunate fire came upon us. And do you undertake to lay that to the department? The horses were all sick; was that the fault of the department? The gentleman who occupies the chair was right when he said it was worth \$10,000 to manage that fire. It got into a lot of lumber sheds built upon storehouses and insured as first-class risks, and when the fire got into those sheds, like that covering yonder hotel, do you think it was in the power of the department to stop it? The gentleman from the Highland District says it was here that the department failed where it should not have failed. Well, what did the Chief of the Fire Department do? The citizens came here and held a meeting, and what did they recommend? They wanted something beside water used. They wanted powder, and I believe they would have mobbed him then and there if he had refused them. But what did the Chief say? He said—and I must confess I never had so much respect for him as I have had since—he said, "Gentlemen, I don't approve of using powder." But they did use powder and he consented to it. The question then came, "How are you going to use it?" Well, each Alderman must take a keg under his arm and lug it out into the street. Said I, "Gentlemen, I am not in the habit of using powder in such quantities as that." The gentlemen went down there and used powder, and came up the next day and thought they had done some great thing by it.

But when they found that they were perhaps liable individually they backed out and said they did n't do anything with it. You cannot find the man that touched off the first keg. Gentlemen came in here and undertook to tell what should be done. An Englishman of large size and small brain undertook to say that the first thing to be done was to blow up State street the whole length. Gentlemen, when you have a head of the Fire Department that will act as coolly as our present head did on that occasion, and who will say I know where I can stop it; I can stop it on Washington street at the Old South; I can stop it where the old-fashioned buildings are; it won't go past State street if it touches it, and then the result proves to be what it was, we should support him. Referring to the Health Commission, Alderman Cutter said, I tell you, gentlemen, those of you who are so proud of the Commission on Health and who voted to change the ordinance so that the commissioners may go on with their regular business and still draw their pay, that commission has cost the citizens of Boston \$118,000 more than the department cost last year to purify the air we breathe.

Has it been any purer? Gentlemen, you must stare these things in the face. Now, gentlemen, I don't wish to say a word upon the manner in which this committee was appointed. But I do know one thing. I know that it was a put-up job. It was a blow aimed at the head of the Fire Department; that is what it means; nothing more and nothing less. And the gentleman on my right who sits in committee with me knows that as well as he knows that he sits there, and who would agree with me up to the time of the annexation of the different towns. That has given him wisdom all at once, and he has taken a back track from what he believed before. I don't claim to be any wiser because these different towns are to be annexed than before, but I do propose to oppose commissions. If you want to have commissions, taxpayers, vote for them yourselves. We will put the question to you. If you decide to put the duties of the Aldermen, who don't attend to them, into the

hands of commissions, I have nothing to say about it. I have had the honor to visit Albany, which is run by commissions, and I found that the taxes were \$4 on \$100. They have six engines there, and commissions enough to take care of sixteen.

Their engines are very well manned and well built, but they cost the city dearly. I told them, as far as the efficiency of your Fire Department is concerned, I cannot find any fault if the citizens are willing to pay the taxes of running such an extravagant department. I hate to see my associates take a hack track in this matter. I hate to see the press intimidating the babies of the City Council, for I can call them nothing more nor less. They must have some object in it, or else they lack backbone. I don't like to see a man stand and hold up his hands in holy horror because everything don't go just right. I say that instead of waiting for some Micawber to turn up we should hold on to the men we have. I saw a man that it was said would make the best chief engineer in the world. I took him into the Mayor's office and what did he suggest? He suggested ten new companies and ten new engines in the city proper, and I figured out the cost of what he enumerated, and I found it would cost \$1,000,000, and that was enough for me. That was the kind of a Micawber I turned up. I tell you, gentlemen, never fear a petition that comes in here. Who cares for a petition?

Did n't members of this Board vote against two thousand petitioners for cheap mercantile buildings, and did n't they say that people would not remain in the city? And in less than two weeks afterwards they said those men were the only two heavy men in the Board. I say, gentlemen, you are here this afternoon to carry a point at all hazards. Right or wrong you are ready to carry it, and if anybody in this Board dares to oppose you he is to be hurled out of here. The whip and spur is to be put to him; the papers are all ready, and I think that would be a good title for them to use—"Whip and Spur." I think I have seen a paper of that name in New Hampshire. It is intended to whip and spur the members of this Council into line to vote for a commission and to tax the people two, three or five hundred thousand dollars for the sake of putting out one man. That is what it is for. If you have n't got the courage to fight against it, have somebody else. I propose to do my duty here as I know it, and not as petitioners may ask. Two thousand petitioners came here to ask that the boys might play ball on the Common, but we did n't allow them to do it.

Two thousand petitioners asked us to enforce the Prohibitory law; but we did n't do it. But if the papers had demanded of us as they have in relation to the Fire Department, somebody would have taken a hack track. That is the difficulty we labor under. Gentlemen, if there is a spark of value in the republican form of government never, never destroy this sovereignty that the people should always have and enjoy. Nothing remaining, however potent, would balance that. I can say to you as I did last fall, that I had paid my respects to the people at City Hall, and they could pay theirs to me at the polls. They worked against me, and I said, gentlemen, you have the right to do so. But I want to tell you, gentlemen, that if you stand up here and take an independent stand and not fear the Fire Department or the people, you will gain as I have every year more than 2500 votes. Of the gentlemen who voted upon the increased pay of the police only those four who voted against it are here today. So you need not fear. You need not take a hack track in these things. Stand up and maintain what you know to be right. Never fail to maintain it. Under any circumstances never miss that. That is the policy my experience teaches.

Alderman Hulbert—We should stand up here and stand by our convictions, and I propose to do so, and I would like to give a few reasons why I prefer a commission. I don't suppose that many members are looking to the future in deciding their positions. I claim that the commission can do some things that no board of directors or committee can or will do. It lays the foundation for planning for the future, and providing so that the accrued experience from year to year is made valuable in the future. In less than ninety days, as the thing is now carried on, a new Committee on the Fire Department will be appointed. Possibly some of the present members will be elected, but we can't be sure of it. The experience they have obtained is of no avail to the city. I want such a policy adopted that the accumulated results of years can be used. It works well in private business, and I don't see why it should not here. This commission will make a careful examination of all the means and appliances which the city now owns for the extinguishment of fires, and consider the best mode of managing them. Drill and discipline will be maintained, which cannot be as it is now, and means will be arranged for the economical conduct of affairs. They will consider the various means of putting out fires. If they are discreet men—and it will lie at the Mayor's door if they are not—they will be able to

analyze carefully all new modes and methods, and give a good reason for their adoption. They will prevent fires. In many places in this city it is simply a question whether to prevent fires or put them out. And they will find localities where fires are liable to break out. They will find out what is requisite for the public safety and in what streets business detrimental to the public welfare in this respect is carried on. Like any other men with their minds on one thing, they will discuss all things that will prevent fires. There are streets where everything is arranged for a splendid conflagration. Establish this commission and your building laws will be well digested. They would consider what secures the most prompt attendance on fires, which ought to be attended to. If there is any place where men need to be controlled by military rule it is in the Fire Department. You cannot have it now. Men's influence is felt in every department of the city. A commission's rules will be enforced, and the discipline of the department will be looked after. The responsibility will be divided. The present Chief-Engineer has had more upon his back than he ever ought to have. The commission will be to us what General von Moltke was to the Prussian Government. He knew all about the strong and weak places in France, and this commission will know the strong and weak places for fires here, which is a very important thing in this city. I can hardly enumerate the variety of services that will accrue from a commission of good, true and honest men. I think three a great deal better than five or eight. Estimate the worth of the experience of three such men, and compare it with the worth of any committee for one year. Take the gentlemen on the Fire Committee who have spoken this afternoon and compare the results of their experience with that of the men who come in and go out year after year. I would like to know what an ordinary Committee on Streets would have done this last year in that department. I know there is no committee of the present Government that could have done what the Street Commissioners have done, and I don't say this to praise the commission, but merely to state facts. I assume that we shall have good men, which the citizens demand. We can't select men from those who come in here and proffer their services so cordially when there is a vacancy. In this case I would insist that the Commissioners shall give their whole time to the city. Annexation has caused a large increase of territory, and I say and mean that there is n't a member of this Board who can render in any one of the departments that care and attention and interest which would be desirable. The management of the affairs of the city is getting to be a very large interest. I am not for delegating any power that we can perform; but when we can't perform it I think it is manly to get up here and say so. At the same time I would advocate that no department must be out of the control of the City Government as to the amount of the expenditures. The City Government should hold the neck of the purse and never give it up to a commission or board. Now why should n't we meet this thing today? If we do there is no danger. The community ask for it and business men feel the necessity for it. Should n't this thing prove a success there does n't live a man who will lay any blame to the door of this Board for doing so.

Alderman Quincy—I propose to put this ordinance into shape in three minutes. I offer a simple amendment to strike out the words "said commissioners may deem necessary" and insert "City Council may from time to time provide." Then I propose to add at the end of the last section the words "all such officers shall hold office till their successors are appointed."

Alderman Cutter—I trust we shall not put an imperfect thing in here to hasten through. I will agree to insure your property for the next twenty-four hours. It has been said that certain insurance offices have proposed to leave this city because our department is so weak. I wish to show you a statement. I own some houses in this city. They have volunteered to send it to me. I did n't go to them. They have offered to insure my property at less than I have been able to obtain it for the last ten years. Here are their figures and they stand by them. Where I have paid \$150 for five years they offer to do it for one dollar in as good offices as you can find in State street. Where I have paid \$250 they offer to take for \$2. Where I have paid \$175 they will take for \$1. The gentleman from Ward 3 undertook to make us believe here that the insurance companies would not insure in the city. Well, now they are a little in by this fire. They have learned that first-class risks do not consist in mercantile houses closed up from Saturday afternoon till Monday morning. These men have profited by the ability of the Fire Department. They have been fattening and paying twenty-percent dividends right along. A gentleman connected with an insurance office said that he lost \$60,000 which he had before the fire; he might have

divided all the dividends in his office and pocketed \$60,000, and he wished he had done it. Now, sir, if they undertake to dictate to us how to manage our Fire Department and make our citizens pay for it; if they calculate to shake the bush and for them to catch the bird, I tell you that wont go down in this city. If you do it this year you will abolish it next. The gentleman from the Highland District undertakes to doubt the military discipline of the Fire Department. He is the last man I would go to learn military of. He is the last man to whom I would go to learn what is necessary for the Fire Department; a man who has not crossed the threshold of the Fire Department office this year. And he undertakes to talk here with a written speech manufactured by insurance agents, in my judgment, if you will allow me, and to tell us what is needed and what is to be done. We have been at work in there. We have had our coats off. You, my friends, will bear with me that we have time and again sought information concerning our department ever since we have been on that committee. You undertake to tell me that the Mayor is better capable of appointing a good commission than a committee. Perhaps the present Mayor is, but he is not going to be the next Mayor. I tell you the Mayor and the President of the Common Council have been more to blame than any other two persons in this city for placing upon the Fire Department Committee men of extravagant notions. There was a certain gentleman placed on that committee who resigned because he could not do as he wanted. He was a gentleman worthy to sit on that committee. I tell you it was no duty of his to resign. But when he had resigned, another gentleman went in there and you know his record. I tell you that is the fault of the Mayor of Boston and the President of the Common Council and of nobody else. If you undertake to place the responsibility upon them, look out that you are not hanged with the rope that you have manufactured yourselves. I believe the Fire Department as a department never has been forced into any political use to govern any other department. But there is not an Alderman outside of the city proper that does not show a little inclination to favor his particular locality. But I tell you that when you blame the Fire Department for favoring their own interests you blame them when you should not. But as regards this last fire being a bugbear, I would rather risk my buildings today without any insurance at all than to have a commission appointed and keep up a running fire every twenty-four hours; for I tell you, gentlemen, if you don't have fires their mission is gone. The fires must exist. But many of them would not occur if the insurance men would insure property as they do in Paris; that is, if a fire originates among your own goods you get no insurance; but is it in your neighbor's and yours are destroyed, you receive it. That would teach you to look out for your own goods and houses. But now, if a gentleman comes to Boston to set up in business, he will get trusted for goods for, perhaps, \$2000; he then gets insured for \$5000, and when he gets into a tight place the building gets on fire. I don't say who sets it, but I do say somebody is induced to set it. It is the insurance companies that do these things. They sit in their nice offices, and don't look at the man or his goods. They take his statement and his money, and that is all. I beg of you, gentlemen, to believe that you have an engineer and a Fire Department just as good and better than is to be found in any city in this Union today. I shall vote against commissions. I shall decidedly object to voting for a commission on the Fire Department. You don't need it any more than you need one on public buildings or any other department. Since you have had a commission on streets what an amount of money have you spent on their account! And if you did n't spend it their mission would pass away. We had to nearly strip them of their powers after we elected them. The Commission on Health, you, gentlemen, perhaps in a year and perhaps in less time, will believe with me that it is an expensive affair. They don't purify the air. They sit in their offices and employ sixteen or twenty assistants to do what has been done during the last year. They went to work and seized the Marcella-street Hospital. Well, they are welcome to that. They have destroyed other buildings, then they have destroyed a most excellent neighborhood and driven our citizens from it to place our smallpox patients there when we had ample room for them, and when this had been done and the papers had stopped saying anything about it, the smallpox was abolished.

Alderman Quincy called attention to a statement obtained from the City Registrar's office showing a decrease in the number of deaths during the summer months this year, which must have been caused by the absence of uncleanness and improved drainage. The number was six hundred against eight hundred for the same time last year.

Alderman Power—I don't propose to say anything against the Board of Health, but would like the gentleman to state what that Board has had to do with good drainage. If there is any credit to be obtained from good drainage it belongs to the Department of Sewers.

Alderman Quincy—It was caused by enforcing the rules for cleanliness.

Alderman Clark—The ground has been pretty well gone over, but in order to get this ordinance—if it is going to be adopted—as perfect as it is possible to make it, I shall be in favor of still further delay. I want it to be distinctly understood that I am in favor of a commission, but do not favor the ordinance fixed up here unless it is right. I shall therefore move to refer it to the Committee on Ordinances, with directions to report the majority ordinance in a new draft and legal form.

Alderman Quincy—I would vote for this if it is necessary; but the matter can be fixed in three minutes. Only one valid objection has been offered, and by making the simple change I proposed that will be met. The other objections can be met in various ways. The defects are so simple that every member can see them at once. Then we have till the commissioners are appointed to decide how many we will have.

Alderman Clark—I only wish to delay the matter to get it right. It has been reported three or four weeks. The chairman of the committee is a lawyer. One of the best lawyers in the city was a member of the committee, and yet they have come in here with an ordinance that is pronounced illegal by the City Solicitor. The alteration of a simple word or two may make it all right, but I am not lawyer enough to say so. If the Board see fit to vote upon an ordinance which the City Solicitor has pronounced illegal, well and good.

Alderman Stebbins moved to amend Alderman Clark's motion by adding the words "and approved by the City Solicitor," which Alderman Clark accepted.

Alderman Gaffield suggested that it be recommitted to the Joint Special Committee on the Reorganization of the Fire Department, which Alderman Clark agreed to.

Alderman Gaffield—I ask the gentleman from Ward 6 if he would not consent to pass the ordinance, in view of the sensitive condition of public feeling on this subject, which has been nearly twelve months before us. There is only one slight legal form which needs correcting, and that can be done in half an hour. Let us adjourn for that time, and if the City Solicitor says it cannot be done, we can refer it to the joint special committee. If it be possible to pass this ordinance tonight, the hearts of the people will thrill with joy.

Alderman Clark—I don't think the hearts of the people will thrill with joy if we pass an ordinance that is illegal. We bow to the will of the people, but I don't believe the community would be satisfied with patching up the ordinance, and I don't think the gentleman would be in favor of doing so.

Alderman Hulbert—I hope Alderman Clark's motion will prevail. The vote indicates plainly to the community how we stand. It is of no importance whether it is passed tonight or on Monday. It should be made clear and satisfactory to the City Solicitor.

Alderman Clark accepted Alderman Gaffield's proposition to refer to the Joint Special Committee.

Alderman Gibson suggested that an amendment be made so that the patrolmen assist the Department for the Inspection of Buildings, as it might be a saving of money.

Alderman Stebbins called attention to section 30 of his substitute ordinance, which embodied that idea. Unless something of that kind is embodied in the majority ordinance, he should move to so amend it.

Alderman Quincy—I shall object to such an amendment. We propose to leave this whole matter to the commission, and we don't propose to dictate to them that such and such men shall be for such and such purposes.

Alderman Gaffield—I agree with the Alderman perfectly that I would not have a piece of patchwork go through the Board, and agree that the report may be recommitted to the joint special committee, with instructions to report on next Monday.

The Chair stated Alderman Clark's motion to be "That the subject of reorganizing the Fire Department be recommitted to the Joint Special Committee, with instructions to report the ordinance recommended by the majority in a new draft and legal form, and approved by the City Solicitor."

The motion was put, and carried unanimously.

Alderman Quincy moved to take from the table the report and order in relation to a revision of the city charter, but at the request of Aldermen Cutter and Clark, he withdrew the motion.

On motion of Alderman Gibson, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,
OCTOBER 9, 1873.

The regular weekly meeting of the Common Council was held this evening at half-past seven o'clock, E. O. Shepard, President, in the chair.

PAPERS FROM THE ALDERMEN.

The following papers were disposed of in concurrence: Petitions of Company A, Second Battalion, E. Goodfellow and executors of George W. Blake were referred.

Recommitment to the Committee on Public Institutions, with instructions to report in fifteen days, of the report and orders on the subject of a site for a Home for the Poor. (Printed City Doc. No. 108.)

Report in favor of passage of the order requesting the Water Board to consider the expediency and cost of supplying the territory bounded by Eliot street and the other streets, named in said order, with salt water, on the Holly system, for fire and sanitary purposes. Report accepted and order passed.

Order to rescind the order of September 23, authorizing the plans for Police Station, Ward 16, to be so amended as to include accommodations for a branch of the Public Library. Passed.

Report and order to provide temporary accommodations for pupils in the new Grammar School District, Washington Village. Passed under a suspension of the rules on motion of Mr. Warren of Ward 12.

Reports and orders to allow Third Religious Society of Dorchester and Leonard Picking to make additions to buildings, and W. R. Clark to build coal elevator on Foster's wharf. Severally passed.

Report that Leonard Ware has violated the law in erection of wooden building, on Purchase street. Accepted.

Report and order to allow Timothy McCarty to build wooden addition to building on Tremont street. Passed.

The two following were severally read once:

Report and order to procure and place in the new schoolhouse, on the site of the Old Roxbury City Hall, a suitable tablet bearing the name of the school.

Report and order to provide temporary accommodations for primary pupils in the Bigelow School District.

The order authorizing that portion of Engine House No. 12, which projects over the line of widening of Warren street, with the land and the portion of the building remaining, to be sold by public auction, being put upon its passage—

Mr. Shaw of Ward 5 asked an explanation from the committee. Public property had repeatedly been sold under restriction that it should be removed in ten days from the time of sale, and for that reason brought a very low price, but his attention had been called to the fact that the rule had been applied only to the payment of the price, and instead of the building being removed, it was allowed to remain in its position for days and weeks and sometimes months after the ten days had elapsed. If that is the state of things he wished to inquire into it. Of one case he had been informed within a few days where buildings have been sold with the ten days' removal restriction and then remained several months; this was on the extension of Washington street, and since they were sold the buildings stand where they were before. He wanted to know if that was an agreement between the city officers and the purchaser. He wanted the citizens of Boston to know these facts that the treasury should be protected. Mr. Shaw alluded to the sale of the old Mather Schoolhouse, which was assessed at \$20,000 and within three months was sold for less than \$1000. When any committee sanctioned such doings he should raise his voice against it.

The order was passed in concurrence, Mr. Shaw voting nay.

The report and orders to furnish steam-heating apparatus and a fence for the yard at engine-house (Ward 14) at an estimated cost of \$3000, and for a transfer from the Reserved Fund to pay therefor, if not exceeding that sum, being under consideration.

Mr. Shaw of Ward 5 asked what was proposed to be done with this money. The order was for \$3000. Nobody replying, Mr. Shaw said he was told that it is supposed to be necessary to build 129 feet of fence, at \$7 a foot, making \$903, and he was informed that the heating apparatus would cost \$1100. Now it is proposed to appropriate \$3000 for an expense of \$2000. It may be right, but members of the Council don't generally transact their private business in that way. Mr. Shaw said his information was derived from the Superintendent of Public Buildings. If all the appropriations were made at the rate of fifty per cent. above the expenses, the citizens ought to know it. This is a little matter, but there is a principle involved. As Mrs. Sigourney says,

"Little by little the bird builds her nest,"

and little by little these expenses creep up from hundreds to thousands, to hundreds of thousands and millions, and as the old Scotchman, from whom I descended, says, "Many a mickle makes a muckle." If there is no corruption there is certainly a very loose manner of expending the city's money. Why is it necessary to appropriate \$3000 for an expense for which the honest man who manages the public buildings says \$2000 is enough? If it is proposed to furnish that building why not say so in the order? He hoped some gentleman would explain the necessity for it.

Mr. Dean of Ward 12 thought the order should be explained after the statement by Mr. Shaw.

Mr. Bicknell of Ward 4 said he supposed some margin had been given in the estimate. Everybody knows that if there is anything left over it goes into the Sinking Fund. The Superintendent of Buildings made the estimate for the committee.

Mr. Shaw said he had an interview with Mr. Tucker today and he was responsible for the figures. He had also called upon the manufacturers of the heating apparatus, who informed him that the cost might possibly be \$1200. If arm chairs are to be provided for, and gas fixtures, why not say so, and let the people understand it?

Mr. Bicknell of Ward 4 repeated his statement that the Superintendent of Public Buildings made the estimate for what is necessary to finish the building.

Mr. Caton of Ward 11 said it was n't known exactly what the expense would be. Gas fixtures, heating apparatus, etc., were to be put in. The order says not to exceed \$3000.

Mr. Flynn of Ward 7 said Mr. Shaw was correct. The report comes asking for steam heating apparatus etc. As he understood it, chairs, carpets, etc., were to be furnished for this building. The gentleman asks if the appropriation is to cover that expense, and the committee has evaded that particular question. In view of that fact he moved the order be referred back to the Committee on Public Buildings, with instructions to report items of expense.

Mr. Train of Ward 13 hoped the motion would not be pressed; the building is nearly ready to receive the heating apparatus.

Mr. Flynn hoped the motion to refer back would prevail, if there is a discrepancy between the estimate of the Superintendent and the amount named in the appropriation. No member has denied that there is a discrepancy.

Mr. Caton of Ward 11 did n't understand that there is a discrepancy. The Superintendent has n't made any different statement to the committee, and the gentleman from Ward 5 might possibly be mistaken in the amount given him.

Mr. Denny of Ward 9 thought the order had n't been worded just as the committee intended, and, was meant to include the gas fixtures, etc., which are not named in the order. If the committee do not intend to spend \$3000, the order could be amended by making it \$2000.

Mr. Bowles of Ward 12 asked if the order came in the usual way; if it did, he hoped it would pass, and the committee treated with respect. Place it in the worst light you please, and it is only a few hundred dollars, and it is unjust that this thing should be driven to so close a point. It should be treated in the usual manner.

Mr. Adams said they had already voted to sell the old house, and in order to arrange the new one the order should pass tonight.

The Council refused to recommit by a rising vote of 13 to 25.

Mr. Shaw asked what it is proposed to do with the difference between \$2000 and \$3000.

Mr. Bicknell of Ward 4 said the committee propose to use what is necessary and turn the rest into the Sinking Fund in the usual way.

Mr. Flynn said then he would object to this appropriation. The committee have no right to ask for \$3000 when they only need \$2000.

Mr. Bicknell said the balance would go into the Sinking Fund.

Mr. Caton of Ward 11 had seen the Superintendent of Public Buildings, an hour before coming to the Council, and was told by him that his estimate for the heating apparatus and fence was \$2600.

Mr. Harrington of Ward 8 moved that the order lie on the table for one week, as there seems to have been two stories told by the Superintendent.

The motion was carried unanimously.

Subsequently Mr. Jones of Ward 14 moved to take the order from the table, and it was lost, 12 to 21.

The report and ordinance to amend an ordinance relating to the public health, in regard to removal of manure from stables, being under consideration—

Mr. Flynn of Ward 7 inquired if the ordinance had been before the Joint Committee on Health; he had no knowledge of it.

Mr. Dacey of Ward 2 stated that it had.

The Chair explained the course the ordinance had taken, and after explanations by Mr. Denny of Ward

9 and Mr. Dean of Ward 12, the ordinance was read twice and passed in concurrence.

The report and order for hook and ladder house on Washington square was passed in concurrence on motion of Mr. Jones of Ward 14, under a suspension of the rules.

THE FIRE COMMISSION.

The reports and ordinances in reference to the re-organization of the Fire Department came from the Aldermen recommitted to the joint special committee, with instructions to report the majority ordinance in one week, in a new draft and legal form, and approved by the City Solicitor.

The question being on concurrence, Mr. Mahan of Ward 5 moved to amend by striking out all the instructions to the committee.

On this motion Mr. Perkins of Ward 6 called for the yeas and nays.

On motion of Mr. Flynn of Ward 7 the previous question was ordered.

Mr. Denny of Ward 9 desired to make an explanation, but was ruled out of order by the Chair.

The motion to amend was lost, 21 yeas, 30 nays—as follows:

Yeas—Messrs. Jacob Abbott, Thomas J. Anderson, Hiram A. Bowles, George L. Burt, Patrick Collins, Timothy J. Dacey, Benjamin Dean, Pierpont Edwards, James J. Flynn, Francis M. Hughes, William H. Jones, Harrison Loring, John Madden, John W. Mahan, James F. Marston, Robert McCue, William McKenney, William G. Thacher, James H. Upham, Michael F. Wells, W. Elliot Woodward—21.

Nays—Messrs. Ebenezer Adams, Hillman B. Barnes, William E. Bicknell, Wilmon W. Blackmar, J. Q. A. Brackett, Charles A. Burditt, Asa H. Caton, Samuel S. Cudworth, Charles Darrow, Charles G. Davis, George P. Denny, Andrew J. Hall, Henry W. Harrington, Edward J. Holmes, Abraham J. Lamb, William Morse, Cyrus A. Page, Frederick Pease, William E. Perkins, Henry W. Pickering, Charles E. Powers, Washington L. Prescott, George A. Shaw, Moses B. Tower, William G. Train, Alouzo Warren, William H. West, David Whiston, Edward P. Wilbur, Edwin H. Woods—30.

Absent, or not voting—Messrs. Frederick Bleiler, Halsey J. Boardman, Thomas Brennan, Neil Doherty, Michael J. Flatley, Elijah B. Hine, Michael Kelley, George P. Kingsley, John B. Martin, Frederick S. Risteen, Joshua Weston—11.

The question being on concurring with the Aldermen in recommitting the report with the instructions, it was carried—yeas 38, nays 9—as follows:

Yeas—Messrs. Ebenezer Adams, Hillman B. Barnes, William E. Bicknell, Wilmon W. Blackmar, Hiram A. Bowles, J. Q. A. Brackett, Charles A. Burditt, George L. Burt, Asa H. Caton, Samuel S. Cudworth, Charles Darrow, Charles G. Davis, George P. Denny, James J. Flynn, Andrew J. Hall, Henry W. Harrington, Edward J. Holmes, William H. Jones, Abraham J. Lamb, James F. Marston, Robert McCue, William McKenney, William Morse, Cyrus A. Page, Frederick Pease, William E. Perkins, Henry W. Pickering, Charles E. Powers, Washington L. Prescott, George A. Shaw, Moses B. Tower, William G. Train, James H. Upham, Alouzo Warren, William H. West, David Whiston, Edward P. Wilbur, Edwin H. Woods—38.

Nays—Messrs. Thomas J. Anderson, Patrick Collins, Timothy J. Dacey, Pierpont Edwards, Francis M. Hughes, John Madden, William G. Thacher, Michael F. Wells, W. Elliot Woodward—9.

Absent or not voting—Messrs. Jacob Abbott, Frederick Bleiler, Halsey J. Boardman, Thomas Brennan, Benjamin Dean, Neil Doherty, Michael J. Flatley, Elijah B. Hine, Michael Kelley, George P. Kingsley, Harrison Loring, John W. Mahan, John B. Martin, Frederick S. Risteen, Joshua Weston—16.

Mr. Perkins of Ward 6 moved to reconsider the vote just passed, hoping it would not prevail.

The motion was lost.

UNFINISHED BUSINESS.

Request and order for a transfer of \$5500 from Reserved Fund to appropriation for markets. (City Doc. No. 113.)

Mr. Shaw of Ward 5 had waited for some time for an explanation of this question. If no other gentleman would sacrifice himself he would. He had conversed with the members of the committee on this subject which literally touches the vitals of the community. Mr. Shaw reviewed the system of leasing stalls in Faneuil Hall and Quincy markets, which he thought allowed a few men to monopolize the business. The policy is detrimental to the interests of the city.

Mr. Davis of Ward 14 doubted if the stalls could be taken away with justice to men who had been thirty years building up a business.

On motion of Mr. Shaw, the order was laid on the table.

Subsequently, on motion of Mr. Davis of Ward 14, the order was taken from the table and made the special order for next Thursday evening at a quarter before nine.

THE HOLLY SYSTEM.

Mr. Dean of Ward 12 called for action on the first of the two orders submitted with the report of the minority of the Joint Special Committee on the Re-organization of the Fire Department, that the Cochituate Water Board consider the cost of the Holly system and its comparison with other systems.

The order was passed.

PETITION.

Mr. West of Ward 16 presented the petition of J. A. Johnson, for the lighting of Norfolk street. Sent up.

Mr. Page of Ward 9 moved to reconsider the vote of the last meeting appropriating \$300 for an exhibition of S. R. Russell's water system.

After explanations by Mr. Page, Mr. Wilbur of Ward 9, Mr. Thacher of Ward 15 and Mr. Jones of Ward 14, the vote was reconsidered and on motion of Mr. Page the order was indefinitely postponed.

THE NORMAL SCHOOL.

Mr. West of Ward 16 moved to take from the table the order for the closing of the Normal School room in the Girls' High School building. Carried.

Mr. West said the School Committee would not object to the passage of the order, as then the matter could be brought before the courts and an issue be made at once.

On motion of Mr. Brackett of Ward 10, the order was made the special assignment for next Thursday evening at half-past eight o'clock.

On motion of Mr. Marston of Ward 10, the report and orders authorizing a lot of land to be purchased on corner of Shawmut avenue and Upton street, at a cost of \$14,000, and the erection thereon of a hose house, and for a loan of \$30,000 to be applied therefor, were taken from the table.

Mr. Marston said there were strong objections to the location, and the title to the property was not such as the city could expect. On his motion the order was indefinitely postponed.

A POLICE COMMISSION.

Mr. Harrington of Ward 8 offered the following, and on his motion it was referred to the Committee on Ordinances:

Ordered, That the Committee on Ordinances be requested to inquire into the expediency of reporting an ordinance establishing a Commission on Police.

Subsequently Mr. Flynn of Ward 7 moved to reconsider the vote referring the order.

Mr. Harrington was much surprised at the motion, as the order was simply one of inquiry.

Mr. Flynn thought the Council a better judge than the committee.

Mr. Perkins of Ward 6 thought it best to wait until the revision of the city charter could take place.

Mr. Harrington said the order amounts to nothing, but he was sorry if he had tread on anybody's corns.

Mr. Dean of Ward 12 said if it was referred there would be a minority report. He wanted the Council to understand that the proposition to create commissions, was to propose to get into ruts. He thought that the agitation of a Police Commission would eventually lead to the establishment of a Metropolitan Board of Police.

Mr. Shaw of Ward 5 could not see the impropriety of an order of inquiry, though he could see no necessity for such a commission.

Mr. Harrington thought there were abuses in the Boston police system which need correcting. Men are abused and knocked down, and can't get a hearing.

Mr. West thought the time when the charter is revised would be the proper one for considering this topic.

The vote was reconsidered, and on motion of Mr. Flynn the order was indefinitely postponed.

THE OLD MATHER SCHOOLHOUSE.

Mr. Bicknell of Ward 4, from the Joint Committee on Public Buildings, submitted a report inclosing a communication from the purchaser of the old Mather Schoolhouse, stating that the expense to the city of cancelling the sale of said schoolhouse would be \$2000, including the price of the building (\$800). Accepted.

Mr. Burditt of Ward 16 offered the following:

Ordered, That the sale of the old Mather Schoolhouse be cancelled, provided it can be done by the payment of \$2000; the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

Mr. Caton of Ward 11 hoped it would not prevail; it would cost \$1500 to move the building and it would cost \$5000 to put in a cellar and foundation. It seems that the purchaser wants to make a few hundreds out of the city.

Mr. Burditt thought there might be some mistake in the management of this case. He was informed that the building would be needed for a primary schoolhouse in that district within a year, and it would be cheaper to take back the building.

After a brief discussion by Messrs. Perkins, Caton, Flynn and Shaw, the order was laid over.

On motion of Mr. Pease of Ward 1, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
OCTOBER 13, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M., today, Alderman Cutter, Chairman, presiding.

EXECUTIVE NOMINATIONS CONFIRMED.

Constables—George P. Stone, Richard F. Andrews. Special Police Officers, without pay—Lucius W. Knight, Calvin T. Smith, Parker-Hill Reservoir; Henry Welch, Warren-street Chapel; N. S. Lund, Music Hall.

Weigher of Coal—George W. Morse. Surveyor of Marble, Soapstone and Freestone—E. A. Grothusen.

Members of the Fire Department—Edward H. Roberts, Samuel L. Gilman, hosemen; George W. Stone, driver; John Knights, hoseman; Charles E. Briggs, member; Peter Riley, hoseman. To be members of Engine Company No. 22—Richworth A. Burgess, Benjamin F. Applebee, John H. Ewers, William Tobin, John Foye. Permanent members—Thomas J. McCabe, member; John J. McDonald, Thomas Boggs, Bartholomew McCarthy, P. N. Crothy, Benjamin F. Dexter, Charles W. Clarke, Michael A. Hearn, Maurice R. Barry, hosemen, and John Enwright, fireman.

PETITIONS REFERRED.

To the Committee on Sewers. P. S. Briggs, for sewer in Westminster street.

Frederie Bleiler *et al.*, that a sewer be constructed where a brook flows near Heath place.

To the Committee on Faneuil Hall. L. L. Thaxter *et al.*, for use of Faneuil Hall on October 29th for a reunion of the Fusileers.

To the Committee on Health on the Part of the Board. Dyer & Gurney, for wooden stable on Border street, No. 218.

Washington Pipe Works, for stable on Pope street, near Saratoga street.

To the Committee on Paving. Alexander Gunn, for sidewalk on Telegraph and Gates streets.

Robert McDevitt to be paid for grade damages on Athens street.

John Kelley, to be paid for grade damages on Dorchester avenue near Ellsworth street.

Jordan, Marsh & Co., *et al.* for a wood pavement in Bennet street, with instructions to give the petitioners a hearing.

To the Committee on County Accounts. Isaac Ames, Judge of Probate, for provision for the preparation of an index to the records in Probate Registry of Suffolk County.

To the Committee on Streets. Boston & Albany Railroad Co., for definition of limits within which they may take land for depot purposes.

To the Committee on Public Lands. John H. Williams *et al.*, against the proposed release of conditions of sale on land owned by J. H. Pote and A. S. Foss on Belmont square.

To the Committee on Lamps. J. Albert Johnston, *et al.*, that Norfolk street be lighted.

William Macomber, for lamp at the corner of second and Athens streets.

To the Committee on Common on Part of the Board. Mary Sawyer, for removal of trees from sidewalk of 122 Eustis street.

To the Committee on Claims. Frederie S. Way, to be paid for injuries to himself and carriage by alleged defect in Border street.

THE FIRE IN BERKELEY STREET.

Alderman Stebbins presented the remonstrance of Stillman B. Allen, Alexander Blaikie and Charles W. Slack, respectively, for the Berkeley-street Congregational Church, the First Presbyterian Church and the proprietors of the Parker Memorial Meeting House, protesting against the reconstruction or rebuilding of Hayes's stable in close proximity to the places of worship of their respective societies.

On motion of Alderman Stebbins the remonstrance was referred to the Joint Committee on the Survey and Inspection of Buildings.

In this connection Alderman Stebbins, said he would offer the following orders which, on his motion, were passed:

Whereas, The wooden stable used by Martin Hayes & Co. and occupied by them for the keeping of horses on Berkeley and Appleton streets, was destroyed by fire on the 11th instant, and

Whereas, In the opinion of this Board the rebuilding of said structure would be injurious to property in the vicinity, it is hereby

Ordered, That the permission heretofore granted to Martin Hayes to erect a stable on the premises be revoked.

Whereas, In the opinion of this Board the remaining portions of the stable belonging to Martin Hayes or Martin Hayes & Co. on Berkeley and Appleton streets, which was almost totally destroyed by fire on the 11th instant, are now in a state of nuisance and offensive to the neighborhood, and should be removed forthwith: it is hereby

Ordered, That notice be given to said Martin Hayes or Martin Hayes & Co. to appear before this Board on Monday next at 4 o'clock P. M. and show cause why said portions of the burnt stable should not be removed as a nuisance.

ORDERS OF NOTICE.

Upon the petition of the Boston News Company to use a steam engine at 142 Washington street, an order of notice was passed for a hearing on Tuesday, November 4th, at 4 P. M.

The orders of notice for sewers in Franklin street, Paris street and Parker street, were severally considered, and there being no objection the petitions were recommitted to the Committee on Sewers.

Upon the order of notice on petition of Blackmar, Mandell & Co., to use steam engine, no objection was offered, and the petition was recommitted to the Committee on Steam Engines.

METROPOLITAN RAILROAD IN BEACON STREET.

The order of notice for a hearing on the petition of the Metropolitan Railroad to locate tracks on Beacon street, from Gloucester street to near Brighton avenue, being under consideration, Mr. W. A. Field appeared for the railroad company and asked a postponement for two weeks for the reason that they had negotiated for land on Parker street, which, if obtained, would enable them to extend the track on Marlborough street, and might enable them to withdraw the petition. The company did not wish to go on Beacon street unless it is absolutely necessary, but it must be apparent to every one that a railroad could not be run successfully without a stable in that vicinity.

On motion of Alderman Stebbins, the hearing was postponed for two weeks.

CELLARS BELOW GRADE.

A communication was received from the Inspector of Buildings in response to an order of July 29, 1873, stating that the following-named persons are constructing cellars, the bottoms of which are below mean low water mark: Martin Beatly, Cazenove place, near Candler street, three buildings; Samuel Stubbs, Chandler street, corner Cazenove place, one building; Joseph R. Bassett, east side Tremont street, between Dover and Chapman streets, one building. Referred to the Committee on Health on the part of the Board.

CONSTABLES' BONDS APPROVED.

The bonds of Samuel T. Munroe, William T. Pindell and others, constables of the city of Boston, being certified by the City Treasurer, were approved by the Board.

UNFINISHED BUSINESS.

Order to pay John F. Mills \$13,500, for South Market-street damages. Passed.

Order to pay William Woods \$1033 20, for Prescott-street damages. Passed.

Order to pay Hanford Lockwood *et al.* \$1050, for Prescott-street damages. Passed.

Order to abate \$88 31 from assessment on Caleb Thurston for Seventh-street sewer, and to assess the same upon Patrick Coyne and Daniel Briscoe. Passed.

Order to allow Company K, First Regiment of Infantry, \$72 53 for repairs on their armory, in addition to previous sum allowed for that purpose. Passed—yeas 12, nays 0.

Report and order to allow D. S. Gilchrist \$750, for work done on Probate Docket and papers. Passed.

Order for the Mayor to petition the next Legislature for the establishment of a State Normal School in this city.

Alderman Hulbert—I have looked into this thing as much as the limited time would permit, and I fail to see sufficient reasons for passing such an order. As I understand it now the State has four normal schools in successful operation, and a building is in process of erection for another at Worcester. With these enlarged facilities there will be sufficient to meet all emergencies, and in my opinion the time for such a school in Boston has not come, and there are

weighty reasons against such a school here. In the first place the expense of conducting and attending such a school in a large country town is much less than it would be in Boston, and it is my opinion that the expense is a particular item with those persons who will attend them. If such a school building is erected here it can't be done except at a very great expense, and there is no need of our being deceived by asking the State to do this. I anticipate that with our enlarged territory we are to pay not less than forty-two or forty-three per cent. of the State tax, and it is a question with me whether we are ready to go into that expenditure. There seems to be no emergency, no call for it. Boston doesn't lack teachers. The best in the market are offered if we wish them. The School Committee will tell you that we don't lack applications for all the positions vacant. Furthermore, I never have seen any satisfactory statistics showing how many graduates of these schools are made available as teachers. Until we can know more of how far the State gathers in the results of these schools, I see no reason for asking for the erection of another building here or of its being carried on at a very largely increased expense to the taxpayers of this city.

Alderman Stebbins.—As I introduced this order, it may be proper to make a single suggestion in regard to it. It is true the State has four normal schools already, but I suppose it is understood to be the settled policy of the State to furnish as many such institutions as may be demanded. Many of the teachers teach in Massachusetts, and many go to other parts of the country. It is true that the city pays forty per cent. of the tax for schools, and it is also true that the city has been conducting a normal school, paying the entire expense. This school has been declared illegal, and it has been thought wise, by many of its friends to have such a school established by the State in the city of Boston. In fact, since the order was introduced the call has seemed to be louder than ever before, because we have annexed so large a territory. There are about fifty or eighty pupils in the normal school here, and I have no doubt if the order shall pass and the Legislature deem it expedient to establish the school, it will prove not only an honor to the State but will gather within its walls a still larger number of pupils. Certainly they will be sure to come here to Boston in preference to other places, and scholars can attend here at a less expense than elsewhere, for most of them can board at home. I hope the order will pass.

Alderman Gaffield.—I heartily concur with the gentleman who has last spoken. No gentleman of this Board has ever questioned the value of the normal school which has been established in this city for many years, but which has been declared illegal. To show the necessity for such a school, I will state from the report of the Superintendent of Public Schools that we have 340 primary school teachers, 456 grammar school teachers and 70 high school teachers, making 866 in all, and there are about 36,000 pupils in Boston. As we hope to have the best schools in the Commonwealth, that we may secure them we desire to have a normal school in our midst, as we always have had. We have lost the capstone of our educational system. We have our primary, grammar and high schools, and we want a normal school to complete the educational system which we all want. No one will have cause to regret putting forward this petition, and I hope it will be granted by the Legislature.

The order was passed.

PAPERS FROM THE COMMON COUNCIL.

Report from Committee on Public Buildings that the expense of cancelling the sale of the Old Mather Schoolhouse, in Ward 16, would be \$2000.

Alderman Sayward.—The committee have reported all that they were required to. If they had been permitted, they would have reported against cancelling the contract. I would inquire what would be the proper disposition of the subject.

The Chair.—The order to sell remains in force.

Alderman Sayward.—The committee have sold some time ago.

The Chair.—If the committee have done their duty that is all that is required of them.

The report was accepted, in concurrence.

Order for the Cochituate Water Board to consider and report upon the expediency of introducing the Holly system, in whole or in part, of water supply and fire prevention. Passed, in concurrence.

REPORTS OF COMMITTEES.

Alderman Power, from the Committee on Sewers, to whom were referred the assessments for sewers in Summer, Chelsea and Warren streets and Shawmut avenue, reported that they were severally correct

and recommended the passage of orders for their collection. Reports accepted and orders passed.

Alderman Power, from the Committee on Paving, reported the following orders:

Ordered, That the Superintendent of Streets be directed to build a drain with necessary cesspools on Walnut avenue and Cochden street, in order to provide for the surface drainage of said avenue. Estimated cost \$2000.

Passed.

Ordered, That the South Boston Railroad Company be and they are hereby directed to lower their tracks on Fourth street between M and O streets to conform to the grade of the edgestones on said street.

Passed.

Ordered, That the Board establish the grade of Division street between Dorchester avenue and Foundry street, as shown on a plan and profile drawn by the City Surveyor, dated Oct. 8, 1873, and deposited in the office of the said City Surveyor.

Read once.

Ordered, That the Old Colony & Newport Railway Company be and they are hereby directed to erect a gate on Neponset avenue, at the crossing of the Dorchester & Milton Branch Railroad, and to station an agent to open and close said gate whenever an engine crosses said avenue.

Passed.

Ordered, That the Superintendent of Streets be and he is hereby directed to notify the owners and abutters on Division street, between Dorchester avenue and Foundry street, to remove within thirty days all obstructions in front of their estates extending over the line of said street.

Passed.

Alderman Clark, from the Committee on Streets, reported orders to pay for street damages as follows: Ann E. Richardson, \$247 60, widening Blue Hill avenue; Peleg W. Chandler, \$13,909, widening Washington and Essex streets; Patrick Donahoe, \$22,814 50, widening Hawley street. Severally read twice and passed.

Alderman Sayward, from the Committee on Licenses, reported favorably on the following applications: Robert C. Caspole, 53 Long wharf; Edward Corrigan, 806 Washington street; D. H. Rowe, 37 Bromfield street, for victualler's license; 5 bootblacks and 17 newsboys; Abraham Troeder, for pawnbroker's license, 139 Harrison avenue; James Kelley, Augustus L. Cilley and James Brosnahan, for wagon licenses; B. F. Hebard & Son and 11 others, for transfer of wagon licenses; William Troy, a minor, for leave to drive a haek. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of granting the applications of Cornelius Driscoll, Isaac S. Burrell, John Roessle, John W. Dorsey and T. C. Wait, and against granting the applications of Silas Potter and C. J. Spencely, for leave to occupy stables. Severally accepted.

Alderman Emery, from the Committee on Public Lands, to whom was referred the petition of William Curtis in behalf of the executors of George W. Blake, reported the following order, recommending its passage:

Ordered, That whenever the requirements as set forth in an agreement given by the city of Boston to Blake and Rand, and dated April 17, 1871, for the conveyance of a lot of land on East Dedham street, has been complied with, and a deed is called for, then the eighth condition contained in the agreement is to be left out, and the following inserted instead: "No building exceeding twelve feet in height shall be erected or placed within ten feet of the sixteen-foot passageway."

REPORT OF THE SUPERINTENDENT OF PRINTING.

Alderman Power presented the annual report of the Superintendent of Printing for the year ending Sept. 1, 1873.

The amount of bills certified to by the Superintendent during the year was \$43,010 34; stock storage, etc., for the year and three and a half months previous, \$1172 50; printing destroyed by fire, paid by order of City Council, \$1392 52; total, \$45,512 36. The bills for the month ending August 15 comprise a class list for the Public Library, \$3225 80; the Auditor's report, \$2242 80; and the School Report, \$1868 10. The closure of these large items leaves in the printing office the minimum amount of uncompleted work, in midsummer, therefore at the most favorable time for completing an annual report.

The report for the first year stated the consumption of stock at \$11,062 32. The second year shows an increased consumption of \$1,129 14, not including the loss by fire (\$12,191 46)—an increase corresponding to the increased amount of printing. Following is a comparative summary of the expenditures of the year:

Printing, for the last year, (including storage, etc., and excluding loss by fire).....	\$43,910 34
Stock consumed the last year, (excluding loss by fire).....	12,191 46
Stationery for the last year.....	10,732 56
Total.....	\$66,834 36

Aggregate of preceding year, per Second Report.....	\$56,983 97
Subsequent allowance for storage, etc.....	900 00
	57,883 97

Net increase in Printing, Stock and Stationery.. \$8,950 39

The last report by the Superintendent showed a saving for the first year of his official term, amounting to over \$20,000, above all cost of his office and salary. Taking the same basis of comparison for the second year of his term, and averaging the increase in quantity proportionally, a gain ensues in the city's favor exceeding \$23,000—being a gain for the two years during which the office has existed, exceeding \$43,000, the total expenditure for the two years being \$124,718 33. To this expenditure should be added the Superintendent's salary of \$2500 per year. His office, occupying but a small portion of a room of common use for other purposes, without in any way interfering therewith, can hardly be considered as even a rental expense.

The expenses for counting, printing and stationery are as follows:

	Printing	Stationery
Superior Court—Criminal Session....	\$525 83	
“ “ Civil Session.....	\$74 48	1,551 07
Supreme Judicial Court.....		321 52
Municipal Court—Criminal Session..	1,202 50	217 30
“ “ Civil Session.....	800 66	197 23
	\$2,747 64	\$2,812 95

making a total of \$5560 59, which is not comprised in the Auditor's table of printing and stationery, and has no supervision by the Superintendent of Printing; although paid by the city on county account.

By suggestion of the judges, the Committee on Printing have taken this subject under their advisement, and it is probable that this part of the county expenses will be placed upon the same footing as those portions now superintended by the proper city officials.

The report was accepted, and sent down.

INVITATION ACCEPTED.

Alderman Stebbins presented an invitation from the chairman of the Committee of Arrangements of Post 7, for the City Council to attend the dedication of a monument at Mount Hope Cemetery.

On motion of Alderman Stebbins the invitation was accepted, and sent down for concurrence.

THE STATE ELECTION.

On motion of Alderman Stebbins—

Ordered, That the City Clerk be directed to notify the legal voters of this city that the new voting lists of the several wards are now completed, and that copies thereof will be posted upon the several ward rooms, and that all legal voters be requested to see if their names are properly registered thereon, and that the office of the Board of Aldermen be open for the purpose of correcting said lists of voters every day until the third day of November next inclusive, from nine o'clock A. M. to five o'clock P. M.

Ordered, That the Treasurer be directed to indicate upon the lists of voters any names found thereon of persons who shall not have paid before November 4 a tax assessed upon them within two years, pursuant to law; the expense to be charged to the Registration of Voters.

Ordered, That warrants be issued for meetings of the legal voters of this city, in their respective wards, on Tuesday, the fourth day of November next, at 8 o'clock A. M., then and there to give in their ballots for a Governor, Lieutenant-Governor, Secretary, Treasurer and Receiver-General, Auditor and Attorney-General of the Commonwealth; also for Councilors for Council Districts two, three and four; six Senators for Suffolk District, and two Senators for the first and second Norfolk Districts; thirty-three Representatives for Suffolk County, and six for Norfolk County; also for a Register of Deeds, for a Register of Probate and Insolvency for Suffolk County; also to notify the voters of those wards of this city comprising the Third Congressional District, to bring in their votes for a member of the present Congress, in place of William Whiting, deceased. All the foregoing to be voted for on one ballot. The polls to be kept open until 4½ o'clock P. M.

ANNEXATION.

Alderman Stebbins offered the following:

Ordered, That his Honor the Mayor be requested to petition the General Court at its next session, to change the boundary line between Newton and Bos-

ton, so as to include the Chestnut Hill Reservoir within the limits of the city of Boston.

Ordered, That his Honor the Mayor be requested to petition the General Court at its next session, to annex to the city of Boston as much of the town of Brookline as lies north of the southerly line of Brighton avenue, in order to form a connection between Brighton and the old portion of the city. Severally read once.

THE FIRE COMMISSION.

Alderman Quincy, from the Joint Special Committee on the Reorganization of the Fire Department, to whom was recommitted the reports and ordinances on that subject, with instructions to report the majority ordinance in a new draught and legal form, approved by the City Solicitor, reported that, having waited upon the City Solicitor, and requested that officer's opinion as to the power of the City Council to delegate to a commission the power to fix the numbers of the Fire Department, the Solicitor replied that, although under one construction of the statute such power would seem to exist, yet that it was in his opinion safest to assume that it did not. On examination of the ordinance he found no other legal objections thereto. Under the instructions received, the committee do not feel authorized to change the ordinance any further than is necessary to remove the legal objections thereto, and, therefore, report the same with the necessary alteration in the first section. They would, however, recommend the adoption of the following amendments:

To insert after the words chief-engineer, in the first section, the words "a superintendent of Fire Alarms."

To fill the blank before the words "assistant-engineers," with the number.

To fill the blank before the word "men" at the end of the first section, with the number.

To insert after section nine a new section a new section as follows, and to make the last section eleven.

"Section 10. There shall be appointed annually in the month of January a joint committee of the City Council on the Fire Department, consisting of two members of the Board of Aldermen and three members of the Common Council. It shall be the duty of said committee to examine as often as once in each month the records and accounts of the Board of Commissioners on the Fire Department, and also to examine all applications for appropriations for said department, and report thereon to the City Council."

To add to the last section of the ordinance the following words:

"All officers and members of the department at the time of such repeal shall hold their several offices until their successors are appointed."

[Accompanying the report was a printed copy of the ordinance with the proposed amendments in italics.]

Alderman Quincy said he had two other amendments to offer, which did not come from the committee, but which commended themselves to the committee.

Alderman Stebbins called attention to the fact that the ordinance provided that the number of men in the department "shall" be 550.

Alderman Quincy replied that it was providing a maximum, and the commissioners could appoint that number if they chose.

At the request of Alderman Stebbins, who desired to ascertain the number of men employed in the department at present, the subject was laid on the table for half an hour, and at the end of that time its consideration was resumed on motion of Alderman Quincy.

The Board voted to accept the report of the committee, and on motion of Alderman Stebbins the ordinance was taken up section by section.

The first section was read.

Alderman Stebbins—The present number of men in the department is 521, and there are ten telegraph operators. There will have to be twelve more employed for a new company, which will make the whole number 543.

Alderman Power—I don't propose to delay the Board any length of time, as I suppose the public and the Board think we have already had too much discussion of this subject. Still, I cannot allow this ordinance appointing a commission to pass without saying a few words in addition to what I have already said. I have already stated my views pretty clearly, and I think the gentlemen who comprise this Board will at least concede that I am honest and my intentions are good in the stand I have taken here in relation to every subject that has come before us. I have opposed this commission from the beginning because I did not think it was for the interest of the city of Boston to inaugurate such a system. I be-

lieve that it is a bad system; that it has proved bad in every city where it has been inaugurated; that its results have been corrupting in every place where it has been adopted. I have on former occasions stood up here in opposition to what seemed to be public pre-sure, and I did not have to live a great while to receive public indorsement of the stand I took. I trust that I may not have to live long to find that I have been mistaken and that the adoption of a commission may prove all that its best friends hope it will. Yet, however great the temptation to be popular and to vote on the side that seems popular, the sacrifice would be so very great to me that I don't think I could be repaid in this world, and I certainly would stand a poor chance of being repaid in the next. I cannot vote for it, and I wish I could prevail on members of this Board to go with me to defeat the adoption of a commission, because I sincerely believe that Boston will be better off without one. It does not follow that the system of government which is absolutely necessary in New York is suitable for Boston. Therefore I hope the adoption of this first clause will not be indorsed by this Board.

Alderman Clark moved that section one be adopted. Alderman Power called for the yeas and nays and the section was adopted—yeas 8, nays 4—as follows: Yeas—Aldermen Bigelow, Brown, Clark, Gaffield, Gibson, Hulbert, Quincy, Stebbins—8.

Nays—Aldermen Cutter, Emery, Power, Sayward—4.

Section two was read by the Chairman.

Alderman Hulbert moved to amend by inserting after the word "May" the words "the persons so appointed shall devote their time to the duties of their office, and shall not actively engage in any other business."

Alderman Quincy—I wish the Alderman would define what he supposes will be covered by the words "actively engage in any other business." If he means that the commissioners shall make this the business of their lives I will go for the amendment. But if he means that a man shall not be an executor or trustee, by which he might make some money, I think it would be too much to ask. I presume it is intended that the duties of the commissioners shall be paramount.

Alderman Hulbert—I mean more than that. I want men who are going to attend to the duty; I mean that this shall be a man's business just as much as it is the business of other persons in other branches of the City Government, such as the Auditor or Treasurer. If a man has property, this doesn't prevent him from attending to it.

Alderman Power—I hope the amendment will pass. If we are going to have a commission let us have a good one; but I don't see how you can have it if the commissioners are allowed to carry on any other business. I thought this of the greatest importance when the Board of Health was established. I think the great benefits which were expected from the Board of Health have certainly been defeated by the changing of this clause. If the Board of Health has not met the best expectations of everybody, I think to that alone can be traced the cause. I hope, in this case, there will be no such loopholes left, and the commissioners will be required to give their whole time to the business. As the gentleman has said, the proper definition of that would be to give their whole time to the city, as the Auditor, Treasurer or Superintendent of Streets do.

The amendment was carried, and the section, as amended, was adopted.

Section three was read and adopted.

Section four was read.

Alderman Quincy moved to amend by inserting after the word "apparatus," in the tenth line, the words "to establish a fire patrol by detail from the department which shall render service in connection with the police and the Department for the Survey and Inspection of Buildings."

Alderman Stebbins—I like the amendment, but would prefer to have the detail from the permanent force of the department. There might be a clashing of interest if such detail were made from the members of the department not permanently employed. I move to amend by making it the "permanent men" of the department. I wish to give the permanent men something to do; otherwise they will be wandering about the streets or sitting in the engine houses all day.

Alderman Gaffield asked if the gentleman noticed that it means that the detail is to be from the members of the department.

Alderman Stebbins—I want it to read definitely "from the permanent men in the department." It is well known that in the last three weeks we have organized three companies and these men have nothing to do but assist in putting out fires.

Alderman Quincy—The idea of the committee was

not to tie the hands of the commissioners by stating from whom the patrol should be made. If they see fit to detail from the permanent men, they may. We mean simply to say "detail from the department" so that they shall not have to go outside for another force, and we mean to leave their hands free.

Alderman Stebbins—The Alderman forgets that the men who are not permanently employed are only paid so much per year to run to fires. It looks too much as if it were to establish an independent patrol force. I can easily see where there would be a clashing of interests.

Alderman Quincy—I fail to see how the words can be twisted in that way.

Alderman Gibson—I hope the amendment will prevail. Men sitting about engine houses all day will not attend to fires as well as if they have something to do. Keep their bones and muscles at work and you will have men fit for service. In my opinion that is the cause of so many horses breaking down. Men want something to do, to work ten hours a day to keep their muscles right. I had rather have fifty men working ten hours a day than a hundred men doing nothing—they will work better when called on. We can't expect to get any but permanent men for this patrol without an additional expenditure.

Alderman Quincy—I am not very particular about this. No doubt it is what the commissioners will do. They would no doubt use the permanent men first, but if there is occasion to use more I don't want to tie their hands so that they shall not use any other men of the department.

Alderman Gibson—We don't propose to tie their hands. We have tied their hands in certain things; why not have it left just as fair as we have in other things.

Aldermen—I think the amendment a proper one. It settles the question in regard to what is expected by the city of permanent men. I hope it will pass.

Alderman Clark—If we are going to have commissioners that we can trust, we may as well leave this in their hands as to tie them up. They have the privilege of employing the men, and it is in their power to make this entire five hundred and fifty men permanent if they so desire, and then they can have that number on patrol if they wish. Now, I understand that we intend to have forty or fifty permanent men in the city proper. It may be necessary, as it was in November, to have a certain number permanently employed. I believe in Alderman Hulbert's amendment, but not in so tying the commissioners' hands more than any member of this Board would wish if he should become a member of the commission. The commissioners have it in their power to make the entire department permanent, if they see fit.

Alderman Stebbins—They are limited to the amount appropriated for the current year. They could not make all permanent men without making an additional appropriation of four hundred thousand dollars. The number of permanent men already appointed will exhaust the present appropriation.

Alderman Clark—I admit all that. Still it does not prevent them from making the men permanent; but it rests with the City Government to make the appropriation. It is left to the commission to make a greater or less number as is required.

Alderman Quincy—It is desirable to have as few permanent men as possible, but it is necessary to have the patrol.

Alderman Clark—If the commissioners did not first use these permanent men for the patrol I should consider they were not doing their duty, and it would be necessary to dismiss them summarily.

Alderman Gibson—I would like to know how much of the city it is desired to patrol, and how long it is intended to keep them out.

Alderman Gaffield—I hope the chairman of the committee will yield the point and let us pass the amendment in the shape requested by the gentleman from Ward 8. Everything has gone on so harmoniously so far.

Alderman Quincy—I would like the sense of the Board upon it, and will be just as harmonious if it is decided against me.

Alderman Gibson—I suppose it would be an object to exercise the men, who ought not to be kept shut up in the house. They should be made useful about buildings in which they are to work during fires. It is necessary for them to have exercise every day. Now, to what extent is it intended to patrol the city? If it is going to be done throughout the whole city, we have got to employ the department during the whole year, and the people in their turn will have to pay the bill.

Alderman Stebbins—The regular detail would do duty in the same way as the police. The men now employed are in the burnt district and have already done efficient service. It don't

seem necessary to have them in any but the business portion of the city. I called upon the Inspector of Buildings and asked his advice on the subject, and he stated that such a patrol from the Fire Department could be made very efficient; he could then do with less men than now. It is well known that most of the men employed in the other companies are mechanics and well informed on such subjects.

Alderman Stebbins's amendment was carried, and the amendment of Alderman Quincy, as thus amended, was adopted.

Alderman Sayward—I presume it is the desire of the committee to have the ordinance as perfect as possible, and I think there should be an amendment to section four, where it describes the duties of the commissioners in regard to purchasing apparatus and supplies. A great many horses will have to be bought, and there is no provision for buying them. I move to amend by inserting after the word carriages, the word "horses."

Alderman Stebbins suggested that it should be put in after the word purchase.

Alderman Power suggested that the horses be put before the carriages, as that is usually the proper place for them.

Alderman Sayward had no objection to the place, only he wanted to get the horses in, for it appeared to him that in this matter the Committee on Fire Department have been shaving the city more than in anything else.

Alderman Sayward withdrew his first motion and moved that the word "horses" be inserted after the word "purchase" which was carried, and the section (4) was adopted.

Sections 5, 6, 7, 8, 9 and 10, were adopted without debate or amendment.

Section 11 being under consideration, Alderman Stebbins noticed that it repealed all the other ordinances in force and the rules for governing the department. Of course it would be some time before the commissioners get into working order, and I move an amendment to the section, "and until otherwise ordered by the Fire Commissioners, shall be subject by the same rules and regulations now in force governing the officers and members of the Fire Department."

The amendment was adopted.

Alderman Quincy moved to amend still further by adding at the end of Alderman Stebbins's amendment, "and the present Joint Standing Committee of the City Council on the Fire Department shall perform the duties named in section 10 during the remainder of this municipal year."

The amendment was adopted.

The section was still further amended, on motion of Alderman Stebbins, by inserting after the word "officers," "at the salaries established by the City Council."

Section 11 was then adopted as amended and the ordinance as amended was passed.

Alderman Quincy moved a reconsideration, hoping it would not prevail. Lost.

On motion of Alderman Stebbins—

Ordered, That the Committee on Salaries be requested to report an order establishing the salaries of the permanent members of the Fire Department recently appointed; and also an order establishing the salaries of the Commissioners on the Fire Department.

On motion of Alderman Quincy, it was voted that the ordinance which had just passed be printed as amended before being sent to the other branch.

On motion of Alderman Hulbert—

Ordered, That there be allowed and paid to the city treasurer, for extra clerk hire on account of the collection of taxes for the present year, a sum not exceeding \$3000; said item to be charged to the appropriation for Salaries.

REVISION OF THE CITY CHARTER.

On motion of Alderman Quincy, the report, with order for appointment of a commission of five suitable persons to report upon a revision of a city charter (City Doc. No. 115) was taken from the table.

Alderman Quincy—I propose merely to very briefly notice a few of the changes to which attention is called in the report. If this order contemplated an abandonment of our own private judgment in any shape or manner no one would be more against it than I. But the recommendations of the commissioners are to be laid before us to take just such action upon as we like. We can take as much as we like or none at all. Alderman Quincy read from the report of a previous committee on this subject the recommendation for longer terms for city officers, and continued, "This is the third or fourth committee who have strongly recommended this thing, but for some reason it has always failed. Another subject is

a metropolitan board of works. The gentlemen who signed the minority must have forgotten that the Mayor recommended such a board as this. The Mayor also thinks that the incumbent of that office should be relieved from making the police appointments. I can easily understand that. At the close of the late war I was appointed military mayor of New Orleans, and had to do something to check the crowds who sought appointments on the police. But the regulations then adopted could hardly be done under the peaceable administration of City Hall. Alderman Quincy read from the majority report the recommendations relative to separating the duties of the Mayor and Board of Aldermen. I might have added, he continued, following out the analogy, by extending the appointing power of the Mayor to some officers who are now elected. I agree with the Alderman from the Highland District in regard to the manner in which some of the elections are conducted. If there are half a dozen men after a place, I feel it my duty to see who is the best man for the position. But if I am one of seventy-six, and an election is sprung upon me in a hurry, I take the word of the next man to me, who says his brother went to school with the candidate. But the Mayor must take the responsibility. The public know who appoints worthless men, but not who votes for them. I say of this matter that I fail to see any argument against it.

[Alderman Gibson in the chair.]

Alderman Cutter—I have a seat in the Committee on Ordinances. The gentleman signs his report "For the Committee," but not for the majority of the committee. I have never had this matter committed to me, and I think it is due to this committee that it be recommitted. I don't think we should adopt a report of a committee without its having been adopted by the committee. We didn't see any argument for changing the city charter. If we appoint the commission we have got to pay them. As we enlarge the city we shall of course have to amend the ordinances, but I don't believe in wiping out the charter prepared by Judge Shaw, and I don't see any reason for appointing a commission to change the ordinances, because there is no reason why there should be a change at this particular time. The only reason I have heard was that the Committee on Paving should be a joint committee. Now I don't believe we can carry eight men around every day to look after our duties. Such a committee would be cumbersome, useless and paralyzed. It is due to the members of this committee that this subject should be recommitted to them, and they should have a chance to read the report and understand it before it is produced here.

Alderman Quincy—This has been twice recommitted, the last time for the purpose of allowing a member to prepare a minority report. It was distinctly understood that no action should be taken to change the majority report. A member of the minority suggested that the only thing he wished was to prepare a minority report. The meeting was called, and the gentleman was there with his report, but did not read it. The chairman said he would prepare the views of the majority. It has been discussed over and over again before the committee, and no possible good can come of its being recommitted. It is a subject which calls for immediate action.

Alderman Cutter—The members were desirous of having the report read to them. If the majority of the committee think the same as the report, they should have the opportunity to sign it. It is due to them that it be recommitted. We made a report as a minority. I move to recommit the report to the Committee on Ordinances.

Alderman Stebbins—I shall vote for that after the statement made, out of courtesy to the committee.

Alderman Quincy—I fail to see how courtesy comes in. The matter was recommitted to allow the minority to make a report. The chairman stated that he would put in a majority report, as there was to be a minority report. If requested to present it before the committee he would have done so. He considered himself authorized by the majority to put their views in the best shape he could.

Alderman Stebbins inquired if the members of the committee ever saw the majority report.

Alderman Bigelow—I did not see it, but concurred with the committee and would have signed it had I seen it.

Alderman Sayward inquired if it was n't customary to sign as the majority or the minority.

Alderman Clark—It is nothing more than just to the committee to have this recommitted. The majority report has been put in here signed by the chairman "for the committee." Now I do not understand that the other members of the committee of this Board were aware of the purport of that report. I am in favor of a commission to revise the city char-

ter. I think we have outgrown the old one; very many things need changing and I shall vote for a commission to see if there is any necessity for revising or altering the present charter. I have no doubt that when the present city charter was made it was the best that could be made for the city as it then was. But were Judge Shaw alive at the present time I doubt very much if he would write a charter for the city as it stands today.

The additions which have taken place are good reasons why it should be revised. The Board of Aldermen, the Council and the School Committee must remain as they now are until the charter is changed. It is for the commission to look over the charter and see what improvements can be made for the city as it now exists. Therefore, I shall vote for the commission, but as an act of courtesy to the entire committee we should recommit this report that they may report in a new draught.

Alderman Quincy—I had supposed that the vote of the committee was the vote of the committee; and if the majority vote to request its chairman to present their views he can do so. There is only one report. The minority put in their report, and it might have changed the minds of the majority if it had been read to them.

The Board voted to recommit the report.

[Alderman Cutter again in the chair.]

CONGRESS SQUARE.

On motion of Alderman Power—

Ordered, That the street leading from Congress street to Kilby street, now known as Lindall street, be hereafter called and known as Exchange place, and that the street leading from Devonshire street to Congress street, now known as Exchange place, be hereafter considered a part of Congress square.

OBSCENE PUBLICATIONS AND EXHIBITIONS.

Alderman Hulbert—I have two orders to offer, the object of which will commend itself to every good citizen and member of this Board. It is probably something that has occurred to all of us as citizens. I refer first to the class of newspapers that are for sale at the railway stations and on the streets, so that children cannot pass without seeing them. They are exposed for sale on almost every street. One of the orders refers to the matter of theatrical exhibitions in this city, which are, in the estimation of

every decent man, of a nature wholly impure, indecent and directly calculated to hurt public morals. In reference to the matter of objectionable newspapers and prints, there is a statute on the subject; but in its adaptation to the city, I thought, perhaps, there might be some additional legislation needed. I refer to this because I think it is a proper subject to come up here. We spend time here upon matters referring to the preservation of the public health. This has reference to the preservation of public morals. Having had experience during the past year with public men, I know there is no greater cause for alarm in the city than this. This vice commences to rot a man in the centre, and when it appears on the surface he falls in. I feel it is a perfectly proper subject to bring up here, and I, therefore, offer the following order:

Ordered, That the Committee on Legislative Matters be requested to consider and report what additional legislation, if any, is needed to effectually prohibit in this city the sale or distribution of newspapers, prints, pictures or other things manifestly tending to the corruption of the morals of youth.

Alderman Hulbert—In reference to theatrical matters I mean to say that this board is directly responsible. We hold the responsibility if we license exhibitions which are vile and corrupting to youth, and I for one don't propose to take that responsibility. I therefore offer the following order:

Ordered, That the Committee on Licenses be requested to consider the propriety of inserting in all licenses issued by this board for theatrical performances, or other performances or exhibitions of a like character, a condition that no performance or exhibition which is manifestly impure and directly tending to the corruption of the public morals, shall be permitted.

Alderman Hulbert—It is known to you, gentlemen, that in our own city during the past two or three years there have been exhibitions that the public sense would be shocked at. It is one of those things that this Board should decide so that it shall not again be repeated.

The orders were passed.

Alderman Quincy gave notice that he intended at the next meeting to bring up the report of the Committee on Armories.

On motion of Alderman Gibson, the Board adjourned.

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CITY OF BOSTON.

Proceedings of the Common Council,
OCTOBER 16, 1873.

The regular weekly meeting of the Common Council was held this evening at half-past seven o'clock, E. O. Shepard, President, in the chair.

PAPERS FROM THE BOARD OF ALBERMEN.

Third report of superintendent of printing. (City Doc. No. 114.) Filed.

The following papers received concurrent action: Invitation of Post 7, G. A. R., to attend dedication of monument at Mount Hope Cemetery. Accepted. Petitions and remonstrances referred.

Recommitment of report of Committee on Revision of City Charter (City Doc. No. 115), to Committee on Ordinances.

Report and order to omit the eighth condition in an agreement to convey to Blake & Rand certain land on East Dedham street, on terms named in said order. Passed.

Order for Committee on Legislative Matters to consider what additional legislation should be had in regard to the sale of immoral prints. Passed.

The following orders were read once:

Order to allow not exceeding \$3000 for extra clerk hire in treasurer's office.

Order for Mayor to petition next Legislature for establishment of a State normal school in this city.

Order to allow expenditure of \$75 for repairs for armorv of Company K, First Regiment, M. V. M., in addition to the amount appropriated for 1872.

THE FIRE COMMISSION.

The report of the Committee on the Reorganization of the Fire Department was accepted and the amended ordinance to establish a fire department (City Doc., No. 119) was read by the President on motion of Mr. Dean of Ward 12.

The question was on giving the ordinance a second reading.

Mr. Brackett of Ward 10—This matter has been before us a considerable time, and as I suppose every gentleman's opinion is fixed, a discussion would change no one. The ordinance has been before the City Solicitor and approved by him. I hope the matter will be settled tonight, and I therefore move the previous question.

The previous question was ordered, and the ordinance was passed to a second reading.

Mr. Denny of Ward 9 moved to suspend the rules that the ordinance may take its several readings tonight.

Mr. Dean of Ward 12—It is impossible to conceive of any more curious motion than that made by my esteemed friend, a member of this committee. We have before us a matter of immense importance, and after very lengthy and elaborate discussion, this Council has passed upon adversely to the ordinance before us. And although the Council, after very careful and mature deliberation, and after lengthy discussion, has passed upon this matter adversely, one member gets up here, makes a little speech and moves the previous question before anybody can say a word about it, and then another moves the suspension of the rules whereby it can take all its readings at this time, just as though it were a matter of no earthly concern to us, to be passed over as a mere bagatelle. We are therefore asked to pass upon a matter of the utmost importance to the city.

We are asked to change the entire system of our City Government; to whiffle around and change our minds; to swallow our convictions; vote for what we don't believe, and do what ought to make a laughing stock of us. Now, I suppose, Mr. President, that when this Council, after mature deliberation and careful discussion, passed upon this matter, they passed upon it according to their convictions. I suppose that a majority at that time, if a majority ever did, passed upon it according to their convictions. For, sir, every influence that could be brought to bear in the other direction had been used. Every person of weak knees and white liver had succumbed. I don't allude to all the gentlemen who voted with the minority at that time, because I know that some from the start had their convictions fixed. But I do know, Mr. President, that if ever there was an instance in which an organized body of men, self constituted, stood forth and undertook by the whip and spur to drive another body of men who had jurisdic-

tion over a matter they were discussing, and the only body that had jurisdiction over it, that was the case with regard to this question.

I say an organized body of men, Mr. President, because I find it frankly stated in the Daily Advertiser. In an issue some time since it is stated that "for nearly four months an organized effort has been made to change the management of the Fire Department. In this work are enlisted the leading merchants, the largest taxpayers, and many of our most respected citizens." An organized body of men! An organized effort made for the purpose of accomplishing this great change. At one time came out an article as if it were written by somebody who held the whip over the heads of the members of this board, headed, "No dodging." No dodging. Here is the whip; no dodging. And when finally a compromise was offered, the whip comes again—"No compromise!" That is the language; that is the leading item of the article. When it is before this body every Thursday, out comes an article; and when it is before the Board of Aldermen every Monday, out comes an article reminding them that they must mind their business and take care of themselves.

And the threat is beld out that if they don't act according to the behests of the writer they wont have the chance of appearing in these halls any more. Now, that is a fact, Mr. President. An organized body of men start out and pay two cents apiece for petitioners—that is the price—two cents apiece for petitioners, and then the members of the City Government, after they have got petitioners at two cents each, say, "We have got a great quantity of petitioners; the people are all in one direction"; mind, "No dodging." "No compromise." "An organized effort to accomplish this purpose"; be very careful. Now, then, Mr. President, I for one, at any and all times and on any and all questions, should be pleased to hear any argument in favor of any proposition, and if I could see any new light, if I could see the proposition differently from what I had seen it before, I should be proud to retract any previous words or convictions, and acknowledge that I had seen new light.

At the same time, Mr. President, I should feel ashamed of myself, sent here under oath to pass upon every question according to my own best judgment, i., without argument and without reason, I should yield to the whip and spur. If I should be told that I could not come here again, severe, terribly severe as the penalty would be, I still should be strongly inclined to follow out my own opinion, according to the dictates of my own conscience, and feel that no writer of any newspaper should compel me to act according to his wish in a matter of this importance. Now, then, Mr. President, to come to the question before us. It is on a motion to suspend the rules. I don't think the rules ever should be suspended, except in the clearest case, or in matters of trivial importance.

I don't know how the members of this Council view this matter, but in my judgment this is a matter of very great importance, of no less importance than inaugurating a great change in the way of doing our city business, because we are already told that other commissions are expected to follow—a board of public works, a commission on the Police Department, and the Lord knows what not, until it will be very difficult to find out where to put a finger upon anything, or to find where we are, where there is any responsibility, or how the city is governed. But the project is to start in a direction the end of which we cannot exactly foresee. Now while this matter is before us the suggestion is on the one hand to shut off discussion on this question, and on the other to pass it all at once and take no further time to deliberate upon it. On that motion it is supposed that the majority of the Council are to turn around and change their minds under the pressure which is brought against them.

Now the great claim that is made is that somehow or other the Fire Department has proved entirely inefficient. Now that has been challenged heretofore, and I yet have to learn in what respect, with reference to anything that a commission is called upon to do, that the Fire Department, as a department, is deficient. It is said that the system is an inefficient system; that it produces inefficiency. Why, Mr. President, I made up my mind, the other day, to go over again the report of the learned commission—and I think it was a proper commission—to investigate the cause and management of the great fire. That commission stated what has been stated and reiterated again and again, that with reference to the fire apparatus of the city and the men composing its department, there was no fault to be found. The men were unexceptionable, and the apparatus was, on the whole, excellent. The only question with reference to what was referred to them was that of the

management of the fire. One criticism was upon the dangerous character of the buildings.

I wish to go over this in detail, in order that this City Government and the city of Boston may know exactly what has been done under this most efficient of all systems. Now, then, it is claimed that the architecture was dangerous. That, certainly, was not the fault of the Fire Department. If, Mr. President, there is any body of men that is responsible for the dangerous character of the architecture of the city of Boston, it was the fire underwriters of the city of Boston, who insured this dangerous property in preference to any other. They gave it character, value, by their indorsement. If you add to them many of the business men of Boston, they lie in the same bed—they are guilty of the same crime, if it is a crime; it is not for them now to say we are entirely guiltless, and are going to throw the fault upon the Fire Department.

But it was said there was a delay in the arrival of engines. That might have been a fault—it was a fault. But, as you look back to that time, what man of all those who would undertake to grapple with it, is quite certain that he would have done more than was done in that regard. I think the man that would be so positive that he would have done more is not an exceedingly modest man. The next criticism was the want of water. But the want of water, so far as it is concerned, belongs, if to anything, to a commission. But I don't propose to criticise anybody with reference to that. It is no criticism to be made upon the Fire Department. It was stated that there were more engines wanted. That has been remedied, if more were wanted. But I think there is no person in the city of Boston who would say it would be wise to reorganize the Fire Department for the purpose of being in a condition to combat only with a fire like that of the 9th of November, to be able to float such a fire when it got fairly under way.

Nobody expects that we are going to have a Fire Department that can put out in the twinkling of an eye a fire extending over one hundred buildings of dangerous architecture. You expect the department to stop it before it gets there. Then there are a quantity of miscellaneous recommendations made by the commission. Now, then, what has been done? Why, sir, every one of these evils has been cared for, sliding valves have been put in the gas pipes; streets have been immensely widened at an enormous expense; the architecture of the city has undergone a great change for the better; additional engines have been procured, so that the department is in better condition and stronger than it has been before, and the danger from conflagration has been immensely diminished. Under such circumstances, it seems to me we are not in condition to be called upon to pass anything under the suspension of the rules. That is the last thing that should be done.

We are in condition to take time, and I trust that the members of the Council, seeing themselves under necessity for no strange or undue haste, will look the matter fairly in the face and consider it calmly and carefully, and decide what on the whole is best to be done. It seems to me, Mr. President, that while we have a system which is capable of being made perfect, and that would in my judgment give us all the efficiency to be found in a new system, it seems to me it is much better to retain it than to start off on a new programme, establish a new board, and wait for experience to perfect it. It seems to me that the proper way is to take care of the old; improve it; stand by it; do everything we can to perfect it. At any rate, I trust the Council is not ready to let this be passed upon at this time under a suspension of the rules.

Mr. Perkins of Ward 6—If any apology were needed for the extraordinary course that the majority has taken, I think it has been given in the fact that the gentleman has been unable to bring up a single argument in favor of his position. Moreover, this course has been justified by that which the minority took when the matter first came up in the Council, when he succeeded in forcing their ordinance through two readings and sending it to the Board of Aldermen. If we take a leaf out of their book the gentleman has no reason to complain. Moreover, the gentleman says a majority of the Council have decided against the ordinance. But at the last meeting he and his friend from Ward 5 made a test vote on striking out the instructions to the committee, and the result showed that a majority were in favor of this ordinance. Some plan must be adopted. The citizens are anxious, a majority of the Council are in favor of this ordinance, and the question is, whether we shall be worried out, as has been done on the revision of the city charter. That subject was brought up at the beginning of the year, and has been delayed again and again. Those same

tactics seem to have been tried on us now. It is the duty of the friends of this ordinance to take the final vote on its adoption tonight. I therefore move the previous question.

The previous question was ordered, and Mr. Brackett of Ward 10 called for the yeas and nays.

Mr. Flynn of Ward 7 asked for the ruling of the Chair on the question.

The President stated that the question was on the suspension of the rules, and on that the yeas and nays had been called for.

The vote was as follows:

Yeas—Messrs. Abbott, Adams, Barnes, Bicknell, Blackmar, Bleiler, Boardman, Brackett, Burditt, Caton, Cudworth, Darrow, Davis, Denny, Hall, Harrington, Hine, Holmes, Lamb, McCue, Morse, Page, Pease, Perkins, Pickering, Powers, Prescott, Risteen, Shaw, Shepard, Tower, Train, West, Whiston, Wilbur, Woods—36.

Nays—Messrs. Anderson, Brennan, Burt, Collius, Dacey, Dean, Doherty, Edwards, Flatley, Flynn, Hughes, Jones, Kelley, Kingsley, Loring, Marston, Martin, McKenney, Thacher, Upham, Warren, Wells, Weston, Woodward—24.

Absent or not voting—Messrs. Bowles, Madden, Mahan—3.

The motion to suspend not having received a two-thirds vote, was lost and the ordinance was laid over.

The order for Committee on Salaries to fix salaries of permanent men already appointed in Fire Department,—also, of the proposed Fire Commissioners, was, on motion of Mr. Flynn of Ward 7, laid on the table.

UNFINISHED BUSINESS.

Report and order to procure and place in the new schoolhouse, on the site of the old Roxbury City Hall, a suitable tablet bearing the name of the school. Passed.

Report and order to provide temporary accommodations for primary pupils in the Bigelow-School District. Passed.

Order to cancel sale of Old Mather Schoolhouse, provided it can be done by the payment of \$2000. Passed—34 to 11. A motion to reconsider, by Mr. Flynn, was lost.

PETITIONS REFERRED.

Mr. Blackmar of Ward 11 presented two petitions from Company A, First Regiment, M. V. M., for additional appropriation for rental and fitting up of armory. On motion of Mr. Blackmar, they were referred to the Joint Committee on Armories.

REPORTS OF COMMITTEES.

Mr. Perkins, from the Committee on Common, reported the following order:

Ordered, That the Committee on Common and Public Grounds be authorized to expend the sum of two thousand five hundred dollars in grading and improving Washington park; said sum to be in addition to the appropriation heretofore made for that purpose and to be charged to the appropriation for Common and Public Grounds.

Mr. Perkins explained that the committee had not exceeded the appropriation heretofore made for Washington park, but of the original amount \$2500 was devoted to some other purpose, and this order was to carry out the original intention. It is desirable that the work be done as soon as possible.

On motion of Mr. Perkins, the rules were suspended, and the order was passed.

Mr. Blackmar of Ward 11, from the Joint Committee on Claims, to whom were severally referred the petitions of John Mullen to be paid for damages to his team and harness caused by an accident at Federal-street Bridge, and Henry P. Tallant for damages to his property on account of the location of the smallpox hospital on Marcella street, submitted reports recommending that the petitioners have leave to withdraw. Severally accepted.

Mr. Page of Ward 9, from the Joint Committee on Armories, to whom were referred the petitions of Colonel Finan, Ninth Regiment, First Company of Cadets, and Company F, First Regiment, submitted reports recommending the passage of the accompanying orders:

Ordered, That the Committee on Armories be authorized to expend a sum not exceeding three hundred and seventy-five dollars in fitting up the headquarters of the Ninth Regiment, M. V. M., at No. 562 Washington street; said sum to be charged to the appropriation for Armories.

Ordered, That the Committee on Armories be authorized to expend a sum not exceeding four hundred and fifty dollars in repairing and furnishing the armory occupied by Company F, First Regiment of Infantry, M. V. M., at the junction of Warren and Palmer streets; said sum to be charged to the appropriation for Armories.

Ordered, That on and after the first of October, 1873, until otherwise ordered, there be allowed and paid for rent of armory occupied by the First Company of Cadets, M. V. M., at 99 Tremont street, the sum of twelve hundred dollars per annum; said sum to be charged to the appropriation for Armories.

The orders were severally read once.

Mr. Bicknell of Ward 4, from the Joint Committee on Public Buildings, reported that there will be required to complete Engine House No. 12 the sum of \$3500, \$1400 of which is the difference in price between the original contractor and the present builders; \$1100 for heating apparatus, \$400 for edgestones and paving driveway; \$350 for hoisting apparatus; \$175 for fixtures; making a total of \$3425. The committee recommended the passage of the accompanying order:

Ordered. That the Auditor of Accounts be authorized to transfer from the Reserved Fund an amount not exceeding \$3500, the same to be added to the amount already authorized for Engine House No. 12.

Mr. Shaw of Ward 5 asked for an explanation. He had been told that the expenditure had been already made, without a particle of authority, and now at this late day the Council is called on to pass an order for it. He called for details of the expenditure.

Mr. Bicknell replied that they were pretty clearly stated in the report.

Mr. Shaw said he only asked whether the expenditures had been made. If they have or have not, the committee can say so and he would be satisfied. Such an explanation was due to the Council. Mr. Shaw moved to lay the report and order on the table.

The motion was defeated, and the order was passed to a second reading and laid over.

Mr. McKenney of Ward 1, from the Joint Committee on East Boston Ferries, reported on the petition of Joseph B. Blanchard and other police officers, to be allowed to pass over the ferries free of tolls, that it appears that since the ferries came into the possession of the city tickets have been furnished from time to time to such of the officers connected with the station at East Boston and the Harbor Station, as were called upon to pass over the ferries in the discharge of their official duties. It is proper that all members of the police should be furnished with tickets at the expense of the Police Appropriation, whenever they have occasion to go to or from East Boston in the performance of their official duties; and the Committee on Police have authority to furnish such tickets without any action on the part of the City Council. The members of the department stationed at East Boston are obliged to use the ferries so frequently that it would be more convenient to furnish general passes to them than it would be to furnish single tickets, and the accompanying order is presented to authorize the directors to furnish such passes at the expense of the Police Department. There is no more reason for supplying the members of the Police Department generally with free passes to use when they are not on duty than there is for supplying passes to all the employes of the city:

Ordered, That the directors for the East Boston Ferries be instructed to furnish passes over said ferries to the Chief-of-Police, the Deputy-Chief-of-Police and the members of the Police Department attached to the station in East Boston; the expense thereof to be charged to the appropriation for Police.

The order was read once.

ENGINE HOUSE IN WARD FOURTEEN.

On motion of Mr. Bicknell of Ward 4, the report and orders to furnish steam heating apparatus and a fence for the yard at engine house, Ward 14, at an estimated cost of \$3000; and for a transfer from the Reserved Fund to pay therefor, if not exceeding that sum, were taken from the table.

The question being on giving the order a second reading, Mr. Bicknell made a statement of estimates for the details of the expenditure: Heating apparatus \$1000; fence, \$900; hoisting apparatus for hose tower, \$350; block stone for paving the driveway, \$300; gas fixtures, \$175; edgestones, \$125; total, \$2950.

Mr. Shaw of Ward 5 said if Mr. Bicknell would move an amendment to the order covering the details, he would vote for it; as the order read then he could not, as it was for work that according to the gentleman's own estimate would cost only \$2000. It is a duty to those voting away the people's money that they should know what it is for.

Mr. Bicknell had no objection to the amendment.

On motion of Mr. Page of Ward 9, the order was laid on the table, and, subsequently being taken up, Mr. Bicknell offered an amendment to insert after the words "heating apparatus" the words "hoisting apparatus for hose tower, block stone for paving, driving and laying same, gas fixtures, edgestones in brick sidewalk in Quincy street."

The amendment was adopted, and on motion of Mr. Jones of Ward 14, the order was specially assigned for half-past eight o'clock next Thursday evening.

MASON-STREET ENGINE HOUSE.

Mr. Page of Ward 9 offered the following:

Ordered, That the Joint Standing Committee on Public Buildings be requested to consider and report upon the expediency of repealing an order which passed this Council September 4, 1873, to make alteration on the building formerly occupied by the Natural History Society on Mason street, to accommodate a steam fire engine, etc., and also to consider and report as to whether a more suitable location cannot be procured in the immediate vicinity.

Mr. Page—I have heard it stated that a much better location than the one contemplated by the passage of the previous order can be found, and which it would be better to use than the portion of this schoolhouse, from which considerable furniture has got to be moved. The passage of this order will not delay matters at all, as the plans will not be ready for a week and the committee can consider the subject and report in that time.

The order was read twice and passed.

TAKING GRAVEL FROM LONG ISLAND.

Mr. Shaw of Ward 5 offered the following:

Ordered, That the Joint Committee on Boston Harbor inquire into and report under what authority, to what extent and under what circumstances, gravel has been taken from Long Island in Boston Harbor and furnished to the city of Boston during the present year.

Mr. Shaw—I think it is due to the Council to give some reason for this order, I am a member of the Harbor Committee. At the first meeting of that committee in the month of January I had a respectful invitation to attend and did so. The first question raised was that the chairman of the committee be authorized to approve the bills. [Laughter.] I had been told that such was the custom at City Hall, but to me it did not seem to be democratic, nor to partake much of the principles of justice and right, which the people who send us here have a right to demand of us. There are gentlemen who were present at that meeting who will, if they remember rightly, recollect that I questioned the propriety of such action. It was there stated that all it proposed was to authorize the chairman to approve the payroll of the day laborers on the ice. I stated that if that was all I should not object. At a subsequent meeting the subject of taking gravel from Long Island in the harbor was brought before us, considered and passed upon. It was there stated that a Mr. Dunbar held a permit to take gravel from that island. It was the unanimous verdict of that committee that the permit should be taken away. From that day to this I never have heard of it from the committee or anybody else; but it occurred to me that it required looking into. I find no action on it in the records of the committee. Yesterday, in reply to a note, I received a letter from the Harbor Master. Mr. Shaw read the letter of the Harbor Master, which stated that gravel had been taken from Long Island to the amount of ten or twelve thousand tons, by Richardson & Co., contractors, who conveyed it to T wharf, from June 1st till September 15th. Mr. Shaw then read a certified copy order of the Board of Aldermen of January 30th, 1871, giving the permit to remove gravel from Long Island, and another of May 13th, 1873, revoking that license. Mr. Shaw said that early in the spring he read in the newspapers an advertisement for parties to make proposals for supplying the city with gravel; it proposed that gravel should be taken outside of Boston Harbor, and he believed he was correctly informed that the contract has been made by a certain party, whose names he did not then know, to supply the city with gravel from outside of Boston Harbor. Yet in the face of this is the communication from the Harbor Master, stating that ten or twelve thousand tons had been taken from Long Island, and supplied to the city of Boston at a certain price. There were contractors who proposed to furnish gravel for the city whose bids were thrown out, and who bid with the distinct understanding that they were to furnish gravel outside of Boston Harbor. The party who received the contract agreed to furnish gravel from outside of the harbor. And that is not the only instance where the city of Boston has done entirely different from the contracts given to people to bid upon. I can cite instances of payments upon just the same principle. It is perfectly well understood that the city and State are interested in the welfare of Boston Harbor; the protection of the harbor is a subject of deep concern to the merchants of Boston, and it has been decided again and again that it is against the interest of Boston to allow gravel to be taken from

the harbor. If gravel is to be taken away and the currents and tides are to be affected thereby, it is for the interest of every citizen to know whether the city is to be hoodwinked by making contracts the terms of which are not complied with. I have called attention to this matter because it is of vital importance. We have a Committee on Boston Harbor, and I am aware that the protection of the harbor is left to the Board of Aldermen; but if the committee do not attend to their duties, then I have a right to raise my voice and protest against it. I hope the order will be passed without a dissenting voice.

Mr. Pease of Ward 1—It is very true, as the gentleman states, that the Joint Committee on Harbor voted that the license granted to Mr. Dunbar ought to be revoked. Having occasion some time since to go down the harbor, I saw some gravel being taken from Long Island. I was informed by the chairman

of the committee that an order had been passed allowing Mr. Dunbar to take gravel from the harbor. I can't understand how it can be, but both the Aldermen on the committee said it was in consequence of a previous order which had never been repealed. Therefore Mr. Dunbar had continued taking the gravel. I don't believe in taking gravel from the harbor, and I do believe in taking whatever action is necessary to protect the harbor.

The order was passed.

PLACED ON FILE.

On motion of Mr. Jones of Ward 14, the recommendations of the Joint Standing Committee of the Fire Department (printed City Document No. 107) were taken from the table and placed on file.

On motion of Mr. Perkins of Ward 6, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
OCTOBER 20, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M., today, Alderman Cutter, Chairman, presiding.

EXECUTIVE NOMINATIONS CONFIRMED.

Special Police Officers without pay—Charles H. Rice, Daniel S. Gammon, Andrew Wilson, Morgan Chapel; Grafton Feuno, Rufus Crowell, George H. Spear, Jr., Merchants' Exchange; Alvin B. Libby, Christian Church, Tyler street.

Member of the Fire Department—John C. Harrington, Jr.

Constable—Martin F. Curley.

Weigher of Coal—John A. Clark.

Measurer of Wood and Bark—Alfred A. Hall.

Undertaker—Isaiah Snow.

PETITIONS PRESENTED AND REFERRED.

To the *Committee on Fire Department*. Ambrose Lawrence *et al.*, that the cause of the recent fire at M. Hayes & Co.'s stable may be investigated.

To the *Committee on Common on the Part of the Board*. F. R. Shattuck, for the removal of tree from sidewalk of Forest and Vine streets.

To the *Committee on Health on the part of the Board*. S. T. Ryder, rear of 245 Lexington street; L. D. Cardell, Fifth street, between M and N streets; C. E. Hall, old brewery building on Castle street, for leave to occupy wooden stables.

To the *Committee on Lamps*. L. R. Dutton *et al.*, for a gas lamp in Rockland avenue.

To the *Committee on Police*. C. D. Weston and eighteen other bakers doing business in the city, that all bakers be required and compelled "to close their places of business on or before ten o'clock in the forenoon every Lord's Day, and deliver no goods to customers on that day after that hour."

To the *Committee on Claims*. William Moir, to be paid for injuries sustained from an alleged defect in Fleet street.

To the *Committee on Survey and Inspection of Buildings*. James Frame, for leave to build wooden addition to his house on White street, near Putnam street, exceeding the legal limit in dimensions.

To the *Committee on Public Lands*. Massachusetts Homeopathic Hospital for leave to purchase land of the city on Concord street, adjoining the New England Female Medical College, for the purpose of erecting thereon a building to be used as a hospital for the care of the sick.

To the *Committee on Sewers*. James Mitchell *et al.*, for sewer in Sixth street, from O to P street.

Superintendent of Public Buildings for sewer in Highland street.

To the *Committee on Paving*. Perkins & Currier *et al.*, for edgestones on portions of Benuington and Brooks streets.

H. W. Blanchard *et al.*, that Newhall street and Pierce avenue be graded.

Amos Cutler *et al.*, for sidewalk on Columbus avenue, between Worcester street and West Chester park.

Amos Smith, for brick sidewalk on Stoughton street, near Howard avenue.

George F. Moore *et al.*, that edgestones be laid on West Cottage street (Ward 16.)

John Downey *et al.*, for brick sidewalk in Centre street (Ward 15) from Eliot square to the engine house.

Henry A. Page *et al.*, for flag stones on Providence street, east of Clarendon street.

G. Higginson *et al.*, for plank walk on Commonwealth avenue, from Dartmouth to Exeter street.

F. W. Lincoln *et al.*, for plank sidewalks on portions of Boylston, Berkeley and Clarendon streets.

To the *Joint Committee on Health*. Charles H. Jenkins *et al.*, that the protracted use of locomotive whistles on the Old Colony Railroad, near Dorchester-street Bridge, may be abated.

M. HAYES & CO.'S STABLE.

The order of notice for M. Hayes & Co. to appear and show cause why the remaining portions of their stable on Berkeley and Appleton streets should not be removed as a nuisance was considered.

In this connection was presented an application from M. Hayes & Co., that the order revoking the permission to build his stable he rescinded, and that permission be granted to rebuild.

The remonstrance of Dexter Smith and seventy-eight others, against the rebuilding of the stable with outside walls of brick, was received.

Alderman Sayward presented the petition of James M. Huse and two hundred other residents of the vicinity, in aid of M. Hayes & Co.'s petition, stating that the stable had never been a nuisance. Alderman Sayward asked that the petitioners might have a hearing before the Board or some committee.

W. A. Field appeared for M. Hayes & Co., and said that a week ago last Saturday morning the stable was greatly damaged by fire, and on the following Monday the first permission to erect the stable, granted nine years ago, was revoked without the knowledge of Mr. Hayes. An order was also passed that he should appear here and show cause why this building should not be removed as a nuisance. This is strictly the question before the Board, but underlying it and forming the main issue was the question whether he should be permitted to rebuild. Mr. Hayes has appeared with a petition signed by over two hundred persons saying that his stable has never been objectionable. The proceeding before the Board had no reference to the stable, but to the dilapidated building. Undoubtedly if any part of that building interferes with the physical comfort of people, the Board have a right to order its removal, and Mr. Hayes can appeal to a jury. During the past week Mr. Hayes would have had this building partially rebuilt had it not been for the order of this Board. If he can be allowed to repair the stable he will remove all the burned parts and replace the walls with brick. He went there some nine years ago, owning a large part of the land, and has been there ever since. The Berkeley-street Church was then there, but these other churches represented in the remonstrance were not. Mr. Hayes's business requires him to keep a large number of horses, and in the opinion of every one there it was never a nuisance, and the two hundred petitioners have no objection to its continuing. It is not likely that that part of Berkeley street between Tremont street and the Providence Railroad bridge will ever be occupied by private dwellings. Everybody knows that the property in the vicinity of the stable must go into business purposes or halls, and everybody also knows that the time has not come yet for deriving a profitable rent from buildings for business purposes there. There is not a place which the community desire to have a stable in more than this. If Mr. Hayes cannot restore it or repair it, his business must go elsewhere. It is a better place for a stable than many others where stables are kept, and ninety-nine out of a hundred people owning property in that vicinity desire to have it continued there for some years at least. Mr. Hayes is willing to tear down all the burned part of the stable that render it a nuisance under the statute, but he wants a hearing before this Board or some proper committee, and will submit evidence that it is a suitable place for a stable. He thinks that the license should not have been taken away without notice. He would have torn it down by this time could he have known what he was to erect in its place.

On motion of Alderman Gasfield, the remonstrants were given an opportunity to be heard.

Charles W. Slaek, chairman of the Standing Committee of the Parker Memorial Meeting House, said he did not quite understand whether this is a final hearing or whether it was to be submitted to a special committee. If the general question is open and the decision is to be made by the Board, the society he represented was ready to put in its statement.

There are several other churches and dwellings interested. Mr. Slack inquired what would be the disposal of the matter.

Mr. Field said Mr. Hayes did not suppose the question of permitting the erection of the stable could come up before the Board, and he had not his witnesses here.

The Chairman stated that the question before the Board was the nuisance; he thought perhaps it would be well for the subject to be laid before the Committee on Health on the part of the Board.

Alderman Sayward said his object in presenting the petition was that it might be heard before a committee, and he moved that it be referred to the Committee on Health on the part of the Board.

The motion was carried.

ORDER OF NOTICE.

On the petition of Ross Manufacturing Company, to locate a steam engine and boiler at 72 Dorchester avenue, an order of notice was issued for a hearing November 10 at 4 P. M.

SEWER ASSESSMENTS.

Assessments for the construction of common sewers were submitted by the Superintendent of Sewers as follows: Arch street, total, \$690 95—to individuals, \$518 21; Folsom street, total, \$613 50—to individuals, \$460 13; Harrison avenue, total,

\$498 50—to individuals, \$249 25; Kingston street, total, \$1162 04—to individuals, \$871 53; Clifford street, total, \$3917 94—to individuals, \$2938 46; Eighth street, from Old Harbor street to G street, total, \$2488 29—to individuals, \$1866 22. Severally referred to the Committee on Sewers.

CONSTABLES' BONDS APPROVED.

The bonds of James R. Stone, Chase Cole and William P. Cook *et al.*, constables, being duly certified by the City Treasurer, were approved.

UNFINISHED BUSINESS.

Order to establish the grade of Division street between Dorchester avenue and Foundry street. Passed.

Order to provide for the surface drainage of Walnut avenue and Cobden street. Estimated cost, \$2000. Passed.

Orders for Mayor to petition the next Legislature for the annexation of a portion of Brookline to Boston; and also for the annexation to said city of the portion of Chestnut-Hill Reservoir which is located in Newton. Passed.

PAPERS FROM THE COMMON COUNCIL.

The following papers from the Common Council received concurrent action:

Petition of Company A First Battalion. Referred in concurrence to Committee on Armories.

Order for Committee on Common, etc., to expend \$2500 in grading Washington park, in addition to amount heretofore allowed for that purpose. Passed.

Report, "leave to withdraw" on petitions of Henry P. Tallant for injury to his property from location of Smallpox Hospital in that vicinity, and on petition of John Mullin to be paid for injury to his horse on Federal-street Bridge. Severally accepted.

Order for the Committee on Harbor to inquire and report by what authority gravel is removed from the beaches of Long Island and sold to the city. Passed.

OLD MATHER SCHOOLHOUSE.

The order to cancel the sale of the Old Mather Schoolhouse, Ward 16, provided it can be done for \$2000, came up for concurrence with the Council in its passage.

Alderman Sayward moved that it be indefinitely postponed.

Alderman Power—I suppose this question has been thoroughly ventilated and every gentleman understands it. I don't see that the merits of the case have at all altered; on the contrary, the Common Council have seen fit to concur in what seemed to be the will of this Board as tested here by two or three votes on previous occasions. I don't know that it is necessary to say anything more than has been said. I think the interest of the city of Boston demands that we should concur in the passage of the order for the purchase of this building. It was stated before as the best reason why we should purchase it that the building will be needed inside of a year for school purposes. With that fact before us there is nothing left us but to concur with the Council in ordering the purchase of this building for two thousand dollars. I don't know that any one has any new argument why we should not purchase it, and the fact that I have mentioned is a good reason for concurring. There is plenty of land owned on the hill there by the city upon which the building can be moved. I hope the motion will not prevail.

Alderman Sayward—The gentleman has a right to his opinion the same as any other member of this Board. He says the schoolhouse will be wanted there. I know it will not. He desires to carry out the object upon which he has started, and I do not blame him for that. I only blame him for having started for that object. The Committee on Public Buildings have had this matter before them—not to consider whether it is proper to cancel the contract, but to make inquiries as to the cost of cancelling it. They reported to the Council the cost of purchasing this building back again. I don't believe in throwing away twelve hundred dollars to the party who bought this building. What may have been his object in leaving it there is more than I can see. But it does seem to me that somebody expects to make some money out of this matter. I can't conceive what is the object of the gentleman on my left in proposing to have the city take back a building that we don't want. Where is the land that we can put it on? Is it the land on which are the sheds, which is in dispute, and we don't know whether it is owned by the city or the First Parish? The note that the gentleman read from the Chairman of the School Committee, Dr. Cushing, was used for other purposes than was intended it should be. The committee are unanimous in the opinion that it is not best to cancel that contract.

Alderman Power—On a former occasion I produced and read here a letter from the Chairman of the School Committee for that district, stating that it was for the interest of the city to keep that building, that it would be wanted for school purposes within a year, and it was considered that he, at least, was the best authority as to whether or not that schoolhouse would be wanted. On a former occasion the gentleman partially acknowledged that more school accommodations would be needed, and the committee proposed to alter the old almshouse to accommodate the scholars. If there is any dispute about that land on the hill, the sooner it is settled the better, and it would be one advantage, if no other, to have it settled in this way. There is an old hook and ladder house on that land, but I don't understand that there is any dispute about it. Suppose it is conceded not to belong to the city, there is other land enough there to put this building on. I have the authority of the Chairman of the School Committee for saying that it will be needed within a year, and my persistency in this matter is for the reason that I believe it for the interest of the city of Boston to keep the building, as we will within a year be called upon to spend ten or fifteen thousand dollars for a new school building. For this reason I think the Board of Aldermen should concur with the Council. I am not actuated by any motive to carry a point; I see no proof here that a schoolhouse will not be needed there, and the Chairman of the School Committee says it will be. If it was shown that I am in the wrong I would give way.

Alderman Sayward—It certainly appears to me that the gentleman has the idea of carrying this point, and in order to do so he accuses me of partially acknowledging that the schoolhouse would be needed. I said if there was a necessity for one, which I don't believe there will be in five years, there was a stone building which cost less money than it would to put this one back on that lot. I doubt very much whether he has ever seen the almshouse. It will cost less money to put the old almshouse in proper condition than to put this building on that lot. It might appear that there is some division in regard to this matter in the School Committee. But there is none now; they are unanimous in the opinion that we should not cancel this contract. Then it appears that somebody is trying to make some money out of this. I don't accuse any one, but it does seem strange that anybody desiring to have that building should go there and bid it off by auction and at the suggestions of some parties wait until this time without moving it. I hope the order will be indefinitely postponed.

Alderman Power—I don't know to whom the gentleman alludes when he says somebody will make money out of it. It don't appear to be the purchaser, who went to work and excavated the cellar and made arrangements to put the building upon it. I have been all over the ground and certainly don't think the price named pays him very well. So I don't see how any one is going to make money out of it. I think the purchaser really meant to take the building, but he was stopped by this Government from taking it away. I suppose as soon as he gets liberty to do so he is ready to take it away, though I don't know much about that. If the School Committee are unanimous that there is no further accommodations wanted, why have n't they been here to tell some of us? Why have n't they sent a communication to us? If the chairman of the committee is an unreliable man I am content to let his communication go. If he is a gentleman of truth and veracity, I say this Board ought to be governed by the communication from him, as it stands in evidence before us. If the committee thought otherwise, why haven't they sent a communication here to that effect? No one has come here, and it is the duty of this Board to act upon the evidence that we have before us.

Alderman Sayward—The gentleman persists in stating things somewhat out of the usual course. He says the purchaser has been prevented from moving that building by this Government. This Government has taken no steps to prevent him from removing that building. He has a right to move it today. The gentleman says, also, that the purchaser has n't made money out of it. I ask what has the purchaser done that will cost him over a hundred dollars? As to the veracity of my friend, Dr. Cushing, I will heartily testify to it. But he is liable to make mistakes. The gentleman asks why no one has been here to oppose the order; I say no one has been here to ask for it; I think the committee who have this matter in charge are the proper judges.

Alderman Power—I am perfectly familiar with the almshouse and schoolhouse, and I say the almshouse is totally unfit to be used for school purposes, and

cannot be remodelled without an expense of \$10,000. This structure was built for a schoolhouse, is well adapted for one, and is as good a one as can be built of wood. The purchaser has injured it somewhat, and it may cost \$1500 to repair it, and four or five hundred to move it.

Alderman Sayward—What would it cost for the cellar?

Alderman Power—It is not necessary to have a cellar under a schoolhouse for temporary purposes. If there is the least prospect of wanting that schoolhouse for temporary purposes, the city will be a gainer by keeping it. The gentleman asks what has the purchaser done that will cost him a hundred dollars? He has excavated for a cellar, contracted with a party to move the house, and the contractor already has the material on the ground and begun to move it, and I don't know how much, if any, he will have to pay that contractor. I can see where the purchaser has spent a considerable money. The appropriation will certainly not more than cover the expense he has been to. He has been prevented by this Government from moving it in this way; he petitioned for permission to move it, and the City Government has not given that permission.

Alderman Sayward—I don't think the purchaser has ever petitioned this Government. I think he put a petition in to the Committee on Paving, and that petition was laid on the table in that committee. Then the gentleman says he knows all about the poor house. I did n't know that he had ever been in a poorhouse. I have been there many times. I have been in Boston about forty-three years, and know quite as much about localities as the gentleman does. If that building is put upon the lot, as he proposes, you have got to build a cellar for it.

Alderman Gaffield—This is a question on which members of the Board honestly differ. One of the gentlemen says the School Committee unanimously desire more accommodation there. Now, the Committee on Public Instruction, of which I am a member, have received no application for a new schoolhouse there; still there may be a desire to have one, and for the purpose of getting information I move that this matter be referred to the Committee on Public Instruction. If the Council shall concur in this reference, we can have a meeting on Friday evening, and have all the members of the School Committee in that district before us.

Alderman Sayward—I have no particular objection to the reference, but it does appear to me that if there had been any necessity for such reference, the matter might have been settled long before this. The schoolhouse which has been built to take the place of this one cannot be taken until this one is moved away. There can be no more light obtained than has been already. The gentleman refers to the unanimous feeling of the School Committee. There has been no unanimous expression by the committee, and for the last five or six weeks we have had no School Committee men before this Board on this matter. I think the reference would be a waste of time.

Alderman Power—In that same communication it was stated that every seat in the new schoolhouse was spoken for and there were scholars enough to fill every seat in the schoolhouse. I am content to let this matter go to the Committee on Public Instruction and let them summon the School Committee before them. And if they say there is no prospective need of this schoolhouse I am content to let this matter go. I acted on the recommendations of the chairman of that district. I did n't obtain it through any improper influences, and I told him that I wanted him to state plainly whether there was any prospective need of a schoolhouse in that district, and he said there was. Until that is contradicted I think we ought to retain this building.

Alderman Sayward—The gentleman is willing to do anything; to let it go to one committee this week and next week to another. I have said before that the truth and veracity of Dr. Cushing is not to be doubted. If he says it will save the city anything by taking that house he never was more mistaken in his life. There are but six classes in the present school, and they can't fill but six rooms. There are two vacant rooms, notwithstanding what Dr. Cushing says.

Alderman Clark—I hope this order will be referred to the committee, and that they will consult the School Committee of that district whether more school accommodations will be required, and if they are whether it would be best to sell it or let it remain there. It is a matter which should be disposed of in some manner immediately, for the credit of this Board. It has been here some two or three months, going backward and forward between the two branches. We have had the evidence of Dr. Cushing that there will be more accommodations needed. He has long been a resident of the ward, is a physician, and ought to know what

are the needs of the neighborhood, present and prospective. I hope they will consult the School Committee and every physician in regard to the present accommodations and prospective wants.

Alderman Sayward—I have no objection to the gentleman praising Dr. Cushing, as he has many other gentlemen since he has been a member of this Board. I would like to know whether Dr. Cushing is his family physician. He is mine, and no one can praise him more than I can; and if he judges by my family there will be no future accommodations needed.

The motion to refer prevailed.

Order for Committee on Public Buildings to consider and report upon the expediency of repealing the order to locate a steam fire engine, etc., in the Mason-street building, came from the Council passed.

Alderman Bigelow—If this order is adopted it will defer this matter some time longer. The plans for the engine house are all made, and the building can be altered for the very moderate expense of fifteen thousand dollars, or within that amount. If a new location is purchased it will cost fifty or seventy-five thousand dollars, and perhaps it will not be any better than this one. I hope the present plan will be permitted to go on, and I move the indefinite postponement of the order.

The motion prevailed.

SALE OF A FERRY BOAT.

Alderman Stebbins presented a communication from the directors of the East Boston ferries, stating that the ferry-boat Jefferson could not be repaired except at great expense, and requesting permission to sell the same. Referred to the Committee on Ferries.

REPORTS OF COMMITTEES.

Alderman Gibson, from the Joint Committee on Survey and Inspection of Buildings, reported an order authorizing the Inspector of Buildings to issue a permit to E. Goodfellow to enlarge his building on Dorchester avenue, according to his application on file. Order read twice and passed.

On motion of Alderman Gibson—

Ordered, That the Committee on Bridges be authorized to expend a sum not exceeding fifteen hundred dollars in repairing Mount Washington-avenue Bridge, said sum to be charged to the appropriation for Bridges.

Passed.

Alderman Power, from the Committee on Paving, reported leave to withdraw on the petitions for grade damages of George Doherty, Warwick and Meridian streets; Samuel P. Loud, Dorchester avenue; John Haggerty, Commercial street, Ward 16; Henry Humphreys, Stoughton street; Hart Bailey, Stoughton street; F. C. Hersey, Summit avenue, Robert McDevitt, Athens street; Joseph Forristall, Chambers street. Severally accepted.

Alderman Power, from the same committee, reported no action necessary on the remonstrance of Henry W. Wilson against the change of the name of Dorchester avenue. Accepted.

On motion of Alderman Power—

Ordered, That the Superintendent of Streets be directed to raise and reset the edgestones and repave the gutters on the northerly side of Dudley street, between Winslow and Dearborn streets, and to regrade the sidewalks and a portion of the roadway of said street. Estimated cost, \$1000.

Read once.

Ordered, That the Superintendent of Streets be directed to remove the trees and the projecting banks on the easterly side of Walnut avenue, between Rockland street and Pickering place, and to build a retaining wall on the line of said avenue. Estimated cost, \$1000.

Read once.

Ordered, That the Superintendent of Streets be directed to raise and grade Cabot and Weston streets according to the established grades of said streets, and to reset the edgestones and repave the gutters and sidewalks on said streets. Estimated cost \$6000.

Read once.

Ordered, That the Superintendent of Streets be directed to build the cesspools necessary to provide for the surface drainage of Ruggles street, between Tremont and Parker streets. Estimated cost \$1200.

Read once.

Ordered, That the Superintendent of Streets be directed to pave with brick the unpaved sidewalk on Tremont street, between Ruggles and Parker streets, and to report to this Board a schedule of the expense thereof.

Read twice and passed.

Alderman Sayward, from the Committee on Health, reported favorably on the applications of Washington Pipe Works, Skillings & Whiting Brothers, and Dyer & Gurney, and leave to withdraw on applica-

tions of Parker Bryant (at his own request) and James McGramon, to occupy wooden stables. Severally accepted.

Alderman Sayward, from the same committee, to whom was referred the communication of the Inspector of Buildings relative to certain cellars below grade, reported the following order:

Ordered, That Martin Beatty, Samael Stubbs and Joseph R. Bassett be and they are respectively hereby directed to alter and construct the cellars under their respective houses, viz.: Martin Beatty, Cazenove place, near Chandler street, three buildings; Samuel Stubbs, Chandler street, corner of Cazenove place, one building, and Joseph R. Bassett, east side of Tremont street, between Dover and Chapman streets, five buildings, so that the grade thereof shall not be less than twelve feet above mean low water, as provided in the order of the Board of Aldermen approved December 24, 1872, and in default of such alteration and construction by either of said parties, within ten days after the service of this order as provided by the third section of chapter 377 of the acts of the year 1872, proceedings will be commenced against him pursuant to law.

Order read twice and passed.

Alderman Sayward, from the Committee on Health, to whom was referred the communication of Joshua H. Pitman, for damages on account of Smallpox Hospital, made a report recommending that the same be referred to the Committee on Claims. So ordered.

Alderman Sayward, from the Committee on Licenses, reported favorably on applications of John Fleming, 1013 Tremont street; Silas C. Read, 655 Washington street; E. F. Ramsell, 55 Pleasant street, for victuallers' license. Accepted.

Alderman Power, from the Committee on Sewers, reported orders for the construction of sewers in Franklin street, between Pearl and Oliver streets; and in Parker street between Gore and Delle avenues. Severally read twice and passed.

Alderman Power, from the same committee, reported "leave to withdraw" on petition of W. V. Hutchings, *et al.*, for sewer in Island street, for the reason that the street is unaccepted by the city. Accepted.

On motion of Alderman Power—

Ordered, That the sum of \$47 29, assessed upon Adolphus Weis for a sewer in George street, be abated, and the same amount assessed as follows: George E. Bozman, \$9 85; Bridget Killian, \$18 72; Karen Madbury, \$18 72.

Passed.

Alderman Sayward, from the Committee on Licenses, reported favorably on the petition of Pascal Girard, to give exhibitions of magic at East Boston, South Boston and Roxbury; A. Chapin Southworth, for auctioneer's license at Walnut street, Ward 16; T. F. McHugh, 24 East Concord street, for hack stand; William B. Haynes and others, for transfer of hack licenses; B. Mack, for pawnbroker's license, at 172 Dorchester avenue; H. F. Hataway, A. H. White, A. J. Brown G. & W. Wright, for wagon licenses; J. Nolan & others, for transfer of wagon licenses; S. E. Hayward & Co., 37 Tremont street, and Hinds R. Darling, 9 Maverick street, for auctioneer's license. Severally accepted.

Alderman Clark, from the Joint Committee on Streets, reported orders to pay for street damages as follows: W. L. Putnam executor, \$26,783 34, widening Lindall street; Joseph N. Fiske and W. L. Putnam, trustees, \$41,216 66, widening of Congress street.

Severally read twice and passed.

On motion of Alderman Clark—

Ordered, That the City Engineer be authorized to make soundings and borings to ascertain the character of the foundations required for the Eastern-avenue Bridge; the expense therefor not exceeding \$2000, to be charged to the appropriation for Streets.

Alderman Clark said it was necessary, in the opinion of the City Engineer, that the soundings should be taken as soon as possible, on account of the lateness of the season.

Order read twice and passed.

Alderman Emery, from the Joint Committee on East Boston Ferries, to whom was referred the petition of Campbell & Brooks for an investigation of the award for building the new ferry boat, reported that it appears upon a careful examination of all the facts in the case that the directors of the ferries were fully justified in their award of the contract, and the committee would therefore recommend that the petitioners have leave to withdraw. Accepted.

Alderman Sayward from the Joint Committee on Public Buildings, reported that \$350 will be required to complete the furnishing of the new Mather Schoolhouse, also \$1000 to properly grade the grounds around the same and fill the cellar of the old build-

ing, and the committee recommend the passage of an order for the same at an estimated expense; to be charged to the appropriation for Schoolhouses, Public Buildings.

Order read twice and passed.

THE WATER SUPPLY.

Alderman Stebbins offered the following: Pursuant to the provisions of Section One of Chapter 177 of the acts of 1872, it is hereby

Ordered, That the Cochituate Water Board, as the agent of the city of Boston, be and it is hereby directed to take, hold, and convey to, into and through said city, all the water of Sudbury River, so-called, said water to be taken at any point or points within the town of Framingham, or higher up on said river, and the water of Farm Pond, so-called, in said town of Framingham, and the water which may flow into and from said river and pond, and to take any water rights in or upon said river or pond, in or above the town of Framingham, or connected therewith. Said Cochituate Water Board is also hereby directed, as the agent of this city, to take and hold by purchase or otherwise, in connection with said sources of supply, any lands and real estate necessary for increasing or preserving the purity of the water, or for laying, building or maintaining aqueducts, water courses, reservoirs, dams, buildings, machinery and other structures and appliances, with their accessories, for conducting, elevating, purifying, storing, discharging, disposing of and distributing water; and also to take and hold any land (excepting any in the town of Framingham heretofore taken or purchased by any railroad company) on the margin of said sources of supply not exceeding five rods in width from the high-water line of said river, storage reservoirs or pond, so far as may be necessary, in the opinion of said Water Board, for the preservation and purity of the same, for the purpose of furnishing a supply of pure water for the city of Boston. The expense of the taking of said waters and lands aforesaid to be charged to appropriation already existing therefor.

Alderman Stebbins—By authority of the statutes of 1872 the Cochituate Water Board were authorized to take water from Sudbury River, and it was supposed till within a few days that they had the power to do so, but it is thought by the City Solicitor that they have not that power until it is conferred upon them by the City Government. This order is to authorize them to do so.

Alderman Power—I have not any doubt about the necessity of taking this water, but this Government should, if it has not already, have some idea of what the cost of this order is going to be to the city of Boston. We ought to have some figures telling us about what it will cost before we pass the order. I don't think it would be creditable to pass an order of that kind unless we knew about how much it would cost.

Alderman Clark—There has been an estimate made of the cost of bringing water from Sudbury River into the reservoirs through the new conduit, which is about five million dollars. That was exclusive of mill damages, as it would be impossible to tell what claims might be put in and with what success they might be carried out.

Alderman Gibson—That don't exactly answer the question. The gentleman opposite would like to know what would be the entire cost.

Alderman Clark—It is merely to confer upon the Water Board authority to go and take what the Legislature granted to the city. The right has already been conferred upon the City Government.

Alderman Gibson—In taking property we should make some approximate estimate of the cost. We ought to treat with a man before taking his property. I think the city has lost millions of dollars by first going and seizing property without treating with the owner. I understand that river is running into the lake now, and I supposed that we controlled Sudbury River. But if this is a new route I should not be willing to vote for that order.

Alderman Stebbins requested permission to ask the City Engineer a few questions, in order to obtain the desired information.

Alderman Power—I think there is no question about the necessity of this measure, but for the expenditure of such an immense sum of money I think it is certainly not very creditable to pass this order till we know somewhere near what it is going to cost. If it is necessary, all well and good, but I don't think it looks creditable to pass the order without some figures to go by.

Alderman Stebbins—In City Document No. 29 the Alderman will find the information. The cost is \$4,788,318. This does not include damages upon the line of the river. If the City Engineer is allowed to answer a few questions I think the Board will be satisfied.

The permission was given.

Alderman Stebbins—Will you please state the probable cost of the land and mill damages upon the route?

City-Engineer Davis—This estimate includes the land damages, but not the mill damages. I have made two estimates, one of which, in which I placed myself in the position of the city, amounts to half a million dollars; the other is about a million and a quarter. There are no decisions of the courts to enable one to make an estimate upon a definite basis.

Alderman Stebbins—As to the necessity of the passage of this order?

City-Engineer Davis—We supposed we had the right to seize the river; five hundred thousand dollars have been appropriated to build the works, which are no use to us unless we can have the river. We are in a position to make the seizure now.

Alderman Gibson—Have you already seized land upon the river.

City-Engineer Davis—No, sir.

Alderman Gibson—Are the works going on.

City-Engineer—They are. We have not yet seized the river, but have turned the water in.

Alderman Stebbins—In view of what the newspapers have said, that since the annexation of Charlestown work on the conduit should be suspended, I would like you to state in regard to the water supply from Mystic Lake.

City-Engineer Davis—I don't know whether I can give much more information on this point than is contained in the last report of the Water Board. [The City-Engineer read an extract from the report to show that the supply from the water shed of Mystic Lake will be required for the inhabitants of that territory.] Annexation has taken place, and I cannot give an official opinion without making surveys. We have expended some \$80,000 in the Sudbury-River project, and have already contracted for \$340,000 more work.

Alderman Gibson—Do you know how much more water there is in Mystic Lake now?

City-Engineer Davis—It is getting down to a very low point, and unless we build storage reservoirs upon it we can't get any supply. It would be a large expense to take a small amount of water.

Alderman Clark—The passage of this order will involve no additional expense?

City-Engineer Davis—No, sir.

Alderman Clark—You have no doubt as to the necessity of the city going on?

City-Engineer Davis—The most you can do is to postpone it for a few years.

Alderman Clark—What can be done with the supply from Mystic Lake?

City-Engineer Davis—In order to get Mystic water you must go to a large expenditure.

Alderman Stebbins—How much?

City-Engineer Davis—I should guess, in round numbers, a million dollars.

Alderman Brown—How long has it been since water was taken from Sudbury River to supply Lake Cochituate?

City-Engineer Davis—A year ago last September.

Alderman Brown—And you cannot take any more from the river now; and that is the reason this order is put in here?

City-Engineer Davis—It is.

Alderman Clark—You have no right to take it unless there is an order authorizing it?

City-Engineer Davis—No, sir.

Alderman Hulbert—How long will it take to complete this contract?

City-Engineer Davis—It will be about the first of 1877 before we can get this water into the city.

Alderman Gibson—No water has been taken from Sudbury River this year?

City-Engineer Davis—None.

Alderman Gaffield—Do you think it necessary that water shall be taken from Sudbury River?

City-Engineer Davis—Yes, sir.

Alderman Brown—Is there any purpose in withholding the water, except that it can't be taken unless the order is adopted?

City-Engineer Davis—If we had turned it in this year it would involve us in mill damages, which we have got to pay for the water we took last year.

Alderman Brown—How many establishments are there upon the river, that the city will be liable to damage?

City-Engineer Davis—Some thirty, I think; all those in Lawrence; all those in Lowell, on the Concord River; two at Billerica, and one at Saxonville.

Alderman Brown—Have the corporations intimated what amount of damages they would claim?

City-Engineer Davis—Only what they said before the legislative committee last winter, when they intimated that it would be a large sum. That was one of the strong arguments against our taking it.

The Chairman—Is the conduit large enough to convey the water here?

City-Engineer Davis—We have run the conduit as full this summer as we dared to. Chestnut-Hill Reservoir has been drawn down, but we are keeping it about even now. We only keep up our supply by drawing it down through the summer and filling it up winters. The conduit does not give as much in summer as the city consumers.

Alderman Brown—When Charlestown is annexed will there be any addition to our supply after they use what they require for their own purposes, for East Boston and other places?

City-Engineer Davis—With their present works, I suppose, they can't supply us with two millions a day the year round. But by putting up proper machinery, new pipes and pumps and reservoirs, the supply could be made about eight million gallons; but that quantity would be diminished every year as the consumption on the other side of the river increased.

Alderman Stebbins—Your estimate of the cost of that is a million dollars?

City-Engineer Davis—I call it a guess but not an estimate.

Alderman Gibson—It seems to me that if we can delay this work six or seven years it would be worth while to look around and see what can be done. As the lake has held out during this entire season, it seems that it would hold out longer. If we can raise the dam at least four feet, it will enable us to stand it through another summer. It would cost but very little to raise it up. There are twenty feet of space where it could be raised.

Alderman Cutter—It is impossible to raise it any more. The City-Engineer will give the information if the gentleman desires it.

Alderman Gibson—At the point I know of it can be raised.

Alderman Stebbins—What is the objection to that?

City-Engineer Davis—It was raised two feet and if the dam was raised more it would flood the cellars at Natick.

Alderman Gibson—This order ought not to pass for an additional expenditure until we look round and see if something better cannot be done.

Alderman Hulbert—We have already voted over six hundred thousand dollars for this very work.

Alderman Gibson—Things have changed since that time.

The Chairman—This is nothing new, but was neglected to be done when the appropriation was made.

Alderman Power—I suppose there is no doubt in the mind of any one who has given this subject any attention, what the conveying of water from Sudbury River to Boston is going to cost. The reason I had for commencing this discussion was, I thought we ought to know what the cost of flowing these lands and dispossessing the rights of those mill owners on the river is going to be. We ought to get some definite figures. As I understand it now the passage of this order doesn't necessarily require that we should go on and incur any additional expense in that direction until the City Government can get at the approximate expense.

[Alderman Gibson in the chair.]

Alderman Cutter—The necessity of passing this order is owing to the neglect of its not being done before. It was an oversight of the Water Board. Recently they discovered that they needed this authority. It is no new thing; there is no question but that we need water, and we can't get it from Cochituate Lake. We have annexed Brighton and West Roxbury, and will probably annex Brookline, all of which will want to be supplied with water. I am fearful that Sudbury River will not be sufficient to supply us with water if we go on laying pipes in the towns annexed, and if they use water as freely as Dorchester and Roxbury have done. We shall need a very large supply. It is well-known that during a dry time every man who has a little garden or yard uses the hose freely. It doesn't become us to economize on this subject of procuring a water supply, but it does become us to go on and get all the water that we need.

The order was passed.

REVISION OF THE CITY CHARTER.

Alderman Quincy, from the Joint Standing Committee on Ordinances, to whom were recommended the report and order in relation to a revision of the city charter, reported that having reconsidered the subject, they recommend that the order printed on the eighth page of City Document 115 of the present year ought to pass.

Alderman Quincy—I don't propose to take up the time by repeating the arguments on this subject, but

will merely call attention to the fact that this is the fourth time this order has been reported. If it commends itself to the good sense of the Board they will pass it, and if not they will not. The majority of the committee are desirous that this game of battledore and shuttlecock shall be stopped.

Alderman Clark—I move to amend by making the commission consist of three instead of five, as the expense would be several thousand dollars less.

Alderman Quincy—If this is to be a paid commission, and economy would thereby result, I would accept the amendment. But I understand that these commissioners are to serve without pay, as the commissioners on the great fire and the Annexation Commission have done. It is desirable that the various professions shall be represented on the commission, and it was considered that five would be the best number. Unless some better reason is given, I shall oppose the proposed change.

Alderman Clark—I don't suppose we are going to get three men who are so anxious to give their services to the city as to revise the city charter without pay. I have an idea that three would do it as satisfactorily as five, and a smaller commission would act more expeditiously than a large one.

Alderman Power—I have n't seen the necessity for the appointment of any commission or heard any good reasons given. But I do think the members of this Government are perfectly competent to perform the duties. The only reasons I have heard were that the School Board and the Common Council are too large and that the Board of Aldermen should be increased; and that the Aldermen should serve two or three years and be paid. There is a great difference of opinion on this subject, and this Government is perfectly competent to make all necessary revision. If we think the School Board or Council too large we can go to the Legislature and get it changed—we are just as competent to settle those questions as any commission that can be selected. I have talked with a gentleman in the Government who I should suppose is the best authority—one who has the honor to preside over the city as Mayor for some years—I refer to the father of the gentleman who introduced this order—and he said it was a very dangerous thing to introduce this order. He said the Government was competent to make the changes, and it is very dangerous to meddle with the charter as it now stands. He thought it could n't be bettered, and many little things might do great wrong to the city, and it should be very seriously considered before we appoint such a commission. I have heard no reasons except those I mentioned, and therefore I think we should hesitate before interfering with the charter, which has been considered by everybody as such a great instrument, and has been so extensively copied all over the country. I think the charter is just as good for the city today as it has ever been. We can get the changes from the Legislature, without having a commission to patch up the existing charter.

Alderman Gaffield—I think that our charter, good as it is, should not be looked upon as the laws of the Medes and Persians, which cannot be changed. Certainly, the time has come when it ought to be changed. It was perfect for the City Government of years ago. It was my duty and pleasure to serve with the Committee on Ordinances to revise this very charter in 1865-6, and after working hours and hours, it did not pass. That was the result of the work of a committee. I think the result of the work of a commission would be more satisfactory. A great many questions arose then and will arise now—such as the tenure of office of the Mayor and Aldermen and Councilmen, whether they should serve one, two or three years; whether there should be four councilmen from a ward or not. Of course four gentlemen from a ward are not going to vote to cut down their representation. Let us have an honorary commission, who, putting all their experience together, will give us the best instrument that they can, one fitted for the enlarged wants of the city, and I have no doubt an intelligent City Council will pass it, and if they don't like it they will not pass it. When the present charter was adopted we were a small town. In ten days we have almost doubled our territory. We may have future annexations, and the time has come when we should have a new charter. There are many able and honorable men who will serve gratuitously; while twelve men in this Board and sixty-four men in the Council give their time to the city, it would not be very honorable if three or five men could not be found to serve five months on this work, and I hope we will give them the opportunity to do so.

Alderman Hulbert—I don't think that in passing this order we commit ourselves to changing the charter. The order is simply one of inquiry, and it is a proper inquiry to make. I am inclined to favor five

persons in this case, although ordinarily I would rather have three on a commission. This is a thing to be well considered. Having five persons enables us to secure men from the different walks of life, men experienced in different ways. On this account I should prefer five.

Alderman Quincy, in reply to statements made, read extracts from the report on pages two and five, and said if the Board were to shut their eyes and blindly swallow what was recommended he should oppose the commission as vigorously as he advocated it.

Alderman Stebbins—The Alderman from Ward 3 has referred to the fact that this matter was before the City Council some time ago. My recollection of that was that the whole thing died of too much respectability. It was not got up entirely by the Ordinance Committee, but was referred to a distinct commission, and Judge Curtis reviewed it. The commission was not familiar with the workings of the City Government, and I fear it will be so in this case. The Mayor will appoint five persons, and I fear they will not know the changes which are needed. I have an amendment which I will offer, which tells who the commissioners shall be, and who will at once engage on this work. I move to strike out the words "his Honor the Mayor be requested to appoint a commission, consisting of five persons" and amend so that it will read, "That John P. Healy, Samuel F. McCleary, Alfred T. Turner, Leonard R. Cutter, James M. Bugbee, Samuel M. Quincy, Benjamin Deau, Thomas Hills, and Edward O. Shepard, be a commission," etc. On this commission every department of the City Government will be represented. The gentlemen named must furnish the bulk of the information that the commission will desire. This amendment commends itself to my judgment, and I think it will to the citizens generally.

Alderman Gaffield—I would simply recall to the memory of the gentleman from Ward 8, and ask if he does n't remember that just such a committee expended a great deal of time in preparing the charter. It was submitted to the City Solicitor to be put in legal form, was then returned to us, acted upon, and immediately rejected.

Alderman Stebbins—The Alderman is correct. I think on the first motion the charter was rejected. It was because the matter was originated and carried through in a way that did not commend itself to the members of the City Government.

Alderman Clark withdrew his amendment.

Alderman Quincy—I should have no objections to giving labor to the city, if I thought the committee proposed would do it better. It is not necessarily a fact that the gentlemen will have to come to City Hall for information. [Alderman Quincy read another extract from the report to show why the work should be done by those not at present actively in the City Government.] I think we can secure something more valuable if it is suggested from a class of persons whom it is supposed his Honor the Mayor will appoint.

Alderman Stebbins—I wish also to call attention to the fact that not only are all branches of the City Government represented, but also both political parties, so that we can have no minority reports. I think these gentlemen can agree upon something which will commend itself to the City Government. I think the amendment a correct one.

Alderman Gaffield—I believe it was a celebrated philosopher who said, give me a place to stand upon and I will move the world. We must choose people outside of the Government to make the proper improvements in the charter. The argument of the gentleman from Ward 4 is very strong. No person inside the City Government can always judge best what is needed outside. If we could see ourselves as others see us, sometimes, we might do better. I have no doubt the gentleman from Ward 4 would much prefer to have his father serve on that commission than himself. I think it would be better to have a commission from outside City Hall.

The amendment of Alderman Stebbins was lost by a rising vote of 5 for and 6 against, and the order as originally reported was passed.

A motion to reconsider the vote just passed, offered by Alderman Quincy, who hoped it would not prevail, was rejected.

REGIMENTAL ARMORIES.

On motion of Alderman Quincy the report of Committee on Armories in favor of the establishment of regimental armories in this city, (City Doc. No. 118.) was taken from the table.

Alderman Quincy—This order, it will be observed, Mr. Chairman, is but an expression of the opinion of the present City Council. It binds neither us nor our successors, and if passed will be taken at the State House for exactly what it is worth. Let us

consider first the matter of economy, and secondly that of efficiency. We now spend beyond the State allowance \$12,000, yearly, for armory rents in the city. This amount must, under the new law, and the present system be greatly increased, if not doubled. The statute makes it our imperative duty to furnish each company with a suitable armory, and prohibits its use for other purposes. Companies can no longer pay the excess of rent above the allowance, letting their halls for balls and other purposes. The city must pay the whole or drive from the service all but the rich companies. Under the present system, the Armory Committee and not the regimental or battalion commanders are expected to be posted as to the actual needs of each company, which now in defiance of all military principle and system ignores the channels and comes directly to City Hall with its demands, extravagant or reasonable as the case may be, and which is oftentimes the case I leave the Board to imagine. The committee does its best, and its sub-committees in the other branch run all over the city in order to see that we are not imposed upon, and neglect their own business to perform work properly belonging to regimental commanders, who if they had to do it could save the city a hundred dollars where the committee does fifty. A committee of the City Government should not be expected to employ masons and carpenters and audit their bills in order to be sure that the amounts voted are properly expended. And yet such is now the case.

The economy over the present system of the regimental armory owned and kept in repair by the city, we believe to be such that in a very few years the first outlay would be far more than compensated, and we shall only wonder why the present cumbersome and expensive system, or rather want of system, was so long endured.

Next the matter of efficiency. It does not need in my opinion military experience to perceive at once the great advantages of the system proposed as enabling commanders to establish and enforce a regimental standard of discipline and of drill. I mention these qualities in the order of their importance, for although they ought to go together, they are by no means identical. For example, the Seventh Regiment of New York has or had the reputation of being the best drilled command in that city, but on the occasion of the July riot the Twenty-second made for itself a record of discipline of which regular troops might well be proud. Receiving, as the casualty returns show, their full share of the brickbats during the riot, they marched back to their armory when it was over without having fired a shot. The fact that others yielded to their excitement and fired without orders need not condemn them, for regulars have often done the same when opposed to a mob. The red coats did it in State street when the crowd were pelting them and the two massacres of the Paris boulevards by which in turn Louis Philippe lost a throne and Louis Napoleon waded to one, were both caused by troops of the line firing without orders. But to American militia, who can show steadiness superior to that of European regulars, all honor should be allowed. Now my point is, that this discipline, this

coolness and self command is largely due to the confidence which the companies have in each other and their regimental officers—a confidence impossible to expect when they are brought together only during a three days' muster. And in the matter of drill what incentive more powerful than the emulation resulting from contiguity? The best-drilled company would labor to preserve their reputation, the worst drilled one lose theirs, to the manifest elevation of the whole. The committee have called attention to the self-evident fact that when the services of the militia are needed, their prompt arrival is no less essential than that of firemen at a fire. When they shall be concentrated as proposed what more simple than to call them together in the same manner, by an established stroke of the bells as a signal for either or both?

It has not surprised me, Mr. Chairman, that one assertion in the committee's report has elicited, in some quarters, expressions of indignant disbelief. It is that to the effect that our regiments cannot as yet court comparison with those of New York. There are among us, Mr. Chairman, certain peculiar Bostonian institutions which are held in a manner sacred, and to whose defects or doubtful influence eyes must be resolutely closed. To doubt the propriety of the jury exemption enjoyed by the Ancient and Honourable Artillery Company is as high treason as to question the divine right of kings. But our militia are not ancients or templars or sons of Malta, but something widely different from either, and that is, soldiers—soldiers of the Commonwealth, who may be ordered tomorrow to stand between us and the criminal classes, or to protect our property from pillage. With soldiers we cannot safely follow the amiable course of being to their faults a little blind and to their virtues wondrous kind, or, when the day of trial comes, we may find that we lean on a rotten staff. I have just received a communication from a gentleman of high position and long experience in the militia, who speaks of the concentration and consolidation proposed as the only plan which will rescue the militia from the plight it is in now. And our day of trial, Mr. Chairman, may not be far distant. The elements of danger are not wanting. A year ago we complacently believed that a Chicago fire could never happen to us, and today we think the same in regard to a New York riot. We have been pretty roughly shaken out of one delusion, and should do well to arouse ourselves in time from the other.

Alderman Stebbins called attention to the fact that it is customary to intrust the matter of petitioning the Legislature to his Honor the Mayor.

Alderman Quincy—If the gentleman would move an amendment to that effect I will accept it. I presume the Committee on Armories will be put in communication with the commander-in-chief in regard to this subject. I will, therefore, move to strike out the words "Joint Standing Committee on Armories," and substitute the words "his Honor the Mayor."

The amendment was adopted, and the order was passed.

On motion of Alderman Power, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,
OCTOBER 23, 1873.

The regular weekly meeting of the Common Council was held this evening at half-past seven o'clock, E. O. Shepard, President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Petitions were referred, in concurrence.

Reference to the Committee on Claims (recommended in a report of the Committee on Health) of the petition of Joshua H. Pitman, to be paid for damages on account of Smallpox Hospital.

Reference to Committee on Public Instruction of the order of 16th inst., to cancel sale of Old Mather Schoolhouse.

Report (leave to withdraw) on petition of Campbell & Brooks, for inquiry into award for building new ferry boat. Accepted.

Report and order authorizing a permit to E. Goodfellow to enlarge his wooden building, Dorchester avenue. Passed.

Report and order of Committee on Armories in favor of the establishment of regimental armories in this city, on certain conditions [City Document No. 118,] with an amendment to strike out of the order the words, "the Joint Standing Committee on Armories," and insert "His Honor the Mayor." Passed.

Order authorizing soundings and borings to be made to ascertain character of foundations required for Eastern-avenue Bridge, at not exceeding \$2000. Read once.

Order requesting Mayor to petition Legislature to change boundary line between Boston and Newton so as to include Chestnut-Hill Reservoir within limits of Boston. Passed.

Report and order authorizing the new Mather Schoolhouse to be furnished, and to complete filling and grading around said schoolhouse at an estimated cost of \$4500. Read once.

ANNEXATION.

The order requesting the Mayor to petition the next Legislature to annex to Boston so much of Brookline as lies north of southerly line of Brighton avenue, in order to form a connection between Brighton and the old portion of the city having been read once, Mr. Jones of Ward 14 moved to amend to strike out all between the word "lies" and insert the words "north of Muddy River as far as Longwood avenue and north of the southerly line of Longwood avenue and north of the southerly line of Beacon street to the old line of the town of Brighton."

Mr. Shaw of Ward 5—I would inquire some reason for this proposed change. This is a proposition to cut the town of Brookline in two; and if that was intended it should be so understood. The proposition which came from the other branch was to run a line out on the line of Beacon street, so that Brighton may be absolutely connected with Boston. If it is intended to cut Brookline in two, I shall vote against it. If we are to have anything, we had better have the whole town of Brookline. I have no interest there [laughter], although my friends tried hard to give me one. I have not been in that town over fifteen minutes but once for fifteen months.

Mr. Jones of Ward 14—If any one will take the trouble to examine the map prepared by the Board of Commissioners on Annexation he will find that the land proposed to be taken by the other branch is a narrow strip. It only gives a part of the road from Brookline to Beacon street, and thence to the reservoir. This proposition gives a direct avenue to the reservoir and the town of Brighton.

Mr. Shaw of Ward 5—If that were all I would not say a word. But it is not. There are certain parties, real-estate speculators, owning a large part of the town of Brookline, who want to be set off to Boston at the expense of the whole town. I hope that we, as representatives of the city of Boston, will not commit ourselves to a certain line of policy, which we do not understand. I have been in favor of annexation throughout, although I believe the whole thing, so far, is illegal. I have no objection to cutting off a little piece of Brookline, but I do think a great many of the citizens of that town will object to being cut up in this way until the people are allowed to come up here and be heard.

Mr. Brackett of Ward 10—I hope the amendment will prevail. All of us are convinced of the importance of annexing some part of Brookline in order to connect with Brighton. The people of Brookline will have a chance to oppose it before the

Legislature. The question is whether 7000 people are to intervene to prevent what will be demanded by three hundred thousand. Mr. Brackett read extracts from the Commonwealth and Traveller indorsing the plan indicated in the amendment, and he thought it would commend itself to a larger portion of the citizens of Boston.

Mr. Jones of Ward 14—I know nothing of real-estate speculators, but after an examination of the map I think this plan will commend itself to the members of the Council.

Mr. Denny of Ward 9—A question of so much importance ought to be understood a great deal better than this one is before the Council commits itself. I consider it of no importance whether we describe the lands or leave it to the Legislature to say which will be best. I think it ought to go before a committee, but I think an amendment should be offered which would leave the lines open a little, to be fixed by the Legislature.

Mr. Pickering of Ward 6—I feel that I am voting in the dark, and I would prefer to have the order in more definite shape. I propose to substitute the following:

Ordered, That the Mayor be requested to petition the Legislature to annex to Boston so much of the town of Brookline as may be necessary to form a suitable connection between Brighton and the old portion of the city.

Mr. Jones of Ward 14 accepted the amendment.

Mr. Perkins objected to the withdrawal of Mr. Jones's amendment.

Mr. Flynn of Ward 7 thought the amendments were the same in substance, and the one offered by the gentleman from Ward 6 should be adopted.

On motion of Mr. Perkins of Ward 6 the subject was referred to the Joint Committee on Legislative Business.

THE WATER SUPPLY.

Order authorizing the Water Board to take and convey into the city the water of Sudbury River, and to hold by purchase, or otherwise, any water rights and lands connected therewith necessary for the purpose, on the conditions set forth in said order.

On the question of giving the order a second reading, Mr. Shaw of Ward 5 said—

This is a matter of too much importance and involving too much expense to be passed over without consideration; no one knows to what expense it may lead. Since I have been a member of any legislative body no such sweeping order has ever been offered. It covers everything between here and Sudbury River, the rights of railroads, manufacturers and the people. Mr. Shaw read an editorial in the Boston Herald and an extract from another in the Advertiser advocating a postponement on account of the great expense and calling for a thorough investigation into the capacity of Mystic River. Mr. Shaw next read the City Engineer's statements before the Board of Aldermen on the subject of the Mystic River water supply and continued. In city document No. 29, the report of the Cochituate Water Board, I find the following figures:

	Gals.
The daily supply of water from the Cochituate Lake, "in a year of light rainfall" is.....	12,000,000
[See page 6, Cochituate Water Board's report March, 1873, City Doc. 29.]	
The daily supply from Mystic Lake, "in a year of minimum rainfall" is.....	17,500,000
[See page 66, same document.]	
Total.....	29,500,000
Territory now supplied by water from Lake Cochituate daily.....	16,000,000
Territory now supplied from Mystic Lake.....	5,113,930
Total.....	21,113,930

Deduct amount consumed, say 21,113,930 from 29,500,000 and we have left 8,386,070 as the surplus of present ready supply, over the quantity consumed, and this without anything from Sudbury River: thus leaving a sufficient quantity of water to supply, according to present rate of consumption, 150,000 more inhabitants than we now have, or about 450,000 people.

Chapter 177 of the acts of the Legislature of 1872 provides for the taking of water from Sudbury River upon the terms of chapter 67, acts of 1846, section 6, and chapter 187 of the acts of 1849 and chapter 16, acts of 1850, make similar provisions. [Mr. Shaw read the acts.] Now it is evident that without disturbing Sudbury River at all, we have a sufficient quantity of water to supply 150,000 more inhabitants than we now have.

The expenses of laying a new conduit, which the Water Board say with contingent expenses will be \$4,788,318, if we take the Sudbury River water will be absolutely required, and the present conduit is now taxed to its utmost capacity to conduct the pres-

ent supply from Lake Cochituate. Again, direct damages on the whole line of Sudbury River will be claimed, and collateral damages on Concord River and by the large manufacturing companies at Lowell, they being affected in their source of supply.

Better then stop this work, cast about and see where we stand, and even if at some slight expense, rather than run the gauntlet, with a liability of claims upon the city from corporations and individuals, perhaps to the amount of millions.

I have made these statements to show to what we are tending. I have been told that it was impossible for the City Engineer to estimate what the damages will be. If it is, let us know it. This matter should be properly referred and understood. If a matter of this kind is to be considered in this off-hand manner I think some one else ought to come here and sit in our places. I am as much in favor of an additional supply of water as any man in Boston, but when we are going into a thing of this kind without its being properly understood, I feel that I ought to raise my voice against it.

Mr. Thacher of Ward 15—The gentleman speaks of this matter as being a new thing. I hold in my hand the journal of the Common Council, March 20, 1873, when the report of the Cochituate Water Board was referred to the Committee on Water; on April 4, 1873, the report came back from the Water Committee and the order took its first reading April 10; one week later, the order authorizing the loan of five hundred thousand dollars to take water from Sudbury was passed, and among the yeas I find the name of the member from Ward 5. This order does not ask for an appropriation of money. The appropriation was passed April 10. What we ask is to confer on the Water Board, as agents of the city, the right to seize the land and river. It was supposed, until within a few days, that the Board had that right, but it was at the suggestion of the City Solicitor that the order was introduced. I will call attention to one fact, stated in the article read from the Herald. It says that 25,000,000 gallons are wasted daily over the dam at Mystic Lake. I went to the Mystic Board myself, and found that not a drop had gone over that dam in five months. This year the lake has been lower than ever before. It has lowered seven or eight feet.

Mr. Blackmar of Ward 11—I have been surprised to hear some of the figures that the gentleman has given us, and we should consider the subject very carefully. One of the most serious questions is that of a water supply. The terrible picture drawn by the gentleman cannot be questioned, but it cannot be compared with the still more terrible result of a city falling short of water. We must have water and the obtaining of fresh water is one of our problems. It is easy to find fault, but can the gentleman suggest where to look for a supply of water, where it can be found cheaper. We should not forget that we are a great municipality, growing very rapidly, especially if annexation is voted in such a wholesale manner as has recently been done. It appears that the Committee on Water looked carefully over the whole matter and reported Sudbury River as the most available. We acted upon that report. The initial expenditure has been made, the ground has been broken, plans have been made for going on, and now they come here to ask for authority that they supposed they had. Taking this view of it and the fact that the gentleman has figured up a few thousand gallons more than the actual demands of the city require, it makes little difference. The city is growing. If that committee has not been mistaken in its report the expense is not large enough to compensate for the loss the city would suffer if the water was not sufficient in case of any emergency. I hope we shall realize that we are a growing municipality and need more water.

Mr. Wells of Ward 3—I agree with the last speaker. We must have water; we have got it in Mystic River. I have been all through the arrangements, and I find that the supply of water in Mystic River will be all that is necessary for Boston and the adjoining towns. Woburn is supplied. The waste water alone is enough to supply Boston. The city should build a reservoir to hold that water. I have no doubt in my mind but that the water supply of Mystic River is enough to give us all that is needed without damming the river. A great cry was raised about Mystic water. We have got it; the pipes are connected with the city, and I can't see what object there is in taking water from Sudbury River when we have a good supply.

Mr. Pease of Ward 1—This matter was fully canvassed by the Water Board more than a year ago, when the supply in Lake Cochituate was so low that the water was below the conduit. The Engineer made a very careful examination of the various

sources in the State, and finally came to the conclusion that Sudbury River was the most available. The Committee on water fully concurred with him and so reported. The Water Board asked for an appropriation of \$500,000 to commence operations. That appropriation has already been made, a contract has been made to build the tunnel four thousand feet long, and work on it has already commenced. But at a late day the board supposed that by chapter 177 of the acts of 1872 they had authority to go ahead and make the necessary surveys, etc., but in consultation with the City Solicitor, he gave the opinion that it is necessary for the City Council to vote authority to the Water Board to do it, and this order is simply to give the board the authority which the Legislature of 1872 gave them authority to do. If we are to have Sudbury River it is time this order was passed. If we are to take the back track and get Mystic, that is another matter. This water supply is the greatest question that we have had before us, or will have for years to come. Boston will require all that she can get from both Mystic Lake and Sudbury River.

Mr. Snaw of Ward 5—I don't come here to make a fool of myself, nor do I bring figures that won't bear the test. I am aware it is unpopular about City Hall to speak against these extravagances. I have n't a word to say in favor of this measure. I was in the Legislature when this bill was passed, and I did n't vote for it because I thought no sound lawyer would consider some of its provisions legal. It is brought here in plausible shape, but I am looking at the collateral consequences when the legal heads of Middlesex County shall claim for the corporations of Lowell a million dollars damages, and the city cannot keep from paying it. It is illegal for the city to undertake to take the land and water of people living on the banks or on the line of the river. The press does n't take hold of this matter without some knowledge of it. It is foolish economy, which is practised by many, to keep down proper improvements; but it is proper economy to look into every order which is proposed here. It isn't that people are not willing to pay money, but they don't properly examine the case. It is the millions we are to pay by and by. The people have n't had a chance to pass upon this matter. My friend from Ward 11 says it is easy to find fault. We are within two months of the session of the Legislature. It is easy for us to go there and get some modification of this law, without the liability of being mulcted in millions for damage. We have been urged to annex Charlestown, and water was the great desideratum. Now we have got the water we are told that to make it available we have got to spend a million or two of dollars. I was n't going to be humbugged into voting for the annexation of Charlestown on such a proposition. If I stand here alone I do not propose to take any back track. I have common sense enough to see that we are marching along in a straight line toward being mulcted in from five to six millions at least from the corporations in Lowell. If these considerations are worth no thought I am willing to abide by the result. Unless it can be shown by this report that I am wrong, I shall stand up against this proposition.

Mr. Pease of Ward 1—It is distinctly understood that there will be great damages, and that matter was fully understood at the State House, and the Committee on Legislation had to fight it through. We know we can't do it without paying great damages. I am surprised when the gentleman reads articles from the newspapers that he reads but one side. He ought to have read an article from the Journal in favor of this plan, which I am sorry I left at home.

Mr. Blackmar of Ward 11—I don't know that any one has urged this matter to be pushed through tonight. I only ask the gentleman to give some substitute. He does n't give us any plan. I don't see how he can get the Legislature to relieve us from paying damages. If the committee haven't hit the right source, let us get some other. We admit all the gentleman says, but can it be done cheaper? It must be done.

On motion of Mr. Flynn of Ward 7, the consideration of the subject was further postponed until next Thursday evening at half-past eight o'clock.

REVISION OF THE CITY CHARTER.

Report of the Committee on Ordinances recommending the passage of the order on the 8th page of City Doc. No. 115, 1873, for the appointment of a Commission to examine and report what changes are necessary in the Charter and Laws for the government of the city, in view of the prospective increase in area and population.

The order was read once.

Mr. West of Ward 16—I hope the Council will concur with the Board in passing this order. It has been conferred upon three or four times and everything has

been said that can be said. It is simply an order of inquiry, and does n't commit us to anything. When that report is made it will be time enough to discuss it. I have been very patient all summer for this thing and have consented to a recommendation, and I shall not consent to any more. I am done with it.

Mr. Dean of Ward 12—I had the honor to sign a minority report for the reason that to my mind there had been no reason given why any such commission should be appointed. It was suggested that the city had grown large and was getting a great deal larger and for that reason it was like a boy who had outgrown his breeches—and that was the only reason given. Our system of city, State and national government are all borrowed from the constitution of England, and all have three departments, one executive and two legislative bodies, and that is substantially all that a city charter amounts to. It has something about the election of Assessors and the School Committee, but the great necessity of a charter is that it provide for a municipal corporation. It provides for a Mayor, Aldermen and Common Council, and for filling vacancies when they occur. And what more will it do when it is revised? In these times of annexation it is rather curious to recur to the history of the metropolis of London, which has no more inhabitants than it had in the time of Charles the Second. If we have got a good charter which answers our purpose, it is best to hold on to it, unless some reason is given for a change. We have been going on just as if it were impossible to have steamers come to our harbor unless we annexed more territory. I only speak of this because once in a while people get an idea of change and when once started they go ahead until they have to take the back track. Everybody deems the charter excellent except for the size of the city. You have got something working well, in some directions, and if you get a new thing, as I said in regard to the Fire Department, you don't know how it is going to work. This charter is a thing of which we may justly be proud. I should hold on to it, adding what is necessary each year, but making changes as they are needed. I remember reading some years ago of some learned men who undertook to frame on paper a good system of government, but they found out their mistake. That is the best which, on the whole, works well, that answers your purposes and enables you to go through with the practical affairs of this life. See where the charter can be amended. I think it might be desirable in view of the increase of this body that it would be well to lessen the representation. But who can judge of that better than this body itself. Why should we have a commission to overhaul this venerable charter which seems to answer every purpose? Well, a Metropolitan Board of Public Works is suggested by the majority. That is the mischief of getting an idea started. When you start on one of these notions of improvement your hobby horses have to be ridden. We have a Board of Health and now we are to have a Commission on the Fire Department, and now here comes up the proposition to have two more, a Board of Public Works and a Police Commission. By and by you can't tell how this thing is governed. At the State House there are so many commissions that it would puzzle a Philadelphia lawyer to find out how things are done. Why should this great change take place without some better reason being given for it? The gentleman from Ward 16 says it is a matter of inquiry, and don't amount to much. Why don't you make inquiries about your city charter that you are proud of without sending it to a commission to tinker and fuss over?

Mr. West of Ward 16—I said this was a matter of inquiry, and could n't do much harm and might do much good. The Philadelphia lawyers may be puzzled, but the Boston lawyers appear to be raising the objection. I move the previous question.

Lost by a rising vote—3 for and 41 against.

Mr. Shaw of Ward 5—I want to say something on this question. The gentleman from Ward 12 makes a very happy illustration. The city charter is like the snowball with which the boys play. It began in 1822 when the city contained 49,000 inhabitants. It was accepted by the people and served their purpose until 1854, when the people were wise enough to have it remodelled. Now, sir, I have some more figures [laughter]. In 1873, we have 275,000 inhabitants, exclusive of the territory voted to be annexed. The gentleman says some one has proposed to do away with one branch of the City Government, as if such a thing had ever been thought of. I never heard any such suggestion made. In 1822, when this charter was accepted by the people, Boston had only 3000 acres of territory. That was fifty-one years ago. In 1854 when it was remodelled and revised, Boston had 3100 acres, and 153,000 population. That was nineteen years ago. Now we

have a territory of 9902 acres. The expenditures for the fiscal year 1822-23 were \$172,369 70; for 1853-4, when the charter was revised, \$3,367,418 92; in 1872-3, \$16,087,393 95. The debt of the city in 1822-3 was \$101,388 65; in 1853-4, the consolidated debt was \$7,415,869 05; in 1872-3, the consolidated debt is \$31,841,156 44, to which must be added the five million which have been passed upon and have not yet gone into the funded debt, which makes the actual debt of Boston today about thirty-seven million dollars. It has increased from \$101,000 when the charter was first adopted, to \$37,000,000. In 1822 the police force consisted of six men; in 1854 there were two hundred, and now everybody who has tried to get a friend on the force knows there are 575 men. In 1854 we had n't any horse railroads; now the number of miles of track is seventy-five, and the passengers carried over them in 1872 were thirty-seven millions. I leave out of this statement the whole of the travel over the steam railroads. The gentleman says he sees no cause for building up the little charter made in 1822 and revised in 1854, when there has been this immense increase in population and property. These figures show there is reason enough. In 1854 the imports into Boston were \$45,985,545; in 1872-3, \$68,083,267, showing a gain of fifty per cent. since the last revision. The exports in 1854 were \$16,408,341; in 1872-3 they were \$27,038,929, showing a gain of seventy per cent. So much for figures. Now I am going to refer to a matter to which I have referred once before. Mr. Shaw then reviewed his statements at the previous meeting relative to the approval of bills by the chairmen of committees, which should never, in his opinion, be allowed. I don't know, said he, that any chairman has ever done wrong, but I say it is a dangerous tendency. If for nothing else, I think the city charter should be revised for the purpose of inserting a clause that every appropriation brought before a committee shall not be carried except by a majority vote. That is what the people mean, and propose to have it done. There should also be a Joint Committee on Expenditures, to examine every expenditure before it shall be acted upon, so that the committee shall be able to say what it is proposed to do, and when an explanation is asked here, an intelligent answer may be had. People are dissatisfied with the management of their representatives in the City Government. Let us try to make such laws for the control of the city as will work for the best interest of the city and the citizens.

Mr. Wells of Ward 3—I listen to the gentleman with very great pleasure when he talks about the people. I am opposed to a revision of the city charter, if it is going to oppose giving the chairman authority to approve bills. What is needed is a good chairman at the head of a committee. It will stop junketing. I stand here as clean as the gentleman from Ward 5 does. What does he take us for? a pack of thieves? [Laughter.] I fail to find any of the people making this hue and cry in any ward. So far as this revision of the city charter is concerned, I hope it will never take from the chairman of a committee the power to approve bills. Your Republican party, which has a majority, should put up some honest men, and if you have n't got any, they can come to the Democratic party. For my part I would like to have this matter go to a commission go to the people.

Mr. Denny of Ward 9—I fail to see how any single member of the Council should object to the passage of this order. It does n't specify or recommend any changes in the city charter. If the word commission had not been used the gentleman from Ward 12 would n't have made this chronic objection. He says there are changes needed in the charter. If so, why does he refuse to have the commissioners appointed? When the changes are recommended we can act upon them. I understand the gentleman in one place to say that the charter is well enough, but in another place he says if changes are needed let us do it here. When the changes are recommended the discussion of them will come in very properly. It is taking up time for nothing. I have just read over the minority report, and the only thing they say is that it was drawn by Chief-Justice Shaw, and it would be perfectly absurd to make any change in it. I don't know that we should be called upon to make any changes, but if the gentleman himself was on that commission, I think we should have some changes recommended. It is only for the commission to examine and see whether any changes would be in place.

Mr. Dean of Ward 12—The gentleman from Ward 9 has exactly stated the case. He gives no reason why a commission shall be appointed. He says he don't know that there will be any changes made, and yet why not appoint a commission? I never said changes were necessary, but I said when

changes become necessary then make the specified change. I don't know any changes which are necessary. You don't need to revise the charter for the purpose of enlarging or diminishing the City Government. We have lived and prospered under this venerable charter, and from a small population we have got to be hundreds of thousands; until our valuation is immense. The gentleman comes up with an array of figures, but gave not the slightest reason in the world for a change. He would have something to prevent committees permitting the chairmen to approve bills. That is the great maggot in his brain. The majority have stepped outside of the recommendation of the Mayor and bring in this matter. It would be an enormous expense to codify the laws, general and special, relating to the city of Boston. If you do that you have got to have all the laws relating to the towns, for the Board of Aldermen have the same powers as the Selectmen.

Mr. Perkins of Ward 6—The gentleman tells us that we should not adopt this order for the commission to revise this charter, because we have lived under an instrument drawn by Chief-Justice Shaw. I have never seen the original charter, but all that I have seen was the one adopted in 1854. Now in that charter there appears to be six sections affected by legislation. People are supposed to know what changes are needed in the charter, and all that is proposed to do is to have the Mayor select some wise-headed citizens who shall present to the Legislature, after it has been approved by the City Council, a charter to be adopted. The gentleman says the city of London has not changed its population for a certain time. He knows very well that the city of London, which lies within the circuit of its old walls, is not the city we are accustomed to read of in history. London is governed principally by a Board of Public Works, appointed by Parliament, and yet the gentleman would have us believe that the old city charter suffices for so many changes. London is not comparable to Boston in the completeness of its charter. People who live in that metropolis recognize this fact. Practically London has no City Government at all, but is governed by a board appointed by Parliament. All of us have our views how the city charter ought to be amended. I have heard my friend on my left say that it ought to be amended by increasing the terms of members of the City Government. I think the Mayor and Aldermen should have longer terms of office and the members of the Council should be reduced. I think we should have a Board of Public Works, but we can't expect to come here and vote on the plans first as if we were in town meeting. When gentlemen say the city charter does not need revising, they do so in opposition to the views of their friends and neighbors. We must either refer this matter to a committee or to a commission, and the opinion seems to be that you can get better talent outside of the City Government than you can within. The simple question is, How shall we do it? When it comes back we will say whether we will approve of it. One thing is very clear: if the city needs a revision of the charter, it will be revised by the Legislature when it is appealed to by the citizens of Boston. The reason our action has been so patiently awaited by the people is because it is thought we will ultimately do as the people wish. I regard it just as I did the Fire Commission. If we don't do this, the next City Council will.

Mr. Brackett of Ward 10—The gentleman from Ward 12 says we have grown rich under the present charter, and asks why we should wish to amend it. The case is something like the reformation of the borough system of England. Sidney Smith tells of a physician who said to his patient, you have grown rich and prosperous with the gout, why should you wish to change it? I don't mean to say that our charter bears the same relation to the city as this disease did to the patient, but to say that we have been rich and prosperous under it is no reason why we should not improve it. We grew rich and prosperous with narrow streets, in the burnt district, but is that a reason for not widening them? The gentleman says no argument has been advanced in favor of the change. This style of argument is getting to be very chronic with him. In the debates on the Fire Commission every night he has stated that no new argument has been made for one. I think the Board of Aldermen should be enlarged on account of the increased size of the city, because don't think the number is sufficient to give proper representation to the outlying sections of the city.

East Boston, Dorchester, Roxbury and South Boston each want an alderman, and the city proper does not obtain sufficient representation. There are many other matters, but I don't wish to take up time or cut off debate, and in order to give gentlemen time to discuss it, I move further consideration be post-

posed till a quarter before nine o'clock next Thursday evening.

It was so ordered.

UNFINISHED BUSINESS.

Order to allow not exceeding \$3000 for extra clerk hire in Treasurer's office. Passed.

Order for Mayor to petition next Legislature for establishment of a State normal school in this city. Passed.

Report and order to furnish passes over the East Boston ferries to the Chief and Deputy-Chief of Police, and to the members of Police Department, in East Boston. Passed.

Report and order authorizing a transfer of not exceeding \$3500 to be added to amount authorized for completion of Engine House No. 12. Passed—yeas, 53; nays, 0.

Orders, authorizing \$72 53 to be expended in repairing armory of Company K, First Regiment of Infantry, M. V. M., in South Boston; authorizing not exceeding \$375 to be expended in fitting up headquarters of Ninth Regiment, M. V. M., at 562 Washington street; authorizing \$1200 per annum to be paid for rent of armory of First Company of Cadets, M. V. M., at 94 Tremont street; authorizing not exceeding \$450 to be expended in repairing and furnishing armory of Company F, First Regiment, M. V. M., at junction of Warren and Palmer streets. Severally passed—yeas, 55; nays, 0.

THE FIRE COMMISSION.

The ordinance to establish a Fire Department (City Document No. 119) came up on its second reading, and on motion of Perkins of Ward 6 it was read by its title. Mr. Perkins then moved the previous question.

Mr. Pease of Ward 1 thought this would be unfair to all parties.

Mr. Perkins withdrew his motion.

Mr. Pease of Ward 1—I desire to say a few words on this subject inasmuch as I was at first opposed to the passage of this ordinance. This is the first time in all my experience in this Council that I have felt compelled to vote for a measure of which I did not really approve. In common with many others who foresaw what would be the inevitable result of adding largely to the territory of Boston I voted against all annexation, but on opening a paper, on the 8th of October, I found to my regret that Charlestown, Brighton and West Roxbury had been added to the city, and that the people of Boston had thus virtually surrendered the right which they had enjoyed so long, of managing their own municipal affairs, and that the arguments against a commission, which were valid before, were then worthless, because the whole scene had changed. I did not arrive at this conclusion by the great array of figures introduced by the gentleman from Ward 5, nor his comparisons of our department with those in other cities, nor by the arguments of gentlemen who favor a fire commission, nor from fear of the whip and spur which has been held over this Council so long by one or more of the newspapers of our city; but, sir, in my judgment, after next January it will be absolutely impossible for either the Joint Standing Committee on Fire Department, the Committee on Paving or the Common Sewers to perform their duties satisfactorily either to themselves or the people. Well then, what follows? Why, the duties of these committees must be performed by paid agents who will devote their entire time to the city; and so it will be with the Water Board. To my mind it is folly to suppose, with this enormous amount of territory added to the city, and with the duties of the Aldermen increased so largely, that we can go on as we have done. I do not take any stock in this idea of reorganizing the Fire Department for the purpose of economy, for the expenses of the department will be nearer \$1,200,000 than \$500,000. Our department will be larger than that of New York, and the estimated cost of that department for the next year is one and a half millions. Nor do I believe that the department will be any more efficient than it has been, for I believe from what I have seen and learned since I have been upon the Joint Standing Committee that the department stands as high as any department in the United States, and with the changes which have been made (not by the *new ordinance*, as one of the newspapers would have the people believe), but changes which have been made by the committee, together with those made by the Water Board in substituting large pipes and Lowry hydrants, in my opinion the department is better able to extinguish fires than it has ever been. But if the people by their votes annex territory to Boston to such an extent that the duties of the City Government must be farmed out in order to have them properly attended to, it is not for me to hang back in the hreeching and try to prevent it.

There will be just as much need of a department of public works after next January as there will be for a fire commission, and although I have always opposed commissions, and believe they are capable of producing much mischief, yet I do not see how we can help ourselves, for Boston has drawn an elephant, and the people will sooner or later learn to their sorrow that annexation is a dear whistle.

For these reasons it has appeared to me that a change is demanded, and I shall be compelled to vote reluctantly for this measure.

Mr. Mahan of Ward 5—I presume, from the vote that has been taken, that for some reason or another members of this Council have made up their minds that a commission is necessary. What influences have been brought to bear—whether it is the pressure of public opinion, or fear of the newspapers, I do not know. It makes no difference to me. I am not a member of the Committee on Fire Department, and never have been and when I voted on the question I voted from my own opinions, regardless of what anybody might think, and I am certain that before twelve months some of these gentlemen who have shown the weak knees in this matter will find that this dear people don't believe in commissions. The Legislature appropriated ten thousand dollars just simply to publish a list of the vertebrate animals. There should be a special appropriation next year for publishing a supplementary list, giving a list of the animals which had weak knees and back bones. But I don't propose to be among them. I have n't heard any argument to win over any man who voted against a commission before. It is true some of the newspapers said some members of the Council were not above the level of their constituents. I am not above the level of the people. The idea has been circulated about that the people are not able to legislate for themselves. It may do for imperial France and for the crowned heads of Europe to make directories and commissions, but if I understand the institutions of this country we don't believe in directories to take charge of our liberties. If it is taken for granted that we are going to have a commission, why rush it through the Council? The gentleman from Ward 6 is usually very polite; he is usually the very essence of politeness; he comes from a place where politeness is to be found. He is generally very fair. I am glad to say that he was wrong only for about a minute. I have an amendment which I wish to submit, and I move it be substituted for section two—it is as follows:

Section 2. The qualified voters of the city of Boston shall, at the annual municipal election next, after the passage of this ordinance, be called upon to give in their votes for three able and discreet men, being inhabitants of said city, who shall constitute the Board of Fire Commissioners of said city; one of whom shall be an experienced civil and military engineer, and one of whom shall be chosen for the term of one year, one for the term of two years, and one for the term of three years, from the first Monday of January next ensuing, and until their successors are chosen and qualified; and, at any subsequent annual election, the qualified voters of the city shall choose one person, qualified as aforesaid, to be a member of said board, to serve for a term of three years. The person so elected shall devote his time to the duties of the office and shall not actively engage in any other business. No member of either branch of the City Council shall hold the office of Fire Commissioner. For their services the Fire Commissioners shall receive such compensation as the City Council may from time to time determine.

Mr. Mahan argued at length in support of the amendment, dwelling upon the workings of the Street Commission and the importance of keeping the Government as near the people as possible.

Mr. Perkins of Ward 6 raised the point that the amendment was not legal as the "Fire Commissioners" could not be elected, those officers not being specified in the City Charter, and unless they are the Board of Aldermen cannot validly order such an election. He asked for the ruling of the Chair.

The President ruled that the amendment could be entertained, although he was aware that there is some authority for the presiding officer to rule an order out because it is illegal.

Mr. Perkins of Ward 6—Such an amendment would render the ordinance inoperative and kill the whole thing. It provides that the commissioners shall be chosen at the election subsequent to the passage of the ordinance. Suppose the amendment is legal, which can be settled by competent authority. It can be bandied about between the Aldermen and Council till next December. Then the election of these officers would take place in 1874. Even if it should be legal the delay is against it.

Mr. Denny of Ward 9—If this amendment had come from an advocate of a commission it would have

more weight with me. By adopting it we should fall into the difficulty we are trying to avoid by throwing these important offices into politics. Mr. Denny was sure every member had made up his mind, and he hoped the Council would vote squarely on the question. Whatever the decision he would stand by it.

Mr. Upham of Ward 16 offered an amendment to section four, which he deemed very much needed on account of the immense power the ordinance puts into the hands of the three commissioners in the expenditures of money. He moved to insert in the fifth line, after the words "appoint," these words: "a Chief Engineer, a Superintendent of Fire Alarms, and fix their compensation, subject to the approval and confirmation of the City Council"; also to insert, after the word "came" in the eighth line, "except that the discharge of the Chief Engineer and the Superintendent of Fire Alarms shall be subject to the approval and confirmation of the City Council." If the Council, said he, will adopt that amendment one very great objection to the ordinance will be removed, and I would vote for it. I wish to say, also, that I have consulted no member of the City Government.

Mr. Mahan of Ward 5 said the legal objections to his amendment had suggested themselves to him, and he had n't time to settle in his mind whether they are valid or not. If the City Solicitor should say it is illegal the Legislature could give the Council the power in January. There is no need of haste. I offer this proposition in good faith. Let us consider this proposition, and if there is anything good in it let us adopt it, and, if not, let us reject it.

Mr. Perkins of Ward 6 said, For goodness sake let us take a vote. Even the gentleman himself has doubts about the legality of the amendment.

Mr. Harrington of Ward 8 called for the previous question, and it was ordered. Mr. Flynn called for the yeas and nays on the amendment and the main question.

The vote was first taken on Mr. Mahan's amendment, as follows:

Yeas—Messrs. Abbott, Anderson, Bleiler, Brennan, Collins, Dacey, Doherty, Flatley, Flynn, Hughes, Kingsley, Madden, Mahan, Martin, McCue, McKenny, Thacher, Upham, Warren, Wells, Woodward—21.

Nays—Messrs. Adams, Barnes, Bicknell, Blackmar, Boardman, Brackett, Burditt, Burt, Caton, Cudworth, Darrow, Davis, Denny, Hall, Harrington, Hine, Holmes, Jones, Lamb, Marston, Morse, Page, Pease, Perkins, Pickering, Powers, Prescott, Risteen, Shaw, Shepard, Tower, Train, West, Whiston, Wilbur, Woods—36.

Absent or not voting—Messrs. Bowles, Dean, Edwards, Kelley, Loring, Weston—6.

So the amendment was rejected.

The vote was next taken on Mr. Upham's amendment.

Yeas—Messrs. Abbott, Anderson, Bleiler, Brennan, Burt, Collins, Dacey, Davis, Dean, Doherty, Flatley, Flynn, Hines, Hughes, Jones, Kingsley, Loring, Madden, Mahan, Marston, Martin, McCue, McKenny, Pease, Thacher, Upham, Warren, Wells, Woodward—29.

Nays—Messrs. Adams, Barnes, Bicknell, Blackmar, Boardman, Brackett, Burditt, Caton, Cudworth, Darrow, Denny, Hall, Harrington, Holmes, Lamb, Morse, Page, Perkins, Pickering, Powers, Prescott, Risteen, Shaw, Shepard, Tower, Train, West, Whiston, Wilbur, Woods—30.

Absent or not voting—Messrs. Bowles, Edwards, Kelley, Weston—4.

So the amendment was rejected.

Mr. West of Ward 16 desired to offer an amendment, but the Chair ruled it out of order.

The ordinance was then passed, by the following vote:

Yeas—Messrs. Abbott, Adams, Barnes, Bicknell, Blackmar, Bleiler, Boardman, Brackett, Burditt, Caton, Cudworth, Darrow, Davis, Denny, Hall, Harrington, Hine, Holmes, Lamb, Marston, Morse, Page, Pease, Perkins, Pickering, Powers, Prescott, Risteen, Shaw, Shepard, Tower, Train, West, Whiston, Wilbur, Woods—36.

Nays—Messrs. Anderson, Brennan, Burt, Collins, Dacey, Dean, Doherty, Flatley, Flynn, Hughes, Jones, Kingsley, Loring, Madden, Mahan, Martin, McCue, McKenny, Thacher, Upham, Warren, Wells, Woodward—23.

Absent or not voting—Messrs. Bowles, Edwards, Kelly, Weston—4.

Mr. Perkins of Ward 6 moved to reconsider the vote just passed, hoping it would not prevail.

Mr. Mahan of Ward 5 moved to lay the motion to reconsider on the table, and called for the yeas and nays, which were ordered.

Mr. Flynn of Ward 7 moved to adjourn, and the motion was lost—yeas 24, nays 34.

Mr. Mahan's motion to lay on the table was rejected—23 yeas, 35 nays.

Mr. Perkins of Ward 6 moved the previous question and called for the yeas and nays.

Mr. Flynn of Ward 7 moved the Council now adjourn, and called for the yeas and nays. Lost—23 yeas, 33 nays.

Mr. Mahan moved to lay the motion for the previous question on the table.

The Chair ruled the motion out of order.

Mr. Mahan doubted the vote.

Mr. Shaw raised the point that the gentleman did not rise to doubt the vote.

The Chair ruled that the point was well taken.

Mr. Mahan moved the Council adjourn.

The Chair ruled the motion out of order.

Mr. Flynn asked if the gentleman from Ward 5 desired to lay the motion of the gentleman from Ward 6 on the table.

The Chair said the question was on taking the main question.

Mr. Mahan raised the point that the motion to adjourn always takes precedence of the previous question.

The Chair said that no business had intervened since the last motion to adjourn had been rejected. They had called the yeas and nays, and that was not business. The motion was a repetition, and only the yeas and nays had intervened. One fifth of the members have a right to call for the yeas and nays; they had done so, and that was the only thing which had been done.

Mr. Mahan rose to a question of privilege. His motion was that the motion to take the previous question be laid on the table. That he understood the Chair to decide out of order. After that had been decided by the Chair the yeas and nays were called for upon the previous question and were ordered. Then after that had been done, he moved to adjourn, and this question of privilege was that business had intervened between those two motions.

The Chair said that was all that had transpired between the motion to adjourn and the motion to adjourn previously made. The motion to adjourn was ruled out of order, because no business had intervened.

The yeas and nays were ordered on the question, "Shall the main question be put," and it was ordered—37 yeas, 17 nays.

Mr. Mahan moved to adjourn and called for the yeas and nays. Lost—yeas 32, nays 35.

The Chair said the question was now on reconsidering the vote passing the ordinance.

Mr. Dean of Ward 12 suggested that as the majority was determined to have the vote taken tonight it would be best not to make any dilatory motions.

The motion to reconsider was rejected, 22 yeas, 36 nays, the same members voting against reconsideration who voted for the passage of the ordinance.

On motion of Mr. Mahan of Ward 5, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
OCTOBER 27, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M., Alderman Cutter, Chairman, presiding.

EXECUTIVE NOMINATIONS CONFIRMED.

Weigher of Coal—Robert C. Fanning.
Constable—Charles E. Townsend.
Undertaker—J. P. Keefe.
Special Police Officers—Jeremiah Murphy, Constitution wharf; John D. Haines, District Telegraph Company; Josiah M. Barstow, Codman Building, Sudbury street.

JURORS DRAWN.

Eight traverse jurors were drawn for the October term of the Superior Court, First Session.

PETITIONS PRESENTED AND REFERRED.

To the Committee on Lamps. Bernard Norton, for lamp on Quincy street, Ward 16.

To the Committee on Assessors' Department. Proprietors of India Wharf, that the tax of 1873, assessed upon a portion of their property leased to the city free of rent, be refunded.

To the Committee on Licenses. Elizabeth A. Slater, to keep intelligence office at 71 Cambridge street.

To the Committee on Public Lands. Abraham S. Foss *et al.*, for modification of conditions of sale of land on the corner of Seaver and Sumner streets; and remonstrance of B. L. Crocker *et al.* against any such change.

To the Committee on Paving. Joseph F. Paul, to carry a machinery belt across Bristol street.

Clafin, Allison & Somes and others, that Charles-ton street be repaved with granite blocks.

James T. Barron, for compensation for grade damages on Regent street.

Elvira Burnham, for change of grade in Regent street.

Caroline H. Brooks, for compensation for grade damages on Regent and Alpine streets.

Joseph B. Moore and others, that Buckingham street be graded and paved.

James Underhill, for grade damages on L and Third streets.

A. B. Hoitt and others, that Canal street be paved with granite stones.

To the Committee on Health on the Part of the Board. Charles H. Bacon, 492 Harrison avenue; C. J. Spenceley, Sawyer street, near No. 70; P. Campbell & Son, Reed street, corner Swett street; John Kehew, Gram-pian way, Ward 16; J. P. Fenno & Co., Norfolk avenue, in rear 170 and 172, severally to occupy wooden stables; and Parker Bryant, Stanmore place, off Warren street, and Abbott & Fernald, Ninth street, to occupy brick stables.

Joseph Ham, for extension of time in which to build stable on Fort avenue.

David L. Berry, to alter storehouse rear of M street, South Boston, into a stable for two horses.

J. E. Herman *et al.*, remonstrating against rebuilding Metropolitan Railroad stable on Prescott place.

To the Committee on Sewers. H. Cunningham *et al.*, for sewer through Chelsea street, East Boston, from Brooks street to the junction of Prescott and Chelsea streets.

Walter H. French *et al.*, against the proposed building of a sewer in Parker street.

To the Committee on Survey and Inspection of Buildings. Hersey Brothers, to build an addition to wooden building on Second and E streets.

ORDERS OF NOTICE.

On the petition of Haley, Morse & Co., for leave to locate steam engine at 411 Washington street, an order of notice was passed for a hearing on Monday, November 17, at four o'clock P. M.

On the hearing on the orders of notice on the petitions of John Roessle, to use steam engine on Pynehon street, and Atherton Brown to use steam engine at 167-169 Summer street, no objection being offered, the petitions were severally recommitted to the Committee on Steam Engines.

METROPOLITAN RAILROAD.

The special assignment, being the hearing of all parties interested in the proposed location of the tracks of the Metropolitan Railroad on Beacon street, from Gloucester street to Brighton avenue, was taken up.

Hon. Harvy Jewell, counsel for the Metropolitan Railroad, after alluding to the postponement of two weeks ago, by which it was hoped a lot of land could be secured for the stable without the necessity of crossing Beacon street, said there were, however, certain restrictions on the lot which prevented the erection of a wooden building upon it. They supposed until last Thursday that they could secure a release of these restrictions, but a gentleman who had some houses fronting on Beacon street said that a stable

there would be detrimental, and his relations with Mr. Braman were such that the latter has declined to lease to the railroad. They had asked the Water Board to lay pipes from the corner of Hereford street, and their plans were all ready. Since then they have been in negotiation with Mr. Braman and others who own land on the opposite side of the way, but on this property there are restrictions too, and the same individual believes that the maintenance of a stable on the opposite side of Marlborough street would be detrimental to his interests. They are not without hope that we may carry this last project through. If not, there is a possibility that another site may be obtained temporarily, which will involve much less use of Beacon street than was at first asked for. If a lease of Pray's stable can be obtained, and they can get authority to cross Beacon street at that point, they will be accommodated. Except that 4500 feet of land, this site on Parker street is the only one not under restrictions against being used for a stable. If any persons object, of course we cannot go against them. They hoped not to touch Beacon street at all. Mr. Jewell suggested that the matter be laid over, and on motion of Alderman Power further consideration of the subject was postponed till Tuesday, November 4, at four o'clock P. M.

CHANGE OF BOUNDARY LINES.

Notice was received from James Greenough, William H. Foster and Charles Foster, inhabitants of Brookline, of their intention to petition the next General Court to change the boundary line between Brookline and Boston. Referred to the Committee on Legislative Affairs.

FROM THE STREET COMMISSIONERS.

A communication was received from the Street Commissioners transmitting the accompanying order, adopted by that Board, for concurrence by the City Council:

Whereas, Charles G. Greene, James H. Beals, N. G. Greene and J. G. Beals, for themselves and all other owners, owning the estate on Water street, at the corner of Devonshire street, which is hereinafter described, object to being assessed to pay a portion of the expense of widening Water street; 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.: eastwardly by land of Edward A. White and others, trustees, and by land now, or at one time, of the heirs of George Howe, seventy-five and forty-three hundredths feet; southwardly by Water street, fifty-one and fifty-five hundredths feet; westwardly by Devonshire street, seventy-three and eighty hundredths feet; and northwardly by land now or formerly of the said heirs of George Howe, forty-eight and seven hundredths feet; containing thirty-seven hundred, sixteen and fifty hundredths square feet, more or less; being shown on a plan in the City Surveyor's office, dated January 24, 1873. And this Board doth adjudge the expense of taking the said estate will amount to two hundred and seventy-eight thousand seven hundred and thirty-seven dollars and fifty cents.

The order was read once.

A communication was received from the Street Commissioners, in response to the order of September 15, 1873, transmitting their estimate of the cost of extending Granite street, in South Boston, from its junction with Second and Third streets on a line parallel with A street, to Broadway, which they estimate will be \$39,000.

On motion of Alderman Emery, the communication was referred to the Joint Committee on Streets.

A communication was received from the Street Commissioners stating that they have received important petitions asking for the extension of either D or E street, in South Boston, across the Old Colony Railroad to Dorchester avenue. Whenever the streets are laid out, but not before, the railroad corporation or the city may require of the Board of Railroad Commissioners an adjudication upon the necessity of other than a grade crossing of the railroad company's tracks, and if the Railroad Commissioners determine that such a necessity does exist, then a special commission is to be appointed to decide who bears the expense—or it may be divided. At a hearing on an order of notice for the extension of D street, October 1, 1873, the urgent need of a street to Dorchester avenue at this point was clearly shown, and it would have been at once laid out but for this crossing of the railway tracks. The counsel of the Old Colony corporation said at the hearing that they should apply, if the street was extended across their road, at once, for other than a grade crossing, to the Railroad Commissioners. Should their application be successful the expense to the city would in the opinion of this Board be ten times in excess of

what it would cost with a grade crossing, and as this expense would in a large proportion be chargeable to appropriations not set apart for the use of the Street Commissioners, they beg leave to ask the honorable Council's advice upon the laying out of the street.

Referred to the Joint Committee on Streets.

JAIL EXPENSES.

A requisition for \$2289 05, for expenses of Suffolk County Jail for month ending Nov 1, was presented by the Sheriff, and being duly certified, was ordered paid.

The bonds of Richard F. Andrews, John D. Reed, *et al.*, constables, were presented and approved.

FROM THE SCHOOL COMMITTEE.

Requests were received from the School Committee for a primary schoolhouse at City Point; for additional primary-school accommodations in the Everett District; for a primary school-site in the Gibson District; for additional primary accommodations in the Gibson District; for an office for master in the Lincoln Schoolhouse. Severally referred to the Joint Committee on Public Instruction.

UNFINISHED BUSINESS.

Order for Superintendent of Streets to construct cesspools for the surface drainage of Ruggles street, between Tremont and Parker streets, at a cost of \$1200. Passed.

Order for Superintendent of Streets to reset edge-stones and repave gutters and sidewalks on north side of Dudley street, between Winslow and Dearborn streets, at a cost of \$1000. Passed.

Order for Superintendent of Streets to raise and grade Cabot and Weston streets, and repave the gutters and sidewalks, at a cost of \$6000. Passed.

Order for Superintendent of Streets to pave with brick the unfinished sidewalks on Tremont street, from Ruggles to Parker street. Passed.

PAPERS FROM THE COMMON COUNCIL.

The order for the Mayor to petition the next Legislature for the annexation of a portion of Brookline to Boston came up referred to the Committee on Legislative Affairs. The Board concurred.

The report and orders to furnish steam heating apparatus and a fence for the yard at engine house, Ward 14, at an estimated cost of \$3000; and for a transfer from the Reserved Fund to pay therefor, if not exceeding that sum, came up with amendments to insert "for hoisting apparatus for hose tower, block stone for paving driveway, gas fixtures, edge-stones and brick sidewalk on Quincy street." The Board concurred.

Report and order authorizing a transfer of not exceeding \$3500 to be added to amount authorized for completion of Engine House No. 12. Passed—yeas 11, nays 0.

Orders authorizing not exceeding \$375 to be expended in fitting up headquarters of Ninth Regiment, M. V. M., at 562 Washington street; authorizing \$1200 per annum to be paid for rent of armory of First Company of Cadets, M. V. M., at 94 Tremont street; and authorizing not exceeding \$450 to be expended in repairing and furnishing armory of Company F, First Regiment, M. V. M., at junction of Warren and Palmer streets. Severally passed in concurrence—yeas 12, nays 0.

Report and order to furnish passes over the East Boston Ferries to the Chief and Deputy Chief of Police, and to the members of Police Department in East Boston.

Alderman Hulbert—I don't quite like this thing. The course hitherto adopted is the best. It has been the custom that each department shall take care of itself. If one use any material from the other an account is kept. If the Committee on Police think it best to furnish policemen with tickets they should do so; but I trust the matter of passes will not be introduced. This is only the entering wedge to a form of trouble which I think had better not be entered upon. I trust the old custom will be continued, and if the police require free passes I hope the committee or the Chief will purchase tickets as before, and let each department stand on its own basis.

Alderman Emery—This subject was before the Committee on East Boston Ferries on a petition of certain police officers, that they might be furnished with passes or tickets, and the Committee on Ferries, of which the gentleman who last spoke is a member, had quite a long hearing and examined the subject pretty thoroughly. They had before them the Chief of Police, and would have had some members of the Committee on Police if they could have been found at the time. After looking the matter over pretty thoroughly they concluded it would be best to furnish a certain number of passes, as is very clearly set forth in the report of the committee. The committee thought the passes very much preferable for those who have to use tickets very frequently. As to each department paying its own expenses that matter was talked over, and I believe the order provides for that. The expense of the passes is to be charged to the Committee on Police. All the com-

mittee present were unanimously in favor of passing the order.

Alderman Clark—That order covers the ground taken by the Alderman from the Highland District. It proposes to furnish the chief of police and certain members of the department with tickets, the expense of which shall be charged to the appropriation for the Police Department. It is nothing more than proper that those men should have such expenses paid by the city, and it should be charged to the Police Department.

Alderman Hulbert—The ground is not covered. I have no objection to the department purchasing tickets, but I do object to inaugurating the system of dead heads. It makes no difference to the department that they shall have tickets instead of passes. I object to introducing the system of passes because it will not end with the Police Department. We shall have dead heads, and they will soon begin to multiply. We will furnish tickets and they should use them. If the system is once begun it will not be confined to the police, and it will be merely the entering wedge for dead-heading the employes of the other departments.

Alderman Gibson—I fully indorse what Alderman Hulbert says. The present plan is very simple. The tickets are all printed and are liable to be counterfeited. The Chief of Police has authority to buy tickets for the policemen and take it out of the appropriation. We are now running under a very straight system, and so long as we keep it as it is it will be better to stand by the ticket system than to make a change. We have had but one difficulty so far—some of the tickets unavoidably stepped out one day. If we multiply them and get different kinds there will be more opportunity to make others. The police can be supplied if the Chief sees fit to purchase them and deal them out from time to time as they are demanded.

Alderman Emery—It was to obviate this very difficulty of abuse of the ticket system that the system of passes, so far as those few individuals were concerned, was recommended by the committee. The matter of issuing tickets can be abused, as every gentleman knows, because the person for whom it is designed can use it or it can be used by his family or any one else. But the pass is only for the party having it, and is to be issued only by the Chief of Police or his assistant.

Alderman Quincy—If these passes are to be paid for, I don't see that they are anything more than season tickets, and I don't see the necessity for making the change.

Alderman Stebbins—The chairman of the committee has stated this case very plainly. He also states why the committee report in favor of the passes instead of season tickets. These passes are to be issued at the rate of \$12 a year, and they will be given to the officers of the stations who cross the ferries oftener than any other. There is great danger of abuse in furnishing tickets to policemen by the Chief or his assistant. This pass is required to be shown at the ferry by the owner when he is passing over, and as the policemen are all known by the tollmen, they will see that the pass is used by none other than the person to whom it is issued. A majority of the committee from the other branch were in favor of issuing free passes to the entire Police Department, but the members from this branch objected to it, and it was decided to issue them in this form, and they will be issued as the Chief of Police shall direct.

Alderman Gibson—The greatest objection with me is that the policemen would be a privileged class. If gentlemen had had the experience we have had in this matter, they would see how it works. I don't wish to bar policemen from free passes if the Committee on Ferries want to give them, but I believe it is best to have one kind of ticket. As the Chief has leave to buy as many tickets as he pleases, it is a question whether it is best to have only one kind of ticket or more. Money would be saved by buying tickets by the package.

Alderman Emery—It is claimed that there is great abuse in the use of these tickets, and great pressure has been made for the passes. It was represented before the committee that the abuse could hardly be avoided. They have to furnish a certain amount, and there is great pressure for many more, and it was thought best to give them what they ought to have and not let them get any more. It was desired by many that the whole Police Department should go free, and some were very tenacious in their views. But we finally agreed to report exactly as we have done.

Alderman Hulbert—If this is so, then so much the worse for the Police Department. If the Chief of that department can't manage its affairs I don't think the East Boston Ferry Department should be required to help him do it. You may start this thing today with free passes for the policemen who have to go across the ferries frequently, and next year you will

be asked for passes for policemen who live in East Boston; and so on next year there will be something more. I believe the Chief of Police can take care of the men in his department and resist the pressure. Besides, it is best that the East Boston ferries should remain as they are. What I object to is the giving of free passes. The ferries are improving every year, and East Boston people are better served today than they ever were before—better than they would be if the ferries were free. And I think the people over there are coming to see that this is so. If I were a citizen of East Boston I would not prefer free ferries. We are giving them better and better accommodations, and now if we inaugurate anything that looks to the matter of free passes we will make a mistake. This is why I oppose it. I want each department to stand on its own basis, and I am decidedly opposed to introducing passes in any form.

Alderman Quincy—I don't see so much harm in this order since it has been explained, but I should vote against it until it is shown that there is a necessity for it. Why instruct them to sell season tickets of any sort when the Chief of Police can go or send there and buy them at any time? If it can be shown that there is necessity for the order I will vote for it, but at present I can't see the use of it.

On motion of Alderman Stebbins, the order was laid on the table.

OVERSEER OF THE POOR.

Alderman Brown, from the Committee on Overseers of the Poor, made a report nominating Alvan Simonds to fill the vacancy in the Board of Overseers of the Poor, caused by the death of Thomas Blasland. The report was accepted.

On motion of Alderman Brown, the Board proceeded to ballot, and Alvan Simonds was unanimously chosen to fill the vacancy.

THE WATER SUPPLY.

Alderman Stebbins—At the last meeting of the Board I presented an order conferring upon the Water Board power to seize lands upon the line of Sudbury River. I expressed the opinion then that an order of inquiry might be very properly substituted, but the emergency of the case was such that the order was passed. Considerable discussion has ensued, both in the other branch and in the press, and statements have been made in the newspapers which may be construed into an attack on the City Engineer, and which I believe not to be true. I think those statements are made upon a wrong basis. But delay has ensued, which may be better, after all; and I now offer the following order:

Ordered, That the Cochituate Water Board be requested to furnish information to the City Council as early as practicable, upon the following points, namely: The present condition of water in Mystic Pond, as regards quantity and purity; the approximate cost of obtaining a supply from said pond for the city of Boston; the objections, if any, to relying upon the same as a source of supply; the condition of the present conduit from Lake Cochituate, as regards capacity and safety; and the changes needed to prevent any waste of the present supply.

Alderman Stebbins—The Water Board, anticipating the passage of this order, have already commenced the inquiry called for, and as soon as a statement can be prepared it will be laid before the City Council. I have also seen statements in the press that the Mystic water is perfectly pure. I have here a specimen of what Mystic water does for steam boilers (exhibiting a solid collection of sediment taken from a boiler) and it is a subject of general complaint in East Boston. Pipes which ought to last ten years now last only three, five or six or eight months. Another point which I have no doubt will be brought out is that the Mystic water is brought here over a wooden bridge. Both bridges between Boston and Charlestown are connected with large lumbar yards, and it is easy to conceive of a great conflagration turning up those yards and the water pipes with them. Then, in severe gales, the bridges may be broken down. But I have no doubt that the Water Board and the City Engineer will give good and sufficient reasons for introducing the water from Sudbury River.

The order was passed.

Alderman Quincy—In this connection I wish to offer the petition of George B. Upton *et al.*, that here final action is had in regard to the project of taking water from Sudbury River and Long Pond, the whole subject be referred to a judicious committee to report, first, upon the expense; second, whether a supply for many years cannot be had from the Mystic, and the expense attending that introduction.

Alderman Quincy asked that the petition be referred to the Committee on Water.

Alderman Stebbins—I would call attention to the fact that the petitioners ask just what is meant to be done by the order I have offered.

Alderman Quincy—I merely offer the petition, which asks that the subject be referred to a judicious committee.

Alderman Stebbins—I would suggest that the petition go to the Water Board, as they have this subject under consideration.

Alderman Gihson—I would suggest that a judicious committee had better be appointed. If they have got good pumping capacity at Mystic Lake, it would be best to look into it.

Alderman Stebbins—This is precisely what I contemplated in my order. It is very well to say we have plenty of pumps and pipes, but I take it we have got an able Water Board and one of the ablest City Engineers in the country, and it is his intention to call to his assistance other engineers, and make a report entirely satisfactory to the citizens of Boston.

Alderman Quincy—I think it would be better to refer it to the Committee on Water, because it is a committee of this Board.

Alderman Stebbins—I would like to make further inquiry about that petition, and I move that it be laid on the table. Carried.

GAS PIPES IN THE STREETS.

Alderman Power offered the following:

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 Board of Aldermen of Boston as surveyors of highways to require the gas companies located within the limits of this city to lay down pipes and furnish gas in any public street or way of the city whenever in the opinion of said Board the public safety and convenience require the lighting of any street or way.

Alderman Power—My reason for offering the order is this: I don't know that gentlemen are acquainted with the facts in the case. In East Boston, and in South Boston more particularly, there are many streets which are entirely huilt over, and yet are in total darkness, from the fact that the gas company will not furnish light without a private guarantee to them. The city is likewise responsible for any damage to persons from falling into holes or breaking limbs. Now there are many old streets there, which are huilt over, and people can't have lights there because many of them are too poor to have gas in their houses. I never heard any complaints in the city proper. It seems to me the city ought to have the right to compel the gas company to put lamps there when they deem it necessary for the public good to do so.

Alderman Gibson—That street in East Boston has been built up for fifteen years, and the company has laid its pipes in about two-thirds of the street. Some time ago I asked them to finish the work that we might have street lamps. They refused to put the pipes down because the city refused to raise the rates of gas. I told them it was a pretty small way to manage.

Alderman Emery—I hope the order will pass. The object contemplated is a good one and is called for. It has come under my observation frequently, in parts of the city where I reside, that there is a great lack of gas pipes. I think legislative action should be had that the people may be accommodated with light.

Alderman Power—A great many citizens think it is the fault of the city and complain of our extravagance and want of system. We get a street nicely paved, and then the next day the streets are dug up for the gas pipes. In South Boston they refused to lay the gas pipes because they could not make enough out of the shutters to pay for the interest. If we had this power we could have the pipes put there.

The order was read twice and passed.

REPORTS OF COMMITTEES.

Alderman Emery, from the Committee on Public Lands, to whom were referred the petition of A. H. Foss and the remonstrance against the same, reported leave to withdraw. Accepted.

On motion of Alderman Quincy—

Ordered, That the Committee on Armories be authorized to expend a sum not exceeding \$700, in repairing and furnishing the armory of Company I, Ninth Regiment, M. V. M., at No. 544 Washington street; said sum to be charged to the appropriation for Armories.

Read twice and passed—yeas 12, nays 0.

On motion of Alderman Quincy—

Ordered, That there be allowed and paid for rent of armory for Company I, Ninth Regiment, M. V. M., at No. 98 Kingston street, for the two months ending August 1, 1873, the sum of \$52; said sum to be charged to the appropriation for Armories.

Passed.

Alderman Hulbert, from the joint special committee to whom was referred the petition of the East Boston Railroad Company, made a report recommending the passage of the accompanying order:

Ordered, That the act entitled "An act to incorporate the East Boston Railroad Company," approved March 8, 1873, be and the same is hereby accepted.

The order was read once.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the applications

of Owen Kennedy for hack stand at 87 Chestnut street; Davenport Brothers, to give entertainments at Tremont Temple; D. H. Cunningham for pawnbroker's license at 92 Court street; D. A. Nason *et al.* for transfer of wagon licenses; W. H. Hawley, P. Collins, S. T. Snow, and Edward Welch, for wagon license; Timson Brothers, for license to deal in second-hand articles at corner India street and Atlantic avenue; John Morrell, 124 Pleasant street, Louisa Jones, 137½ Dover street; William H. Andrews, 34 Crescent place, for victuallers' license; Abraham Troeder, for leave to deal in second-hand articles at 139 Harrison avenue. Severally accepted.

Alderman Sayward, from the same committee, reported leave to withdraw on the petition of John F. Bagley, 96 Merrimac street, for victualler's license.

Alderman Sayward, from the Committee on Faneuil Hall, reported in favor of granting the petition of L. L. Thaxter, for leave to use Faneuil Hall for a reunion of the Fusileers. Accepted.

Alderman Sayward, from the Committee on Health, reported favorably on the applications of S. B. Ryder, rear of 245 Lexington street; C. E. Hall, Castle street, for leave to erect wooden stables; and no action necessary on remonstrance of Charles A. Wiener, *et al.*, against enlargement of stable at 134 Eighth street. Severally accepted.

On motion of Alderman Sayward—

Ordered, That the Superintendent of Public Buildings be authorized to expend the sum of one hundred dollars in addition to the amount already authorized for music stands, the same being for music racks and fixtures, and to be charged to the appropriation for Incidental Expenses.

Passed.

Ordered, That the order passed May 6, 1873, charging the expense of procuring plans for the new police station house, South Boston, to the appropriation for Public Buildings, be and the same is hereby rescinded.

Passed.

Ordered, That the bill for Plans and Specifications for the new police-station house, South Boston, between K and I streets, be charged to the special appropriation for that building.

Passed.

Ordered, That the Committee on County Buildings be authorized to expend in addition to the sum of five hundred dollars appropriated for the fitting up of the Municipal Court room, Southern District, a further sum of eight hundred dollars, being the amount necessary for extending the heating apparatus for suitably heating said rooms, and said sum, with the sums previously appropriated for expenses on County Buildings during the present municipal year, being in excess of five thousand dollars; said amount to be charged to the appropriation for the County of Suffolk.

Passed.

Alderman Hulbert, from the Joint Standing Committee on Public Institutions, to whom was referred the recommendations of the grand jury of Suffolk, reported that in regard to the transportation of prisoners to the City Prison and thence to the houses of detention, they would recommend that the female prisoners be kept separate from the male prisoners, and that they be transported in vans under the control of the Police Department, and that the horses therefor be kept at the city stable. Accepted.

On motion of Alderman Hulbert—

Ordered, That the Cochituate Water Board be requested to consider the expediency of making some arrangement by which the delay now caused in sending to the City Hall for permission to shut off or let on water in the outlying wards may be obviated.

Passed.

Alderman Clark, from the Joint Committee on Streets, reported orders to pay H. H. Hunnewell \$770 on account of Essex-street widening, and the heirs of Jonathan Brigham \$2239 on account of the widening of Essex street. The orders were read twice and passed.

Alderman Power, from the Committee on Sewers, to whom were referred the assessments for sewers in Arch, Clifford, Folsom, Kingston and Eighth streets and Harrison avenue, reported that they were correct and recommended the passage of the accompanying orders for collection. The orders were read twice and passed.

Alderman Power, from the same committee, reported an order of notice for a hearing on Tuesday, Nov. 4, at 4 P. M. on the petition for a sewer in Sixth street. The order was passed.

Alderman Power, from the same committee, reported no action necessary on the petition of P. S. Briggs for Sewer in Westminster street; inexpedient on the petition of the Superintendent of Public Buildings for a sewer in Highland street; and no action necessary on the petition of F. Bleiler and others, for sewer in Heath street. Severally accepted.

Alderman Power, from the Committee on Paving, to whom were referred the petitions of E. A. Cushman,

Boston Society of Natural History and others, submitte reports recommending the passage of the accompanying orders:

Ordered, That the Superintendent of Streets be directed to grade Ruggles street, between the Providence Railroad and Parker street, to the established grade, and to reset the edgestones, pave the gutters and macadamize the roadway of said streets. Estimated cost, \$6000.

Passed.

Ordered, That the Superintendent of Streets be directed to pave the sidewalks on Centre street (Ward 15) from Eliot square to Highland street, and to report to this Board a schedule of the expense thereof.

Passed.

Ordered, That the Superintendent of Streets be directed to set the edgestones, pave the gutters and macadamize the roadway of Linwood square. Estimated cost \$1500.

Passed.

Ordered, That notice be and hereby is given to the Rowe's Wharf Corporation to remove within twenty days so much of the building standing on their premises as extends over the lines of Atlantic avenue and Broad street.

Passed.

Ordered, That the Superintendent of Streets be directed to pave the sidewalk on the westerly side of Berkeley street, between Boylston and Newbury streets. Cost \$200.

Passed.

Ordered, That the Superintendent of Streets be directed to set the edgestones and pave the sidewalks in front of vacant lot on Winthrop street near Warren street, and to report to this Board a schedule of the expense thereof.

Passed.

Ordered, That this Board establish the revised grades of Liberty square, Water, Batterymarch and Milk streets, as shown on a plan drawn by the City Surveyor, dated December 31, 1872, and deposited in the office of said City Surveyor.

Passed.

Alderman Power, from the same committee, reported in favor of granting the application of O. L. Gillett, for leave to project a sign at 141 Hanover street. Accepted.

Alderman Power, from the same committee, reported an order to pay Thomas J. Garrigan \$200, for grade damages on Paris street. Passed.

On motion of Alderman Clark—

Ordered, That the Chief-Engineer of the Fire Department be and he hereby is authorized to organize a steam fire engine company, to take charge of steam fire engine No. 24, the same to be located in the house corner of Warren and Quincy streets, Highland District, said company to go into service November 1, 1873.

Passed.

Whereas, John A. Fynes, a member of the Fire Department, and attached to Extinguisher Corps No. 1, was seriously injured at a fire while in the discharge of his duty.

Ordered, That there be allowed and paid to John A. Fynes the sum of 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.

Passed.

Ordered, That the Committee on Public Buildings be authorized to purchase a lot of land on Albany street, between Beach and Dover streets, and erect thereon an engine house for the accommodation of a steam fire engine and the horses and men connected therewith.

Passed.

BROOKLINE'S WATER SUPPLY.

Alderman Quincy presented the petition of William I. Bowditch, John W. Candler, George Griggs and Horace N. Fisher, asking that in consideration of the fact that by the recent annexation of Charlestown the supply of water is more than sufficient for all the wants of the inhabitants of the city, and of the fact that one of the reservoirs is in the town of Brookline, and the pipes of both the Cochituate reservoirs pass through, that the Cochituate Water Board be authorized to negotiate with the town of Brookline to supply the said town with water, under the acts of 1872, chapter 177, section 8.

Alderman Quincy—Before this petition takes its reference to the appropriate committee, I desire to take occasion to explain to the Board and through the reporters to the public in a very few words, the circumstances of its origin. It is proposed at the next town meeting in Brookline to authorize borrowing half a million dollars or considerably more to bring water from Charles River for the supply of that town. The act of 1872 authorizes the City of Boston to supply Brookline with Cochituate water on such terms as may be agreed upon. As the petition states one of our reservoirs is in Brookline and the pipes

from both pass through it. Now would it not be better if the town of Brookline should so vote for us to sell her the water she wants directly out of our pipes which pass through, rather than that a large sum should be added to her debt, which may be ours in no distant future in order to establish a separate system of pipes for a separate supply from Charles River. If annexation does take place then we shoulder the debt and have a system of pipes which we don't want, and which it is more than likely may interfere with the metropolitan plan for a comprehensive system of sewerage and drainage. If annexation never takes place, yet Brookline remains in the area which it is universally agreed should adopt such single and comprehensive plan of sewerage, drainage, and water supply, and it would certainly seem an advantage for us to sell her what water she wants, thus making her water supply a part of the general system. If this petition had been circulated it would have obtained hundreds of the best signatures in Brookline, but it was drawn and presented today, in order that public attention might be called to the matter before any decisive action in town meeting.

On motion of Alderman Quincy the petition was referred to the Committee on Water.

HAYES'S STABLE.

Alderman Hulbert asked for a suspension of the rules, that he might move to reconsider the order passed October 13, revoking permission to Martin Hayes to build stable on Berkeley and Appleton streets.

Alderman Stehbins asked for an explanation.

Alderman Hulbert—I think the vote passed at that time is illegal, and I desire a reconsideration that the question may be opened again.

The rules were suspended—11 for and 1 against.

Alderman Hulbert moved that the vote by which the order above referred to was passed be reconsidered. Carried.

Alderman Hulbert—Independent of the merits of the question, I think from what I have been informed that it was not in our province to pass that order. I understand that the City Solicitor has expressed the opinion that when permission has once been granted to a person to build a stable that license cannot be revoked and the person has a vested right therein of which he cannot be deprived.

The question recurring on the passage of the order, Alderman Sayward moved that it be indefinitely postponed.

Alderman Clark—I don't exactly understand this question, and should like an explanation.

The Chair said the question was on the passage of the order to revoke the license of Mr. Hayes to erect the stable.

Alderman Hulbert—As I understand the case, it is this: Although the stable was partially burnt, it did not destroy the right which the owner had to have a stable there. As I understand it, we had no right to pass the order revoking the license. Believing that to be the case, I bring it before this Board that we may act advisedly. The question is whether we have this right to revoke the license? I quote from a letter from the City Solicitor written in 1870 on an entirely different matter. If gentlemen prefer to lay this matter on the table to consult about it, I will not object.

The motion of Alderman Sayward to indefinitely postpone was carried.

Alderman Sayward, from the Committee on Health, to whom were referred the petition of Martin Hayes, for permission to rebuild his stable on Berkeley street, reported that they had heard the parties in interest. It is contended by parties in aid of Mr. Hayes's petition, that a stable in that locality is absolutely required, and their experience has shown that for cleanliness, good order and gentlemanly deportment of attendants, together with good light and ventilation, it has not been equalled by any stable in the city. The remonstrants generally acknowledge that the stable has been well conducted; yet they oppose a continuation of the same for the following reasons: 1st, that a stable is objectionable in that locality from the fact that it would lessen the value of real estate; 2d, its close proximity to three churches; 3d, if permitted to remain, the rates of insurance must naturally be increased; they are also of opinion that other locations better adapted for stable purposes can be obtained in the neighborhood. In conclusion, your committee are of the opinion that no positive injury can arise by granting the request of Mr. Hayes, and would recommend that said request be granted, with such restrictions as shall be acceptable to the Inspector of Buildings and Committee on Health.

Alderman Stebbins asked if an order requiring a license had been reported.

Alderman Sayward—No order is required. The committee recommend that he have permission to repair the stable. If the report is accepted by this body Mr. Hayes can repair his stable under the direction of the Committee on Health.

Alderman Stehbins—I notice that some of the remonstrants are present and desire to be heard. I move they have permission to say a few words on the subject.

Alderman Sayward had no objection to the remonstrants being heard, but the committee had given notice to all parties and they were heard, still if there is anything new he would be glad to hear it.

Permission being given the remonstrants to be heard, Hon. Charles W. Slaek, on behalf of the proprietors of the Parker Memorial Meeting House, said, "The aspect of this question has very materially changed by the orders passed this afternoon. A new question seems to have been raised, whether Mr. Hayes should be allowed to build a stable in that vicinity again."

It is not for me to question or dispute the opinion of the City Solicitor, but if that is correct law you cannot revoke any license which you give to anybody. The application of this doctrine prevents you from revoking his license. What I desire to say on the main question is that we have built an expensive building in the confident expectation that the stable would be only a temporary inconvenience to the neighborhood, and we have understood that Mr. Hayes desired to remove it soon; yet from this action it appears that he has the right to remain there. All we can say is, we trust he may be permitted to repair the old stable and not build a new brick building. If a wooden building is allowed to remain there, the rise in the value of land will be prevented. We have had quite a manifest improvement in the character of the vicinity since Martin Hayes's stable was put there. There are the Odd Fellows' Hall, the Parker Memorial Building, the Berkeley-street Church, and the Presbyterian Church, of which Rev. Father Blaikie is pastor. The streets in the vicinity have all grown up with fine buildings. Gray street, Warren avenue and Appleton street are all filled with very worthy residents. These streets converge into this immediate vicinity, and we all feel that our property there would be increased in value if the stable were removed. We all know that Mr. Hayes has contemplated the erection of a Music Hall on that site, and he has consulted architects and the proprietors of the Music Hall in regard to seating capacity. He does not contemplate remaining there very long. In regard to the store property all we can say is that the stores in the Odd Fellows' Building were leased long before the building was finished. It is the centre of streets connecting with all parts of the city, from South and East Boston and Roxbury. We expect Mr. Paul will erect a new building next spring, and on the other side Messrs. Bailey & Jenkins will remodel the building on their site. If we are to have a permanent stable there, all that property from which the city will derive a handsome income, will not be improved in the manner in which it will be if the stable be not removed. Therefore we would like the Board not to issue a license of such a nature that the stable shall be a permanent structure. On our own part we think the stable ought to be removed. If this order had not been passed this afternoon, we should have stood on our legal rights and not allowed the stable within a hundred yards of the meeting house. I would like to ask Mr. Wheaton a few questions as to the prospective damage to property there in case the stable remains.

Alderman Sayward—I don't object to taking all night, if necessary, but at the committee meeting no parties appeared for the Odd Fellows' Hall or for Berkeley-street church and the party who appeared for the other church withdrew all his objections. As to the power of this Board to revoke the license, I presume that when this Board declares Mr. Hayes's stable a nuisance, the permit will be revoked by the Board of Health.

Mr. Slack called Mr. Wharton, who was interested in the Odd Fellows Building, who said a permit to repair would be preferable to a permanent stable building there. The stockholders of the Odd Fellows' Building were much opposed to the stable remaining there, and think it would be detrimental to real estate.

The report was accepted.

Alderman Sayward moved a reconsideration, and it was rejected.

THE OLD MATHER SCHOOLHOUSE.

Alderman Gaffield, from the Joint Committee on Public Instruction, to whom was referred the order to cancel the sale of the old Mather Schoolhouse, reported that the order ought to pass.

Alderman Gaffield—As it was thought best not to present a long report, which might furnish the text for another protracted discussion, it may be well to give a brief statement of the reasons which led the committee to recommend the passage of this order. The three gentlemen of the Mather School Committee residing in Dorchester were notified to attend the hearing, and two were present, the other being ab

sent at the West. The subject in all its bearings was fully considered during a session of more than two hours. The testimony of Dr. Cushing, the chairman of the District Committee, confirmed, with a slight exception, every statement of his letter to the Alderman of the Twelfth Ward, which I will read, as it very briefly and truly covers the whole ground.

DORCHESTER, Aug. 9, 1873.

Dear Sir—In answer to your request for information as to the expediency of keeping the old Mather Schoolhouse for a primary-school building, I reply that every room in the new building will be occupied in September, and, in my opinion, we shall need additional accommodations for primary scholars, in the course of the coming year. I understand that it is the intention of the Superintendent of Public Buildings to fit up the old almshouse for this purpose. It is, in my opinion, unfit for a schoolhouse, the rooms being low, and the building itself standing on the south side of a high gravel bank, and with no proper playground about it. By moving the old schoolhouse about one hundred feet you will have as good accommodations as could be wished for for three hundred children, who will then be more immediately under the eye of the master. While I should myself prefer to see all buildings—except the old meeting house—removed from the hill, thus making it an open common, I must allow that, by keeping the old schoolhouse for future needs, a very considerable sum of money will be saved to the city.

Yours respectfully,

BENJAMIN CUSHING.

To Alderman Power.

The slight exception referred to was in regard to the expense of placing the schoolhouse in its new position on the hill. If it should cost the city a very large amount, Dr. C. might prefer to expend that amount in erecting small primary schoolhouses in various portions of the district. But at an expense of \$5500, or even \$7500, he thought it would be wise economy to preserve upon Meeting-House Hill a building which would accommodate three hundred primary pupils, and answer the wants of the district for several years. The simple facts in the case are these. The new Mather Schoolhouse has ten school rooms and an exhibition room. When the ten rooms are filled to the maximum allowed by the rules or practice of the School Committee, of forty-nine in primary classes, fifty-six in the lower grammar classes, and thirty-six pupils in the two upper ones (this being a school for boys and girls), there will be 499 pupils. On Wednesday last, according to the list furnished me by Dr. Cushing, four hundred and forty-two were connected with the school. The ten rooms are now occupied by seven grammar and three primary classes. The primary classes are already over-crowded. By promotion from these primary classes, about eighty new grammar pupils are added every year, while a much smaller number graduate and enter the high schools, so that it will sooner or later be necessary to use the new building entirely for grammar-school classes. When this necessity arises, in order to provide for the nearly two hundred primary scholars now accommodated in the new building, the city must adopt one of three plans.

1. To purchase a suitable lot of land, and build thereupon a new schoolhouse, at a cost of \$30,000 to \$40,000.

2. To alter the old almshouse for school purposes at an expense of about \$5000.

3. To save the old Mather School building, and remove it upon land owned by the city, within a few rods of its present location on Meeting-House Hill.

The first plan received no favor in the committee. The second is opposed by the School Committee, the Committee on Public Instruction, and many of the best inhabitants of Dorchester. The old school building is preferable to the old almshouse, however it might be improved, and its healthy and commanding location on Meeting-House Hill is unrivalled, if not incomparably superior to that of any other school edifice in Dorchester. The committee by a vote of two to one decided in favor of the third plan, and therefore report that the old building although somewhat damaged by preparations for moving, is still in such good condition from its original excellent construction in 1856, that it can be moved, repaired and put in perfect order for use at a small fraction of the cost which would be incurred for a new structure in another location. It is, therefore, true economy to pass the order recommended by the committee.

Alderman Sayward—Mr. Chairman, a fact is one thing, an opinion another. Now, sir, when I state what I believe to be a fact, and that statement is contradicted, I must endeavor to give some reason for such a statement. I have more than once said that we have no use for this old building, of which so much has been said. To prove this, gentlemen, I have to say that, at the request of the School Committee, the city of Boston has provided much better

accommodations for the Mather School District, and all that will be needed for some years to come, in my opinion; and this opinion is strengthened by the evidence of Dr. Cushing, who says that the committee have not asked for additional accommodation, and do not intend to for the present, but can get along with what they have. Now, sir, I should think they would get along with what they have, not having occupied this splendid new schoolhouse more than six weeks. A house, sir, with every convenience, and plenty of spare room, ought to satisfy any committee, at least for a few years.

Now, sir, during the whole time of preparing plans, erecting and completing this schoolhouse, not one member of the committee or a teacher has ever intimated that it would not accommodate all the pupils in this district for some time to come. On the contrary it has been asked several times during its erection, Why build so large a house? And further than this, sir, from the time the order passed the City Council to sell this building, up to the present time, no member of the School Committee has asked either the committee or Superintendent of Public Buildings to retain this building for school purposes. Then why this great cry about selling an old wooden building which we have no further use for? Is it because the local School Committee want it to remain as an ornament to the new house or to Meeting-House Hill? No, sir; the evidence given by the member of the School Committee was, that the absent member, Mr. Sanford, did not think it judicious to have the building remain on the hill, and he himself would prefer to have it removed, and if it must remain, there was but one place for it, viz., where the hook and ladder House stands. This is the opinion of Dr. Cushing, so that the old sheds need not be removed for this. And as this old schoolhouse is not to take the place of the sheds, Dr. Cushing having distinctly said this could not be considered a proper location, and as the party who opposed the moving of the building through the street finds it is not to take the place of these sheds that my friend on the left is so much troubled about, he will waive all objection and give the Committee on Paving a chance to grant the request of these petitioners, and allow Mr. Sanborn to move his building in as many or as few pieces as in their judgment may be for the best interest of the parties concerned. And now, sir, I desire to say that I hope this matter will be indefinitely postponed for the following reasons, together with those I have already given: First, Because it was stated by my friend on the left, last Monday, that Dr. Cushing said that every seat in the new schoolhouse was spoken for, and there were scholars enough to fill every seat in the schoolhouse. Now, sir, this is not a fact. I said "There will be two vacant rooms notwithstanding what Dr. Cushing says." Now, gentlemen, in saying this I did not, for one moment, doubt the word of Dr. Cushing. No one can hold that gentleman in higher esteem than I do. But this was not his language. His language was, as he has stated to me, that "every room would be occupied," and this, sir, is true, and if there were but fifty pupils every room could be occupied, but they are not full now. My argument that we did not need any further accommodation in that district was based upon the report of the Committee on Accounts of the School Board of 1873, just out. This gives the average number attending the Mather District, to be 308. With this number for the basis, how many seats would be unoccupied in a schoolhouse with ten rooms, with seats for fifty-six scholars, in each room? Well, sir, if I can figure correctly, there will be 252 seats unoccupied. Now, gentlemen, it is said this report of the School Committee is not to be relied upon. Let us take it as given to me by the master of the Mather School, and see if I have not made a correct statement when I say the house is not full, and that they can and ought to get along with their present accommodation for some time to come.

Statement from Master:

Grammar Teachers.	Pupils.	Seats.
Miss Bailey's room.....	42	(lowest class) 56
Miss Shepherd's room.....	30	56
Miss Austin's room.....	43	56
Miss Jenkins's room.....	46	56
Miss Dunnell's room.....	42	56
Miss Jacobs's room.....	31	56
Miss Symms's room.....	35	56
Total.....	269	392
		269

Vacant seats.....123

Then, there is a large hall in this building which will accommodate at least a hundred more. Now gentlemen with these facts before you, together with the changes which are now being considered by the School Committee of Ward 16, the city will not, in my opinion, be warranted in spending one dollar for the purchase of this old building which we have no use for, and never shall have, in this district or in any other district in Ward 16 for

years to come, if the plan of the School Committee is adopted for primary schools, which seems to be a very sensible one for that locality. Dr. Cushing's opinion is that they may want the building; but it is only an opinion.

Mr. Chairman, there are many reasons why we should not take this building back, and the most potent one of all is that we do not need it; and I make this statement not simply as an opinion, but from evidence obtained from Dr. Cushing. He says the committee have not asked for further accommodations, nor will they for the present. He also says that for Ward 16 it is impossible to get a large number of small or primary children in any one building. Now, sir, if there was to be any need for further accommodations, in the course of a year, more or less, it would only be for a primary class, and that can be provided for without any expense to the city, right in this new schoolhouse, with a little management by the committee and teacher. This is so, not because I say so, but it is admitted both by committee and master. Now, sir, whatever may be the call for additional room, it can be provided without expense to the city, and shall we stick up this old house as a target for the children to fire at, at an expense of several thousand dollars, to start with, and then to keep in repair for years to come, without any possible chance of ever wanting even one single room to use? As I have before stated, Dr. Cushing says we cannot get any large number of small children in one locality to fill such a building. And then, again, should we mar the appearance of the new house and the hill by putting this useless nuisance upon a spot designated by my friend on the left, when Dr. Cushing says it is not a proper place, and that there is but one place that it ought to stand upon, and that is already occupied by the hook and ladder house?

Now, sir, if it is the desire of this Board to be prudent in the expenditure of the city's money, do not vote to keep what we do not want and have no use for. But do as we do in every case where there is an old building or land that we have done with. Sell to the highest bidder, as we have within the last few weeks sold an old brick schoolhouse, and if any one should apply to move *this* one, I suppose these gentlemen who are blessed with such superior judgment and are so much more anxious to save the money of the city than the Committee on Public Buildings are, that instead of granting or refusing permission to move, would take the course they have taken in this case, which, to say the least, is a very uncourteous one, and uncalled for, as it appears that the Committee on Public Buildings have done what is for the best interest of the city, namely, sold this old house to the highest bidder. And if this matter were left with them to decide, with these facts and opinions before them, they would unanimously decide not to cancel this contract, unless they could be allowed to sell again with the assurance of the Committee on Paving that the party buying it should have permission to move it either whole or in sections. And even with this *privilege* it would be a losing operation for the city to buy it back, although by so doing they might put money in the pocket of a party who thought he had so much influence at the City Hall that he could get permission to move this old building whole, notwithstanding the terms of the sale were that it should be taken down. And this, sir, accounts for the large price the building brought—a much larger price than other buildings have brought which the city has sold in other localities under the same circumstances. Now, sir, I believe that is pretty much all I have to say. I believe still stronger, since this examination, in the position I have taken, for I am better posted. This is the building which they say will accommodate three hundred scholars. Is it best to put it on that hill, as a monument which every one will regret to see. If you wish new accommodations they can be had in the almshouse. The gentleman says the circumstances have changed. Dr. Cushing's views have changed since that letter was written. He has the same views in regard to altering this building that I have. I desire to say a single word in reference to the poorhouse. My friend says it is not a fit place for a schoolhouse because it is low studded.

Alderman Gaffield—I made no remark about its being low studded. I said it was an improper place no matter how it might be altered.

Alderman Sayward—I admit it is low studded, but there is plenty of room in that building. They have got more school room in that district than they would have got had they remained in the town of Dorchester for a hundred years to come. Dr. Cushing's argument against this old house is that the building was formerly occupied as an almshouse. Well, we had six or seven paupers, respectable old ladies and men. Out of that number but two had to be taken to Deer Island. Now, Dr. Cushing says the people

would send to that place because it is a disgrace. If this is Dr. Cushing's opinion I pity him, and if that is the feeling of the people of Ward 16, high or low, rich or poor, it is time we stopped giving them such fine school accommodations. This matter has been back and forth from one committee to the other. The gentleman on my right has fully changed his opinion, but for what reason I can't see. I can only hope for the interest of the city of Boston that this order will not pass, and I hope so not to gratify any personal feeling about it. I have spoken the truth, and if there is anybody who doubts I would like to hear from him.

Alderman Gibson—We have spent a good deal of time on this schoolhouse. Since this discussion commenced I have made an estimate of what I say it is worth to be put into a dwelling or schoolhouse. I value that schoolhouse for a dwelling, when we come to dollars and cents, at from three thousand to thirty-five hundred dollars, if you have got land within a hundred feet of it to put it on. For a schoolhouse it is worth five hundred more. The question is whether it is wanted for a schoolhouse or not. If it is, that house is just as well worth five thousand or five thousand five hundred as one cent is worth another. It is called old, but it is not. It is a substantial building, and there is very little to do to change it into a good schoolhouse. As the Chairman of the Committee on Public Instruction says, there is no doubt we ought to move it upon the land, and if we want it for a schoolhouse there is money in it to keep it for that purpose.

Alderman Gaffield—I have put in my report all the points which I supposed relevant to the matter. The gentleman says there are so many seats in the building. [The Alderman read the rule of the School Committee requiring not more than forty-nine pupils in a room.] He says I have changed my opinion; and whether I have or not, I shall vote as I think right. In the gentleman's remarks he omitted the primary school accommodations.

Alderman Sayward—I have it here and forgot to mention it. In Miss Howe's room, 46; Miss Drake's, 57; and in Miss Brooks's, 81—making 184. One of these is for little children who have just entered school, and had better be at home. If these little chaps have to climb over those hills, the master says it will be better to put them into the almshouse. Put them there, and you will have plenty of room.

Alderman Gaffield—There are three primary and seven grammar classes, making 453 scholars. The maximum number is 499, leaving 46 vacant seats. A gentleman told me they had about forty new scholars every six months. Last year they graduated sixteen for the higher schools, and according to a fair estimate this school would need more accommodations in six months. [The Alderman read from the testimony of Dr. Cushing before the Committee on Public Instruction, "he thought it better to have small buildings for the primary schools but would prefer the old Mather Schoolhouse to the Almshouse."

Alderman Sayward asked what was Dr. Sanford's opinion.

Alderman Gaffield—Dr. Sanford was not there. Mr. Moseley testified that "it would be a great saving to the city to put the old Mather Schoolhouse back again."

Alderman Sayward—Dr. Sanford thinks that this old schoolhouse ought not to remain there, and Mr. Moseley is desirous that one of those small schoolhouses should be down at Savin Hill, which would relieve this new house somewhat. The School Committee ought to have more economy. It is something very unusual for this Board to be in advance of the School Committee. When they come to build a schoolhouse on Savin Hill, there will be plenty of room in this new building. There is another schoolhouse in Dorchester, on Columbia street, having six rooms and a large hall in it. They might manage to get more of their scholars in the Columbia-street school. It was the best economy to build one in that neighborhood and it will be all they need for some time to come. Gentlemen may talk of it just as much as they have a mind to, but it is plain to me there is no need of this building there.

Alderman Gaffield—I will call the Alderman's attention to Dr. Cushing's opinion, "several small schoolhouses should be built." This could not, in my opinion, be carried out in the city of Boston. He would like to have a primary schoolhouse for every fifty or a hundred pupils. Of course we can't entertain that idea. The School Committee say they will want more accommodations in one year. This building is valued on the books of the School Committee at \$20,000. What troubles the members of this Board is that there is a building which cost \$20,000, which is at

present in good condition, has been sold for so small a sum, when there is evidence that it will be needed. The committee thought it would be better to save it, even if we shall not want it tomorrow.

Alderman Sayward—The gentleman's opinion is that Dr. Cushing's idea can't be carried out. If it can't be carried out the small schoolhouses can't be built. One thing is sure, this district never will want that schoolhouse.

Alderman Power—As I stated at our last meeting, I was not content to let the matter rest on the evidence which might be brought before the Committee on Public Instruction. But I supposed the report of that committee would have settled the question. It is fully proven here that this schoolhouse is going to be wanted. The question is how many primary scholars there are—they are the ones, it was asserted, for whom it would be wanted. The primary schools are crowded now. Nobody ever said it would be wanted for anything else than a primary school. I know from the class of people who reside about there that further accommodations will be needed. The neighborhood is getting to be very thickly populated. Dr. Cushing has said emphatically that all the rooms in the new building are full. I made a mistake when I said that every seat was taken. I found by reference to the letter that he stated that every room is occupied with scholars. Now, as to the schoolhouse marring the appearance of that hill, it will be as good looking an house as the new one, when the damage that has been done to it shall have been repaired. There can be no difference of opinion as to the almshouse, as a site for a school. There is no comparison as to the fitness of the two locations. No one would ever think of repairing the old almshouse for a schoolhouse. But as I said before I am content to leave it to the Committee on Public Instruction, and I think this Board should be governed by the report of that committee.

Alderman Hulbert—I would like to inquire of the members of the Fire Committee what reasons there are for dissatisfaction with the hook and ladder house, whose removal is contemplated in connection with the removal of this schoolhouse.

Alderman Clark—The building occupied by the hook and ladder company is entirely too small; the horses are not kept in the building, and it is impossible for the driver to ride out of the building on the carriage, because the building is so low. It is inadequate to the wants of the department, and it is proposed to erect a new building near the present steam engine house in that district.

Alderman Hulbert—From what was stated on this subject before, I was led to have an indefinite idea of the damages that the treasury will sustain by cancelling the sale to Mr. Sanford. One member remarked that he would receive \$1200. I would like to be informed.

Alderman Sayward—The \$2000 includes the price paid for the building.

Alderman Hulbert—Do I understand that we pay him a bonus of \$1200 to give up the contract?

Alderman Sayward—Yes, sir.

Alderman Power—That twelve hundred dollars will not more than make him whole. He has prepared the land to put the building on. He may have to pay the contractor who was to move it.

Alderman Sayward—I don't blame any one for getting all he can from the city, but I don't believe he has spent more than a hundred dollars, except in digging his cellar; my friend has intimated that the contractor would have to be paid something. The contractor put those timbers under the house on the strength of encouragement he got from some one representing the Committee on Paving. Those timbers have been under there ever since. There are certain other parties, beside Mr. Sanborn, who have had something to do with this building. They were led to give more for it on account of the influence which the party is supposed to have at City Hall, and this is their reason for wishing to have it taken down.

Alderman Power—The best proof that the person's influence didn't amount to much is the small amount he is to get for the building. I don't know anybody in the transaction but Mr. Sanborn, and I don't know any other parties to whom the gentleman alludes.

Alderman Sayward—I stated just what has been said to me. If the gentleman don't know those parties I can't tell him.

Alderman Quincy—If the question for us to decide were whether we shall sell this building or not, I should vote against it. But the question is whether we shall pay \$1200 and back out of our bargain, and therefore the burden of proof is on those who desire to have it sold. In view of the absence of stronger testimony I shall vote against the order.

Alderman Power—I don't know what kind of proof the gentleman wants. The order for buying it back

passed the Common Council 34 for, to 11 against it, and the committee were unanimous in favor of it. I don't think there is need of any further proof.

Alderman Gibson—Every member of this Board is satisfied as to whether this building is fit for a schoolhouse or not. We have spent time enough on it. If it is wanted for a schoolhouse I go for keeping it there.

Alderman Sayward called for the yeas and nays on the acceptance of the report, and the vote was as follows:

Yeas—Aldermen Bigelow, Brown, Clark, Cutter, Gaffield, Gibson, Hulbert, Power—8.

Nays—Aldermen Emery, Quincy, Sayward, Stebbins—4.

The report being accepted, the question was on the passage of the order to authorize the cancelling of the sale at an expense not exceeding \$2000.

Alderman Sayward—Now, sir, if this order is to pass I desire to have it amended. There is no money to pay for this in the appropriation for public buildings. I desire that provision shall be made for it. The question will come up if you adopt this order. What is to be done with it and how does the matter stand? I ask the chairman of the committee to state in regard to it.

Alderman Gibson—I think the money could be provided. It is a fair transaction. The purchaser comes and offers to sell the building and take his offer.

Alderman Stebbins—Has the \$800 been paid for the building?

Alderman Gibson—I could n't say.

Alderman Sayward—The building has been paid for and the money has been put into the treasury. We have got to get the \$2000 somewhere. Where is it to come from? And how will the matter stand after you have got the \$2000 and paid for the schoolhouse?

Alderman Gibson—From the evidence we have I think we certainly made a mistake in selling that house. It is as good a one as we can build in the next twelve years. If we don't want to have another schoolhouse there, and the city doesn't want to speculate in private dwellings, let it be sold again. There is no trouble about the money, although money is short just now. The members of this Board are able to put their fingers in their pockets and make the payment.

Alderman Sayward—The gentleman is president of a bank, and the banks I know have been very liberal of late.

Alderman Gibson—Does the gentleman mean to say that the house isn't worth rebuilding if it is wanted by the city.

Alderman Sayward—I think if it is wanted for school purposes it is n't policy to keep that old building to accommodate the scholars in the new one.

Alderman Gaffield repeated Dr. Cushing's evidence before the committee, previously read.

Alderman Sayward—I am not speaking of economy. The gentleman wants to put up a monument on Meeting House Hill to be looked at. He says they can get along for a couple of years. It is only a matter of opinion whether any more schools will be wanted there. If it is wanted it is n't policy to keep that big building at such an expense as we will have to do.

Alderman Power called for the question, and the order was passed.

Alderman Power moved a reconsideration hoping it would not prevail. Lost.

Alderman Sayward—I desire to ask how this schoolhouse is to be disposed of? How is the money to be provided? What is the next thing to be done? The old house stands right up against the new building. I want to know whether we shall pay for this building or fall back upon the original order, under which the Committee on Public Buildings will have power to sell it again.

Alderman Gaffield—If the Committee on Public Buildings should dare to do such a thing, in my opinion it would be wrong, after what has passed in this Board and in the Council. When the appropriation is exhausted I take it there is wisdom enough in the committee to come to this Government and ask for more.

Alderman Sayward—The Committee on Public Buildings dare to do anything which this Government directs them to do. I only stated this to the Board to show how it stood. That original order stands ready to be carried out.

The Chairman stated that this order is to cancel the sale previously made, and will have to go to the Council for concurrence.

On motion of Alderman Stebbins it was voted that when this Board adjourn, it be to Tuesday, November 4th, at four o'clock P. M.

On motion of Alderman Gibson the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

OCTOBER 30, 1873.

The regular weekly meeting of the Common Council was held this evening, E. O. Shepard, President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Petitions of Hersey Brothers and others, and requests from the School Committee were referred in concurrence.

The following papers also received concurrent action:

Reference to Committee on Streets of a communication from the Board of Street Commissioners placing their estimate of the cost of widening Granite street, from its junction with Second and Third streets, on a line parallel with A street to Broadway, at \$39,000.

Reference to the same committee of a communication from said commissioners asking the advice of the City Council in relation to the extension of D street.

Report (leave to withdraw) on petition of Abraham S. Foss *et al.*, for change in conditions of sale of land on Seaver and Sumner streets. Accepted.

Order to allow John A. Fynes \$50, on account of injuries received as a member of the Fire Department. Passed, under a suspension of the rules, on motion of Mr. Anderson of Ward 3.

Orders to rescind the order of 6th of May last, charging expense of plans of new Police Station House, South Boston, to appropriation for Public Buildings, and that the bill for plans and specifications for said station house be charged to the special appropriation for that building. Passed.

Report of the Committee on Public Instruction in favor of passage of the order to cancel sale of Old Mather Schoolhouse. Report accepted and order passed.

Order that Water Board be requested to consider expediency of making some arrangement by which the delay in sending to the City Hall for permission to shut off or let on water, in the outlying wards, may be obviated. Passed.

The following were severally read once:

Order for expenditure of \$100 in addition to amount authorized for music stands.

Order that the further sum of \$800 be authorized to be expended for the fitting up of the Municipal Court Room, Southern District.

Order to pay for rent of armory of Company I, Ninth Regiment, Kingston street, for two months. \$52.

Order authorizing not exceeding \$700 to be expended in repairing and furnishing armory of said company at 544 Washington street.

The order authorizing a steam fire engine company to be organized to take charge of Engine Twenty-four, to be located at house corner of Warren and Quincy streets, Highland District, having been read once, Mr. Jones of Ward 14 moved to amend by inserting after the words "Chief-Engineer" the words "and Board of Engineers." The amendment was adopted.

Mr. Jones moved a suspension of the rules that the order might pass.

Mr. Shaw of Ward 5—I don't see any necessity for suspending the rules. Why is it that, in the face and eyes of the ordinance for the reorganization of the Fire Department this order should be passed? What is the necessity for it? It seems to be boys' play, since the whole department is to be reorganized.

Mr. Dean of Ward 12—My impression of the ordinance is that all members of the department who are in office shall remain till others are put in their places.

Mr. Shaw of Ward 5—I admit that, but why give the appointment to men who may be deposed from their offices the next day. Why this haste to have it done tonight? It is not reasonable. It may be that the same men in the Fire Department will be reappointed. What is the great desire to rush it through now? I hope reasonable time will be given for the consideration of all these matters, whether it is for the old organization or the new one. I have no idea who is to be appointed commissioners or to work the apparatus, but when the department is to be reorganized, why get up and appoint men to places from which they must necessarily be deposed, whether they are reappointed or not. I hope the rules will not be suspended.

Mr. Jones of Ward 14—My explanation of the reason for asking a suspension of the rules is that the engine house is completed and ready to be occupied tomorrow. It is the intention to place a company in that house immediately, and for the last four weeks we have had this order for the appropriation before us.

Mr. Shaw of Ward 5—I would not say a word against this if the department was going on in its present shape. If it were to reinforce the old department I would not object; but it would be foolish to appoint a new set of men, and get them into uniform, when by and by they may have to give up their places.

Mr. Davis of Ward 14—The location of the engine house demands that the company should be organized there immediately. We have an engine in the house and no men to take care of it. I hope the order will be passed this evening.

Mr. Shaw of Ward 5—Unless the Fire Department is better managed than it was last evening I hope it will not pass. I was at the fire in State-street Block before the alarm was sounded. I saw a ladder put up on the building, and it was ten minutes before a man went up on it. Others saw it beside myself. There is something wrong in the department; there is no head to it, or else there is no organization. That was a fire which need not have burned ten minutes, if it had been properly managed; I happened to be very near it when the fire broke out. I want to see no more companies organized under the present management. We have got more men and apparatus than any other fire department on the globe. The difficulty is not with the men but the direction.

Mr. Flynn of Ward 7—I believe the gentleman is making statements which cannot be proved.

Mr. Shaw—I can prove every statement I have made.

Mr. Flynn—There are gentlemen in this building who will state that there was a stream on that fire before the alarm was sounded. There are gentlemen present who were at that fire, and they know there was a stream on the fire at that time. It may be very well for the gentleman to attack the engineers now that the ordinance for a fire commission has passed, but he would not do it before.

Mr. Shaw—I beg the gentleman's pardon. I never attacked the engineers. I said the department was not properly organized. His Honor the Mayor was present and gentlemen of the Council who are members of the Joint Committee on Fire Department.

The rules were suspended, and the order was passed, in concurrence.

A motion to reconsider, by Mr. Jones of Ward 14, was lost.

The order authorizing a lot of land to be purchased on Albany street, and for the erection thereon of an engine house for a steam fire engine and horses and men connected therewith, having been read once, Mr. Flynn of Ward 7 said, This order giving such authority to the Committee on Public Buildings is unprecedented, so far as my knowledge of the business in this Council goes. They are given full authority to purchase land without informing the Council of the cost thereof, or where the engine house is to be located. I hope the committee will give us some information on these points.

Mr. Jones of Ward 14—I think the order is worded wrong. The Committee on Fire Department recommended the location of the engine house there, and I suppose from the form of the order that the committee on Public Buildings considered the cost. It was thought best to put a steam fire engine in place of the hose company.

Mr. Caton of Ward 11 moved that the order be committed to the Committee on Public Buildings.

Mr. Flynn suggested an amendment that the committee be instructed to report the cost of purchasing the site.

Mr. Caton accepted the amendment, and the order was recommitted.

Order requesting Mayor to petition General Court for an act authorizing Board of Aldermen to require gas companies within the city limits to lay down pipes and furnish gas in any public street where the same may be required.

Mr. Shaw of Ward 5—Before that order passes I suppose gentlemen will understand that what it proposes cannot be legally done. The city cannot compel a private corporation to do that thing. I say this that it may go upon record as my opinion.

The order was passed, in concurrence.

The report of the Committee on Overseers of the Poor, nominating Alvan Simonds as an Overseer of the Poor, in place of Thomas Blasland, deceased, and the certificate of the election of said Simonds as such Overseer by the Board of Aldermen, was received.

Mr. Page of Ward 9—At the request of Mr. Simonds I wish to state that his name is used in con-

nction with this office without his knowledge. His business is such that he cannot accept the office, and he requested me to withdraw his name.

Mr. Pease of Ward 1—Inasmuch as the gentleman nominated declines to serve, I move the report be re-committed.

It was so ordered, and on motion of Mr. Page of Ward 9 the certificate of election of Mr. Simonds was laid on the table.

Order that the Water Board be requested to furnish information on the condition of the water of Mystic Pond as regards quantity and purity, the cost of obtaining a supply, the condition of the present conduit from Lake Cochituate, etc., etc. Passed under a suspension of the rules, on motion of Mr. Pease of Ward 1.

UNFINISHED BUSINESS.

Order authorizing soundings and borings to be made to ascertain character of foundations required for Eastern-avenue Bridge, at not exceeding \$2000. Passed, in concurrence.

Report and order authorizing the new Mather Schoolhouse to be furnished, and to complete filling and grading around said schoolhouse, at an estimated cost of \$4500. Passed, in concurrence.

PETITIONS.

Mr. Thacher of Ward 15 presented the petition of Edward Gallagher, for leave to erect a wooden building at 632 Harrison avenue within the building limits. Referred to the Joint Committee on Survey and Inspection of Buildings.

Mr. Page of Ward 9 presented petitions from Colonel B. F. Finan of the Ninth Regiment M. V. M., for suitable armory accommodations for a regimental organization, and from Battery A, First Battalion Artillery, for a new armory and for an appropriation of \$600 for new stoves and furniture. Severally referred to the Committee on Armories.

Mr. Flynn of Ward 7 presented the petition of M. Drinan & Co., for leave to erect a wooden building within the legal limits. Referred to Committee on Survey and Inspection of Buildings.

SALARIES.

On motion of Mr. Wilbur of Ward 9, the order for Committee on Salaries to fix salaries of permanent men already appointed in Fire Department,—also, of the Fire Commissioners, was taken from the table and passed.

REPORTS OF COMMITTEES.

Mr. Bicknell of Ward 4, from the Joint Committee on Public Buildings, reported that in order to seat the Common Council of 1874 with its addition of ten new members, new desks and platforms will have to be provided and arranged in such a manner as to provide accommodation for the Board of Aldermen when joint sessions of the Government are to be held. It is estimated the cost for providing the proposed furniture will be two thousand dollars. The committee submit herewith a plan of the Council Chamber with the furniture arranged as proposed, and recommend the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be authorized to provide new desks and platforms for the same for the Council Chamber at an estimated cost of two thousand dollars; the expense to be charged to the appropriation for Public Buildings.

The order was read once.

On motion of Mr. Prescott of Ward 9—

Ordered, That the Committee on the Suffolk-street District be authorized to procure estimates of the expense of filling the cellars, back yards and vacant lots on the Northampton-street district to the grade of twelve feet above mean low water; also of filling the public and private streets and courts thereon to such grade as may be established by the Board of Aldermen.

Passed.

Ordered, That the Board of Street Commissioners be requested to prepare plans for laying out, widening and extending such of the streets on or adjoining the Northampton-street District, so called, as the said board may adjudge that the public safety and convenience will require in view of the proposed improvements on said district—and submit said plans, together with an estimate of the expense thereof to the City Council as early as possible.

Passed.

Ordered, That the Auditor of Accounts be authorized to transfer from the Reserved Fund a sum not exceeding five thousand dollars, to cover such expenses as may be incurred in procuring surveys, plans and estimates for the contemplated improvements on the Northampton-street District.

Read once.

Mr. Bicknell of Ward 4 offered the following:

Ordered, That the Committee on Public Buildings be authorized to grade the land in the rear of the

Minot Schoolhouse, Ward 16, recently purchased for a yard—also provide a fence to inclose the same, at an estimated cost of \$2500; the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

The order having been read once—

Mr. West of Ward 16 said, I ask a suspension of the rules in this case. There is a retaining wall to be built, one portion of which is on a marsh, and it is necessary to get at the work before frost comes.

The rules were suspended and the order was passed. Mr. Dean of Ward 12 offered the following: "Be it ordained, etc., That the ordinance in relation to the records of public institutions and departments, passed May 24, 1872, is hereby amended by inserting in said ordinance, after the words 'Water Department,' the words 'Fire Department.'"

Mr. Dean of Ward 12—The ordinance to which reference is made provides that the records of the several boards having charge of the institutions at Deer Island and South Boston, the Public Library, Water Board, etc., shall be kept open for inspection and examination, so that any person may take cognizance of everything that is done. This ordinance is to place the Fire Department under the same rule. The ordinance was read twice and passed.

Mr. Wilbur of Ward 9, from the Committee on Claims, reported leave to withdraw on the petition of Mary O'Neil for compensation for injuries received on Essex street, in December, 1872.

Accepted.

LOWRY HYDRANTS.

On motion of Mr. Loring of Ward 12, the order for placing of Lowry hydrants on the main water pipes and the street crossings of the city, was taken from the table.

Mr. Loring—As the Water Board have already provided the hydrants, I move the order be indefinitely postponed.

The motion was carried.

WATER IN FARM POND.

Mr. Pickering of Ward 6 offered the following: Ordered, That the Water Board be requested to report to the City Council the condition of the water in Farm Pond, as regards its purity, and to furnish an analysis of the same.

Mr. Pickering—My object in introducing this order is this: I have heard today from two different parties diametrically opposite accounts. The water of Sudbury River falls into Farm Pond, and connects with the works at Lake Cochituate. One gentleman who resides in that vicinity stated to me that the water of Farm Pond was extremely impure, while another said it was exactly the reverse. I am also informed that an analysis of the water has never been made. In view of the important work contemplated, I think an analysis of the water would be one of the best things that could be done.

The order was read once.

MANAGEMENT OF FIRES.

Mr. Dean of Ward 12 offered the following:

Ordered, That the Committee on Ordinances report an ordinance which shall so amend the ordinance for the reorganization of the Fire Department as to provide that the Fire Commissioners shall not interfere with the engineers while extinguishing fires.

Mr. Shaw of Ward 5—I would like to ask if that is not diametrically opposite in its terms to the ordinance already passed. My friend nods his head and says it is. So the ordinance passed is thereby nullified. If that is so it had better be understood. If this Board of Commissioners about to be appointed are not to have any control of the engineers I don't know what is the use of them. If my friend from Ward 12 expects he is going to get in another ordinance nullifying the provisions of the previous one it had better be understood.

Mr. Dean of Ward 12—It was on the supposition that some person might entertain such an idea of the duties of the Fire Commissioners that the order was introduced. The fourth section of the ordinance provides that the Fire Commissioners shall have the duty of "extinguishing fires and protecting life and property" in this city, etc. Now there is one view taken of this, that it did not authorize the commissioners to extinguish fires except indirectly by the appointment of the officer. The commissioners might take the same view of their powers that the member from Ward 5 has done. That view is contrary to the statutes of the Commonwealth. As I understand the statutes, when the engineers are engaged in extinguishing fires no man can meddle with them under the law. If this ordinance is not amended it may conflict with the statute and do much mischief. I called the attention of the majority to the fact that the ordinance would not be legal to pass in that form. It has passed. I felt it

my duty to fight it as hard as I could, and now I wish it to do as little mischief as possible. It would be very injurious to have a conflict of authority between the engineers and the commissioners. If the view of the gentleman is proof of the construction put upon that ordinance it is clear to me that it should be amended.

Mr. Perkins of Ward 6—I have n't the statute before me, but I should hardly suppose that it could be such that the Fire Commissioners could exercise no discipline over the engineers or other members of the department. Suppose the commissioners found an engineer drunk at a fire, it would be their duty to dismiss him at once. I want them to have power to bring men to some account. I think the order would be very injurious as it reads now.

Mr. Shaw of Ward 5—I would suggest that the order is of too much importance to pass upon hastily, and I think the proper reference would be to the Joint Special Committee on the Reorganization of the Fire Department.

Mr. Dean accepted such an amendment of the order. The suggestion of the gentleman from Ward 6 does not go to the pith of the matter. If the commissioners can interfere with a man because he is drunk they can interfere with him for anything when they think he is not discharging his duty properly. You want them to exercise the authority at any time to dismiss them. If they can arrest a hook and ladder man when drunk, they can dismiss a chief-engineer because they may think he has not managed a fire according to their notions. That would put an end to all efficiency. They could require them to blow up a building, because it is a recognized means of putting an end to fire. Now we have got a law which says the Chief-Engineer shall have charge of that.

Mr. Perkins of Ward 6—By the ordinance the Fire Commissioners have the creation of the engineers and an engineer ceases to be such when the commissioners tell him to go. To that engineer the Legislature gives certain power, but I suppose there is no law which says an engineer shall be independent of the body which creates him and removes him. I don't see why the commissioners cannot remove a man at a fire as well as the next day. If they see that his conduct is injurious to the city they should remove him forthwith.

Mr. Shaw suggested an amendment that the committee "consider the expediency of reporting," etc., which Mr. Dean accepted, saying he didn't care about the form and wished the order to meet the approbation of all.

Mr. Jones of Ward 14 asked if the Joint Special Committee on Reorganization of the Fire Department exists, as they have made their report and it has been accepted.

Mr. Shaw had expected some one would raise that point. The committee is not discharged, either by parliamentary practice or by direct vote.

Mr. Jones—I did not raise any question; I only asked for information.

Mr. Flynn of Ward 7—I rise to a point of order, that the committee have been discharged, inasmuch as their report has been accepted.

The President—The Joint Standing Committee on the Reorganization of the Fire Department having discharged all the duties committed to them, and their report having been acted upon and finally disposed of, the committee has ceased to exist.

On motion of Mr. Dean, the order was amended to read as follows:

Ordered, That the Joint Committee on Ordinances consider the expediency of reporting, etc.

The order as amended was passed.

THE WATER SUPPLY.

On motion of Mr. Thacher of Ward 15, the special assignment for half-past eight o'clock, being the order authorizing the Water Board to take and convey into the city the water of Sudbury River, and to hold, by purchase or otherwise, any water rights and lands connected therewith necessary for the purpose, on the conditions set forth in said order, was taken up.

On motion of Mr. Blackmar of Ward 11, the order was laid on the table.

MARKETS.

On motion of Mr. Davis of Ward 14, the request and order for a transfer of \$5500 from Reserved Fund to appropriation for Markets (City Doc. No. 113), was taken from the table and the order was passed, yeas 45, nays 0.

REVISION OF THE CITY CHARTER.

On motion of Mr. Holmes of Ward 6, the special assignment for a quarter before nine o'clock, being the report of the Committee on Ordinances recommending the passage of the order on the eighth page

of City Document No. 115, 1873, for the appointment of a commission to examine and report what changes are necessary in the charter and laws for the government of the city, in view of the prospective increase in area and population, was taken from the table.

Mr. Dacey of Ward 2—As one of the minority of the committee, it seems to me, that if this city charter needs tinkering this Council is just as competent to do it, as any commission that can be appointed. If any gentleman in this branch thinks any change is required, what is easier than for him to put in an order directing the Mayor to petition the Legislature for such a change. This Council is composed of sixty-four gentlemen, some of them with two, four or six years' experience in city affairs, any of whom could offer such an order if he deemed a change necessary. The majority speak of a Board of Public Works, of longer terms of the Aldermen and Mayor. Now if they think these changes are needed, why don't they put in an order to that effect? We have a Board of Health and a Board of Fire Commissioners created this year. When we need such changes they are made, and when they are made it is without the aid of any commission. It is not so much that the charter was written by Chief-Justice Shaw that I object to the order, but because the majority have shown no reason why a commission would do any good. The burden of proof is upon them, and they have not shown any good reason for a change.

Mr. West of Ward 16—If it would be any gratification to the gentleman I might introduce many orders for changes in the charter, but I don't propose to take up the time of the Common Council by doing so. I would have the terms of the Board of Aldermen two or three years, and I would increase the terms of the Councilmen from each ward. I would have a Board of Public Works, and there are plenty of things which could n't get through in several months. That is why I prefer this commission. If they see any reason for making a change we can act understandingly about it. We would then have the whole thing in a nutshell. If each member here were to introduce changes we would never arrive at a conclusion. The easiest way is to appoint a commission. If they recommend anything we can adopt it or not, as we choose. It would be a great saving of time, rather than to attempt it ourselves.

Mr. Shaw of Ward 5 offered an amendment to substitute for the words "five persons" the following: "His Honor the Mayor, *ex-officio*, N. B. Shurtleff, J. M. Wightman, Frederiek W. Lincoln, J. B. Healy, S. F. McCleary, Alfred T. Turner, James M. Bugbee, the chairman of the Board of Assessors, the chairman of the Joint Committee on Ordinances on the part of the Aldermen and Common Council."

Mr. Shaw—I was as much in favor of appointing a Fire Commission as anybody else, and I am in favor of this commission; but I see no real necessity for appointing five persons for revising the charter. All those gentlemen I have named are entirely competent to revise the charter. They are men of great ability—some have experience in the legal profession, and all have a thorough knowledge of city affairs. They would better understand the requirements of the charter than any others in the community. Both branches of the Council and the heads of departments are represented. Such a commission would take pride in revising the charter. I have consulted nobody, and have written this since I came into this hall.

Mr. Perkins of Ward 6—I think the gentleman has made one omission. I move to amend by adding the name of ex-Mayor Jerome Van Crowninshield Smith.

Mr. Shaw—Mr. Smith is not a resident of this vicinity.

Mr. Holmes of Ward 6—If the gentleman expects such a body as that would bring a report to this Council within a century, he expects more than any one else. If you want a report you must have a small body. I agree with the gentleman from Ward 12, that perhaps there is no good reason for amending the city charter. It is only one statute out of many for the government of the city. But I think I have seen defects in the different offices of the City Government. I think, also, that the recommendation of the chief executive officer of this government should be entitled to some respect. I think I could write out a number of changes which are necessary, but if we were to proceed in that manner, and every man were to suggest all the changes he thought proper we should do nothing. We must have a body of men to consider all these changes and report what is the best way to remedy the difficulties now experienced in carrying on this government. If the report bound us to any action I should be very slow to pass the order. Very much time would be gained by the appointment of a commission.

Mr. Blackmar of Ward 11—I hope neither of the amendments will prevail, because the gentlemen named already have too much on their shoulders to take any thing more. The order reads properly now, leaving the Mayor to appoint five proper men to consider all the subjects bearing on the City Government, and give us something to guide us.

Mr. West of Ward 16—I must object to the amendments. Such a commission would be unwieldy. We can safely trust his Honor the Mayor to make satisfactory selections.

Mr. Shaw—I was aware that every legal gentleman in this Council would disagree with me. I know it is contemplated to have a commission of legal gentlemen. Now here is a practical matter; here is a working body proposed. My worthy friend who has just come fresh from the shambles opposes it. If it is put into the hands of five lawyers they will make a report in five years. I want the treasury guarded. Do gentlemen have any authority for saying that John P. Healy or James M. Bugbee or any of those named in the amendment are too much engaged, or will refuse to undertake the work? The Assessors' Department is represented, and what is more important than the subject of valuation. These gentlemen are more competent to revise the charter than any five lawyers who could be found in Boston.

Mr. Brackett of Ward 10—I hope the amendments will not prevail for the reasons already given, and because a similar amendment in the Board of Aldermen has been voted down. This is not a good argument usually, but in this case a similar amendment adopted here would only secure delay. It has been delayed too long already. The gentleman from Ward 5 says the legal gentlemen would not do this business as well as the gentlemen named. Great stress has been laid upon the fact that Chief-Justice Shaw, who was not a member of the Council or Board of Assessors, wrote the present charter, and it is very generally admitted that he succeeded very well. I am informed that Judge Curtis, one of the most eminent lawyers in the nation, would be willing to undertake the duty if it is tendered him. It would be best to leave the appointment to the Mayor, and if he wishes to take members of the City Government he can do so.

Mr. Holmes of Ward 6—The precise reason why I oppose this amendment is that the commission is too large. They may be the best men who could be found, but to the Mayor should be left the appointments. The gentleman's insinuation against lawyers is a very small matter.

Mr. Page of Ward 9—I think the members of the Council have made up their minds on this question, and I call for the previous question.

The previous question was ordered—24 for and 10 against.

Both the amendments were rejected, and the question was on the passage of the order.

Mr. Dean of Ward 12—I wish to offer a simple, commonsense suggestion in regard to this matter. The majority say in their report, "It is said, however, that the machine has run well so far; let us wait till something goes wrong," etc. Now the statement of such general doctrine is applicable to a great many affairs of life. "It is excellent doctrine. 'An ounce of prevention is worth a pound of cure.'" But when you apply it to a form of government the argument should be, "Wait until you see that there is something wrong, till you see that it does need mending." It might be that, by and by, we should see something that needed mending. When you do, I say, amend it. If there is sickness in the City Government send it to the doctor. My friend told of a doctor, the other night, who said that because a man prospered with the gout, let the gout alone. If he is going to apply that to the City Government, it would be very like insisting upon curing a man with the gout when a man has n't got it. Now, before you are aware of anything that needs mending, you are going to the expense and trouble of sending the charter to a board of commissioners to be doctored. In 1866 I had the honor to be a member of this body, and then a proposition was made to amend the charter. It was referred to the Committee on Ordinances, and it was curious then to see the various suggestions made. Any one can make suggestions. I had some ideas which at first blush I thought might be incorporated into the charter, and I was at first disposed to press them. But it was curious to observe after discussion of the various suggestions how they gradually vanish. When this matter was before the committee I inquired, "What is wanted? wherein does n't the thing go right?" and

until the report came in there was scarcely a suggestion made. Now the question is whether it is really worth while to incur this expense and undertake this experiment. I think his Honor should be entitled to courtesy. The Mayor was respectfully waited upon and the minority of the committee came to the conclusion that there was no necessity for the change. And now, after all this discussion, I fail to see any reason for it. I have urged my opinions in regard to this matter. My judgment has been averse to it, and I now simply recall to the members of the Council the exact status of the matter.

Mr. Brackett of Ward 10—The gentleman says no defects in the city charter have been pointed out. I don't know that there are any defects, but there are points to which objections may be raised. One is in regard to the Board of Aldermen, whether it would not be better to have a larger number, and to change the manner of electing them. I think there are objections to the present system of electing them, which often causes complications, often resulting in the election of men whom we would not wish to see elected, while others are often defeated because they did not get on a sufficient number of tickets. Again, I think the two branches of the City Government ought to be equalized. It has been found that there ought to be two branches, and on the same principle they should be coördinate, which they are not now. I think every measure which passes the City Government ought to be discussed by both branches. Then it is a principle of good government that the executive and legislative branches should be distinct, which they are not now. The idea seemed to be in framing the present charter to retain many features of the old town government. The powers of the selectmen are retained by the Board of Aldermen, and the rights of the town meeting are delegated to the Common Council. This may do very well for a small city, fifty years ago. But when we consider the growth of the city and its population, would n't it be better to have a City Government founded after the plan of the Legislature of the State than after that of the old Town Government, and to have the Executive Department vested in the Mayor and the Legislative Department vested in the City Council? Charters of all growing cities need to be revised, just the same as the constitutions of States and nations. I believe there are greater reasons for having the charter revised now than at any other time. I believe these questions are proper to be considered by a commission of wise and experienced gentlemen. I presume there are other suggestions that might come before them, but I suggest these in order to show the gentleman that changes have been mentioned as needed.

Mr. Pickering of Ward 6—It was a felicitous comparison which the gentleman has made of the sick and gouty man, and to carry out the analogy I would suggest to the gentleman from Ward 12, who says wait till the gout comes and then apply the remedy, that a diagnosis of the case had better take place in season. I would venture to say that he has sent for a doctor and said, "I don't know what is the matter with me; I want you to tell me and when you find it out, apply the remedy." We want this commission to act in the place of the doctor. We can't state what the trouble is, nor what is the remedy. But we don't feel exactly well, and we want these gentlemen to tell us the difficulty, and what they propose for a remedy. Then, after the prescription is written, we can throw it out of the window if we see fit.

Mr. Shaw of Ward 5—I am very much in favor of the order, and I want to record my name in favor of it. I call for the yeas and nays.

The yeas and nays were ordered, and the order was passed, yeas 31, nays 13.

Ayes—Messrs. Abbott, Adams, Anderson, Barnes, Bicknell, Blackmar, Bleiler, Brackett, Brennan, Burditt, Cudworth, Darrow, Davis, Flynn, Hine, Holmes, Jones, Martiu, McKenney, Page, Pease, Perkins, Powers, Prescott, Shaw, Tower, Train, West, Whiston, Wilbur—31.

Nays—Messrs. Boardman, Burt, Collins, Dacey, Dean, Edwards, Kelley, Loring, Thacher, Warren, Wells, Weston, Woodward—13.

Absent or not voting—Messrs. Bowles, Brennan, Denny, Doherty, Flatley, Hall, Harrington, Hughes, Kingsley, Lamb, Madden, Mahan, Marston, McCue, Morse, Risteen, Upham, Woods—18.

A motion to reconsider by Mr. Brackett of Ward 10 was lost.

On motion of Mr. Dacey of Ward 2 the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
NOVEMBER 4, 1873.

The regular weekly meeting of the Board of Aldermen was held today at four o'clock P. M., Alderman Cutter, Chairman, presiding.

EXECUTIVE APPOINTMENTS CONFIRMED.

Constables for duty in the Health Department—James W. Wayland, John MacConnell.

Special Police without pay—Patrick Magoveran, 35 Hawkins street and its vicinity; William Shedd, Oakland Hall, Mattapan.

ORDERS OF NOTICE.

The orders of notice on the petitions of Boston Daily News for leave to locate and use steam boiler and engine at 142 Washington street; and James Mitchell *et al.* for sewer in Sixth street, between O and P streets, were considered, and their being no objection the petitions were severally recommended.

On the petition of Charles Roberts to use steam engine and boiler at 21 Chardon street; and Winchester & Hight to use steam engine at corner of Dorchester and First streets, orders of notice were passed for hearings on Monday, November 24, at 4 o'clock P. M.

METROPOLITAN RAILROAD.

The special assignment, being the hearing of all parties interested in the proposed location of the tracks of the Metropolitan Railroad on Beacon street from Gloucester street to Brighton avenue, was taken up.

Alderman Power moved that it be postponed until Monday next at four o'clock P. M.

Alderman Clark—I should like to know the object of a further postponement.

Alderman Power—The company are trying to negotiate for a place that they hope will not be objectionable to the people in that neighborhood, and they wish this hearing postponed until they can see whether they can secure that place or not. If they do secure it they will withdraw the petition.

The hearing was postponed.

PETITIONS PRESENTED AND REFERRED.

To the Committee on Police. Right Rev. John J. Williams *et al.*, that liquor saloons be closed on Sundays.

To the Committee on County Buildings. Charles R. Train and other members of the Suffolk Bar, for extension of accommodation in Clerk's office, Superior Court, Civil Business.

To the Committee on Public Buildings. William H. Baldwin *et al.*, for a more commodious wardroom in Ward 10.

F. P. Meigs, to introduce his "physiological school desk and seat" into the public schools.

To the Committee on Health on the Part of the Board. George W. Wadsworth, for wooden stable for four horses at 89 Blue Hill avenue.

Robert T. Paine, Jr., for wooden stable for thirty horses on Culvert street.

Gardner P. Kingsley, for brick stable for three horses on Prescott place.

Michael Ryan, for wooden stable for one horse on Chelsea street, No. 354.

W. T. Brigham, to construct a stable below grade in rear of 1045 Washington street.

To the Committee on Sewers. James A. Kemp *et al.*, for sewer in Kemp street.

Joseph Griffin *et al.*, for sewer in Westminster street.

To the Committee on Paving. Continental Sugar Refinery, for leave to open First street for the purpose of laying gas, water and steam pipes between two of their buildings on each side of said street.

W. E. Woodward, *et al.*, that a street leading from Howard avenue be called Harlow street.

Hiram A. Wright, that certain sidewalks may be laid with plank on Shawmut avenue in rear of Cedar square.

E. B. Bridgman, to maintain a sign across Washington street and Cornhill.

Henry A. Wilder, *et al.*, against the construction of bay windows on Brookline street, corner of Tremont street.

To the Committee on Fire Alarms. Isaac F. Atwood, *et al.*, for fire-alarm bell at the corner of Centre and Houghton streets.

To the Committee on Lamps. George L. Chaney *et al.*, for lamp in Hollis place.

To the Committee on Streets. Daniel Norton, Jr., *et al.*, that the order to cut off building 132-136 Broad

street be modified or repealed, for the reason that it is a very busy season, and the order coming unexpectedly, compliance therewith will work injury to their business.

Stoughton-street Baptist Society, for abatement of betterment assessed for improvement of Stoughton street.

QUARTERLY REPORTS.

The following reports for the quarter ending October 31 were submitted:

City Registrar—Received for certificates of intentions of marriage \$639 50. Sent down.

Overseers of the Poor—Receipts for the quarter, including \$3449 35 balance from last quarter, \$20,796 35; expenditures, \$15,079 20; paid City Treasurer, \$2111 59; balance on hand, \$3605 56. Sent down.

Superintendent of Markets—Total receipts and amount paid into treasury, \$29,050 19; received for stalls, \$11,377 50; cellars, \$5896 75; outside stands, \$743 75; weighing at market scales, \$89 32; rent for stalls in new market, \$3284; cellars in new market, \$1608; India-wharf market, \$6050 87. Placed on file.

SEWER ASSESSMENTS.

The Superintendent of Sewers submitted assessments for the construction of sewers, as follows: First street, from K to L, total cost \$1306 93; to individuals \$980 19, Stoughton street, Brook and North avenues and Cottage street, total \$11,508 90; to individuals \$8631 68. Severally referred to the Committee on Sewers.

UNFINISHED BUSINESS.

Report and order to accept the charter of the East Boston Railroad Company (chap. 66 of acts of 1873). Passed.

Order of Street Commissioners to take the estate surrendered by Beals, Greene & Co., on Water street, at a cost of \$278,737 50.

Alderman Brown—I desire to ask, Mr. Chairman, if there has been any negotiations by which the owners of this estate accept this award, or whether this is an award made by the Street Commissioners only.

Alderman Clark—This is an award made by the Street Commissioners only. I move the order be referred to the Joint Committee on Streets.

The order was so referred.

PAPERS FROM THE COMMON COUNCIL.

Petitions were referred, in concurrence.

Report (leave to withdraw) on petition of Mary O'Neil, to be paid for personal injuries received in Essex street. Accepted.

The order authorizing a lot of land to be purchased on Albany street, and for the erection thereon of an engine house for a steam fire engine and horses and men connected therewith, came up referred to the Committee on Public Buildings, with directions to report the estimated cost. The Board concurred.

Order for Committee on Ordinances to consider the expediency of so amending the ordinance in relation to the Fire Department as to provide that the Fire Commissioners shall not interfere with the Engineers at fires. Passed.

Petitions of Colonel B. F. Finan, that a regimental armory be provided for the Ninth Infantry; of Battery A, First Battalion, for a new armory; also for new furniture for present armory. Referred to Committee on Armories.

The order for the organization of a new company for Engine No. 24 by the Chief-Engineer, came up with an amendment to insert "and the Board of Engineers." The Board concurred.

Order for Committee on Suffolk-street District to procure estimates of cost of filling yards and cellars on the Northampton-street District. Passed.

Order for Street Commissioners to prepare plans for laying out, widening and extending the streets on the Northampton-street District. Passed.

Order for Committee on Public Buildings to grade the land in rear of Minot Schoolhouse, Ward 16, and to provide a fence for the same, at a cost of \$2500. Passed.

Ordinance to amend the ordinance in relation to records of departments by inserting "Fire Department." Passed.

The report in favor of the election of Alvan Simonds as an Overseer of the Poor came up recommended, he having declined to accept that position. The Board concurred.

CONSTABLE'S BOND.

The bond of William G. Tyler, constable, being presented duly certified, was approved.

REPORTS OF COMMITTEES.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the petitions of Arthur Brown, Blackmar, Mandell & Co., and John Roessle, for leave to locate and use steam engines and boilers. Severally accepted.

Alderman Power, from the Committee on Sewers, reported that an additional appropriation of thirty thousand dollars will be required to finish the sewers considered necessary for the health and convenience of the citizens, and to provide for the ordinary expenses of the department till May 1, 1874. The original appropriation was \$200,000. There now remains in the treasury \$18,029 40.

It will require to finish work deemed necessary... \$38,000
For running expenses of department to 1st May... 10,000

\$48,000

Less amount on hand..... 18,000

Balance needed.....\$30,000

The increased expense has been caused by the urgent solicitation of property owners for drainage facilities, and three-fourths of the expenditures on this account are reimbursed to the city within twelve months.

On motion of Alderman Power, the report was referred to the Committee on Finance.

Alderman Sayward, from the Committee on Licenses, reported favorably on the applications of two bootblacks and eleven newsboys, for licenses; William McNeil, agent, to exhibit panorama of Ireland at Sumner Hall, Nov. 5 and 6; Elizabeth A. Slater, to keep an intelligence office at 71 Cambridge street; John L. Nason & Co., for auctioneers' license at 21 School street; Henry M. Snell, for auctioneers' license, at 5 Pemberton square; Howard Slade, for transfer of billiard license to George S. Jones; Butler & Hoyt, *et al.*, for transfer of wagon licenses; Otis & Co., Edward D. Gibbs, James Finnerty and Henry W. Stillings, for wagon licenses. Obadiah S. Edgerly, 152 Hanover street, Frank H. Bearse, 97 South Market street, Michael J. Kane, 8 Merrimac street, Edward Corrigan, 806 Washington street, and Frank H. Bearse, 8 North side India wharf, for victuallers' license; Boston Hotels Coach Company, for license for seven carriages at the Old Colony Depot; John O'Neil, for transfer of second-hand articles' license to John Morgan; Boston Catholic Union, to give a concert at Music Hall, Nov. 13 and 14; Harvard Musical Association, to give a series of symphony concerts at Music Hall on Thursday afternoons. Severally accepted.

Alderman Sayward, from the Committee on Faneuil Hall, reported favorably on the petition of E. M. Chamberlin *et al.*, for use of Faneuil Hall on Nov. 5th, for a public meeting. Accepted.

Alderman Emery, from the Committee on East Boston Ferries, to whom was referred the request of the directors of the ferries for permission to sell the ferry boat Jefferson, made a report recommending the passage of the accompanying order:

Ordered, That the directors of the East Boston ferries be authorized to sell the old ferry boat Jefferson by public auction, and pay the proceeds into the city treasury.

The order was read twice and passed.

Alderman Emery, from the Joint Committee on Public Lands, to whom was referred the petition of A. S. Foss, reported the following order:

Ordered, That the conditions as set forth in the agreement given by the city for the conveyance of certain lots of land on Seaver and Sumner streets, be so far modified that the buildings to be erected on said lots shall front on Seaver street, except two in the rear of the lot fronting on said Sumner street; that such buildings may be erected of a width of not less than twenty feet ten inches, instead of twenty-five feet, that said buildings shall be two and one-half stories in height, besides the basement, and may have a Mansard roof. And his Honor the Mayor is hereby authorized to execute and deliver in behalf of the city of Boston, such instruments as shall be necessary to effect such modifications.

Read twice and passed.

Alderman Emery, from the same committee to whom was referred the remonstrance of B. L. Crocker against any modification of the conditions in above-named sale, reported leave to withdraw. Accepted.

Alderman Clark, from the Committee on Streets, reported orders to pay for street damages as follows, Samuel Thompson, \$230, for land taken from Arnold W. Taylor by the widening of Stoughton street; John J. Newton, \$1200, for land taken in the name of John F. Newton and George A. Wilson, in widening Warren street; William Gray, \$15,335 10, West Chester park extension; trustees under will of Robert C. Hooper, \$271 90, widening of Cottage street; Hattie F. Bartlett, \$300, widening Warren street. Severally read twice and passed.

Alderman Clark from the same committee reported an order directing the heirs of Alfred T. Gray to remove obstructions from St. James street in ten days. Passed.

On motion of Alderman Stebbins,

Ordered that the Committee on the Suffolk-street District on the part of this Board be requested to prepare plans and profiles of ten public and private streets and courts on the Northampton-street District, and report the necessary orders to establish the grade thereof, as provided by the sixth section of chapter 340 of the acts of the year 1873.

Passed.

Alderman Stebbins, from the Joint Committee on Water, to whom was referred the report of the Cochituate Water Board on the subject of making additions to the present system of water pipes for the extinguishing of fires, made a report recommending the passage of the accompanying order:

Ordered, That the Cochituate Water Board be authorized to contract for the delivery of water pipes and other materials required, in order to provide an adequate supply of water for all necessary purposes, the expense for said pipes and other materials not to exceed the sum of two hundred thousand dollars, payment to be made therefor on the 10th of May, A. D. 1874.

The order was read once.

Alderman Stebbins from the Joint Committee on Water, to whom was referred the petition of William L. Bowditch and others, that the Cochituate Water Board be authorized to negotiate with the town of Brookline to supply said town with water, made a report recommending the passage of the accompanying order:

Ordered, That whenever a majority of all the legal voters of the town of Brookline shall, at a meeting duly called for that purpose, by a ye and nay vote, authorize the Board of Selectmen or a committee of said town, to make application to the city of Boston for a supply of water from the Cochituate Water Works, with authority to make a contract for that purpose, the Cochituate Water Board is hereby empowered, acting for and in behalf of the city of Boston, to execute a contract with said town to furnish for the period of ten years, a supply of water for domestic purposes and for the extinguishment of fires; provided, however, that the water rates for water furnished to said town for domestic purposes during the continuance of said contract, shall be the same as those charged to the inhabitants of this city, and water used for the extinguishment of fires shall be paid for at such rates as shall be mutually agreed upon.

Ordered, That the City Clerk cause attested copies of the foregoing order to be served upon the chairman of the Board of Selectmen and the town clerk of said town of Brookline.

The orders were read once.

Alderman Power, from the Committee on Paving, reported orders for setting estgestones and grading Buckingham street at an estimated cost of \$4000; to establish the grade of Buckingham street between Columbus avenue and Dartmouth street, and to establish the grade of Copeland, Thornton and Waverley streets, and of Ocean, Roslin, Walton and Harley streets in Ward 16.

Severally read twice and passed.

On motion of Alderman Power—

Ordered, that the Superintendent of Streets be directed to lay plank walks on portions of Clarendon, Boylston and Newbury streets.

Passed.

Alderman Sayward, from the Committee on Health, reported favorably on the petitions of D. S. Jordan, Frederic Pope, L. D. Cardell, J. P. Fenno & Co., Abbott & Fernald, Charles H. Bacon, P. Campbell & Co., John Kehew, Parker Bryant and Joseph Ham, for leave to erect stables. Severally accepted.

Alderman Power, from the Committee on Paving, reported that the wooden bridge on Dartmouth street, over the Albany and Providence railroads, is so badly decayed as to be unsafe for public travel, and that it will be necessary to build a new bridge as soon as practicable. The present structure can be repaired and strengthened so as to last during the coming winter, and be used as a support during the building of a new bridge. The City Engineer estimates the cost of an iron bridge at \$157,646, and the cost of repairing and strengthening the existing structure for temporary use at \$2000, making a total cost of \$153,646. The committee are of the opinion that at the present price of iron, etc., a contract can be made with more advantage to the city than at any future time. They recommend the passage of the accompanying order:

Ordered, That the Committee on Paving be authorized to build by contract an iron bridge with stone abutments on Dartmouth street over the Albany and Providence railroads, and to repair and strengthen the present bridge on said street for temporary use, the expense thereof not to exceed one hundred and fifty-five thousand dollars.

Ordered, That the City Treasurer be authorized, under the direction of the Committee on Finance, to borrow the sum of \$155,000 to defray the expense of erecting an iron bridge with stone abutments on Dartmouth street.

The orders were read once.

On motion of Alderman Sayward—

Ordered, That the Committee on Public Buildings be authorized to fit up the Bowditch School Building, South street, to accommodate the branch of the English High School and Evening School, now located in the city building on Mason street, said building being about to be altered for an engine house by direction of the City Council. The expense to be charged to the appropriation for Schoolhouses and Public Buildings.

Passed.

Alderman Power, from the Committee on Sewers, reported an order for the construction of a sewer in Sixth street, between O and P street. Read twice and passed.

On motion of Alderman Power—

Ordered, That \$16 54 be abated from the assessment of P. J. Griffin for a sewer in Hammond street, and the same amount assessed to W. H. Wallace. Also, that \$70 71 be abated from the assessment of the Union Oil Works for a sewer in Saratoga street, and the same amount assessed upon Owen Garvey; also that \$14 14 be abated from the assessment of James Stewart for a sewer in Saratoga street.

Passed.

On motion of Alderman Clark—

Ordered, That for cause the betterment of \$180 assessed for the widening of Dudley and other streets by an order of the Board of Street Commissioners of August 5, 1873, on the estate of Mr. Calvin Bird on Stoughton street, be, and the same hereby is, reduced by the sum of \$50; leaving the assessment upon the said estate \$130.

Passed.

Alderman Clark, from the Committee on Common, reported in favor of granting the petitions of James B. Aiken, for removal of two trees on Norfolk street; F. R. Shattuck, for removal of tree from sidewalk on Forest and Vine streets; Sidney B. Morse, for removal of tree from sidewalk at 21 Camden street. Severally accepted.

THE NEW FERRY BOAT.

Alderman Stebbins presented a communication from the Directors of the East Boston Ferries, asking for the passage of an order authorizing the Auditor to pay extra bills on the new ferry boat, an amount not exceeding three thousand dollars; the same to be charged to the general appropriation for East Boston Ferries. The communication, on the motion of Alderman Stebbins, was referred to the Committee on East Boston Ferries.

IMMORAL EXHIBITIONS.

Alderman Sayward, from the Committee on Licenses, who were requested to consider the propriety of inserting in all licenses issued by this Board for theatrical performance, etc., "a condition that no performance or exhibition which is manifestly impure and directly tending to the corruption of the public morals shall be permitted," reported, that it is provided by the general statutes of the Commonwealth (chapter 88, section 74), that the mayor and alderman "may license theatrical exhibitions, public shows, public amusements and exhibitions of every description, to which admission is obtained upon payment of money or delivery of any valuable thing, or by any ticket or voucher obtained for, money or any valuable thing, upon such terms and conditions as they shall deem reasonable, and they may revoke or suspend the same at their pleasure." Under this authority the Board has established certain regulations (a copy of which is appended) providing for the public safety in case of fire or a disturbance of the peace. It has not been considered expedient heretofore to adopt any general rules in regard to the character of the performances or exhibitions to be given under the licenses, for the reason, obviously, that it would be impossible to apply general rules upon such a subject to particular cases. The promoters of pugilistic exhibitions would not be deterred from applying for a license by any general statement that this Board will not license immoral exhibitions. They do not believe that their exhibitions are immoral, or that it would be contrary to public policy to encourage them. Under some circumstances such exhibitions would not be objectionable; under others they would be highly objectionable. It is necessary to pass upon each case as presented. The power of the Board in this matter is an arbitrary one, and must be exercised with extreme caution. The line between what is moral and what is immoral is often so shadowy that the most

cultivated persons would be unable to agree in defining it. What one person with strict notions of morality would regard as "manifestly" impure—a copy of an antique statue, for instance—another with a more cosmopolitan taste, would pronounce to be a teacher of the higher morality. As it is apparent, therefore, that nothing would be accomplished for the protection of the public morals by inserting the condition named in the order, the committee are of opinion that it would be inexpedient to do so.

The question was on accepting the report.

Alderman Hulbert—The statutes and ordinances place this matter of theatrical performances and exhibitions entirely within the control of the Board of Aldermen of this city, and the responsibility rests directly upon us and no one else. Now what is the object the order I introduced designs to accomplish? The fact is, within the last two or three years, there have been theatrical or other exhibitions in this city, in places licensed by the Boards of Aldermen which have preceded us, which have been grossly indecent and manifestly tending to the corruption of the morals of the public. The fact is notorious. The class of exhibitions to which I refer is patent to the public. What may come up for the balance of the current year I know not. But we as a Board are responsible for them, and it does seem to me perfectly proper to look at this thing just as it is. If it is not practicable to insert something like that in the license, something else may be done. All I wish to do is to plainly set forth the opinion of the Board of Aldermen in regard to these exhibitions which are, on all hands, admitted to be impure and indecent. The report which has been offered here states that it has been left for us to pass upon things as they come up. Yet they are not passed upon. My idea is that if there are any things which would not be tolerated in any other community, we should give warning to the proprietors of such amusements that they will not be tolerated here, and if they occur again that their licenses will be revoked. I claim that by the statutes of this State this Board is responsible for the occurrence of such exhibitions as have been given here in the past two or three years, and which I believe no member of this Board will stand up for or approve of. In introducing the order with reference to having something inserted in the license, my object was, that when a person took out a license it was to be understood that this City Government would not allow exhibitions which are known and felt to be impure. In this I don't raise the question of theatres or no theatres; I simply take up that class of exhibitions which are admitted to be detrimental to the public morals. I would like to be set right upon this question. I don't want to be held responsible for such things. I believe that the evils alluded to in the order are the worst of our time. I have had experience with large numbers of young men and know what the tendency of these things is. I will say here that ten years ago such abominations would not have been tolerated. The worst thing I have had to contend with in young men was this class of exhibitions. What is the result of them? Take the defalcations and breaches of trust, today, and all that form of dishonesty, and I will venture to say that if the truth was known more than half of them arose from the demands of this vice. There is no vice that will impel a man to defalcation and breach of trust more than this. Young men can't go through the streets without having exhibitions of impurity before them. They are equal to anything ever found upon the ruins of Pompeii, and I feel that the real responsibility for them is here, because we have control of this thing. I have no more sons to be influenced by them, it is true. I am thankful that the only son I had was not contaminated by them. But other citizens who have sons have a claim upon us that we should not allow such contaminations put before them. It can't be overestimated at this time. There is a laxness and looseness which is lamentable. If this thing goes on we shall reap the whirlwind. It is a very serious matter and permeates all classes. I don't come here to reform public morals, but as the responsibility is placed upon us, I don't want to take the responsibility of throwing seductions in the way of the young. And I would sooner cut this right arm off than give permission for a repetition of those exhibitions which have been seen here. I have walked the streets of this city at midnight pleading with young men to leave the paths of ruin, and the greatest obstacle they have to contend with are these exhibitions. I don't propose to discuss the report, out of respect for the committee. My object will be attained if this Board will indicate its opinion in this respect.

Alderman Sayward—It would seem that something should be said in defence of the Committee on Licenses of this and last year; what has been done

before that I do not know. This order has been fully considered by the committee and they find it is hard to discriminate. They see no better way than what is recommended in the report. When parties violate the law we have power to revoke a license—when an immoral play is given to the public—and if the gentleman knows of any such case it is his duty to make complaint to the Committee on Licenses. We have not granted all the licenses which have come here this year. A great many petitioners have had leave to withdraw when the exhibitions were not for the public good. So far as regulating the class of theatre performances that is not in the power of the committee to do.

Alderman Hulbert—I referred to what has transpired within the last two or three years, and not to anything that the present committee had done. It was with the idea of giving proprietors of theatres what the opinion of this Board is. The order will provide for the balance of the current year, for the reason that these things have occurred here and they may come up again. I do not desire to reflect at all upon the Committee on Licenses.

Alderman Gibson—This is a very delicate question. It is the duty of our police when anything appears that is improper to report it at once and check it. To undertake to anticipate what is going to take place is impossible for this Board to do. Theatres and playhouses ought to have full liberty. They are a great attraction for young men to come here. There is great competition between New York, Philadelphia and Boston, to get business men to come here, and you must give them the largest liberty. They would not go where there is no amusement. When we come to lay down any particular rule, it is utterly impossible to carry it out. I approve of the object spoken of by the gentleman, but I can't see how he can attain it. There are plays coming up every week which we don't know about at all. It is the duty of the Committee on Licenses to make proper inquiries, but we all know that no chairman can find out beforehand what a play is going to be. If the play is immoral it is the duty of the police to attend to it at once.

Alderman Hulbert—I can judge of the future only from the past. Everybody knows that there have been plays here within the last two or three years that are a disgrace to the community. All that I embrace in my order is that this city shall not have repeated here again those outrageously indecent plays which have been played here. There are certain plays that the public and the press have denounced, and I wish to stand here correctly upon that question, and I offer the following order:

Ordered, That whenever under any license issued by this Board for theatrical performances or other performances and exhibitions of a like character, any performance or exhibition which is manifestly impure and directly tending to the corruption of public morals shall take place, it shall be deemed a sufficient cause for the revocation of such license.

Alderman Hulbert—We virtually say that certain things cannot be repeated. We are not drawing small lines. The line over which I propose to go is blacker than midnight, and it is from no mock sentimentalism that I bring this matter forward.

Alderman Gibson—I don't know anything of the character of the plays in the theatres for I have not been to any of them for two years, except once when I went to see a gentleman on private business, and then I did not go in.

On motion of Alderman Hulbert the report was laid on the table, and the order offered by Alderman Hulbert, having been read once, was laid over.

HAYES'S STABLE.

Alderman Stebbins—I rise, Mr. Chairman, to a question of privilege. At the last meeting of the Board, the Alderman from the Highland District moved to suspend the rules, that a matter which had been previously passed upon might be taken up for reconsideration. When I asked the reason for such extraordinary action, he said the action previously had been illegal and could not stand. The rules were suspended, and the Alderman moved a reconsideration, and stated that he did so on the ground that the previous action of the Board was illegal giving as authority an opinion of the City Solicitor in 1870, from which he read an extract. The matter was passed upon nearly unanimously, only one member voting in the negative. It seemed to me then that the subject had been passed upon hastily. After the Board had adjourned, I read the letter of the City Solicitor, and felt then that a wrong construction had been placed upon it. I immediately addressed a letter to him, giving the statements as contained in the official report of the Board, and asked his opinion on this matter. In reply I received a communication, a portion of which I will read—

“CITY SOLICITOR'S OFFICE,
2 Pemberton square,
BOSTON, November 3, 1873.”

Dear Sir—In reply to your communication of this date I beg leave to say, that the question of the right of revocation by the Board of Aldermen of a license granted by the Board for the erection of a stable in this city, upon which I gave an opinion under the date of May 24, 1870, and the question recently raised upon the petition of Mr. Hayes to the Board for leave to erect a new stable upon the site of one which was built under a license and has been destroyed by fire, are, in my view, essentially different in their character; and the opinion I gave upon the former question has no application to the one raised in Mr. Hayes's case.”

Alderman Stebbins—I state this opinion for the benefit of the members of the Board, that the aldermen who voted to reconsider may take such action as they may think proper.

Alderman Sayward—I understand that the opinion is upon a new stable. The petition is to repair an old one. We asked the opinion of the City Solicitor in regard to building a new stable, and he gave the same opinion, also that he can repair an old one.

Alderman Stebbins—I will read the remainder of the letter—

“In the absence of statutory prohibition a stable might be erected in any locality, but it is provided by statute that no person shall hereafter erect, occupy or use any building for a stable in the city of Boston, except in such place as the Board of Aldermen of said city shall first in writing approve and direct.” When this approval and direction have been given to any person, he is at as full liberty to erect and use a stable in the present place as he would be if the statute had no existence. If the approval could be and were subsequently revoked, great injury and wrong might be the consequence. A building legally and properly erected, or in process of erection, at a large expense, might, by the revocation, become of no value. Therefore I gave the opinion referred to.

But the approval and direction provided by the statute have reference only to the building then to be erected. They authorize the use of that building for the purposes of a stable so long as it remains; but if that building is demolished or destroyed, they do not authorize the erection of another to be used for the same purposes. The location of a stable in a given place today, may be reasonable; years hence under changed circumstances, it may be unreasonable; and therefore the Board of Aldermen must pass their judgment upon this question every time a new structure is contemplated.

Thus you will see that, in my opinion, Mr. Hayes cannot legally erect another stable under the license formerly granted to him. The recent action of the Board of Aldermen, according to the official report of their proceedings, does not amount to a renewed license, and further action, as full as though no former license had been given, is requisite to authorize the rebuilding of his stable. I am with great respect
Your obedient servant,

J. P. HEALY.

Mr. Alderman Stebbins.”

On motion of Alderman Stebbins the letter was placed on file with the other papers in the case.

Alderman Stebbins, in the same connection, presented a memorial from a committee appointed by the Twenty-Eighth Congregational Society, worshippers in the Parker Memorial Building, protesting against the location of a stable in closer proximity to a church than is allowed by the statutes. The stable is 80 feet from the building, and the statutory limit is 170 feet. The memorial was referred to the Committee on the Survey and Inspection of Buildings.

SALARIES OF THE FIRE COMMISSIONERS.

Alderman Stebbins, from the Joint Special Committee on Salaries, who were requested to report orders establishing the salaries of permanent members of the Fire Department, made a report recommending the passage of the accompanying order:

Ordered, That the salaries of the foremen of engine and hook and ladder companies, who are permanently employed, shall be at the rate of three dollars and twenty-five cents per day, beginning at the date said officers are appointed for permanent duty, and payable monthly; also that the salaries of the hose-men of engine companies and the assistant foremen and members of hook and ladder companies who are permanently employed, shall be at the rate of three dollars per day, beginning at the date said persons are appointed for permanent duty, and payable monthly.

The order was read once.

Alderman Stebbins, from the same committee, who were directed to report an order fixing the salaries of the Fire Commissioners, made a majority report, recommending the passage of an order fixing said salaries at four thousand dollars per annum, payable monthly, to date from the organization of the Commissioners. The majority report is signed by Alderman Stebbins and Councilmen Wilbur and Risteen.

The order was read once.

Alderman Gaffield, from the same committee, presented a minority report, signed by himself and Councilman Loring, recommending the passage of an order fixing the salaries of the Commissioners at five thousand dollars.

Alderman Brown—I hope both reports will lie over for a week. It is an important matter, and I think members of the Board ought to have time to make inquiries.

Alderman Stebbins—I have no desire to press the matter today.

On motion of Alderman Power the subject was specially assigned for next Monday at half-past four o'clock.

Subsequently on motion of Alderman Gaffield the vote was reconsidered, and on motion of Alderman Stebbins the subject was taken up for discussion.

Alderman Brown—I am as ready to vote now as I shall be at any other time unless I could get an intimation of the class of men who are to be nominated for the office. I should like to know who the gentlemen are who are being negotiated with.

Alderman Stebbins—The gentleman proposes to find out who the commissioners are. I propose to vote for the salaries of the commissioners without knowing who they are to be, which I think is right.

Alderman Sayward—I agree with Alderman Stebbins that we should n't know who these men are; we should fix the salary and leave the rest to the Mayor.

Alderman Brown—It is intimated that I propose to ask the names of the gentlemen to be nominated. I don't propose to do any such thing. But I think there is an opportunity to know the character of the men to be nominated, and whether they are worth \$3500, \$4000 or \$5000, and if I can be satisfied on that point I should be willing to vote for any amount up to five thousand. I suppose there are men known to be perfectly willing to serve in that capacity, and I simply desired to learn who they are.

Alderman Gaffield—Gentlemen will admit that we have a first-class Mayor, and he will make first-class nominations. I have no intimations who they are to be. If he gives us any intimation it will be that if we give \$3500 he can obtain one class of men, that \$4000 will secure another class, and \$5000 another. I am strongly of the opinion that \$5000 will meet the views of the public, and if we make it a lower sum I feel that we shall make a mistake. I have seen a gentleman today who was opposed to having a commission at all, and heard him say, let us have first-class men. He would be willing to give ten thousand dollars, and he has signed his name to the minority report, recommending five thousand dollars. We are starting a new and important work. It is highly important that it should start well. One of the most important things is whether we should give the commissioners a good salary. One argument is, that the Board of Health have \$4000. We put an unfortunate clause into that order, giving the commissioners an opportunity to transact other business. These commissioners are to study all the matters relating to the putting out of fires. I do not know who the Mayor will nominate, but I do know it is an important work, and deserves a good salary.

Alderman Stebbins—In my opinion four thousand dollars will secure to the city the services of first-class men who can perform all the duties which will be incumbent upon them, as well as for any higher salary that may be voted. If we vote five thousand dollars I am of opinion that it will be voted down in the other branch, where the commission has only a bare majority. I hope the order placing the salary at \$4000 will be retained.

Alderman Power—My reason for wishing to defer action on this matter was that I have heard it intimated that his Honor the Mayor did n't think the salary named would enable him to get such men as he would desire, and I thought I should like to inquire into the matter. I have opposed the commission from beginning to end; but if we are to have one I want the best talent that can be procured. If the Board of Health receive four thousand dollars, an efficient fire commission are worth five thousand. I am not strenuous on this point, because I see another way out of the difficulty. If men are nominated who are not worth five thousand dollars, I shall vote against them. We should have men who would be above corruption, and if such men are nominated I am ready to vote five thousand dollars or

more; and if such men are not nominated, I shall take my privilege of opposing them to the best of my ability, as I did the commission.

Alderman Emery—I should like to pay a fair price according to the size of the men; I should prefer men worth five thousand dollars, to others worth only four thousand. There are men now employed at the heads of the various departments, who are not paid so high a figure as that, except his Honor. Whether we should get any better material or any better class of men than those now at the heads of the departments, I don't know. If we are to have men whose services are worth more, we ought to pay them more. I shall vote for five thousand dollars, and take the chances that the Mayor will select better men than he would if we adopt four thousand. As my friend on the right remarked, if we are dissatisfied, we can get out of it by voting against the men.

Alderman Sayward—The difficulty seems to be in deciding what constitutes the best means. I was opposed to a commission and to a Board of Health. But whatever salary you may have given them you could n't have got three better men than you have on the Board of Health, and they are employed pretty much all the time.

Alderman Power—I did not mean to reflect on the character of the Board of Health, but I do say there is no comparison between the simplicity of the labors they have to perform and the important duties that will fall upon a fire commission, who will have power to spend a million of dollars. They are invested with arbitrary powers, which the Board of Health have not. I have not the slightest doubt that the Board of Health have performed all their duties allotted to them just as well as any other gentlemen can. But there is an important clause which gives them liberty to carry on other business independent of the city's business, which the Board of Fire Commissioners cannot. Although I opposed this commission, I do not wish to throw any obstacles in the way of his Honor the Mayor procuring the men whom he thinks necessary to be procured for the position. I am willing to vote for any salary he would recommend. I have heard it intimated that it will be necessary to have the salary at five thousand in order to secure the men his Honor wishes to appoint.

Alderman Gaffield—I am very glad to hear the remarks of the gentlemen from Ward 12. I move to substitute the minority report for that of the majority. In New York the salary of the chairman of the Board is \$7500 and the other members have five thousand each. If we make it five thousand we should not go beyond the bounds of economy. It is false economy to pay small salaries.

Alderman Stebbins—Will the gentleman state the salaries of the Fire Commissioners in Philadelphia?

Alderman Gaffield—They work for the honor of the position, and for pay they have an inward consciousness of the good they have done their fellow citizens.

Alderman Quincy—I assume that all the members of the Board honestly desire the success of the experiment which we intend to try. As little as some believe in it, they desire it to give us a better Fire Department rather than have it fail for the sake of saying, "I told you so." I take it that this is the case of the members of this Board, and the gentlemen in the other branch who opposed the commission will have a good example before them. If we give a fair salary, then the experiment will be fairly tried, and I hope we shall vote for five thousand dollars.

Alderman Gibson—I hope we shall pay them four thousand. We can get just as good men for that as we can for five. We have had a good committee this year, who have put the department in perfect working order. These men will not be employed all the time. They will have a chief-engineer who is capable of running the Chief-Engineer himself. The Chief-Engineer will have seven assistant engineers, and they will have thirty-odd captains. It is n't a big job they have got to do. If we could get one smart business man and pay him \$15,000, and put in another at \$2000 a year to do outside work, it would be best. We can't get a first-class business man who is making money to take such a place. I hope the salary will be fixed at four thousand, which is five hundred more than I want it. Let these men make themselves valuable, and let us increase their salaries \$250 a year if they deserve it. We don't know who they are to be. Four thousand dollars is a splendid salary for such men as drift about here. No matter who you get, they will become lazy, and you cannot get them to stay in City Hall but a short time each day.

Alderman Gaffield—It strikes me that if the gentleman wishes to raise the salary to fifteen thousand dollars, five thousand dollars is a small amount to

begu with. I propose to vote against bummers. I would ask the gentleman what there is for the president of a bank to do. Has n't he got his cashier, tellers and board of directors? And yet I will ask the gentleman what there is in these panicky times for a president to do. We want good men here, just the same as we want good bank presidents—as the gentleman from Ward 1 makes himself.

Alderman Power—Gentlemen have touched upon the way the Committee on Fire Department have done their duties. That reminds me that there are two ways in which to get the right men. One is to get a Board of Directors who would accept the position for the honor. The next best way is to give salary enough to make them accept it. I haven't thought that any bummers will be thought of for the position. The commissioners will have more to do to satisfy public opinion than any other three men in Boston. Gentlemen said the public haven't confidence in the present management of the department. I don't believe bummers will restore confidence. It has been remarked that heads of departments do not get this salary; but it does n't follow that they don't deserve it. In many private corporations men get more than five thousand dollars. I propose to do all I can to enable his Honor the Mayor to select the right men. It is said we ought to have an insurance man on the commission; now I know several insurance men who get more than five thousand dollars a year.

Alderman Gibson in the chair.

Alderman Cutter—I had the honor of being chairman of the Committee on Salaries in 1872. We had before us the salary of the Board of Health, which we thought should not exceed that of the Street Commissioners. I did n't see why they should. We don't expect every commission to be made up any better than the Street Commissioners are. We pay them \$3500 a year, and we know what a hustling about there is when the office is vacant. It was desired by the Mayor, last year, that we pay the Health Commissioners \$5000, but who of us believes if we had that we should have improved that commission? Haven't the press extolled the Health Commissioners for doing their duty without favor or fear. I must agree with the gentleman, in saying I don't see what the Fire Commissioners have got to do. All that they have got to do is to sit there and send their subordinates about to see what is necessary to be done. I agree with him that it is time economy put salaries where they belong. We have men in these departments,—such as the superintendents of sewers and streets,—and we pay them \$3600. Do you suppose they are going to sit quietly in their seats when they see men of no greater calibre than they are getting five thousand. It is an insult to bring in three green men here and put their salaries as high as the Mayor receives. If I had been the chairman of that committee I would have insisted upon putting in a report for \$3500 a year. Last year gold was ten per cent. higher than it is now, and if you give these commissioners four thousand, you give them ten per cent. more than you gave the Board of Health last year. The Superintendent of the Public Library sent in here last year and wanted a thousand dollars more. We voted him down; but have we lost him? No, sir. If he had got it very easily he would have come again and tried for more. We are not going to get men in these positions who have been successful in business. I believe the Fire Commission is a piece of extravagance, and that such a commission would prove just as valuable if we didn't pay them a cent. The commission in Albany do n't receive a cent for their services. When we paid the assessors nothing they served us best. That is the way to obtain competent men.

Alderman Hulbert—I differ with the Alderman who has just spoken. Now that it is settled I believe it is our duty to do nothing that will prevent his Honor the Mayor from selecting such men as meets his approval. In placing the salary at five thousand we do that, and in placing it at four thousand we do not. None of us know who the Mayor is trying to reach. We should n't place any obstacle in the way of having good men selected. Place the salary at five thousand, and the community will say we have acted correctly. This is unquestionably the cheapest money that we spend. An order to build a bridge at a cost of \$150,000 is a small item. But the moment anything is said about salaries there is talk about it. My opinion is that all the men at the heads of departments are illy paid. But I can understand it, because they have grown up in the place. We are not treating them fairly. I should be willing to advance their salaries and go before the taxpayers on that issue. What we want is brains. The market price of brain is very different from that of muscle. I can see work enough for three men for all the time they can spend on it. I can see that

the city is to be benefited as a whole, not merely in the extinguishing of fires merely, but in preventing them. I am willing to vote for five thousand dollars, but not for a less sum. I am glad to hear the gentleman from Ward 12 say let us have the best talent we can. There is more than a thousand dollars difference between four and five thousand a year, as men regard it.

Alderman Clark—I believe we should be willing to pay such a salary as will secure able and competent men. In regard to what the Commission has got to do, why there are a great many things. One thing, they are going to order larger water pipes and have them put in; they are going to order another fire boat and have it put in. Had we had the same appliances on the 9th of November which we have in the city today, we would never have had that fire. It is a fact that cannot be contradicted that suggestions were made to this Government three years ago which were not acceded to. We wanted a fire boat and the only way we could get it was by putting in an estimate for twenty thousand dollars, when it would cost thirty thousand. What is the result? The citizens would n't be without that boat today for anything. There is power put into the hands of this commission. We want able men to manage the expenditures of the department, which are not to be decreased. They have the power to do certain things and they will do them. They will order the Lowry hydrants, the efficiency of which was demonstrated yesterday afternoon, when one hydrant was opened and three engines were playing from it, and by the assistance of the fire boat the fire was confined to one building. This thing was recommended to the City Government years ago. The commission will take charge of one of the best departments in the world. We have nearly doubled it in the last year. We have now sixteen engines, and four companies permanently manned. They are ready to fight fires at the first sound of the gong. The commission will take charge of a well-organized department. In regard to salaries I believe we should pay such a salary as will secure the services of the best men who can be had. I believe Boston pays its officers too small salaries all through. We should pay them good salaries, not just enough to skin along on through the year. Such officers as the City Auditor and City Clerk should have enough to pay their expenses and lay up a little for a rainy day besides. It does n't follow that because we have one of the best city clerks and city auditors that they get sufficient salary. I am not only willing to pay these commissioners five thousand dollars, but will increase the salaries of other officials fifty per cent. if it is necessary. We pay the Street Commissioners three thousand five hundred dollars, which is wholly inadequate for the services rendered. The salary of the Board of Health is too small for the arduous labors performed. They have rendered very effective services during the past year. There is no question but that thousands of men in the city receive larger salaries than five thousand dollars a year who do not begin to have the responsibility that the Fire Commission will have. They have something to do besides coming into their offices in the morning and remaining there during the day. If the commission proves a failure it is within the province of this Board to abolish it entirely, as no doubt it will be when it proves to be of no service. I cannot for a moment suppose that the Mayor will appoint or this Board confirm, such a class of men as has been intimated have been hanging around here and seeking office. I have no doubt men of integrity and capacity will be appointed. It is our duty to reject bad appointments, and moreover I do not think it is our duty to support men whose services are not worth more than five thousand dollars a year.

Alderman Cutter—I was in hopes that we should hear some argument from the gentleman in favor of five thousand. He has pointed out the duties of the Fire Commission, and it would seem that they are to discharge those of the Water Board by putting in Lowry hydrants and larger pipes. They will have arduous duties in that direction, for the work has been done already. The gentleman says he favors high salaries all through. He must have forgotten his record last year. I think there was a handbill circulated saying he voted against the salary bill, but the people sent him back here. I am not going to vote the heads of departments five thousand a year and vote the laboring man only a dollar and a half a day. The laboring men are the bone and sinew of the country, and I don't know why the man who puts out fire with the hose should not be considered worth as much as a commissioner. Begin to raise the salaries down there. It is easy to advocate an increase of salaries; that is the atmosphere of this hall. A man is respected here who advocates

high salaries. But he is not respected out of here so much. From the financial condition of the country at present it is not best to increase salaries.

Alderman Sayward—The present heads of departments came here at low salaries and they have worked up, we know, their worth, and I am willing to raise the salary of those men. But we don't know who the commissioners are. Let us give them \$4000, and if they are valuable enough, I will vote to give them ten thousand; but I am not ready to raise their salaries to begin with.

Alderman Cutter again in the chair.

Alderman Gibson—If the Fire Commissioners are coming in here to take the whole business, I am willing to vote for five thousand. But if they are to be confined strictly to the Fire Department, four thousand is the most that should be given. If you want to elevate mankind why don't you begin to raise the salaries of those who handle the broom on the street? These commissioners will come in here and receive more than any of these men now receive who have been there all their lives. It is unreasonable and unjust. I don't believe these men are going to be worth four thousand dollars.

Alderman Power—The gentleman must think the commissioners are going to be green men, who will know nothing about the business. I have n't any such idea that any such men will be confirmed by this Board if they should by any possibility be nominated by his Honor the Mayor, which I have n't the slightest idea will happen. I shall never vote for the city to pay higher salaries than private corporations pay for the same labor. I know many men whose duties are not more arduous than the heads of our departments, who get more pay, and I have no doubt our heads of departments could obtain more if they would break up family ties and go to other cities. But because they don't receive what they deserve is no reason why we should n't give these commissioners what is requisite to secure the best men. They will have a large amount of money to spend, and I don't believe they will cut down the running expenses of the department. It behooves us to get men above suspicion, independent men, who will do their duty without fear or favor.

Alderman Clark—I have no idea of the men who are to be nominated, all I have heard is from the papers. One thing is sure, the Fire Commissioners must be men of business, and they are going to accept a responsible position if they undertake to fulfil what is expected by the public at large. It is expected that fires will cease to a certain extent, and the rates of insurance be decreased to a very great

extent. There is no doubt a very large amount of work for them to do.

Alderman Emery—The only reason I would consent to vote for a large salary is because I wish the Mayor to be untrammelled in selecting the men for this important position. I don't expect he is going to get better men than we have now at the heads of the departments. I am satisfied he cannot. But I believe sufficient inducement should be held out to attract men to come here and take bold of this work.

Alderman Gaffield called for the yeas and nays and they were ordered.

On the motion to substitute the minority for the majority report, the vote stood yeas 8, nays 4, as follows:

Yeas—Aldermen Bigelow, Brown, Clark, Emery, Gaffield, Hulbert, Power, Quincy—8.

Nays—Aldermen Cutter, Gibson, Sayward and Stebbins—4.

The order fixing the salary at \$5000 was then passed, and a motion to reconsider by Alderman Gaffield was rejected.

ANNIVERSARY OF THE GREAT FIRE.

Alderman Clark said that he thought it no more than proper that some notice should be taken of the anniversary of the great fire. This had been suggested by a great many, and it really should be done, for Boston has in one year rebuilt that vast mass of houses which were destroyed, with capital entirely her own. He therefore offered the following order:

Ordered, That his Honor the Mayor, and the members of the Common Council, boards of directors and heads of departments be invited to meet this board at the City Hall, on Monday next, the 10th of November, at twelve o'clock, noon, for the purpose of inspecting the improvements which have been made during the past year on the territory covered by the great fire of the 9th and 10th of November last.

Passed.

On motion of Alderman Stebbins, it was voted to request the City Clerk to invite the citizens generally to take part in the celebration.

ELECTION RETURNS.

On motion of Alderman Stebbins, the Chair appointed a committee consisting of Aldermen Stebbins and Quincy, to examine and report on the election returns.

On motion of Alderman Stebbins, the Board voted to hold an adjourned meeting at one o'clock P. M. on Friday, and on motion of Alderman Clark the Board adjourned till then.

CITY OF BOSTON.

Proceedings of the Common Council,
NOVEMBER 6, 1873.

The regular weekly meeting of the Common Council was held this evening, at half-past seven o'clock, E. O. Shepard, President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The quarterly reports of the Overseers of the Poor and the City Registrar were placed on file.

Petitions of W. H. Baldwin *et al.*, F. B. Meigs, and J. F. Atwood & Co., and remonstrance of the Twenty-eighth Congregational Society, referred in concurrence.

The following papers received concurrent action:

Request of the Directors of Ferries for an appropriation for new furniture for ferry boat of not exceeding \$3000; referred to Committee on Ferries.

Request of the Committee on Sewers for an additional appropriation of \$30,000 (City Doc. No. 121.); referred to Committee on Finance.

Communication, preamble and order from Street Commissioners to take the estate surrendered by Beals, Greene & Co. and als., for the widening of Water street; referred to Committee on Streets.

Report and order on the petition of Abraham S. Foss *et al.*, for modification of conditions of agreement for sale of certain lots of land on Seaver and Sumner streets. Order passed.

Report and order to authorize the sale of the old ferry boat Jefferson by public auction. Order passed under a suspension of the rules, on motion of Mr. Collins of Ward 2, who said it was desired to dispose of the boat as soon as possible.

Order accepting "An act to incorporate the East Boston Railroad Company," approved 8th March, A. D. 1873. Passed.

Report (leave to withdraw) on remonstrance of B. L. Crocker *et al.*, against any modification of conditions of sale of land on Seaver and Sumner streets. Accepted.

The order authorizing the fitting up of the Bowditch Schoolhouse to accommodate the branch of the English High and Evening schools now located in the city building, Mason street, was read once.

SALARIES OF THE FIRE COMMISSIONERS.

The majority and minority reports of the Committee on Salaries, and the order of the minority fixing the salaries of the Commissioners on the Fire Department at \$5000 each per annum, which had been passed by the Board of Aldermen, were considered, the question being on giving the order a second reading.

Mr. Shaw of Ward 5—I am not in favor of the report which has been accepted by the other branch. I have had something to do with this matter of a Fire Commission. I am in favor of paying the commissioners a proper sum, but I know of no head of a department of the City Government who receives over four thousand dollars per annum. Under the circumstances four thousand dollars is enough, in my opinion. I believe, Mr. President, that we should get better men—men better fitted for the duties of that office—for four thousand than we could for five thousand. That may seem a singular proposition, but it is one that I believe in. We require for that position, not gentlemen who have been educated to the learned professions, but practical business men. I don't believe the City Government or the people of Boston desire to place in that position gentlemen with white vests and kid gloves, or white cravats, who shall sit in their seats and direct what shall be done, with their subordinates to carry out their orders. We need practical business men who shall go to fires if it is desired. And I wish to say a word here in regard to a matter which I suggested to the committee which it was not thought proper to put into the ordinance, but was left to the discretion of the commission when organized. It was that one of those commissioners shall be required to be on duty at all times, day and night. I would have them alternate, and the rules should require one of them to be present at the headquarters of the commission day and night, so that in case of complaint from any quarter that commissioner shall be prepared to answer, and be responsible for his answer. I don't believe in appointing three men who will take the place because the salary is five thousand dollars, and would not accept if it were four thousand, or who would not be willing to stay on duty all night, if necessary. The men who would serve for four thousand would be a better class than

those who would serve only for five thousand. I am in favor of paying good salaries. The salaries are ordinarily fixed in April. It will be time enough to fix the salaries of the permanent commission when we shall have learned better what are the duties to be performed by them, and whether their services are worth five or four thousand. I am satisfied that four thousand will bring as good men as can be found in Boston for the place.

Mr. Denny of Ward 9—I do not know what intimation the gentlemen may have of who are the candidates for Fire Commissioners. I have n't heard the first word mentioned, but I am very much surprised at the reasons he gives why the salaries should be four thousand instead of five; I venture to say not a member of the Council knows what his reasons are. He says better men can be found for four thousand than for five thousand, but he don't tell us why. For the same reason you might say that better men could be secured for three thousand than for four. But it isn't good logic. No one wants men to sit in their chairs and do nothing. No one supposes the Mayor will appoint such men. It is too late in the day to say that the Fire Commissioners shall be on duty all night. They may be, after they are organized—no one knows to the contrary. In New York the chairman of the Board of Fire Commissioners receives seven thousand five hundred dollars and the two subordinates receive five thousand. The salary fixed upon by the minority is not considered extravagant, and is not higher than was mentioned in the debates in this Council while the question was before us. It is not a surprise to any member of this Council that five thousand was fixed upon rather than four thousand, and the gentleman himself presents no proof of his assertion that better men can be obtained for four thousand. I can't see any logic in it.

Mr. Pickering of Ward 6—I am not in favor of throwing away money or paying needlessly high salaries. It is time to economize as much as possible but true economy does n't consist in reducing salaries to the minimum for men who can perform the duties of this office. It has n't anything to do with the question whether a man wears a white vest or not. If he should wear a white vest he might be more efficient than one who had on a black vest or a fireman's cap. What we want are the right men, and if they are to be on night and day, that is the very reason why they should have more salary than those commissioners who are allowed to do other business, as is the case of the Board of Health, who receive four thousand, and that is considered a moderate salary. It strikes me that this office is to be a more arduous one than the Board of Health, especially if they are to work at night, and it appears to me that five thousand would be a very reasonable sum, at which I hope it will be fixed.

Mr. Pease of Ward 1—I don't look at this matter of a Fire Commission with as much importance as some others do. I suppose the commissioners will do pretty much as they do in New York. I presume they will go down to their office at ten o'clock in the morning, get through with their work and go home as soon as they please. The chairman of the New York board told me they never went to fires. To my mind it would be unfair to the other commissioners to give these officers five thousand. We can find good men who will perform the duties for four thousand, and I think the Mayor has selected men who will be willing to serve for that sum. I move to substitute the majority for the minority report.

Mr. Shaw of Ward 5—I think no gentleman has labored harder than I have for the establishment of a fire commission. Members of this board will agree to that. I have spent as many hours studying this matter as any one in this Council or any one in the City Government. I know something of what is required of these men, and whether my friend or my right, one of the able members of the committee, can see logic in my argument or not, I gave what every man here understands to be good and substantial reasons why men who are to be appointed at four thousand will be better fitted for the practical duties of that position than gentlemen who may be appointed at five thousand. I have n't the least idea who is to be appointed. I have only seen a list of names in the newspapers of persons spoken of for the position. I have never exchanged a word with his Honor the Mayor, (though it may have been thought from the position which I have taken that I would have done so,) or with any one else. But I still adhere to the proposition that those duties will be better performed by practical, every-day, common-sense men, than by scholars, many of whom are now applying for the place. I hope the majority report will be substituted. We are going to pay them higher than any other commission which has been established in the Commonwealth, to say nothing of the city of Boston.

To have good, substantial pay is enough, to begin upon, at any rate, when we have got to regulate salaries within the next six months. I don't believe any of those three commissioners are to work as hard as many gentlemen here do for less than that sum. My friend says the pay is \$7500 in New York. What is the pay in Philadelphia, which covers one hundred and twenty-nine and a half square miles as compared with the pay in New York, which covers twenty-two and a half square miles? In the other cities the pay is very small compared to what is proposed here. In Baltimore I think there is no pay for the commissioners. I believe in a paid commission and a paid department, but I want to see the salaries of the men who go to fires and chew the cinders—the men who labor and put out fires—I want to see the salaries of those men raised. Let us equalize that matter somewhat, and advance the pay of the men who risk their lives in the protection of property. If the pay of the commissioners is n't enough, it will soon be shown and the City Council in its liberality will increase it.

Mr. Wells of Ward 3—I am glad to hear the gentleman from Ward 5 speak as he does. They say chickens come home to roost. I agree with him though. When they talked commission I opposed it. I oppose it today. Let us see what this commission has got to do. They have got to come to this hall and expend this appropriation. We all know they are not to run to fires. They are obliged to appoint a chief-engineer and assistants, and they are to do the duty, while the commissioners are to spend the appropriation which this Council will give them. And if any of those gentlemen wish to go to any section of the city, he will have a carriage to take him there, just as every head of a department does today. It seems strange to me that men will stand up here and wish to pay five thousand dollars to these Commissioners, when we have a Chief-Engineer who has done this duty for years, and there is not a blot on his record to lay your finger on. I say there are good men, not white-cravat men either, who can fill those positions for \$3500, and put out fires as it ought to be done. I would therefore move to amend further by making the salary \$3500.

Mr. West of Ward 16—We must n't forget, Mr. President, that these commissioners are to have great responsibility—greater than any commission in this City Government. They are to have sole control of the Fire Department. My friend says we ought to pay the men more. That rests with the commissioners. For four thousand dollars we might get good men, but I can't agree with my friend that we can get just as good men for four thousand as we could for five thousand. If the salary is placed at five thousand His honor would have a larger field to select from. There is no question about that. He says we want practical men. That is true. But there are many good, practical mechanics who would n't look at the place for four thousand a year. They can make more than that in their business. I think we should not prejudice this movement by a false start. It is true five thousand is a large salary, but this is an exceptional case. The commissioners are bound to give their whole time and attention to their duties. I don't believe it will be good economy to make the salary too small. Five thousand is little enough.

Mr. Jones of Ward 14—I heartily agree with the remarks of my friend from Ward 5, and partly, also, with those of my friend from Ward 3. Good commissioners would find plenty to do from morning till night, and if the commissioners attend to their duties, they will be at fires day or night. But I think it is unfair to the heads of departments in the City Hall, who have done their duty for years, to place these salaries at five thousand dollars. If we start at four thousand it will be enough. I think it will be impossible to go outside of the department and find men who will do the duties as well as men in the department. I hope the motion to substitute will prevail.

Mr. Perkins of Ward 6—I don't propose to vote on this question out of any feeling of courtesy for the heads of departments. That is not our duty. Our duty is to fix the salary at such a sum as will enable the Mayor to fill the offices with the best men, and we ought not to have the slightest feeling of courtesy for the heads of other departments in voting. Now, why should the salary be more in this case? The gentleman from Ward 16 has put it just right. These officers are almost the only ones who are to assume great responsibility. They will have arduous labors to perform that the others don't have. Many gentlemen at the heads of departments are perfectly able to take responsibility, but as the City Government is constituted they don't have to take it. The City Government is run by committees, and

the superintendents merely advise. I would be willing to pay a thousand dollars extra to a man to take the responsibility. The Board of Health have four thousand a year. That office is easier than a Fire Commissioner. They are not deprived by the ordinance from engaging in other business, and the restriction against engaging in other business is worth another thousand. If the salary of the Board of Health is any criterion, five thousand is just the sum we should pay the Fire Commissioners. The increase would be none too much. As for this sort of demagogical talk about increasing the pay of the men who chew cinders, that shouldn't influence us, for we are not trying to get votes now. Even the gentleman who used that argument is relieved from it. He has gone up higher. Let us not use any consideration like this. Let us make the commission a success, entirely regardless of the heads of departments or anything else except the public good.

Mr. Wilbur of Ward 9—I think the salary of four thousand dollars would get good men enough for the position. We need good men, but in such times as these a salary of four thousand is equivalent to more than what four thousand was last year when the Board of Health was appointed. I can't see what this commission is to do more than the Board of Health. One of that board has devoted all his time to the work, and the others, although having other business, are occupied about all the time. I can't see any good reason why we can't get good men for a salary of four thousand dollars.

The Chair—I observe that the original order which comes up from the Board of Aldermen is precisely, word for word, the same as the gentleman from Ward 1 has moved to substitute, with the exception of the sum named as the salary. According to the rules of the Council, the vote will first come upon the order to pay five thousand dollars. If that is defeated then the question will be upon the order making it four thousand.

Mr. Perkins of Ward 6 called for the yeas and nays.

Mr. Pease—I will withdraw my motion to substitute if it is in order.

The Chair—The question will first be put on five thousand.

Mr. Dean of Ward 12—I did n't propose to say anything upon this question, but the yeas and nays have been called for, and it is proper for me to state the ground I take. Now I am not for low salaries. If I could succeed in getting good men for any place I should go for paying them well. I should like to have had this department organized so that the Chief-Engineer, if it was deemed necessary to make a change, should be a superior, able man, and whatever money was necessary to secure such a man should have been paid to him. It has, however, been decided to have a Board of Commissioners. What has a commission got to do? What can they do, and how can they spend their time? Now, so far as the machinery for the management of fires is concerned, it is like every thing else in the arts and sciences. That machinery goes on improving, year by year. As mechanics see that they can improve machinery they do so, and thus you go on from one engine to another, until you have got these magnificent steam engines. Then you have got to look for smaller apparatus, and then you would come to do just what the minority recommended—the best of all others,—and that is a standing high-pressure service. I trust it will come to that. But in regard to the management of such things there is very little labor. As far as I can understand, the time of these commissioners can't all be taken up in any duty coming legitimately and properly within their province. My opinion about it is, that the ordinance in that respect will have to be modified. I advocated that modification of the ordinance in regard to the Board of Health. It is better as it is. I don't think there is enough for the commissioners to do. The management of fires belongs to the Chief-Engineer, and if a commissioner comes round and interferes, the engineer can order him into the ranks. Such is the law, but of course he would n't do it with the ordinance as it is now. I make this remark simply to show the distinction between their duties. My belief is that the ordinance ought to be altered and that the commissioners should be able to attend to these duties and do something else besides. I think, then, you would get abler and better men. Any one who would take the position at four thousand dollars would do so with the expectation that the ordinance would be altered; you cannot expect that for four thousand or five thousand dollars you are going to get a Board of Fire Commissioners that will surpass Aldermen Cutter, Clark and Stebbins, and if you come to this Council you will find men equally competent. You have, in the gentlemen I name, men of excellence that

we know, and the chances are that we are not going to get better ones. It seems to me that these commissioners will get very large salaries, under such circumstances, at four thousand dollars.

The yeas and nays were ordered, and the question was first taken on five thousand, and resulted—yeas 14, nays 35, as follows:

Yeas—Messrs. Blackmar, Brackett, Burditt, Darrow, Davis, Denny, Holmes, Loring, Martin, Perkins, Pickering, Powers, Prescott, West—14.

Nays—Messrs. Abbott, Adams, Anderson, Boardman, Bowles, Brennan, Burt, Caton, Collins, Cudworth, Dacey, Dean, Edwards, Flatley, Flynn, Hine, Hughes, Jones, Madden, Marston, McCue, Morse, Page, Pease, Risteen, Shaw, Thacher, Train, Upham, Wells, Weston, Whiston, Wilbur, Woods, Woodward—35.

Absent or not voting—Messrs. Barnes, Bicknell, Bleiler, Doherty, Hall, Harrington, Kelley, Kingsley, Lamb, Mahan, McKenney, Tower, Warren—13.

The question was then taken on four thousand, and it resulted 47 yeas, 2 nays, as follows:

Yeas—Messrs. Ahott, Adams, Anderson, Blackmar, Boardman, Bowles, Brackett, Brennan, Burditt, Burt, Caton, Collins, Cudworth, Dacey, Darrow, Davis, Dean, Denny, Edwards, Flatley, Flynn, Hine, Holmes, Hughes, Jones, Loring, Madden, Marston, Martin, McCue, Morse, Page, Pease, Perkins, Pickering, Powers, Prescott, Risteen, Shaw, Train, Upham, West, Weston, Whiston, Wilbur, Woods, Woodward—47.

Nays—Messrs. Thacher, Wells.

The Chair—The motions made were in such a form that under the rule they were not absolutely put, but the effect is precisely the same. The last vote was equivalent to the substitution of the majority for the minority report and the question now is upon giving the order a second reading.

The order was read the second time, and on motion of Mr. Caton of Ward 11 the rules were suspended and the order was passed.

A motion to reconsider the vote fixing the salary of the commissioners at \$4000, offered by Mr. Wilbur of Ward 9, was lost.

UNFINISHED BUSINESS.

Order requesting the Water Board to report on condition of water of Farm Pond. Passed.

Order authorizing new desks and platforms to be provided for Common Council Chamber, at an estimated cost of \$2000. Passed.

Order that the further sum of \$800 be authorized to be expended for the fitting up of the Municipal Court Room, Southern District. Passed.

Order to pay for rent of armory of Company I, Ninth Regiment, Kingston street, for two months, \$52, and order authorizing not exceeding \$700 to be expended in repairing and furnishing armory of said company at 544 Washington street. Passed—yeas 35, nays 0.

Order for a transfer from Reserved Fund, of not exceeding \$5000, to cover expenses for surveys, plans and estimates for contemplated improvements on Northampton-street district. Laid on the table on motion of Mr. Prescott of Ward 9.

Order to appropriate \$100 in addition to amount previously appropriated for music stands. Passed, in concurrence.

AUDITOR'S MONTHLY EXHIBIT.

The Auditor's exhibit for the month of October (City Document 122), was presented in print and sent up. Following is the recapitulation of the expenditures for the month:

	Appropriations, Revenues, etc.	Expended.	Unexpended.
General.....	\$11,051,852 60	\$5,442,728 08	\$5,609,124 72
Special.....	9,245,872 21	4,526,736 75	4,719,135 46
	\$20,297,725 01	\$9,969,464 83	\$10,328,260 18

PETITIONS.

Mr. Prescott of Ward 9 presented the petition of William Pope & Son, for leave to erect a wooden building within the building limits on Albany street. Referred to Committee on Survey and Inspection of Buildings.

Mr. Whiston of Ward 8 presented the petition of Company D, First Battalion, M. V. M. for additional appropriation to furnish a gun rack, closets, etc., or in lieu thereof an armory suitable for State and company property.

Referred to Committee on Armories.

REPORTS OF COMMITTEE.

Mr. Caton of Ward 11, from the Committee on the Survey and Inspection of Buildings, to whom were referred the petitions of M. Drinan & Co., James Frame and Hersey Brothers, for leave to erect wooden buildings within the building limits, reported orders granting the same. The orders were severally read twice and passed.

Mr. Caton, from the same committee, reported leave to withdraw on the petition of Edward Gallagher. Accepted.

A PUBLIC PARK.

Mr. Shaw of Ward 5 offered the following:

Ordered, That a joint special committee, consisting of five members of the Common Council, with such as the Board of Aldermen may join, be appointed, who shall consider the expediency of laying out a public park upon a scale hefitting the present public demand and the prospective increase in area and population by additional annexation of cities and towns to Boston, and to report upon the same, with such suggestions and recommendations as in their judgment the best interests of the metropolis may require, said committee to be called the Committee on Public Works.

Mr. Shaw—In introducing this order, Mr. President I wish, as is my custom, to give a reason for it. I think, Mr. President, that the time has arrived when the city of Boston should commence to make arrangements for laying out a public park. I think public opinion has reached that point, and I had almost said it had demanded of the City Government that action should be taken in the matter. The order which I have introduced contemplates the appointment of a joint special committee to consider the expediency of the project, and report to the Council the result of their investigations as may seem proper. Now, Mr. President, it is very well known that the public parks, or the Common and squares of our city are very small in area. We have in the Common forty-eight acres, and in other squares enough more to make an aggregate of seventy-five acres for the city of Boston.

The city of Brooklyn, N. Y., has in Prospect Park 619 acres, or thirty per cent. more than the whole area of Charlestown. In addition to this she has several smaller parks, which increase the area to 666 acres. And, by the way, she has a most admirable way, in my judgment, of providing for the expense of those parks. She taxes her horse railroads, which the city of Boston ought to do, and the income from that source is enough to pay the whole expense, so that, in fact, within five years the city of Brooklyn will not have a dollar to pay for her public parks. The city of Baltimore has in Druid Hill Park some 700 acres—fifty per cent. larger than the whole area of Charlestown, and in addition to that she has two smaller parks, making an aggregate of 775 acres of public parks. She pays for her expenses in that line in a similar way to that of Brooklyn.

The city of New York has in Central Park 1000 acres, and in addition in smaller parks 800 acres, making in all 1800 acres of public parks, which is only 300 acres less than the whole area of Roxbury. The city of Chicago has 2000 acres in her parks, and she has three boards of commissioners to manage them. The city of Philadelphia has 2740 acres in her parks more than five times the area of Charlestown and 120 acres more than the aggregate area of Charlestown and Roxbury. Now compare all these cities in this country with the city of Boston with 75 acres only, I don't remember, at the present moment, the size of St. James Park, London, but I know it is large. Neither do I call to mind the area of the Bois de Boulogne, in Paris, nor the grand boulevard around the city of Brussels, situated almost like the city of Boston, which has a large territory admirably adapted for such a purpose. Such a boulevard the city of Boston might well have, especially with the annexation which she has recently carried and is likely to carry hereafter. Now, Mr. President, it seems to me that while upon this subject I may say that the plan of Mr. Crocker, submitted two or three years ago for a public park, in my opinion, was a grand one for the beginning.

I don't think it was comprehensive enough, but it was upon a scale which might be enlarged. It proposed to take in that beautiful hill in Brookline called Corey's Hill. Now, Mr. President, if I were to have my idea in laying out a public park, I would commence with a similar plan with that adopted in the city of Brussels, so that our great avenues from the centre of the city might lead into a grand boulevard or park. Our city can surround itself with a park at any time, Mr. President, which in time will reach from Everett or Revere Beach on the east, around to Squantum on the south; that is not too large an idea for us to comprehend.

By taking this plan, or adopting one which may take in some of the surrounding hills, especially Corey's Hill, it would afford a most fitting place for a high-service reservoir. It may be remembered that one week before the fire at the corner of Essex and Washington streets, this Council was invited to visit Parker Hill, for the purpose of investigating as to whether it was a fit place for an additional high-service reservoir. After the investigation I felt it my

duty to rise in my seat and object to carrying out that plan. My reasons were that we had had one terrible fire, which showed this necessity for a higher service, so that the hydrants might be more generally used, and with greater effect. Had those hydrants been available the fire never would have crossed Washington street.

Now, sir, we have in Corey's Hill a most beautiful elevation, 263 feet high, while Parker Hill is only 222 feet high, making a difference of 41 feet in favor of Corey's, which would make an immense difference in the pressure that might be applied to water that should be carried into the city, if upon that hill were placed a proper reservoir. That hill might be adapted for that purpose, and a grand boulevard or street, or whatever it might be called, might surround it, and both ends be accomplished. I have noticed in the public press some allusions to the Bussey Woods as a place that might be procured of Harvard College for this purpose. I think it is a proper place, but I would not establish a park there except in connection with a grand boulevard round the city. I hope this matter will be taken into consideration, because I think the public is ready for it. I think there is a demand that we shall begin to investigate the matter, so that we may have something of which the city of Boston may be proud.

There is no city in this Union with such surroundings as Boston, and I think that at a very moderate expense which could be continued along for a series of years, and this or some other plan may be carried out. I commenced three years ago an examination of this matter and placed myself in correspondence with different cities in the Union, and also with some in Europe, and have been receiving their books and documents, facts and figures. It seems to me, Mr. President, that there is no better time than now for us to commence an investigation of the matter. This question of additional annexation is sure to come up again in the Legislature, and it should be definitely settled whether the surroundings of Boston are to be annexed. I think they are. I am in favor of further annexation than has yet been proposed. I hope this matter may be examined into and an intelligent report made, so that the people of Boston may be satisfied that the City Government have their interests at heart, and are ready to act as they may dictate.

Mr. Perkins of Ward 6—I entirely agree with the gentleman, and would suggest a slight amendment to the order. What I want is to have parks available for all parts of the city. Instead of "a park" I move amend by inserting "one or more park."

Mr. Shaw accepted the amendment.

Mr. Wells of Ward 3—It seems to me that it is like crowding the mourners, as they say. I have heard of this park business for the last eight years. I heard of it in the Legislature in 1870. That is a cunning device—"one or more public parks." I hold that we have surrounded the city of Boston with a park. Will the gentleman go back to where a park was to be located in Roxbury? I had the pleasure of riding out on that tall hill, too. We have the territory today, and Boston is taking care of the roads, and there is a driveway, and we have them without paying for it. The gentleman cites Baltimore, but he don't say anything about Philadelphia and how that city came with its park. It was presented to that city, but they don't propose to present any here. If they do the gentleman ought to use his influence in Brookline, where Corey Hill is located. He says we should have a driveway around the park. Does he forget that we have a driveway around Chestnut-Hill Reservoir? All we have got is to get a part of Brookline in order to pass into Brighton, and then the city will have charge of the entire driveway. I would rather drive out there and see the styles of architecture than to see shrubbery. I think the gentleman told me that that locality could be bought for a poor farm, and the heart of Brookline could be taken for much less than they propose to pay for a poor farm today. Now, why would n't it be a good idea to buy that for the city of Boston? It would pay to have that farm. The city of Boston is not ready for a park yet, because we have parks. The only park we have the gentleman voted to cut off a part of it and put it into the street. If the Committee on Common and Squares could get sufficient appropriation we would have parks enough. I move the order be referred to the Committee on Common and Squares.

Mr. Holmes of Ward 6—I don't see the necessity of referring this order to the Committee on Common. No appropriation of money is intended. It is simply an order of inquiry. It is very apropos at this time, to consider where and how we may lay out a system of public parks. We have got to have land for parks in one place or another, and it is just the time to consider where they will have them. It is remarkably apropos, but I

hardly think the committee would desire that this order be referred to them.

Mr. Perkins of Ward 6—I do n't think the committee have any desire to have it referred to them. We can consider it now.

Mr. Dacey of Ward 2—I feel satisfied that the city of Boston should have a public park, but it seems to me that, as the year is drawing to a close, this order is not in place. There is hardly time, in the few remaining weeks of the year, for a committee to look into this matter intelligently. Next year we will have representations from Brighton, West Roxbury and Charlestown and the representatives of those sections should have a voice in the matter. I think the order ought to be referred to the next City Government.

Mr. Pease of Ward 1—The gentleman from Ward 5 says public opinion is in favor of a public park, and now is the time to do it. I am perfectly thunderstruck at the remarks of the gentleman. Does he suppose that two or three articles in a newspaper represent public sentiment, when it is well known that the city cannot borrow money at the legal rate of interest to pay the current expenditures? Does he think we want a public park when we have got to pay millions for water in the next year to come, whether we use Mystic or not? I am perfectly surprised that any gentleman should advocate such an expenditure when the city of Boston has such difficulty in borrowing money.

Mr. Shaw of Ward 5—I never lived a day without learning something new, and I have learned something new tonight. No matter what the rate of interest is, Boston can and will obtain all the money she needs, and she will never repudiate an obligation brought in the proper place and at the proper time. The gentleman says I said, "Now is the time to do it." Did n't I say that in my judgment now is the time to commence an examination of the question? The gentleman is stopping over. He opposed as lustily as he knew how, and with all the vigor he possessed, the establishment of a fire commission, and when the time came for voting for it, he saw that public opinion was too much for him, and he turned round and voted for it. I have no doubt that his good sense will, by and by, show him that a public park is demanded by the people, and if any committee should ever report in favor of it, I have not a doubt but that my friend from Ward 1 will vote for it. Notwithstanding that he is isolated and has prayed for free ferries, which I have long advocated, and notwithstanding the expense the city has been to give him fresh water—and good water too—notwithstanding all these things, he rises now and opposes what is looked upon by the whole people as a good matter. I don't propose to have the park built this year, but what I desire is that a proper committee shall investigate this matter. My friend talks about time. Why there is time to make a world between this and the first of January. I am aware my friend from Ward 3 is about to leave the City Government, as well as myself, unless they count us out; but when such a great question shall be brought up to the State House for legislation I have no doubt he will favor the plan. He is a public-spirited man, as well as my friend from Ward 1. The astonishment is on my part. If there is a city in the world that maintains its credit it is the city of Boston, notwithstanding what my friend from East Boston, with her forty thousand inhabitants, says. I had the pleasure, today, of driving over to East Boston, and I went over to Breed's Island, where a miniature city adjoins the Island Ward. A large population will be settled on that territory in the next twenty-five years, and I shall be glad then to see East Boston in the heart of the city. When my friend opposes a measure of this kind I can hardly believe my senses. I don't believe now that he is in earnest. When I saw the beautiful streets of East Boston—those broad avenues and extensive territory were once high hills—when I found there that the enterprise of himself and his neighbors has brought that territory into such a position that we may be proud of it, I say again that I am surprised to see my friend rise here and say what he has. I think he would be glad, at the proper time, to give the citizens of Boston a breathing place.

Mr. Pease of Ward 1—I am not disposed to stop over. I say this in all candor that the treasurer has difficulty in obtaining it at the legal rate of interest. The remark I made was n't intended as any slur upon the city. The gentleman has spoken of my changing my position on the question of a fire commission. I distinctly said that while voting against all annexation, I find that one city and two towns had been annexed, and the whole thing had been changed. And acting upon the principle that a wise man changes his mind and a fool never does, I said it was impossible for the city to manage

the departments as has been done. Public opinion did n't change me at all. I never change my mind in view of public opinion. If I could have my way I would put those towns and that city back again and then vote against a commission. Public opinion is not in favor of a park, and in this case I think the gentleman is entirely mistaken.

Mr. Pickering of Ward 6—If I understand this order it is a very harmless one, and it has given rise to a needless amount of discussion. It is merely an order of inquiry. It is true the city is unable to borrow money at six per cent., but if she has to pay eight or ten or twelve per cent. the city of Boston will do it.

The motion to refer was rejected, and the order was passed.

On motion of Mr. Welis of Ward 3—

Ordered, That the Committee on Legislative Matters be requested to report in print the result of their transactions with the Legislature during the present year.

Passed.

Mr. Train of Ward 13, offered the following:

Ordered, That the Board of Street Commissioners be requested to prepare plans for laying out, widening and extending streets over the territory bounded by Hampden street, Norfolk avenue, Magazine street and Swett street; said plans to be prepared with a view to the improvement of said territory by raising the grade thereof.

Ordered, That the Committee on the Suffolk-street District be requested to report to the City Government as early as practicable whether any additional legislation is necessary to secure the raising of the territory bounded by Hampden street, Norfolk avenue, Magazine street and Swett street, so that the grade thereof shall correspond to the new grade established for the Northampton-street district, so called.

Mr. Train of Ward 14—I presented the last order read that we might prevent any mistake being made in carrying out the provisions of the first one, and to see if it was necessary to have legislative action to cover the ground. But the first order is of great importance to the ward which I represent, and also to the whole city. The order passed the other evening

in regard to filling up and grading the Northampton-street district is, of course, to be carried out. This territory lies between Swett street and Magazine street. It is a very small tract and only partially inhabited. The streets which will be laid out across the Northampton-street district will adjoin it. What we ask is that the grade may be raised and the streets laid out at the same time, so that property owners may go ahead and build and not be disturbed afterward. The order is merely to ask the Street Commissioners to look into it. The most feasible way of filling the Northampton-street District is for the Boston, Hartford & Erie Railroad to lay tracks across the territory. I hope the order will take a second reading tonight, as it is necessary that the matter be put in train at once. There should be no delay whatever.

Mr. Flynn of Ward 7—It appears to me that this first order is of considerable importance and certainly ought to go before the Committee on Streets, and I move its reference to that committee.

The motion prevailed, and the second order was passed.

Mr. West of Ward 16 offered the following:

Ordered, That additional temporary accommodations be furnished for the primary schools in the Lewis-School district.

Ordered, That a primary school be established on Beacon street near Parker Hill, to accommodate pupils living between Dartmouth and Parker street.

Mr. West—These orders have been acted upon by the School Committee, and the District Committee thought that all they had to do was to go to the Superintendent of Buildings to be carried out. I move their reference to the Committee on Public Instruction.

The orders were so referred.

On motion of Mr. West of Ward 16—

Ordered, That the Committee on Public Instruction be requested to consider and report whether the Girls' High School has ever received legal establishment by the City Council, and what action is necessary in respect to the question.

Passed.

On motion of Mr. Collins of Ward 2, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
NOVEMBER 7, 1873.

An adjourned meeting of the Board of Aldermen was held at one o'clock today, Alderman Cutter, Chairman, presiding.

SALARIES OF FIRE COMMISSIONERS.

On motion of Alderman Stebbins, the Board took up the order fixing the salaries of the Fire Commissioners, and voted to concur with the Council in making the salary four thousand dollars.

A motion to reconsider, by Alderman Stebbins, was lost.

EXECUTIVE NOMINATIONS CONFIRMED.

Special Police, without pay—George S. Hutchinson, for duty at evening school at bathhouse on Cabot street; J. W. Cotton for Chatham street.

Members of the Fire Department—Eugene M. Byington, Michael H. Barry, Edwin P. Jones, John F. Carrier, R. H. Lawler, George Davis, C. E. Hill, to take effect Nov. 1, 1873.

PETITIONS REFERRED.

To the Committee on Health on the Part of the Board. William Munroe, to occupy wooden stable for two cows and three horses on Bakers Court, near Washington street.

H. W. Bessom, to occupy wooden stable for one horse at 301 Sumner street.

To the Committee on Streets. Mrs. Ann J. Phillips to be paid for land taken on Cottage street.

CONSTABLES' BONDS.

The bonds of Charles E. Townsend and Martin F. Curley, constables of Suffolk County, being duly certified by the City Treasurer, were approved by the Board.

NOTICE OF INJUNCTION.

Notice was received from the Supreme Judicial Court of an application by George R. Minot and fifty others for an injunction to prevent the annexation of the town of West Roxbury to the City of Boston, and of a hearing thereon before said court on Friday, November 14, at nine o'clock A. M.

Referred to the City-Solicitor.

THE ELECTION RETURNS.

Alderman Stebbins submitted the following report: The committee appointed to examine the returns of votes cast in the several wards of this city, on the 4th inst., for State and county officers, have attended to that duty, and report that they have examined the returns of election of all said officers, with the exception of those for the offices of Senators, Representatives, Register of Deeds and Register of Probate and Insolvency; and they find that the results, as far as examined, are correctly entered in the book kept for that purpose, and they recommend that the certificates thereof be signed and transmitted to the Secretary of the Commonwealth.

Your committee report that requests duly signed have been received by the City Clerk, for a recount of the ballots cast in Wards 2, 3, 8, 13, for Register of Probate; also in Wards 2, 3, 5, 7, 12, for Senators, and in Wards 5, 13 and 14, for Representatives.

Your committee also report that no returns have yet been received from Chelsea or Revere for a Register of Deeds.

Your committee, therefore, ask for further time to report on the election of Senators, Representatives, Register of Probate and Register of Deeds, and for authority to count the original ballots in the case where the same has been requested.

S. B. STEBBINS, } Committee.
S. M. QUINCY, }

The report was accepted.

Alderman Stebbins said it was desirable that the recount should be made and reported to the Board on Monday. He moved an addition of one be made to the committee. Carried.

The Chair appointed Alderman Power on the committee.

THE FIRE COMMISSION.

A communication was received from His Honor the Mayor, nominating the following-named persons to constitute the Board of Fire Commissioners:

Alfred P. Rockwell, to hold office until the first Monday in May, 1876.

David Chamberlain, to hold office till the first Monday in May, 1875.

Timothy T. Sawyer, to hold office till the first Monday of May, 1874.

On motion of Alderman Stebbins, the Board voted to take the vote on confirmation on Monday next, at half-past four o'clock.

REMOVAL OF A DANGEROUS BUILDING.

On motion of Alderman Hulbert—

Ordered, That the Chief-of-Police be directed to close against the passage of vehicles the portion of Pine street nearest to Harrison avenue during the removal of a wall of building 237 Pine street, which has been condemned as unsafe by the Inspector of Buildings.

REPORTS.

Alderman Clark, from the Committee on Streets, submitted orders to pay G. T. Bigelow and others, trustees, \$1580, on account of widening Federal street; and Newell A. Thompson, \$1309 20, on account of the extension of Columbus avenue to Park square.

Severally read once.

Alderman Clark, from the same committee, reported leave to withdraw on the petition of the proprietors of the Stoughton-street Baptist Church, for abatement of betterments for street widening. Accepted.

Alderman Clark—I rise to a question of privilege. Certain comments have been made in the press concerning the order which I had the honor to present at the last meeting of this Board, in relation to the inspection of the territory covered by the great fire which occurred a year ago. I supposed the order was sufficiently clear in its wording to prevent any misunderstanding.

It did not seem inappropriate for the members of this Board, as Surveyors of Highways, to inspect the work which has been accomplished in the widening of streets and the erection of buildings during the past year, and to invite the other members of the Government to accompany them. No celebration was contemplated. It was intended to be purely a business affair.

There is to be no speechmaking that I am aware of. The Inspector of Buildings purposed to make a brief report to the Government, giving some account of the extent and character of the improvements on the burnt district for the year ending next Monday. It was suggested that that report, instead of being presented at the regular meeting of this Board, should be presented at the informal meeting of the City Council, and read by the Mayor, before proceeding to visit the territory.

That is the whole story. There is to be no formal procession—no dinner, no speeches. For the statement that there was to be such an absurd celebration the newspapers are alone responsible. That is the only source from which the community have received information that we are to have a band, or go to Parker's or Young's, or have a spread on the Common. It was proposed to give the members of the City Government an opportunity to go down there and see what has been done on this territory within the past twelve months. I thought it was proper for us to go, and the suggestion first came to me from many of the best merchants in the city. Several verbal and written communications came to me on this subject, but not from members of this City Government. For the idea that any great parade or procession was contemplated, the daily press, so far as my knowledge extends, is responsible. That is the only explanation that I have to make in this matter. Now if it is thought proper to abandon the whole thing I shall not feel that it was injudicious. I should like to have the opinion of other members of the Board in regard to dismissing it entirely. If the public press, who represent public sentiment, deem it unwise, I am willing to dismiss it altogether. It did seem to me that we might meet here at twelve o'clock, and after hearing a brief statement from the Inspector of Buildings of what has been done, we might go down and see this territory that had been burnt, and which has been rebuilt by the citizens of Boston, and with money of the city of Boston, principally. We might see for ourselves whether or not it was well done. I, for one, would n't think that it was time thrown away.

Alderman Stebbins—When this matter was introduced, on Tuesday, it struck me as very appropriate, but the public press have so magnified the demonstration, giving it a character which the originator never had any idea of, and which I certainly never thought of—the having of flags and bands of music was never in my mind, that after what has been said, I propose to abandon the whole thing.

Alderman Sayward—I don't propose to back out because the public press choose to put in something that the Board of Aldermen never thought of. I say, let us carry it out just as we first intended.

Alderman Hulbert—When this order was introduced it did n't seem to me to be inappropriate. It

was designed to be an informal visitation of the City Government. I saw nothing improper in it, but when I read the papers the next morning, and was told what was involved in it, I thought perhaps more was contemplated than was mentioned in the order here, and that there was to be something entirely too elaborate. I made up my mind that I should n't go into that procession.

I disapproved of it *in toto*. As the explanation of the gentleman is just the same as has been said in the order of last Tuesday, I think it is very proper to proceed. It is not a celebration, and never was intended to be. If the newspapers have taken this matter in their hands we cannot be responsible for their mistakes. I understand that there are reporters here now from New York to report the speeches which will be made on that occasion. I hope there will be such an informal occasion, but that no speeches will be made. I see no occasion to change our action here, but we want to set ourselves right. The celebration contemplated by the newspapers was simply ridiculous.

Alderman Quincy—I fail to see why we should change because the newspapers say we intended to do something that we never intended to do. I think we had better carry it out as we intended, and show the press that they are mistaken.

Alderman Clark—It certainly would not be an occasion for glorification or the celebration of such an event as occurred twelve months ago. But it did seem to me to be fitting to have a report from the Inspector of Buildings of what has been done, and then to go down there and see for ourselves what has been accomplished in twelve months. It seems to me that what has been accomplished in this short space of time would be a source of gratification. The idea was to meet here at twelve o'clock, have a report from the Inspector of Buildings, and then go

down there, without interrupting trade or blocking the streets—no fire, no band, no music or flags were contemplated for the occasion. I don't know where it comes from, but I believe that the newspaper which has this criticism was the first to suggest the display of flags and of having bands of music. If it is carried out I hope we shall meet at twelve on next Monday and have the report of the Inspector of Buildings, and then go down there with such members of the City Government as desire so to do.

Alderman Hulbert—I think it is very desirable that the City Government should go down there, for I apprehend that very few, except those who are connected with the committees on streets or paving, are familiar with things in the burnt district. Those of us who are on those committees have a great many things to consider in regard to that district. As a member of the Committee on Paving, having care of the streets, it would be very satisfactory to me to have the whole City Government see for themselves, and understand what is the best for the care of the streets during the coming winter. A great amount of information will be had by a visitation there, and the members of the committees will be enabled to take such action as the whole City Council will approve.

Alderman Gaffield—I cordially approve of the plan introduced by the gentleman from Ward 6. I think it was sensible, and hope we shall carry it out, and that every member of this Board and the other branch and the heads of departments will go with us. I think we have reason for honest pride in the rebuilding of that district from its ashes. The proposed visit is very proper, and I think it should be carried out.

On motion of Alderman Sayward, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
NOVEMBER 10, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M. today, Alderman Cutter, Chairman, presiding.

EXECUTIVE APPOINTMENTS CONFIRMED.

Weigher of Coal—John McNanghton.

Special Police Officers without pay—Alexander McLeod, American Stable, Sudbury street; John Fullerton, Baltimore & Norfolk Steamship Company.

JURORS DRAWN.

Thirty-two traverse jurors were drawn for the Superior Court, first session; also eighteen special traverse jurors for the Superior Court, first session, to make appraisal and valuation of the land of Edward Wigglesworth and Thomas Wigglesworth; also thirty-two traverse jurors for the Superior Court, second session.

ORDERS OF NOTICE.

The order of notice on the petition of the Ross Manufacturing Company, to locate steam engine at 72 Dorehester avenue, was considered, and no objection being offered, the petition was referred to the Committee on Steam Engines.

METROPOLITAN RAILROAD.

The special assignment, being the hearing of all parties interested in proposed location of the tracks of the Metropolitan Railroad on Beacon street, from Gloucester street to Brighton avenue, was taken up.

Mr. Jewell, counsel for the railroad, said he hoped arrangements had been made by which temporary use could be made of a tract of land on the corner of Marlborough and Parker streets, for a short term, if the Board shall see fit to authorize a stable to be kept there; and if the company get the necessary authority from the parties whose lands abut on Gloucester street, they would move their stable there and so relieve the Board from acting on that question. He therefore offered a petition for leave to maintain a stable on the southerly side of Marlborough street, where it joins Parker street, for sixty horses.

On motion of Alderman Power, the subject was laid on the table and the petition was referred to the Committee on Health on the part of the Board.

PETITIONS PRESENTED AND REFERRED.

To the Committee on Health on the Part of the Board. M. Murphy, for extension of time in which to complete his stable on Athens street, between A and B streets.

M. T. W. Glynn, for leave to erect a stable for one horse in rear of 37 Mercer street.

To the Committee on Common on the Part of the Board. Metropolitan Railroad, to remove a tree from Bartlett street.

To the Committee on County Accounts. Proprietors of Social Law Library, for their usual annual appropriation of one thousand dollars.

To the Committee on Assessors' Department. Henry T. Woods, for remission of tax on estate 1086 Shawmut avenue.

To the Committee on Paving. James Lee, Jr., et al., for plank walk on Commonwealth avenue, between Berkeley and Dartmouth streets.

Richard Miller, for damages for change of grade in the laying out of Bolton street.

To the Committee on Survey and Inspection of Buildings. Reuter & Alley, to erect a wooden building on their premises, exceeding the legal limits.

To the Committee on Armories. Major Austin C. Wellington, for approval of armory in Boylston Hall for headquarters of First Battalion of Infantry.

Captain Dunn of Company B, Ninth Regiment, for reimbursement for rent of armory.

QUARTERLY REPORT.

The Superintendent of the City Scales in Haymarket square presented his report for the quarter ending November 1, 1873. Receipts, \$919 37, of which \$331 08 have been paid into the city treasury. Accepted and sent down.

SEWER ASSESSMENT.

The Superintendent of Sewers submitted an assessment of the cost of constructing a sewer in Ruggles and Halleck streets. Total, \$13,185 30; to individuals, \$6226 85. Referred to Committee on Sewers.

NOTICE OF INJUNCTION.

Notice was received from the Supreme Judicial Court of a petition for an injunction to restrain the

union of the city of Charlestown with the city of Boston, and of a hearing thereon on Friday, the 14th instant, at ten o'clock A. M. Referred to the City Solicitor.

UNFINISHED BUSINESS.

Orders to pay N. A. Thompson \$1309 20, for Columbus-avenue damages. Passed.

Order to pay G. T. Begelew et al., trustees, \$1580, for Federal-street damages. Passed.

Report and order for Cochituate Water Board to contract for iron water pipes to an amount not exceeding \$200,000, payable in May, 1874. Passed.

Report and order to fix the salaries of the permanent men in the Fire Department at the following rates: Foremen at \$3 25 per day; hosemen and assistant foremen at \$3 00 per day. Passed.

Order to revoke any license for theatres, etc., where any immoral performance or exhibitions shall be permitted. Passed.

Report and orders to allow the town of Brookline to take water from the Cochituate water pipes for a period of ten years, at the usual rates.

Alderman Hulbert—I rise to inquire as to the mode of supplying water to the town of Brookline—whether it will be from the reservoir or whether the city shall lay the distributing pipes, and thereupon make charge only for water taken—whether it is contemplated that the town of Brookline or the city of Boston shall lay the pipes.

Alderman Stebbins—It was represented that the town of Brookline would lay their own pipes, and the city furnish the water to those pipes from what is known as the low service in the town of Brookline.

Alderman Stebbins—The order provides for the payment of no money, and there is no proviso that the city shall not furnish any pipes—nothing but water.

Alderman Hulbert—I still think there should be something more definite in the order.

On motion of Alderman Gaffield, the order was laid on the table, and subsequently taken up on motion of Alderman Stebbins, who offered the following amendment, to be added to the first order:

And provided further, that the said town of Brookline shall, at its own expense, put in such service and supply pipes as may be required, and connect the same in a satisfactory manner with the pipes already laid down by the city of Boston within the limits of said town.

The amendment was adopted, and the order as amended passed.

Report and order for Committee on Paving to contract for the construction of an iron bridge at Dartmouth street, over the Boston & Providence Railroad, at a cost of not exceeding \$155,000; and for a loan therefor.

Alderman Hulbert—It may be well for some one of the Committee on Paving to make an explanation of this order. The bridge that was erected some two years ago across Dartmouth street is now found to be very defective and unsafe, great decay having taken place in it. It is necessary that immediate repairs be made to render that bridge safe for the present winter. It is plain, also, that an entirely new structure must be speedily put in its place. The present bridge rests upon supports between the railway tracks, placed there temporarily by permission of the railway company. What arrangements can be made for an iron bridge we do not exactly know. The order and the amount specify the contemplated cost of a bridge of one span, so that, in case it shall be necessary, it is covered. It was felt to be desirable in view of the present state of the iron and metal market, that the contract should be made during the present season, to be delivered in the ensuing spring, to erect the stone work in the spring and have the iron work all ready, so that the job could be completed in a speedy manner. It is supposed that quite an amount can be saved by making the contract now; but that there may be no disappointment as to the cost, the Engineer has been requested to make an estimate based on the high cost of iron, but we hope to build the bridge for a sum much less than that named in the order. Should this order be passed, we propose to spend a reasonable amount to make the present bridge safe, and this order covers both.

The order was passed—yeas 12, nays 0.

THE FIRE COMMISSIONERS.

The special assignment for half-past four o'clock being the confirmation of the Fire Commissioners, nominated by his Honor the Mayor, was taken up.

Alderman Gaffield moved that the vote be taken by yeas and nays, as was the case in the confirmation of the Board of Health, and that each candidate be voted for separately.

The motion was carried and the chairman announced the question to be on the question of con-

firming the nomination of A. P. Rockwell to hold office till the 1st of May, 1876.

Alderman Power—I don't wish to delay the appointment of the fire commissioners, but from the amount of influence that has been brought to bear to have the management of the Fire Department put into the hands of a commission it is very evident that the public thought this matter of the greatest importance to the city of Boston. I agree that it is of the very greatest importance to the city; that we should, if we are to have a commission, have the very best men who can be found to fill those positions. Now, sir, when those nominations were first handed in I was not present, on account of a misapprehension as to the hour at which the special meeting of the Board was to be held; if I had been I should have asked for what I propose to ask for now—some information in regard to the gentlemen nominated and their qualifications for the office. I don't think it is any credit to this Board simply because the public demand the appointment of a commission, and are in a hurry for it, to confirm the nomination of gentlemen of whom they know nothing, whom they have not seen. I think we should at least have an introduction to them, and see what sort of men we are going to have in this office. If I had been in the Board last Friday, I would have made some proposition so that we could have seen the gentlemen whom we are to vote for for fire commissioners. If we are to vote today I shall vote against them, for I cannot vote for men whom I have not seen and of whom I know very little. What I have heard about them is very creditable, but it is not very creditable to confirm gentlemen whom we have never seen, and I think the most of this Board are precisely in this predicament.

Alderman Hulbert—The time was pretty short in which we were given to make the proper investigations, in order to act today in reference to this commission, but knowing that fact I availed myself of all the opportunity I had to make inquiries, and I am prepared to act today.

Alderman Power—I move that when this Board adjourn, it be to Thursday next at one o'clock P. M., and that this subject be specially assigned for consideration at that time. This will not delay the matter at all. The commissioners will have to be confirmed by the Council also, which meets on Thursday evening.

Alderman Quincy—I am generally in favor, sir, of as prompt action as any one; but it is true it will not deter the matter at all by specially assigning it for the meeting on Thursday. I have made what inquiry I have been able to, but I confess I have not had all the light that I could wish, and I am not quite so ready to vote yea or nay as I would be on Thursday. For this reason I hope the motion to specially assign for Thursday next will prevail.

Alderman Gibson—The gentlemen should have ample time to look into the matter. No injury will be done by the delay. The present members of the Committee on Fire Department are as competent to carry on the department as any one else, and the city can suffer no loss.

Alderman Sayward—I have voted against a commission, but it has been said that the public want a commission, and want it immediately. Now, sir, the commissioners have been nominated by the Mayor. We have had three or four days to make inquiries. It appears to me that the gentlemen could have found out all that is to be found out. If there is such a public demand, we ought to vote on these nominations today. If gentlemen think they cannot vote for confirmation, they ought to vote against it. If gentlemen had desired to inform themselves of the nominees for fire commissioners, it appears to me they could have done so. I hope the question will be acted upon today.

Alderman Stebbins—I would call the attention of the Alderman from Ward 16 to the fact that two of the gentlemen who have spoken have been almost constantly engaged at the City Hall since last Friday, recounting the election returns. I speak for myself as well as for them, for I have not had time to make sufficient inquiries.

Alderman Hulbert—I would be glad to give the gentlemen all the opportunity they desire, and I hope the subject will be laid over.

Alderman Gaffield—I am satisfied that the more inquiries the gentlemen make the more they will be willing to vote for confirmation, and I therefore favor a postponement.

The motion to specially assign the subject for consideration at a special meeting on Thursday next was carried.

PAPERS FROM THE COMMON COUNCIL.

Petitions referred in concurrence.

Auditor's monthly exhibit, November 4, 1873, (City document No. 122). Placed on file.

The following papers received concurrent action: Order requesting Water Board to report on condition of water of Farm Pond. Passed.

Order authorizing new desks and platforms to be provided for Common Council chamber, at an estimated cost of \$2000. Passed.

Report "leave to withdraw" on petition of Edward Gallagher for leave to erect a wooden building at 632 Harrison avenue. Accepted.

Report and order to permit M. Drinan & Co. to erect a wooden building at 93 Shirley street. Passed.

Report and order to permit Hersey Brothers to erect an addition to their building on Second and E streets. Passed.

Report and order to permit James Frame to erect an addition to his building on White and Putnam streets. Passed.

Order for Board of Street Commissioners to prepare plans for streets on territory bounded by Hampden, Magazine and Swett streets and Norfolk avenue. Referred to the Committee on Streets.

Orders for a primary school on Beacon and Parker streets, and for temporary primary accommodations in the Lewis District. Referred to Committee on Public Instruction.

Order for Committee on Suffolk-street District to report if any additional legislative action is necessary to effect the improvement of the Swett-street district. Passed.

Order for Committee on Public Instruction to consider and report if the Girls' High School has ever received a legal establishment by the City Council. Passed.

The order for Committee on Legislative Matters to submit their report in print was laid on the table on motion of Alderman Quiney, who, in reply to a question from Alderman Stebbins, stated that it did not emanate from the Committee on Legislative Matters. The committee, he said, desired to learn the object of the order, that they might know what position to take upon it.

THE ELECTION RETURNS.

Alderman Stebbins presented the following, which was read by the City Clerk:

The committee appointed to examine the returns of votes cast in the several wards, on the 4th inst., for State and county officers, and who were granted further time in which to report on the election of Senators, Representatives, Register of Probate and Insolvency, and Register of Deeds, have attended to that duty and report that they have examined said returns and, in accordance with the directions of this Board, have also counted the original ballots cast in Wards 2, 3, 8, 13, for a Register of Probate, etc., in Wards 2, 3, 5, 7, 12 for Senators, and in Wards 5, 13, 14, 15 for Representatives; and the results are correctly recorded in the book kept for that purpose, from which it appears that Thomas F. Temple has been duly chosen a Register of Deeds for this county; and that the following-named persons have been chosen Representatives to the next Legislature from their several districts, viz.:

District No. 1—Andrew M. Morton, Nathaniel Seaver and Daniel J. Sweeney.

District No. 2—Timothy J. Dacey, Patrick Collins and Dennis Bonner.

District No. 3—George P. Kingsley, Michael F. Wells and John Tewksbury.

District No. 4—Charles Hall, George G. Crocker and Alfred A. Clatur.

District No. 5—Edward B. Rankin, George A. Shaw and Francis M. Hughes.

District No. 6—William E. Perkins, Frederic W. Lincoln, Charles R. Codman.

District No. 7—Thomas F. Fitzgerald, Patrick Barry, John E. Fitzgerald.

District No. 8—Benjamin Heath, Lucius W. Knight and Henry P. Shattuck.

District No. 9—Moses Kimball, William Frost.

District No. 10—John J. McNutt, Lyman Mason.

District No. 11—John Bigelow, Richard H. Stearns and Edward J. Jones.

District No. 12—Richard Pope, Henry W. Wilson.

Norfolk District No. 4—Austin H. Connell.

Norfolk District No. 3—Brownell Granger, Albert Palmer and George Bartholmesz.

Norfolk District No. 5—Albee C. Clark, Richardson Hutchinson.

The committee recommend that the City Clerk be directed to notify the Register of Deeds and the foregoing Representatives of their election, and that certificates of the votes of this city for Senators and Register of Probate, etc., be transmitted to the Secretary of the Commonwealth.

The committee append to this report a schedule exhibiting the results of their investigations and the great discrepancies between the official returns and this committee's recount of the same ballots.

The committee feel that they cannot condemn in too severe terms the carelessness or the incapacity of the officers of some of the wards of this city.

The offices of Warden, Inspectors and Clerk, underlying, as they do, the very foundations of our civic government, are too important to be filled by persons of inferior ability.

For the last few years there has been exhibited more or less evidence of carelessness, ignorance or fraud in the conduct of elections and the computation and certificates of results, and either this Board or the Common Council has been annually called upon to perform the duties of ward officers and to review and correct the work which should have been properly performed at the polls.

It appears to your committee that if the citizens of the several wards have not sufficient pride or interest to secure their right by the election of suitable and competent persons for ward officers, then the time has arrived for the adoption of some other mode for their selection.

The committee, therefore, hope that at the ensuing municipal election ward officers will be chosen in the several wards, who will be a credit to the city, and who will not by carelessness or incapacity convert a sacred privilege into a perfect farce.

In the box returned to the City Clerk from Ward 5 there were found two packages of ballots folded in such a manner as to leave no doubt that they were fraudulently deposited at the polls. According to the sworn statement of the Warden two only of these ballots were counted by him: none of them were counted by your committee.

These packages contained the names of the following persons for the offices which your committee were authorized to recount, viz :

First package of twelve ballots—For Senator, F. W. Jacobs 10, A. J. Robinson 2. For Representatives, Horace L. Bowker 11, Robert McCue 2, George A. Shaw, Roger H. Scannell and Edward B. Rankin, one each.

Second package of sixty ballots—For Senator, F. W. Jacobs 46, A. J. Robinson 13. For Representatives, Francis M. Hughes 36, Roger H. Scannell 21, E. B. Rankin 20, Horace L. Bowker 19, Robert McCue 2, and George A. Shaw, N. B. Shurtleff, George G. Crocker and William E. Bicknell, one each.

These packages were of such a size that they could not have escaped the eye of a ward officer who was vigilant and correct in the performance of a duty which he had taken a solemn oath to perform. Such fraudulent attempts to defeat the real choice of the citizens have become so alarmingly frequent as to justify an appeal to the Legislature for some law which will better secure the purity of the ballot at the polls of large cities.

As a further indication of irregularities in the conduct of the recent election in this ward, the committee report that while the whole number of ballots returned in the sealed box was 763. There are only 685 names checked upon the list by the inspectors, tending to show that more ballots have been returned as deposited than passed through the ballot box.

In view of all the irregularities in this ward, the committee feel that the Legislature would be justified in ordering a new election in that ward.

Since the adjournment of the Board requests for the recount of ballots cast in Ward 3 for Representatives, and in Ward 6 for Senator, have been received by your committee, who have accordingly examined said ballots in both cases, and have recorded the results in the accompanying schedule and in the City Clerk's records.

The returns of votes for Register of Deeds have also been received from the city of Chelsea and the town of Revere.

Respectfully submitted,
S. B. STEBBINS, }
S. M. QUINCY, } Committee.
JAMES POWER, }

WARD TWO.

Official.	Recount.	Gain.	Loss.
Register of Probate etc.—			
Patrick R. Guiney.....876	1,202	346	..
William S. King.....173	209	36	..
All others.....	2	2	..
Senator—			
Thomas L. Jenks.....830	819	..	11
Francis B. Hayes.....437	563	131	..
— Hayes.....	1	1	..
All others.....	4	4	..

WARD THREE.

Official.	Recount.	Gain.	Loss.
Register of Probate, etc.—			
Patrick R. Guiney.....661	667	6	..
William S. King.....300	353	53	..
— King.....	3	3	..
All others.....	2	2	..
Senator—			
Thomas L. Jenks.....568	591	23	..
Francis B. Hayes.....355	400	45	..

Official.	Recount.	Gain.	Loss.
Senator (Continued)—			
— Hayes.....	1	1	..
All others.....	2	3	1
Representatives—			
John Tewksbury.....412	506	94	..
M. F. Wells.....473	489	16	..
G. P. Kingslev.....527	553	26	..
Thomas J. Anderson.....466	473	7	..
John Bigelow.....308	372	64	..
William H. Cook.....377	461	84	..
James E. Bigelow.....7	..	..	7
A. R. Holden, Jr.....20	20	..	..
J. W. O'Sullivan.....9	20	11	..
All others.....29	31	2	..

WARD FIVE.

Senator—			
Francis W. Jacobs.....477	461	..	16
Alphonso J. Robinson...277	286	9	..
— Jacobs.....	3	3	..
J. H. Mahan.....	1	1	..
Representatives—			
George A. Shaw.....366	349	..	17
Edward B. Rankin.....367	386	19	..
Francis M. Hughes.....289	319	30	..
Roger H. Scannell.....304	307	3	..
Horace L. Bowker.....300	287	..	13
Robert McCue.....149	145	..	4
Roger H. Scannell.....	1	1	..
George S. Bartlett.....161	159	..	2
— Bowker.....	2	2	..
All others.....5	7	2	..

WARD SIX.

Senator—			
Francis B. Hayes.....702	701	..	1
Thomas L. Jenks.....243	205	..	38
N. P. Banks.....1	1	..	..
Thomas F. B. Hayes.....	2	2	..

WARD SEVEN.

Senator—			
Hugh J. Toland.....779	774	..	5
Wm. W. Doherty.....413	396	..	17
All others.....1	3	2	..

WARD EIGHT.

Register of Probate, etc.—			
Patrick R. Guiney.....455	449	..	6
William S. King.....149	156	7	..
All others.....2	5	3	..

WARD TWELVE.

Senator—			
Hugh J. Toland.....517	517	..	..
William W. Doherty.....743	749	6	..
A. J. Neiley.....105	108	3	..
All others.....4	6	2	..

WARD THIRTEEN.

Register of Probate—			
Patrick R. Guiney.....419	396	..	23
William S. King.....187	336	149	..
All others.....	2	2	..

Representatives—			
Austin H. Connell.....332	328	..	4
Henry B. Chamberlin...181	297	116	..
Benjamin Franklin.....95	95	..	..
N. Porter Cleaves.....11	12	1	..
All others.....1	2	1	..

WARD FOURTEEN.

Representatives—			
Brownell Granger.....906	912	6	..
Albert Palmer.....877	882	5	..
George Bartholmesz.....775	776	1	..
G. F. Burkhardt.....308	306	..	2
John Kelley.....257	254	..	3
Hugh O'Brien.....249	244	..	5
Joseph H. Sheard.....3	3	..	..
Henry Putnam.....3	3	..	..
All others.....2	3	1	..

WARD FIFTEEN.

Representatives—			
Brownell Granger.....635	639	4	..
Albert Palmer.....575	579	4	..
George Bartholmesz.....371	379	8	..
G. F. Burkhardt.....748	745	..	3
John Kelley.....567	563	..	4
Hugh O'Brien.....508	504	..	4
All others.....11	11	..	..

The report was accepted and placed on file.

ELECTION OF OVERSEER OF THE POOR.

Alderman Brown, from the Committee on Overseers of the Poor, submitted a report recommending the election of Isaac F. Campbell as a member of said board, to fill the vacancy caused by the death of Thomas Blasland.

On motion of Alderman Brown, the Board proceeded to ballot, and Isaac F. Campbell was unanimously elected to fill the vacancy.

REPORTS OF COMMITTEES.

The chairman read a report from his Honor the Mayor, chairman of the Committee on Finance, to whom was referred the request of the Committee on Sewers for an additional appropriation, recommending the granting of the request, and reporting the accompanying order:

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 thirty thousand dollars (\$30,000).

On motion of Alderman Power, the order was read twice and passed—yeas 12, nays 0.

Alderman Sayward, from the Committee on Health, reported favorably on the petition of Michael Ryan, George W. Wadsworth, and John Morgan, for leave to occupy wooden stables. Severally accepted.

On motion of Alderman Gibson—

Ordered, That the Committee on Bridges be authorized to rebuild the draw and foundations of Broadway Bridge, over Fort Point Channel, at an estimated expense of \$114,000.

Read once.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of \$114,000, to be applied to rebuilding the draw and foundations of Broadway Bridge.

Read once.

Ordered, That his Honor the Mayor be requested to petition the General Court, at its next session, for an extension of the time within which the city was authorized by chapter 225 of the acts of the year 1871, to take and hold land and other property for a landing for the East Boston ferry-boats.

Passed.

Ordered, That the Committee on Bridges be authorized to expend an additional sum, not exceeding \$1800, in repairing Dover-street Bridge; said sum to be charged to the Appropriation for Bridges.

Passed.

Alderman Sayward, from the Committee on Licenses, reported favorably on the applications of James Ryan, 201 South street; Wendell E. Baker, 137 Tremont street; Stephen Wilson, 36 Phillips street; John Ryan, 1455 Washington street; Cram & Fogarty, 2 Providence street; Meinrod Rottler, 20 Pyncheon street, for victualler's license; and unfavorably on the application of A. B. Xander, 22 Groton street, for innholder's license. Severally accepted.

Alderman Sayward, from the same committee, reported favorably on the applications of E. Elwell and four others, for transfer of wagon licenses; T. Edward Johnson, for wagon stand at corner Warren and Dudley streets; B. F. Hutchins, Thomas Murray and Cornelius Linnehan, for hack stands; Forrest Dramatic Club, to give an exhibition at Mattapan Hall. Severally accepted.

Alderman Sayward, from the same committee, reported leave to withdraw on application of George F. Pratt for hack stand. Accepted.

Alderman Power, from the Committee on Paving, to whom were referred the petitions of the Continental Sugar Refinery, Henry A. Wilder and others, submitted reports severally recommending the passage of the following orders:

Ordered, That permission be given to the Continental Sugar Refinery to lay gas, water and steam pipes under and across First street, near Granite street, upon condition that said company shall first give to the city an agreement in writing satisfactory to the City Solicitor, holding the city harmless against any and all claims for damages, costs or expenses for, on account of, or in any way growing out of the laying down and maintaining of said pipes under said street; also upon condition that said company shall remove said pipes when ordered so to do by the Board of Aldermen, and place the street in as good condition as it was in before said pipes were laid.

Passed.

Ordered, That notice be and hereby is given to John Souther to remove within thirty days the fence erected by him across A street, at Richards street; also to remove all obstructions extending beyond the line of said A street, northeasterly of Richards street.

Passed.

Ordered, That notice be and hereby is given to Daniel Goodnow to remove within ten days the bay window recently erected in front of his estate on Brookline street, projecting over the line of said street.

Passed.

Ordered, That the time allowed to the Rowe's Wharf Corporation in which to remove obstructions from Broad street and Atlantic avenue be and the same is hereby extended to April 1, 1874.

Passed.

Alderman Power, from the same committee reported leave to withdraw on the petition of E. B. Bridgeman, to maintain a sign across Washington street and Cornhill; and no action necessary on that of Francis Richards *et al.*, that obstructions be removed from the archway on Chapman place. Severally accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the application of Boston News Company to use steam engine at 142 Washington street. Accepted.

Alderman Power, from the Committee on Sewers,

to whom were referred the assessments for the construction of sewers in First street and in Stoughton street, Brook and North avenues and Cottage street, reported that they are correct and recommend the passage of orders for the collection of the same. The orders were severally read twice and passed.

Alderman Clark from the Committee on Streets, submitted orders to pay for street damages as follows: New England Mutual Life Insurance Company, \$15,400, for land taken from the heirs of John Fleet, in widening Congress street; Mary F. Goddard, \$17,790, Milk-street widening; heirs of James W. Fenno, \$6000, Congress-street widening; Edmund Dwight, William Minot and J. Elliot Cabot, trustees, \$12,600, for land taken from William Dwight and others, trustees, in Milk-street widening; Edmund Dwight, William Minot and J. Elliot Cabot, \$9400, in extension of Arch to Milk street; Ann J. Phillips, \$1443 25, widening of Cottage street; James Parker, \$15,281 25, on account of widening of Washington street; Mary T. Goddard, \$35,641, widening of Hawley street. Severally read twice and passed.

Alderman Clark, from the Joint Committee on Fire Department, submitted a report, representing that during the fire of May 30 last the self-acting chemical engine belonging to the department was badly damaged by the sudden falling of a wall. To make good the loss in the shortest possible time, a telegraphic despatch was sent to Baltimore, ordering one of Holloway's chemical engines. Before the order was filled the great fire in that city destroyed the factory. Recently the committee have received notice that the engine would soon be ready for delivery. In the meantime the original machine has been repaired and put into service, but it is desirable that there should be two of these engines connected with the department; one to be located in the business portion of the city, and one at the South End. The committee recommend the passage of the accompanying order:

Ordered, That the Committee on the Fire Department be authorized to purchase one of Holloway's self acting chemical engines, provided it is constructed in accordance with the specifications, at an expense not exceeding fifteen hundred dollars; to be charged to the appropriation for Fire Department.

Alderman Clark—The facts are plainly stated in the report. This other extinguisher was ordered immediately after the fire, after we supposed that the Babcock had been totally destroyed in the fire of May 30. It was nearly completed, but was consumed in the great fire at Baltimore. The order appropriating the money therefor has never been passed, but we felt that this extinguisher had been contracted for and it would be right to take it, inasmuch as it will be needed.

The order was passed.

Alderman Clark, from the Joint Committee on Streets, to whom was referred the order of the Street Commissioners taking the estate of Beals, Greene & Co., on Water street, on account of the widening of Water street, submitted a report recommending the passage of the order.

The order was passed.

Alderman Clark offered the following, and on his motion it was referred to the Joint Committee on Streets:

Ordered, That the settlement with William Gray, for land taken from his estate by the Street Commissioners' order of June 30, 1873, for the extension of West Chester Park to Beacon street, for \$15,035 10, as expressed in the order to pay him that sum passed in the Board of Aldermen the 4th inst., the city assume the payment of any and all betterment that may hereafter be assessed for the extension of West Chester Park upon other land of the said Gray, abutting on that street, or in any way benefited by the extension aforesaid.

HAYES'S STABLE.

Alderman Quincy—I rise to a question of privilege, Mr. Chairman, and would like to make a contribution to the literature in the Martin Hayes stable case. It appeared to me that the opinion read from the City Solicitor at the last meeting was rather calculated to confuse Mr. Hayes and the members of this Board. I therefore addressed a letter to the City Solicitor, which I would like to submit to the Board.

CITY HALL, Nov. 7, 1873.

Hon. J. P. Healy, City Solicitor: Dear Sir:—Will you kindly inform me whether the following inferences, which I draw from your communication to Alderman Stebbins in relation to the licensing of Martin Hayes's stable, are in your opinion warranted?

1. That the vote taken to revoke said license was either illegal or inoperative, and therefore properly reconsidered inasmuch as if said license was then in force; the Board had no power to revoke it, and if not in force no occasion to do so.

2. That if said building was not demolished or destroyed, thereby putting an end to the use licensed, but simply damaged, the owner's right to repair the same, subject to building regulations, is unquestioned.

If you can favor me with a reply before the next meeting of the Board, you will much oblige,

Respectfully, your obedient servant,

S. M. QUINCY.

CITY SOLICITOR'S OFFICE, }
Nov. 8, 1873.

Dear Sir—The foregoing propositions accord with my opinion of the law.

Very respectfully,

J. P. HEALY.

Mr. Alderman Quincy.

Alderman Quincy—I move, Mr. Chairman, that the communication be placed on file with the other papers in the case.

It was so ordered.

Subsequently Alderman Stebbins said—I desire, Mr. Chairman, in connection with the question of privilege to state just this point. The opinion of Mr. Healy, just given by the Alderman, does not conflict with the one read to the Board last week. The petition is to repair his stable and rebuild it. The committee reported that he should have permission to rebuild with brick, and the permit has been so made out.

Alderman Quincy—It is simply a question of fact, whether the stable was destroyed or not. My position was that if part of it was destroyed it could be rebuilt, whether with brick or not. If the fire put an end to the stable it cannot be repaired, but if only a part was destroyed, whether it is to be repaired or rebuilt with brick is a mere use of words. The question is whether it was so destroyed that it cannot be used for a stable. The use of the words rebuilt or repaired cannot possibly affect the case.

Alderman Stebbins—Mr. Hayes holds a license from this Board to rebuild a stable partially destroyed by fire. The Committee on Health have reported an order allowing him to rebuild with brick. The City Solicitor says if he rebuild he must take out a new license.

Alderman Quincy—I understand Mr. Healy says you cannot rebuild a destroyed building without a new license, but you can rebuild a damaged one.

Alderman Sayward—The statement of the alderman on my left is precisely what I stated last Monday week. He can repair or rebuild the building, and that without changing its external appearance. It is a new building that he has given an opinion on. This is to repair an old building, and that is what we have given permission to do.

Alderman Stebbins read the following extract from the opinion of the city solicitor presented by him: "Mr. Hayes cannot legally erect another stable under the license formerly granted to him. The recent action of the Board of Aldermen, according to the official report of their proceedings, does not amount to a renewed license, and further action, as full as though no former license had been given, is requisite to authorize the rebuilding of his stable."

Alderman Sayward—There is one word more. The building has been occupied as a stable ever since it was burnt, and consequently he has a right to repair it.

CONDITION OF THE FIRE DEPARTMENT.

Alderman Clark, from the Joint Committee on Fire Department, submitted the following report.

In view of the change in the management of the Fire Department, as provided in the ordinance approved Oct. 24, 1873, the Joint Standing Committee of the City Council, which has had the general supervision of the department from the 16th of January last, begs leave to submit the following report, giving some account of the organization of the old department and a statement of its present condition:

As early as 1711 the General Court provided for the appointment in this city of officers known as fire wardens, with powers and duties similar to those now exercised by the engineers. The preamble to the act then passed recites that

"Whereas, By reason of the contiguity and adjoining of the houses and dwellings within the town of Boston, persons are under great affrightment and hurry upon the breaking out of fire, and not only the person in whose house the fire first breaks out, but the neighborhood, are concerned to employ their utmost diligence and application to extinguish the fire and prevent the progress thereof, and to preserve their substance by the removal of their goods, being glad of the assistance of others in that regard, and divers evil-minded and wicked persons, on pretence of charitably offering their help, taking advantage of such confusion and calamities to rob, plunder, em-

bezzle, convey away and conceal the goods and effects of their distressed neighbors.

For preventing whereof,

Section 1. Be it enacted by his Excellency the Governor, Council and representatives, in General Court assembled, and by the authority of the same, that it shall and may be lawful to and for the justices of the peace and selectmen of the town of Boston, from time to time, to appoint such number of prudent persons of known fidelity, not exceeding ten, in the several parts of the town, as they may think fit, who shall be denominated and called fire wards, and have a proper badge assigned to distinguish them in their office, viz., a staff of five feet in length, colored red, and headed with a bright brass spire of six inches long, and at times of the breaking forth of fire, and during the continuance thereof, shall, and hereby are fully authorized and empowered to, command and require assistance for the extinguishing and putting out the fire, and for removing of household stuff and furniture, goods and merchandizes out of any dwelling houses, storehouses, or other buildings actually on fire, or in danger thereof, and guards to secure and take care of the same, as also to require assistance for the pulling down or blowing up of any houses, or any other service relating thereto, by the direction of two or three of the chief civil or military officers of the town, as is by law provided, to stop and prevent the further spreading of the fire, and to suppress all tumults and disorder."

The first city charter, which went into operation on the first of May, 1822, provided that the citizens at their respective ward meetings should elect, by ballot, a number of persons to be determined by the City Council, but not less than three in each ward, to be fire wards for the city, with all the powers and subject to all the duties then by law appertaining to the fire wards of the town. The condition of the department at that time is thus described by Mayor Quincy: "Its efficiency chiefly depended upon the aid of the inhabitants, applied under the authority of the fire wards. They formed lanes of bystanders, who, by their direction, passed buckets of water, from pumps or wells in the vicinity to the engines playing on the fire, and returned them for further supply."

This system of protection had its origin in the relations of the colonial state, when the inhabitants were few, habituated to labor, and respect for the rights of property was general. Dwelling houses being then separated by gardens or vacant fields, extensive conflagrations were infrequent; yet, being of wood, and the means of insurance unattainable, their occasional loss kept alive the feeling of sympathy in the community. The duty of joining some fire company and assisting at every fire was, therefore, regarded as imperious.

At the time of the adoption of the City Government, Boston was in a transition state, and fast advancing to that period, when, by the increase of population, ties of individual interest were diminished. The establishment of insurance offices had, in most cases, transferred the loss upon capitalists, and poverty and crime, multiplying with numbers, began to regard fires as harvests, from the gleaning of which they had not principle enough to abstain.

Although this state of things was obvious, and its effects began to be felt, yet it was long before the duty of aiding the sufferers caused the necessity of imposing restraint on the general interference of the citizens at fires to be recognized. This reluctance to acknowledge the effect of circumstances on the then existing system of protection, was peculiarly strong among the engine companies, in whom the *esprit du corps* was active and general. From the earliest period of the settlement, the members of those companies had been accustomed to regard themselves as the guardians of the city against this element, and took a pride in the consciousness of their power. They were a body of men energetic and fearless. So far from regarding their labors as onerous, and looking for their reward in pecuniary compensation, a premium was often paid for admission into the companies, and they deemed themselves recompensed by a small allowance from the town, sufficient for an annual social supper, by exemption from militia duties, and the consciousness of useful and acceptable services to their fellow-townsmen. Their engines, found and supported by the town, were without ornament, and valued only for their power. To be first, nearest and most conspicuous at fires was the ambition of the enginemen; and the use of hose, as it had a tendency to deprive them of this gratification, was opposed."

In 1823 several companies petitioned for additional compensation for their services. It was refused. In one day all the engines in the city were surrendered by their respective companies; and on the same day

every engine was supplied with a new company by the voluntary association of public-spirited individuals.

Authority was soon after obtained from the Legislature for the reorganization of the department, so as to make it independent of the aid of citizens in case of fire. The new organization went into effect on the 29th of April—the form then established having continued without any substantial change from that time to the present. The department at that time contained 320 men, 16 hand engines and only eight hundred feet of hose. In 1837 the ordinance establishing the Fire Department was revised, and under its provisions the chief-engineer submitted his first annual report in 1838. The department contained at that time 13 engines, 595 members, 14 hand engines, 8240 feet of leading hose, 18 hose carriages and one hook and ladder carriage.

On the 17th of September, 1860, the manual engines were entirely dispensed with and steam engines (with hose tenders attached) and separate horse hose carriages substituted in their place. The apparatus of the department consisted of nine steam engines, with hose tenders, nine separate horse hose carriages and three hook and ladder carriages. The members, including the engineers, numbered 236 men.

The condition of the department at the time the great fire occurred, last year, has been so fully described heretofore that it would be superfluous to dwell upon the matter here. When the present government entered upon its duties there was a very general demand on the part of the citizens that the efficiency of the department should be increased, both by additions to the apparatus, especially in the business portions of the city, and by changes in the organization of the force, so as to bring about a higher state of discipline. The recommendations made by the Mayor in his inaugural address, and also the recommendations made by the commission appointed to investigate the cause and management of the great fire, received the immediate and earnest attention of this committee. On the 13th of March a report was submitted to the City Council, stating the progress made by the committee in strengthening and improving the department, and recommending certain changes in the ordinance by which greater responsibility in the management of the department would be secured. Those recommendations were referred to the Committee on Ordinances, and from that day to this no report has been made upon them. If the matter had received prompt attention, as requested by this committee, the principal defects of organization which were dwelt upon with so much force after the fire of May 30, would have been cured, and the department would have been in a condition to meet criticism without fear as to the result.

The requests of the committee for appropriations from time to time to carry out the improvements which they had projected, have been responded to generally, by the City Council, with great promptness.

The following statements show the additions in men and material made during the present year—January 1 to November 1—a period of ten months:

The following engine houses have been built during the year, viz.:

Engine Company No. 12—Corner of Winslow and Dudley streets, Highlands. This house was built to take the place of the old one situated on the corner of Warren and Dudley streets, which was taken down on account of the widening of Warren street.

Engine Company No. 22—Parker street, Highlands. This building is for temporary use only.

Engine Company No. 24.—Corner of Quincy and Warren streets, Highlands.

Engine Company No. 25—Washington square. For temporary use.

Hose House No. 4—Northampton street, has been enlarged so as to accommodate a steam fire engine and horse hose carriage.

Hose Company No. 12—Corner of Fourth and O streets, South Boston.

Hook and Ladder Company No. 6—Corner of River and Temple street—Ward 16.

Hook and Ladder Company No. 8—Washington square. For temporary use.

A permanent house for Engine Company No. 25 and Hook and Ladder Company No. 8, corner of Washington square and Perkins street, has been contracted for but not completed.

The building known as the "Normal School," on Mason street, is being remodelled so as to accommodate a permanent steam fire engine company.

A building for Hook and Ladder Company No. 4, on Dudley street, Highlands, has been contracted for.

Horse hose carriages have been placed in engine houses numbered 4, 7, 8, 9 and 25, to run in connec-

tion with the engines in place of the small hose tenders formerly used.

In accordance with the order of the City Council, horse hose carriages will be placed in all the other engine houses as soon as they are completed.

The following pieces of apparatus have been repaired and put in the best condition:

Engines Nos. 6, 7, 8, 13 and 15; Hose Carriages Nos. 1, 3, 4, 5, 6, 7 and 9; and Hook and Ladder Carriage No. 7.

Several of the horse hose carriages have been remodelled so as to convey the firemen to fires.

The apparatus purchased or contracted for during the past year is as follows:

One steam fire engine from Hunneman & Co. (received), \$4000.

One steam fire engine from the Amoskeag Manufacturing Company (received), \$4200.

One steam fire engine from Clapp & Jones (contracted for, to be delivered Dec. 1), \$4250.

Four horse hose carriages from the Amoskeag Manufacturing Company (contracted for), each \$650.

One horse hose carriage from William Gilchrist (received), \$1000.

One hook and ladder carriage from Hunneman & Co. (received), \$1600.

Four coal wagons from Joseph T. Ryan (received).

One self-acting fire engine (Babcock) from New England Fire Extinguisher Company (received), \$2000.

One steam fire engine from Amoskeag Manufacturing Company (contracted for), \$4250.

One self-acting fire engine from Holloway, Baltimore (contracted for), \$1500.

The following additions have been made to the working force of the department:

Engine companies numbered 4 and 7 have been reorganized by the appointment of the foremen and hosemen for constant service—making twelve permanent members in each company.

Hose Company No. 1 has been changed to an engine company (No. 25) and twelve members appointed for constant service—making an addition to the department of five men.

Hose Company No. 4 has been reorganized and made an engine company (No. 23), on Northampton street, making an addition of two men to the department.

A new hook and ladder company, located on Washington square, and known as No. 8, has been organized, with fifteen permanent men.

A new hose company has been organized in South Boston, known as No. 12, thereby adding to the department nine men.

Two new engine companies have been organized in the Highland District, and known as Engine Company No. 22, on Parker street, and Engine Company No. 24, on Warren street, thus giving to the department twenty-two additional men—making a total of fifty-three men added to the department during the year. The company on Parker street was added in response to petitions from citizens of Wards 6 and 9, to cover the recently occupied lands in those wards.

The present condition of the department is shown in the accompanying statements.

The report here gives a schedule of the men employed and the property of the department, with the following recapitulation:

Steam engines in service, 25; horse hose carriages, 9; hook and ladder carriages, 8; extinguisher corps, 4; fire boat, 1; insurance brigade, 1; coal wagons, 12; men employed, 515; consisting of 1 Chief and 14 Assistant-Engineers, 1 Secretary of Board of Engineers, 2 clerks, 42 foremen of companies, 25 engineers of companies, 55 drivers, 25 firemen, 272 hosemen, 120 hook and ladder men; 1 captain, 1 mate, 1 steward, 1 engineer, 1 foreman and 1 deckhand of fire boat; 16 insurance brigade; 153 constantly employed, 369 doing duty only in case of fire; horses, 96; number of feet of leading hose, 60,956; number of feet of suction hose, 500; hydrants, 2872; reservoirs, 179; fire-alarm boxes, 177.

The members of the Insurance Brigade belong to the department as at present constituted, but they are paid for their services by the Boston Board of Underwriters. The City Solicitor has recently furnished an opinion to the effect that the members of the brigade cannot be considered as regular members of the department, for whom the city should be at the expense of furnishing accommodations.

It will be seen by reference to the statement relating to the number of hydrants in service that there have been two hundred and eighty Lowry hydrants introduced since the first of May last. The promptness of the Water Board in responding to the wishes of this department by enlarging the street mains in the city proper, and furnishing improved hydrants, is deserving of high commendation.

Inventions for the extinguishment of fires and for

the preservation of life in case of fires, have been very numerous since the conflagration of last year; and the committee have given much attention and numerous hearings to parties interested in securing the introduction of new methods.

[The report here gives a schedule of the estimated value of all the property belonging to the department.]

The appropriation made for the maintenance of the department for the financial year 1873-74 was \$551,316. The expenditures have been as follows:

May draft.....	\$130,446 48
June draft.....	36,270 59
July draft.....	43,819 14
August draft.....	39,267 94
September draft.....	38,447 56
October draft.....	38,329 65
November draft.....	46,084 10

Total.....	\$372,665 46
Unpaid contracts chargeable to this appropriation.....	16,800 00

Total.....	\$389,465 46
Estimate of expenses required for the maintenance of the department for the remainder of the financial year, including salaries of commissioners and permanent force recently organized and to be organized for the Mason-street Station, at \$50,000 per month during the remaining five months.....	250,000 00

Amount carried forward.....	\$639,465 46
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Amount brought forward.....	\$639,465 46
	551,316 00

Estimated excess of expenditures over appropriation.....	\$88,149 46
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In conclusion, the committee desire to acknowledge the obligations they are under to the Chief-Engineer for the valuable assistance which he has given them, and they also desire to commend in the highest manner the great energy and fearlessness which he has invariably shown in the discharge of his difficult and dangerous duties. The long and faithful services of the present members of the Board of Engineers and their secretary entitle them to the thanks of the citizens.

Respectfully submitted,

LEONARD R CUTTER,
JOHN T. CLARK,
SOLOMON B. STEBBINS,
GEORGE L. BURT,
JAMES F. MARSTON,
WILLIAM H. JONES,
FREDERICK PEASE,
ELIJAH B. HINE,

Committee.

On motion of Alderman Clark, the report was laid on the table to be printed.

On motion of Alderman Power, the Board adjourned to Thursday, at 1 P. M.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

NOVEMBER 13, 1873.

An adjourned meeting of the Board of Aldermen was held at one o'clock P. M. today, Alderman Cutter, Chairman, presiding.

PETITIONS PRESENTED AND REFERRED.

To the Committee on Claims. Dean Dudley, representing that his office was situated in the burnt district at 8 Congress square, Monks Building, on the fourth floor, and his type, books, and printing material were entirely destroyed by the blowing up of the adjoining apartments, during the great fire of 1872. His loss by this calamity was about \$5000, on which there was no insurance. Long before the fire reached this locality the city police stretched a rope across the street, and prohibited any one from removing the goods and fixtures or even from entering Monks Building. The city authorities took the liberty to stop him from removing his property and then blew up the same by means of gunpowder.

To the Committee on Health on the Part of the Board. J. A. King, to occupy wooden stables for one horse, at Clayton street, Ward 16.

E. C. Drew, to occupy two wooden stables for thirty-two horses, on Parker street.

John Hurley, for leave to add five more stalls to stable 63-65 Liverpool street.

John O'Hare, to occupy wooden stable for two horses in rear of Knowlton street.

H. R. Surles, to occupy wooden stable for ten horses on Culbert street.

To the Joint Committee on Health. Board of Health for additional appropriation of \$1000 for quarantine department.

To the Committee on Sewers. Samuel P. Loud, that collection for assessment for sewers in Dorchester avenue be postponed.

SEWER ASSESSMENTS.

The Superintendent of Sewers submitted schedules of sewer assessments as follows: East street, Ward 16, total \$3861 59; to individuals \$2896 20; Warren street, from Dudley to Washington street, total \$1782 29; to individuals \$1336 22; Washington street, between Summer and Franklin, total \$683; to individuals \$341 50. Severally referred to the Committee on Sewers.

CONSTABLES' BONDS APPROVED.

The bonds of Thomas A. Jackson and Johnson Warren being duly certified by the treasurer were approved by the Board.

FROM THE SCHOOL COMMITTEE.

A request was received from the School Committee that a tablet be placed in the Lowell School-house. Referred to Committee on Public Instruction.

EXECUTIVE NOMINATIONS CONFIRMED.

Member of the Fire Department—Charles T. Dearing.

FIRE COMMISSIONERS CONFIRMED.

The Board took up the special assignment, the confirmation of the nomination of Alfred P. Rockwell, David Chamberlin and Timothy T. Sawyer, to constitute the Board of Fire Commissioners.

The Chair announced that the first question would be on the confirmation of Mr. Rockwell, and that the vote would be taken by yeas and nays.

Alderman Quincy—I think that those who desire the success of the commission cannot do better than to confirm his Honor's selection. I regard the elements for an efficient and reliable board as well combined. In the first name, we have scientific engineering attainments of the first order, with a military record which testifies to the greatest capacity for command, organization and discipline; in the second name we find a practical and thorough acquaintance with the details and working of the present system in one who has been long enough out of the department to be independent of its influence, and in the third, energy, business capacity and an almost proverbial integrity. A practical knowledge of the details of the present organization is a most valuable element for the success of a new system, if it can be found in one not pledged or bound or influenced to a continuance in old ruts. The appointment of any member of the present department who had publicly opposed this measure would have been a mistake,

as it would be too much to expect such person to bring an unprejudiced mind to his work. But a person not bound in any way to defend the present system, who yet has an intimate knowledge of it, if a fair-minded man, is of great value at the present moment, entirely irrespective of his own qualifications for such a post as that of Chief-Engineer. The result of the Alderman's inquiries had convinced him that Mr. Chamberlin would make a valuable commissioner, and he hoped all three would be confirmed.

Alderman Power—Since our last meeting I have seen some insinuations in the press that my motives in having this matter laid over till today were not just what I said they were at that time. The special meeting at which these nominations came before this Board was on last Friday, and owing to a mistake on my part I was not present. That same day I learned that I had been appointed on a special committee to recount the votes of this city. I had to go to work upon that matter immediately, and was constantly employed from Friday, both night and day, until the time of the meeting of the Board again on Monday. It must be apparent to everybody that under such circumstances I have very little time to make inquiries about the gentlemen whose names had come up here. I have made inquiries, and am satisfied that the gentlemen nominated are above suspicion. They say the first one is a first-class man in his department, and I believe the other gentlemen are all that is claimed for them. Yet, sir, I don't think it is a commission that entirely satisfies the public, with all their business qualifications and scientific attainments. I had hoped that gentlemen might have been found possessing a practical knowledge of the workings of the Fire Department and the fighting of fires. But, sir, I don't propose to delay action any further. I am satisfied that it is for the best interest of the public generally to allow these gentlemen to be confirmed, and I don't propose to oppose their confirmation any longer.

The vote was taken on the confirmation of Mr. Rockwell, as follows:

Yeas—Aldermen Bigelow, Brown, Clark, Cutter, Gaffield, Gibson, Hulbert, Power, Quincy, Sayward, Stebbins—11.

Nays—0.

Absent—Alderman Emery.

Mr. Rockwell's nomination was declared confirmed, and the Board, by precisely the same yeas and nays vote, confirmed those of David Chamberlin and Timothy T. Sawyer.

REPORTS AND ORDERS.

Alderman Stebbins, from the Joint Committee on Fire Department, reported that a great deal of attention had been given during the past year to the subject of providing a suitable fire escape and extension ladder for the use of the department in case of fire in high buildings. From numerous experiments made by the Engineer, it has been demonstrated that the ladder invented by George Skinner and manufactured by the Skinner Hook and Ladder Company, is best adapted to the wants of this department. It has received the unanimous approval of the Board of Engineers. The Committee therefore recommend the passage of the accompanying order:

Ordered, That the Committee on Fire Department be authorized to purchase one of Skinner's patent extension ladders and fire escapes, at an expense not exceeding two thousand six hundred dollars; said sum to be charged to the appropriation for Fire Department.

The order was read once.

On motion of Alderman Stebbins—

Ordered, That the Committee on Public Instruction be requested to report what disposition should be made of the old Mather Schoolhouse, Ward 16.

Passed.

On motion of Alderman Stebbins—

Ordered, That the Committee on Legislative Matters be requested to consider and report upon the expediency of petitioning the General Court, at its next session, for the passage of an act annexing the city of Chelsea and the towns of Revere and Winthrop to the county of Middlesex, so that the city of Boston shall constitute the whole of the county of Suffolk.

Passed.

Alderman Sayward, from the Committee on Health, reported in favor of granting the petitions of Robert T. Paine, Jr., W. H. Bessem and William Munroe, for leave to occupy stables, and M. Murphy for leave to extend stable; no action necessary on remonstrance of J. E. Herman against rebuilding of Metropolitan Railroad stable on Prescott place; also in favor of granting petition of C. J. Spencely on certain conditions; and that petition of W. T. Brigham, to construct cellar below grade, be referred to Committee on Survey and Inspection of Buildings. Severally accepted.

Alderman Clark, from the Committee on Streets, submitted an order to pay Charles H. Dodge \$398, for street damages in widening Federal street. The order was read and passed.

On motion of Alderman Power—

Ordered, That \$11 63 be abated from the assessment of Karen Hart, and \$6979 from the assessment of John Haggerty for a sewer in Dorchester avenue, and that the sum of \$81 42 is hereby assessed upon William Glover.

Passed.

Alderman Power, from the Committee on Sewers, to whom was referred the schedule of assessments

for the sewer in Ruggles and Halleck streets, reported that they are correct and recommended the passage of orders for collection. The order was passed.

On motion of Alderman Quincy—

Ordered, That the armory occupied by Company F, First Regiment of Infantry, M. V. M., at the junction of Warren and Palmer streets, be approved as a suitable place for the deposit of arms and equipments.

Passed.

On motion of Alderman Gibson, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

NOVEMBER 13, 1873.

The regular weekly meeting of the Common Council was held this evening, E. O. Shepard, President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Quarterly report of Hayweighers of North City Scales placed on file.

Petitions of H. T. Wood, Reuter & Alley, Dean, Dudley and others, referred, in concurrence.

Order requesting Mayor to petition Legislature for an extension of time to take land and other property for a landing for East Boston ferry boats. Passed, in concurrence.

Report of Committee on Streets in favor of the passage of the preamble and order of the Street Commissioners to take estate surrendered by Charles G. Greene and others, for widening of Water street. Report accepted, and order passed, in concurrence.

Report and order authorizing Committee on Fire Department to purchase one of Holloway's Self-Acting Chemical Engines, at a cost not exceeding fifteen hundred dollars. Order read once.

Report and order authorizing a contract to be made for water pipes and other materials required to provide an adequate supply of water; the expense not to exceed two thousand dollars. Order read once.

Order concerning settlement with William Gray, for damages in extending West Chester park. Referred to Committee on Streets.

Report nominating Isaac T. Campbell to fill vacancy in the Board of Overseers of Poor. Report accepted.

On motion of Mr. Lamb of Ward 7, the Council proceeded to ballot.

The Chair appointed Messrs. Lamb of Ward 7, Page of Ward 9, and Dacey of Ward 2, a committee to receive sort and count votes. The committee reported as follows:

Whole number of votes.....	46
Necessary to a choice.....	24
A. A. Foster.....	1
John Brown.....	1
Thomas J. Cahalan.....	1
Isaac T. Campbell.....	43

Mr. Campbell was declared elected.

Report and orders authorizing the Water Board to contract to supply the town of Brookline with water for ten years, for domestic purposes and the extinguishment of fires, on certain terms and conditions.

Mr. Wells of Ward 3—It seems strange that the city of Boston is ready to sell water to the town of Brookline when a great hue and cry is raised about our own supply being inadequate at the present time. I move to lay on the table.

Carried by a rising vote—34 for, 3 against. Subsequently, on motion of Mr. Pease of Ward 1, the order was taken from the table and specially assigned for next Thursday evening at half-past eight o'clock.

Report and order for a transfer from the Reserved Fund to the appropriation for Sewers, \$30,000. Order read once.

Report and orders authorizing an iron bridge to be built, with stone abutments, on Dartmouth street, over the Albany and Providence railroads, and the repairing and strengthening of present bridge for temporary use, at an expense of not exceeding \$155,000; and for a loan of said sum to pay therefor.

Mr. Perkins of Ward 6—It is n't a great while since that bridge was built, Mr. Chairman, and it appears to me not to reflect great credit on the builders. This is a very large sum of money, and the City Government should know what kind of a bridge it is to be. I move the order be referred to the Committee on Streets, with instructions to report a plan for the bridge. The motion prevailed.

Request of School Committee for suitable tablet in Lowell Schoolhouse. Referred to Committee on Public Instruction.

Request of Board of Health for an additional appropriation of \$1000 for Quarantine Department. Referred to Joint Committee on Health, in concurrence.

Order that the Committee on Public Instruction report what disposition shall be made of the old Mather Schoolhouse. Passed, in concurrence.

Order that the Committee on Legislative Matters consider and report on the expediency of petitioning the General Court to annex Chelsea, Winthrop and Revere to Middlesex County. Passed in concurrence.

SALARIES OF PERMANENT FIREMEN.

Report and order fixing the salaries of the permanent members of the Fire Department, recently appointed, as follows; Foremen \$3 25; hosemen, assistant-foremen of engine companies and members of hook and ladder companies, \$3 per day.

Mr. Shaw of Ward 5—I propose, Mr. Chairman, to offer an amendment to that order, and to give you the reasons why. It seems to me that the proposition to pay foremen of engine companies \$3 25 a day and hosemen \$3 per day insufficient. I don't know of any reason why the foreman on the fire boat shall be paid \$3 75 per day when he is performing the same relative duties that these other officers do. It is a fact that the captain of the fire boat get \$3 75, and inferior officers are paid in the same ratio, and at the same time they are found in provisions. I don't think it is too much for them. There are parties who have examined this matter, who are better posted than I am, and who can give better reasons why the pay is fixed at the sum named. I have a few figures in my mind. I find by the auditor's books that the payment for provisions and supplies on the fire-boat from March last up to the present time is \$1700—an average of \$170 per month; so that, in fact, the cost of these officers to the city, in addition to their pay, is about seventy-five cents per day; consequently they receive \$4 50 per day against \$3 25 for the captain of an engine company. If I were to have my choice I would much prefer to be a fireman on the boat than on shore. I don't think they are inadequately paid, but I want to see all the men in the Fire Department well paid for the duties they perform. I therefore move to amend by inserting \$3 75 instead of \$3 25, and \$3 50 instead of \$3. I don't think that then they would be paid too much. I think the captains ought to have at least \$3 75 per day.

Mr. Wells of Ward 3—I would ask the gentleman if he means the whole department, or merely the permanent men?

The Chair—The order is for the permanent men of the department only.

Mr. Shaw of Ward 5—I should have said there are four permanent organizations to which this rule will apply—Engines Four, Seven and Twenty-five, and Hook & Ladder No. 8.

Mr. Jones of Ward 14—While I agree in part with the gentleman from Ward 5 that firemen are not paid enough, yet I disagree with him in raising the pay of these permanent men to \$3 50 a day, for this reason. The drivers now employed, having the horses and engine houses to take care of only receive \$3 per day, and foremen, who are supposed to be able to run an engine if occasion requires, receive only \$3. If it is unjust to increase the pay of hosemen over men of the different companies, in regard to the amendment for foremen it ought to be \$3 75 per day. It is none too much to give a good man. A foreman should receive as much as an engineer, and I should be heartily in favor of increasing it twenty-five cents a day. But I think it would be great injustice to the firemen and drivers to increase the pay of the hosemen over them, although I think \$3 25 or \$3 50 would be none too much for the permanent hosemen employed throughout the city.

Mr. Pease of Ward 1—Another phase of this matter is this: It is well-known that a part of these men have been on duty more than a month, and the order was not introduced in season for them to get their pay last month. If this amendment should pass this branch it would be too late before it could pass the Aldermen to give them their money this month.

Mr. Denny of Ward 9—Another reason is, we are to have fire commissioners who are to fix the pay of the whole department. No doubt they will equalize the salaries so that where now they are too low they will be increased. It is a bad time to particularize as to what salaries should be increased.

Mr. Shaw of Ward 5—It is very strange to me that the Committee on Salaries, now that we have a Fire Commission, should bring in this order. It is within the prerogative of the commissioners and they can act upon it. The question with us, however, is, whether it is right to pay these men more. It may be passed upon now, and the commissioners may act upon it a week hence, if they are confirmed, a question on which I have some doubt.

Mr. Jones of Ward 14—In reply to the member from Ward 5, I would state that on the night the Council voted to establish a Fire Commission this order was taken from the table and passed, and that is the reason of the delay. The gentleman eulogizes the men on the fire boat. All those on the fire boat would prefer to take their meals at home, but they have no time to go to their meals. If they should be absent for any length of time the effect might be

disastrous. Therefore the Committee on Fire Department supply them with their meals. I think, myself, this matter had better go to the commissioners, if we are to have a commission. But as the men have been without pay for two months, it would be better to pass the order tonight. If the right men are appointed commissioners they will equalize the pay.

Mr. Shaw of Ward 5—The gentleman refers to my eulogizing the men in the fire boat. I simply spoke of it as a matter of fact not as eulogy.

Mr. Jones of Ward 14—I don't think it benefits the firemen at all to take their meals on the boat. I take all my dinners down town, but I don't save a cent by it.

Mr. Wells of Ward 3—I am not in favor of increasing the pay of the firemen, although I am in favor of them. The foremen and engineers are supposed to be practical men, but I don't think we ought to put hosemen on the same level with them. They ought to come in rotation, somehow or other. I don't think a common laboring man should receive as much as one who has served twenty-five years at a business. As to the men on the boat, they have only one night off in a week, and they are obliged to be on board night and day. I would rather be a foreman or hoseman in one of the departments at a less rate of wages than to be on that boat and not be allowed to go beyond the deck. I hope the amendment will not prevail.

The amendment of Mr. Shaw was rejected, and on motion of Mr. Jones of Ward 14 the rules were suspended and the order was passed.

CONFIRMATION OF FIRE COMMISSIONERS.

The nominations of his Honor the Mayor for the Board of Fire Commissioners were considered, the question being on concurring with the Aldermen in confirmation.

Mr. Flynn of Ward 7—As this is the first time that we have had those nominations officially before us, in order that members of the Council can have time to examine into the character and qualifications of the candidates, I move that they be laid on the table and that half-past eight o'clock next Thursday evening be assigned as the time for taking the vote.

Mr. Blackmar of Ward 11—I am not surprised—

Mr. Mahan of Ward 5—Mr. President, I rise to a point of order. I understood the motion to be to lay on the table, which is not debatable.

The Chair—I understand the motion to be to lay on the table and specially assign for next Thursday evening. If the gentleman insists on his point of order, the motion will have to be divided.

Mr. Flynn withdrew his original motion and moved to lay the nominations upon the table.

Lost by a rising vote—18 for, 32 against.

Mr. Flynn—I move to specially assign this subject for next Thursday evening at half-past eight o'clock and on that I call for the yeas and nays.

Mr. Blackmar of Ward 11—I am not surprised, Mr. President, to see this opposition to immediate confirmation of the gentlemen nominated by his Honor, the Mayor, for Fire Commissioners. It comes from the same source and from the same part of the Council which has opposed the Fire Commission throughout, as I judge of the standing vote which has just been taken. I hope, sir, that there will be no postponement. As the motion to lay on the table has been voted down, so should this motion to postpone for a week. We who have favored a commission have been met by motions of delay. It is now more than a year after the fire, and yet no commission is established. I believe this Council was elected upon this very issue to a great extent, the reorganization of the department, and we have been unable to complete the work for which we came here, and the reason is apparent to us all. Why does the opposition object now, when it is well known that a large majority of the City Government are in favor of having a Fire Commission. They opposed it in this Council with every parliamentary quibble than can be raised to impede the progress of the order. His Honor the Mayor has carefully sought throughout the city and found three men who, on the whole, are unquestioned in their private life and in their qualifications for the office to which he has been pleased to call them. General Rockwell seems to have all the qualifications necessary to a reorganization of the department, and has a mechanical and chemical knowledge which will enable him to fill the place admirably. He is well known in military and civil circles, and is beyond reproach in every way, besides being a gentleman of the highest culture. Mr. Chamberlin, the present Inspector of Buildings, has had some twenty five years' experience in the department, and knows it from its very foundation, and is thoroughly familiar with its present working. The other gentleman, Mr. Sawyer, is a thorough business man, has the

confidence of the business men of the community, and is perfectly satisfactory to the underwriters and insurance men of the city. Three better men could not have been chosen. This reason given for delay is very trivial. The reason is said to be that we want a week to consider the nominations, because this is the first time they are officially before us. It is a common matter of knowledge who these gentlemen are. We have heard their names thoroughly canvassed, and are quite conversant with their public history. If there had been any ugly thing said of them, I doubt not it would have been spoken of in the press, and would have reached us. We are prepared to vote for them tonight, and there is no reason for further delay. I would call attention to the fact that a full year has elapsed since the great fire occurred, and I believe we were elected on this very issue. We have attended to our duty, perhaps, in part, but this great duty of having the Fire Department reorganized we have failed to accomplish. I would not object to a delay of a week were it not that after all hope of defeating the Fire Commission had been lost we were met with tactics simply for delay. I hope the motion will not prevail and that we shall proceed to confirm the nominations immediately.

Mr. Wells of Ward 3—I am glad the gentleman has shown his hand. He says this Council was no doubt elected on this issue. It is the first time I have heard of this Council being elected to reorganize the Fire Department. I never heard of it in my ward. But it is not the first time I ever heard of private clubs, in the ward where the gentleman belongs, undertaking to run the city of Boston, which is shown by the last nomination for a Board of Aldermen. He says we are ready to vote for them tonight. Well, I don't propose to vote for a gentleman who is not a resident of Boston, and who will not be until the first of January, and of which I have my doubts that he will be then, as the military friend of the gentleman, General Butler, has that case in hand and he may run annexation into the ground yet. I have heard that one of those gentlemen nominated has not paid a dollar in taxes for several years to the city of Boston. I was not sent here to reorganize the Fire Department. I hope the motion will prevail.

The yeas and nays were ordered.

Mr. Shaw of Ward 5—Is it in order for me to say a word? [Laughter.]

The Chair—It is.

Mr. Shaw—Gentlemen may laugh, but they don't show that courtesy to the Chair that I did. They may laugh on the other side of their mouths yet. Mr. President, I propose to give a reason for the vote which I shall cast. When my friend asks that this matter be laid over, he makes a very reasonable request. This is too important to be passed upon hastily. We are not to be controlled by the other branch. I never saw Mr. Sawyer in my life. I never heard of Mr. Rockwell until his name was mentioned here. I am in favor of a Board of Fire Commissioners, but it don't make any difference whether this commission is organized today or a week hence. I have been trying to find out who Mr. Rockwell is. I have written five letters and have got replies to three of them from gentlemen who are personally interested in knowing who he is. Not one of them had heard a word of Mr. Rockwell before. I am told he has gone to New York to get posted up on fire matters. That may be very well, but I want to see the man I am going to vote for. I want to know who is going to take the responsibility of the matter. We have passed an ordinance giving these three men almost arbitrary authority, and I want to see those gentlemen face to face. I want to know what policy they will assume, what action they will take, before I vote for them. I think that is a reasonable proposition, and I hope the subject will be passed over for a week on the same principle that it was in the Board of Aldermen, in order to give gentlemen an opportunity to make inquiries. I think Mr. Chamberlain a very competent man, but of the fitness of the others I know nothing whatever. I have heard the gentleman from Charlestown criticised by those who know him. I don't agree with my friend from Ward 3, that we should not take a man because he is a resident of Charlestown, but I don't think it is very politic to go out of the city when we have just as good men here. I don't raise a question against either of them in any shape whatever, but I shall certainly favor giving the time asked for.

Mr. Perkins of Ward 6—The gentleman from Ward 5 has been writing letters and receiving no answers. He wants to know who General Rockwell is. I have the honor of his acquaintance myself, but I don't offer that as any testimony. I think the gentleman sometimes asks questions for the sake of asking them. I don't know whether the gentleman

means to get answers to his letters or not, but here are letters received by his Honor the Mayor, which I will read.

Mr. Perkins then read letters from Hon. John M. Forbes, Hon. William A. Buckingham and General Joseph R. Hawley—and said he had others, which he did not think it necessary to read, to his Honor the Mayor speaking in the highest terms of General Rockwell's ability and peculiar qualifications for the office.

Mr. Shaw of Ward 5—The gentleman says I have been writing letters and getting no answers. I said that I got answers to three letters out of five; they are from insurance men in State street, and the writers do not know their man. The gentleman says I ask questions sometimes. I have a right to, but when I do I ask of some one who is competent to answer. I did not ask questions of the gentleman from Ward 6. [Laughter.]

Mr. Denny of Ward 9—I anticipated just such quibbles as the gentleman from Ward 5 has raised tonight. One of them is, he does not propose to vote for persons for fire commissioners unless he sees them face to face. Well, if he wants to see them face to face he has got to go and see them himself, for I don't believe they will take the pains to come and present themselves to him. [Laughter.] He says he has received letters from gentlemen connected with the insurance companies. I dare say he has; but without reading those letters I venture to say there is not an objection to General Rockwell. [Laughter.]

Mr. Shaw—I will read them.

Mr. Denny—Wait till I get through. The gentleman says it is a reasonable request to wait one week to give an opportunity to make inquiry. It is the duty of every gentleman here to have made inquiries. I have taken the pains to do it. If the gentleman allows himself to delay any matter which he has been urging this Council to act upon, after having the names presented, in order that he may see the persons face to face, he is attempting to impose upon the public. He says he can't find any one who knows General Rockwell. Well, sir, I inquired of the secretary of the Institute of Technology, Mr. Kneeland. That is one source. I have also a slight acquaintance with General Rockwell myself. Mr. Kneeland says General Rockwell is admirably adapted to a position where organization and discipline are required. There is the point we have argued is needed. He is a military man, and well educated, and no one can occupy a position at the Institute of Technology unless he is a good deal of a man. I can't see what the motive of the gentleman from Ward 5 can be in presenting the reasons he has for delay. I suppose the majority of the Council know Mr. Chamberlin better than I do. He has been twenty-seven years in the Fire Department and was a competitor of Mr. Damrell for the position of Chief Engineer. He has been elected Inspector of Buildings, and no one will doubt the propriety of his nomination. Mr. Sawyer is one of the first citizens of Charlestown, is highly respected for his integrity of character, and well known as a capital business man. He is at present president of the Mystic Water Board, and is well known in State street for the character I have given. My words may pass for nothing, but I say the three men are known, and if the gentleman had wanted to know he could have found out if he chose to. In debate I never attack a man's motives, but before the gentleman can induce the Council to postpone action a single hour, he will have to give better reasons than he has. I hope we shall have no delay.

Mr. Pickering of Ward 6—Like my colleague from Ward 6, I have had the pleasure of an acquaintance with General Rockwell three or four years, and can indorse what is said of him in those letters; also what my friend from Ward 9 has just said. Being in a private institution like the Institute of Technology, I can well understand why many gentlemen here have not come into contact with him. His record and his profession here have been of a private nature; but before he came to Boston his character was more public. He served well in the army, as you have seen by General Hawley's letter. In regard to Mr. Sawyer, a gentleman in Charlestown, perfectly competent to judge of character, said to me that he is one of the best men in that city. The idea of waiting to inquire further of the character of Mr. Chamberlin and Mr. Sawyer reminds me of one of our oldest merchants who wanted to get credit to import from China and was told that he could have it, after he had seen the "Barings," and the old merchant said he would like to inquire about the "Barings." Asking who Mr. Chamberlin is—a man who has been in the Fire Department for twenty-seven years, and Mr. Sawyer, who has been so well known for many years, is like

asking who the "Barings" are. I don't think it is necessary to postpone action.

Mr. Wells of Ward 3—I don't agree with the gentlemen from Wards 11 and 6. If those gentlemen are so well fortified, I can't see the difference in having one week to inquire about them. The gentleman from Ward 6 quotes the "Barings." I have taken stock in some people and lost. The gentleman from Ward 11 seems to impress on this Council the fact that these gentlemen are so and so. Well, we are all acquainted with Mr. Chamberlin, and I am perfectly satisfied with him. But if the gentleman will go back far enough, when we located an engine house in Mason street, he will recollect that four or five weeks after an order to reconsider was reported, and he can see that my judgment was right. Let us lay this matter over for a week to inquire about the gentlemen nominated.

Mr. West of Ward 16—I don't see how any gentleman can have any doubts. I can't see what is to be gained by postponement. His Honor the Mayor had a number of names to select from, and it is to be supposed that he made a fair selection. I find very much in Mr. Rockwell's favor, though I do not know him personally. We all know Mr. Chamberlin and Mr. Sawyer, and I can't see anything to be gained by one week's delay. It would not change the final result at all.

Mr. Brackett of Ward 10—I hope we shall vote. The gentlemen ask for a delay of a week. They have had a week already. The Aldermen delayed a week, but because they did so no season we should. If gentlemen have not taken pains to inquire who these gentlemen are, it is no reason for delay. They may not inquire in the week to come. We often vote for gentlemen whom we have not seen. We must take something on testimony. We have had something before us tonight, and during the week we have had some very strong testimony in the papers in favor of General Rockwell and the others. It is objected that one of these candidates is from the city of Charlestown. I don't think a man's qualifications for office should depend on the place where he lives. I think the mayor is peculiarly fortunate. One member is a military man, who is a first-class engineer and organizer. For the second member we have an old experienced fireman for several years and the present Inspector of Buildings, in both of which positions he has opportunity to be peculiarly fitted for the position. And in the third, we have an ex-Mayor of Charlestown—a man of large public and business experience. I think it is a fortunate combination, and I hope action upon it will not be postponed.

Mr. Shaw of Ward 5—I have flattered myself, Mr. President, that the statements I have made to the board have ordinarily been understood, but I think I have not been tonight. I stated not one word against either of those men which needed to draw out one argument in their favor. I have no doubt his Honor the Mayor has done the best he can. I intended to vote, and now intend to vote, for confirmation. What I said was, it was a reasonable request for a postponement for one week. My friend from Ward 9 bristles up here, and attempts to question my motives. Another friend comes up and tells a story of "Barings." This reminds me of a little boy, who after being perfumed with pomade and cologne, rushed into a room full of ladies and gentlemen, and said, "Look out! if any of you folks smells a smell, that's me." [Laughter.] Now, if any gentlemen in the city of Boston questions me in regard to principles which have dictated me in the advocacy of a fire commission, I will answer him at any moment, and my friend knows that if any man has labored for the last four or five months for a commission, he can't deny that I have. I have posted myself in regard to it. I had hoped to have the pleasure of seeing these gentlemen. I know Mr. Chamberlin, and think him very competent for the position. If the Board of Aldermen have seen them, why haven't we? If they have been to George Young's or Parker's, and had a sit down with the Aldermen, it is all right, but why have we not seen them? I did hope that when I have known Mr. Timothy T. Sawyer, by reputation, twenty-five years I might have seen him. I am satisfied of his competency. The others may be equally competent. If the Council shall vote not to postpone I shall heartily vote for confirmation.

Mr. Mahan of Ward 5—I wish to give a reason for the vote which I shall cast in favor of postponement till next Thursday evening. Some gentlemen manage to get up their pluck when they have numbers behind them and that gives them strength. And that class of people with numbers behind them have attacked those who are smaller in number than themselves, and have indulged in just such arguments as we might expect from the gentleman from Ward 11. He

talks about quibbles—that members of this Council who vote for postponement cannot give their reasons. He says he believes we were elected upon the issue of a fire commission. I am not a part of those so elected. The gentleman from Ward 11 may have considered that an issue in his ward, but it was not the issue in the ward which I have the honor to represent—"in part" [Laughter]. Mr. President, I certainly was ready to vote tonight in favor of confirming the nominees, but when a member of this body asks in fairness that he shall have an opportunity to think over the matter, when a member says he desires to vote in favor of confirmation, but is not ready tonight, it seems to me that we should hesitate before we refuse that request. I think the Mayor of Boston would like to have a unanimous confirmation from this body. The Board of Alderman did not postpone the matter one week as has been stated. They met on Monday and postponed it until this afternoon and have voted unanimously for confirmation, only one member being absent. Now, it comes to us and a delay of one week is asked for. While I do not agree with the gentleman that we should object to a man simply because he belongs out of the city, I don't suppose for a moment that his Honor the Mayor had any doubt about the decision of the Supreme Court. The question is to be argued before the court tomorrow, and before we meet again the Supreme Court will have decided it. But I do not press that as a reason for delay. I wish to be understood as desiring to give members of this body courtesy. When they say they are desirous of supporting the Mayor, I say give them an opportunity. I can't see any injury that can be done. I have opposed a commission, and it seems that some members of this body imagine that if a man has voted against a measure he must always raise points and quibbles for delay. You will find that men who raise such small matters are used to them and can act accordingly. I have no such motive. I am desirous of voting and am ready to vote to confirm, but I shall vote for postponement as gentlemen have requested.

Mr. Perkins of Ward 6—There is good reason for believing that the Supreme Court cannot give its decision before we meet again, as it has got to be reported to the full bench by Judge Endicott. I don't see that that is any argument. Now, here are two gentlemen who say they would vote for confirmation if it is not postponed. They have given no good reason for postponement, and I don't think the gentleman who made the motion has one.

Mr. Jones of Ward 14—I am one of those who are willing to vote for confirmation tonight, if the Council shall so decide. I am not at all disappointed in the selection of these commissioners. It is just as I expected it would be. I expected we would have commissioners who don't know anything about the workings of the Fire Department. They may be able men, but I feel disappointed that men are not put on the commission who know something about the department. General Rockwell may be an able engineer. We had one of the greatest engineers in the country blowing up buildings in the great fire, and a cheap mechanic who never earned more than three dollars a day did better than he did. Then, too, this

commission is a direct slight upon the present Board of Engineers. I suppose it is the same here as elsewhere. Men in other commissions are appointed who do not know anything about the department. In fact a gentleman told me he did not know anything about the business, but being able to get a thousand dollars a year more than in his profession, he accepted. I think Captain Chamberlin is perfectly competent, and after the first year or two he will be the man to manage the department. I am perfectly willing to vote for confirmation tonight, but I should really like to see the gentlemen first, and see them personally, and for that reason I shall vote for postponement.

The vote was taken on postponement and resulted, 21 yeas, 36 nays, as follows:

Yeas—Messrs. Anderson, Brennan, Dacey, Dean, Edwards, Flatley, Flynn, Hughes, Jones, Kelley, Kingsley, Madden, Mahan, Martin, McCue, McKenney, Shaw, Thacher, Wells, Weston, Woodward—21.

Nays—Messrs. Abbott, Adams, Bicknell, Blackmar, Bleiler, Boardman, Brackett, Burditt, Burt, Caton, Collins, Cudworth, Darrow, Davis, Denny, Harrington, Hine, Holmes, Lamb, Loring, Marston, Morse, Page, Pease, Perkins, Pickering, Powers, Prescott, Risteen, Tower, Train, Warren, West, Whiston, Wilhur, Woods—36.

Absent or not voting—Messrs. Barnes, Bowles, Doherty, Hall, Upham—5.

Mr. Blackmar of Ward 11 moved to take the vote on confirmation by yeas and nays. Lost.

The Council voted to confirm the nominations, with only one dissenting voice, Mr. Thacher of Ward 15.

A motion to reconsider by Mr. Blackmar of Ward 11 was lost.

UNFINISHED BUSINESS.

Order authorizing the fitting up of the Bowditch Schoolhouse to accommodate the branch of the English High and Evening schools now located in the city building, Mason street. Passed.

THE BURRILL CLAIM.

On motion of Mr. Train of Ward 13, the substitute order to pay the assignee of Charles Burrill \$40,000, to be charged to Reserved Fund, was taken from the table and specially assigned for next Thursday evening, at nine o'clock.

NORTHAMPTON-STREET DISTRICT.

On motion of Mr. Prescott of Ward 9, the order for a transfer from Reserved Fund, of not exceeding \$5000, to cover expenses for surveys, plans and estimates for contemplated improvements on Northampton-street District, was taken from the table and passed—yeas 46, nays 0. A motion to reconsider by Mr. Jones of Ward 14 was lost.

A PUBLIC PARK.

The Chair announced as the members of the Joint Special Committee on Public Works, on the part of the Council, Messrs. Shaw of Ward 5, Perkins of Ward 6, Flynn of Ward 7, Prescott of Ward 9, and Boardman of Ward 14.

On motion of Mr. Pease of Ward 1, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

NOVEMBER 17, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M. today, Alderman Cutter, chairman, presiding.

JURORS DRAWN.

Thirty-six special traverse jurors were drawn to serve in the cases of the United States against Thomas Goddard and Peter B. Brigham.

EXECUTIVE NOMINATIONS CONFIRMED.

Measurer of Marble, Soapstone and Freestone—William H. Cary.

Special Police—John Roach, St. Joseph's Church; Jeremiah Tinkham, in connection with duties as undertaker; D. T. Harnden, Fountain street and its vicinity.

INSPECTOR OF BUILDINGS.

A communication was received from his Honor the Mayor stating that he had appointed Oliver L. Shaw Inspector of Buildings, vice David Chamberlin, resigned.

On motion of Alderman Gibson, the communication was referred to the Committee on Survey and Inspection of Buildings.

PROTECTION OF THE HARBOR.

The following communication was received from his Honor the Mayor:

EXECUTIVE DEPARTMENT, CITY HALL, }
BOSTON, Nov. 17, 1873. }

To the City Council of the City of Boston—I have the honor to transmit herewith a copy of a communication to the Harbor Commissioners from General George Thom of the United States Engineers, relative to the taking of ballast and gravel from Long Island, in Boston Harbor. I commend to your careful consideration the statements therein contained.

HENRY L. PIERCE, Mayor.

UNITED STATES ENGINEER'S OFFICE, }
PORTLAND, ME., Nov. 7, 1873. }

Hon. Josiah Quincy, Chairman Board of Harbor Commissioners, No. 8 Pemberton square, Boston, Mass.: Dear Sir—Since my letter to your board of the 17th ultimo, I have, in compliance with the request contained in your communication of the 16th ultimo, caused a survey to be made of that part of Long Island which was washed over by the storm and high tides of last month; and I have also, myself, made an examination of it. This survey when compared with the survey of the same locality, made in 1860 by Mr. Henry L. Whitney, shows—

1. That both the eastern and western shore crests of the low neck of land which connects the south head with the main part of Long Island, have been considerably weakened since 1860 in width as well as in height; but that the main body of the low land does not appear to have changed materially in character or level.

2. That "Sculpin Channel" has been somewhat encroached upon, the twelve-foot curve being now about sixty feet farther from the shore.

It also appears that all the damage thus far done has been caused by the removal, for sale, of a very large quantity of stone ballast, shingle, gravel and sand from the shores by the owner of the land, with the permission, as I am informed, of the municipal authorities. It was shown at a recent meeting of the Common Council that gravel to the amount of 10,000 or 12,000 tons was removed to T wharf alone, from June 1 till September. Now, if this removal of material be permitted to continue, it will doubtless result in the opening, at no distant day of a channel across the island, to the great injury of Sculpin Channel—a state of things that even now will he likely to take place, unless some action be soon taken for the protection and strengthening by a stone apron work or otherwise of the shores thus weakened.

The question arises, by whom this work should be done; the owner of the land who has done the injury by the removal and sale of the material, or the municipal authorities which have granted him permission so to do. I do not think that the United States Government should be called upon, under the circumstances, to restore the shores to their former condition. The cost of a suitable apron work of stone would probably be about \$20,000. At present there

are no funds in my charge that are available for the purpose.

Very respectfully

Your obedient servant,

GEO. THOM,

Lieutenant-Colonel of Engineers,
Brevet-Brigadier-General U. S. A.

Referred to the Committee on Harbor on the part of the Board.

ORDERS OF NOTICE.

The order of notice on petition of Haley, Morse & Co., to use steam engine at 411 Washington street, was considered, and, there being no objection, the petition was recommitted to the Committee on Steam Engines.

PETITIONS REFERRED.

To the Committee on Licenses. Eliza Mullen, to sell papers on Franklin street, rear Washington street. A. L. Fairbanks, to sell papers on Boston side of the ferry.

To the Committee on Health on the Part of the Board. Heirs of William Brigham, to occupy brick stable for sixty-four horses on Washington street, Nos. 1043 and 1045.

James A. Bliss *et al.*, remonstrating against erection of stable on Mercer street by M. T. and W. Glynn.

George H. Cavanagh, to occupy wooden stable for one horse on Frederick street.

To the Committee on Paving. R. T. Paine, Jr., *et al.*, for brick sidewalk on north side of Ruggles street, from Tremont to Parker street.

Lucy A. Bailey, to be paid for grade damages on Norfolk avenue.

George L. Johnson *et al.*, that the bay windows on the Goodnow estate on West Brookline street be allowed to remain.

Edward Brooks *et al.*, that the grade of Perkins street may be changed.

P. S. Briggs, that sidewalks be laid at 31-41 Sterling street.

Joseph F. Paul, to carry steampipe over Bristol street for heating purposes.

To the Committee on Streets. Boston & Albany Railroad Company, to amend its former petition relative to defining the limits within which it may erect a station and depot.

Freeborn Adams, Jr., and eighty-six others, that Beach street be widened near Washington street without delay.

To the Committee on Lamps. Benevolent Fraternity of Churches, to place gas lamp on sidewalk of 164 Hanover street.

To the Committee on Police. David M. Paine, *et al.*, members of the Police Department, to be paid for injuries to their uniforms while detailed on the burnt district, in 1872.

To the Committee on Survey and Inspection of Buildings. Leander H. Jones, to erect a wagon shed at 225 Dorchester avenue, beyond the legal limits.

To the Committee on Sewers. Michael Lane, for abatement of assessment for a sewer on Patrick Flynn's estate, on Bolton street.

FROM THE WATER BOARD.

The following communication was received from the Cochituate Water Board:

To the City Council of Boston—By vote of this board I am directed to ask the City Council for an additional appropriation to meet the expenditures of this department for the remaining portion of the financial year. The calls upon this department in consequence of the large fires of November and May last have been exceptionally urgent. A better supply of water for the extinguishment of fires has been the demand of the City Government and the public. This "better supply" of necessity includes the laying of larger pipes in certain districts, the putting in of new hydrants and a somewhat radical change in the distributing system from that which was adopted something over a quarter of a century ago. All these improvements entail large expense; but this board has not hesitated to meet the general demand in a liberal spirit, and the result, so far as safety from great conflagrations is concerned seems to justify the policy pursued. Nearly a hundred thousand dollars have been expended from the general appropriation since May last in work, the cost of which was not included in the regular annual estimates. The larger items in this account are chargeable to the high service systems of Beacon Hill and South Boston; the laying of larger pipes in important streets; the laying of larger feed pipes; extension of pipes and many changes made to insure a better circulation of water throughout the general system of distribution. The effect of these changes on the low-service system has been an increase of head or pressure in the pipes, very noticeable to members of the Fire Department, who bear strong evidence as to the improvement produced. The ap-

propriation for Wards 13, 14, 15 and 16 will be exhausted during this month, and it is estimated that some \$15,000 will be needed for work recommended by the Board, this including the relaying of the remaining pipes of the Mount Warren Aqueduct Company, now nearly useless from their small size and bad condition. A general statement of the means and needs of this department may then be represented—

General appropriation (not including Wards)....\$326,5300
Amount expended up to November,1..... 281,498

Leaving balance..... \$45,000
Amount yet due on pipe contracts..... 53,000

Exceeding appropriation..... \$8,000

The following is an estimate of the needs for the balance of the year:

Estimated expenditures Nov. 1, 1873, to May 1, 1874, for salaries matured and work, this being the same as the previous year.....\$100,000
Estimated cost of furnishing high service in South Boston..... 20,000
Estimated expenditures in the wards..... 15,000
Estimated expenditures new gates for reservoirs 4,000
Estimated expenditures new machinery and shop. 7,000
Estimated Inspectors' debt..... 3,000
Estimated incidentals..... 18,000
\$167,000

This, with the \$8000 above referred to, will amount to \$175,000, and this board asks a special appropriation for this amount. Possibly some portion of the above sums will not be expended owing to the lateness of the season, but it is deemed quite important to have the means on hand to continue the work if the weather allows it.

Respectfully submitted.

JOHN A. HAVEN,
President.

The communication was referred to the Committee on Water.

SEWER ASSESSMENTS.

The Superintendent of Sewers submitted an assessment for the construction of a common sewer in Buckingham street—total, \$3173 81; to individuals \$2380 36. Referred to Committee on Sewers.

CONSTABLE'S BOND.

The bond of George Richardson, constable, being certified by the Treasurer, was approved by the Board.

UNFINISHED BUSINESS.

Report and order to purchase one of Skinner's patent extension ladders and fire escapes, at a cost of \$2600. Referred, on motion of Alderman Brown, to the Board of Fire Commissioners.

Orders to repair the draw and rebuild the foundations of the Broadway Bridge; and for a loan of \$114,000 to meet the expense thereof.

Alderman Gibson presented the report of the City Engineer on this subject to the Committee on Bridges, and moved that the order lie over until the report could be printed.

Alderman Power—I would like to inquire the gentleman's reasons for having the report printed.

Alderman Gibson—There are three ways to repair or rebuild this structure and the question is which is the best. For myself, I have no objection to passing the whole thing this afternoon, but there has already been a very large amount of money expended on this bridge already, and it has never been in repair twenty-four hours at a time.

Alderman Power—I supposed the members of this Board understood that matter, and I always thought the Committee on Bridges were a unit on the plan which they recommended. No member has any doubt that the plan we recommended is the best and surest. There were three plans before us, and the one we presented to this Board is, I believe, acknowledged by the committee, and cannot be disputed by anybody, to be the best, and I believe it to be the best economy for the city to adopt it. If the gentleman opposite has changed his mind, and thinks it is not the best plan, I have no objection to having this report printed and circulated; but if he believes in the plan, it would be useless to have this long report printed. I don't see how it will change matters in this Board.

Alderman Gibson—I have n't changed my mind at all upon the plan of the bridge, but I had some questions whether or not that place would not be filled up in the next thirty years. If so, you could build a structure for many thousand dollars less, to stand twenty years or more. I have had an idea that that place would be filled up and turned into a large common sewer. I think this is the best plan. Another plan is to put in another draw and let the present pillars remain, which will be about sixty thousand dollars less. Another plan still, is to put in some addition-

al pneumatic piling, but I think the best is this one for a solid structure, the same as cutting off forty-five feet from Bunker-Hill Monument and putting it under the bridge. The pneumatic piling would be good for thirty years, but would not be so permanent as the other arrangement. Temporary repair of the hridge can't be depended on to last very long. If the members of the Board are satisfied that that cbbannel will be kept open for all time, I am for the best stone foundation that can be made.

Alderman Power—The gentleman is mistaken in the difference between the costs of what the committee think is the best plan and what they think is the next best. It is only some fifteen or twenty thousand dollars. While, of course, it is a great improvement over the present structure, it is n't a reliable thing, and the Engineer strongly recommends the best plan as the most economical for the city to adopt. Of course gentlemen here may have an idea of the probability of that channel being filled up, but it does n't seem to me that it could be done, or that it will ever be for the interest of the city of Boston to fill it up. Therefore the committee were unanimous in recommending the best plan.

Aiderman Hulbert—In order to be a little informed upon this question, which I knew would come up this afternoon, I took some pains to learn what is proposed by the committee, and I will state the case to the Board as I understand it, and give my reason for approving what Alderman Gibson has said. As I understand it, the draw of the Broadway Bridge is in a very imperfect condition; the bridges to the draw on either side are in good order, but the draw is imperfect and ought not to remain as it is. I understand the Engineer to state that the present draw can be repaired at an expense of about sixteen thousand dollars, to answer a temporary purpose, but for how long he cannot tell. I understand him to state that there is a mode by which moderate-sized stone pillars can be erected in the centre, upon which the present structure, or another draw, can be placed, easing the present supports upon which, as I understand it, very little weight will rest. It is needless, perhaps, for me to explain in detail, for gentlemen can get at the same information that I have had. The present supports are sustaining quite a large weight. The contemplated change by the Engineer will relieve almost entirely any weight from the post remaining, and will simply serve to steady the movement of the draw. I understand the Engineer to state that this can all be done, and an excellent bridge be placed there, at an expense of \$78,000, from which can be deducted the amount of the old material which he estimates at \$14,000. If the city will continue to use the present draw erected over a new foundation, then he says it can be done at an expense of \$62,000, so that the expense of making a new draw is \$12,000 more than would be that of using the old draw upon a new foundation. The other plan contemplated in the \$114,000 plan, is very much larger, dispensing with the present circular stone foundation, and putting in the centre square columns of stone upon which the bridge shall be raised, that will cost \$114,000. That, in the eye of the City Engineer is the most complete way of doing it. But to my mind there are objections to it, because it displaces too much of the channel, and I think the Harbor Commissioners would much prefer the smaller stone foundation. I also apprehend, from what the Engineer stated to me, that they will answer every purpose, and I see no objection in using one of that size in preference to the other. The question of obstructions to the channel are to be considered, and this expense of \$74,000 may answer the purpose as well as the others. I rose simply to second the motion of the Alderman, as gentlemen may obtain intelligent information from the report.

The motion of Alderman Gibson was carried.

PAPERS FROM THE COMMON COUNCIL.

Order for a transfer from Reserved Fund, of not exceeding \$5000, to cover expenses for surveys, plans and estimates for contemplated improvements on Northampton-street district. Passed—yeas 11, nays 0.

Report and order for Committee on Paving to contract for the construction of an iron bridge at Dartmouth street, over the Boston & Providence Railroad, at a cost of not exceeding \$155,000; and for a loan therefor, came up referred to the Joint Committee on Streets. The Board concurred.

A PUBLIC PARK.

The order from the Council appointing Messrs. Shaw, Perkins, Flynn, Prescott and Boardman, and such as the Board of Aldermen may join, a Joint Special Committee on Public Works, with directions to consider the expediency of providing for the establishment of one or more public parks within this

city, was laid on the table on motion of Alderman Gibson. Subsequently Alderman Clark said—

Mr. Chairman—The order for the appointment of a joint special committee to take into consideration the expediency of establishing a public park has been laid on the table on motion of the gentleman from Ward 1. I hope that it will be disposed of this evening. It is getting pretty late to take into consideration a subject of that magnitude, and longer delay should not be made. I hope the gentleman will explain his position, and unless he has good reasons, I shall move to take the order from the table, that it may be passed this evening.

Alderman Gibson—It seems to me that before we go into a public park the circle of the city should be completed. We have already joined on Charlestown, West Roxbury and Brighton, and there are contemplations of other outside connections. After we get the territory laid out will be time enough to talk about a park. We are in panicky times; taxes have got to go up by thousands next year. We already have magnificent drives all round us. The committee have only till January to work in, and it is n't at all probable that they will fix upon any place to be cated upon by the present City Government. There will be so large an additional cost that it does n't seem to me that it will be warranted by the tax payers. Such a thing ought to be taken up by a government that can run it through, without having to abandon it to some other government. As it is, the whole thing will be put away on the first of January. My object in having it lie on the table was to consult with members of the Board. Of course, if the gentlemen wish it in these panicky times, I don't mean to join issue with them.

Alderman Clark—Mr. Chairman, it seems to me that there can be no objection to appointing a committee to take into consideration the subject of laying out a public park commensurate with the growth and business of the city of Boston. It is n't to be presumed that the present City Government will have much to do with laying out this park, but it can begin. I presume some legislation will be desired before a park can be laid out; therefore there will be no harm in appointing the committee to take it into consideration. If it is left to the next City Government it is January before they come in, and it is February before they go to work and the Legislature adjourns before anything can be done. I am decidedly in favor of laying out a public park where people can have an opportunity to go, as well as those citizens who are able to drive by the magnificent residences in the vicinity of the city. If the object is to delay the matter and let it go over to the next City Government, I am opposed to it. But if it is simply to lie over a week I do not object. It is n't much matter whether the times are panicky or not. I believe a majority of the citizens of Boston demand that some action be taken looking toward a public park that will be an ornament to the city. We have a Public Garden, but there are people living today who will see the Public Garden in the centre of business, which will reach up as far as Charles street. And the great majority will reside in the section where, I trust, we shall have a park or series of parks. There is no city so susceptible of having a park or series of parks, and no city where one can be laid out with so little expense. It will cost money, as all great improvements do. Public improvements have a tendency to increase the prosperity and growth of a city and that is what we have to look after. We have a sufficient amount of territory belonging to the city for the building of a park that will surpass those of Philadelphia or Brooklyn. We expect to see Brookline annexed during the coming winter, and land can be obtained for a very small price in Brookline, West Roxbury and Dorchester. There is no reason why steps should not be taken at once looking to such a series of parks as the people demand. I trust the subject will be taken up and acted upon today, unless at the special request of the Alderman from Ward 1 to have it lie on the table for one week.

Alderman Hulbert—I should be glad to see this thing lie on the table for a week.

Alderman Clark—I have no objection to a delay of one week, but if it is to stave off this thing to the next government, I shall object.

Alderman Gaffield—I agree with the gentleman from Ward 6 that this is a very important matter. I consider it a great mistake and misfortune that three years ago, when this matter was brought before the people, an unfortunate amendment was made to the law requiring a two-thirds vote before we could establish a park. It will be remembered that a very large majority were for the park, and I regret that that amendment was put in to kill the project at that

time. As the gentleman has said, take any of the great cities of America—they all have their parks and are proud of them, and Boston, which does n't intend to be behind them, should have its public park also. I hope, therefore, that any action of the Board this afternoon will not be interpreted as unfavorable action on the subject. I move the order be taken from the table and specially assigned for next Monday at five o'clock.

The motion prevailed.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the applications of James A. Jones, 169 North street; Dolliver, Currier & Co., corner of Federal and Milk streets; Patrick Canny, 439 Hanover and Battery street; Bradley & Simpson, 74 Leverett street, victuallers, and Ferry & Anderson, innholders, 217 South and 116 Kneeland. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the application of E. S. Hamblin, *et al.*, to give dramatic entertainment at Institute Hall Nov. 27; to J. S. Rogers, to exhibit panorama in Ward 16 Nov. 17-18; George Mahoney, and six other minors, for newsboys' license; L. B. Sheaf, *et al.*, for transfer of wagon licenses; W. B. Stacey, to give concert in Tremont Temple Nov. 19; George F. Pratt, for hack stand on North Devonshire street at State street; George L. Pierce, for transfer of license for intelligence office to Edward Boyd; J. T. Murray, for hack stand on Tremont street; John Somers, for transfer of hack licenses. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of granting the applications of the Metropolitan Railroad Company to locate and use stable for sixty horses on Marlborough street, provided it be placed upon the southeasterly corner of Marlborough and Parker streets; and of C. E. Drew on Parker street; J. A. King, Clayton street; H. R. Snrles, Culvert street, for leave to occupy stables; David A. Berry, to alter wooden store into stable. Severally accepted.

Alderman Gibson, from the Committee on Police, to whom was referred the petition of John Brett, reported the following order, recommending its passage:

Ordered, That the Chief of Police be authorized to close a portion of Oneida street against the passage of vehicles during the reconstruction of the walls of a building numbered 320 Harrison avenue, as required by the Inspector of Buildings.

Order passed.

Alderman Gibson, from the Committee on Markets, to whom was referred the petition of Nathan Robbins *et al.*, poultry dealers in Faneuil Hall Market, for a modification of section 14 of the market ordinance, reported the accompanying order, recommending its passage:

Ordered, That the Committee on Ordinances be requested to report an amendment to the ordinance relating to Faneuil Hall Market by which the dealers in poultry in said market will be relieved from the onerous restrictions now resting upon them in regard to the sale of undressed poultry.

Alderman Gibson—I would explain that the ordinance does n't allow market dealers to sell poultry with the heads on. All the dealers outside do sell them, even on the opposite side of North and South Market streets, with the heads and wings on, and that gives them an advantage. The dealers in the markets desire to have the ordinance changed so that they will be on an equality with those outside.

Alderman Hulbert—Will the Alderman explain why the ordinance stands as it does?

Alderman Gibson—That I can't say. I think the market men ought to have the same privileges as those on the street around them. The market men are obliged to take them off, while others on the opposite side of the street are not.

Alderman Hulbert—I would ask if the ordinance as it now stands is n't a proper one, and the best for the city to require as a rule inside the markets.

Alderman Gibson—It would be better to amend the ordinance one way or the other, making those outside sell on the same plan as those inside. Thirty-three per cent. of the poultry selling is done outside of the market limits, and it is unfair to give this privilege to outsiders. We ought to have the thing uniform.

On motion of Alderman Hulbert, the report was committed.

Alderman Emery, from the Committee on East Boston Ferries, to whom was referred the request of the directors of the ferries for an extra appropriation for the new ferry boat, submitted a report recommending the passage of the accompanying order:

Ordered, That the sum of \$3000 be appropriated to pay the extra expenses incurred in finishing and fur-

nishing the new ferry-boat Winthrop, said sum to be charged to the appropriation for East Boston Ferries. The order was passed.

Alderman Quincy, from the Committee on Legislative Matters, to whom was referred the order in reference to annexing a portion of the town of Brookline, so as to form a connection between the old portion of the city and Brighton, made a report, recommending the passage of the order in the following new draught:

Ordered, That his Honor the Mayor be requested to petition the General Court, at its next session, to annex to the city of Boston so much of the town of Brookline as lies north of the southerly line of Brighton avenue, together with such other and additional lands as may be necessary or proper in order to form a suitable and convenient connection between Brighton and the old portion of the city.

Accompanying the above is a minority report signed by Councilman Perkins of Ward 6, dissenting from the report of the majority, on the ground that it does not sufficiently set forth what, in the opinion of the Committee on the City Council, constitutes a convenient connection between the city proper and the recently annexed territory of Brighton, and recommending the passage of the following order:

Ordered, That his Honor the Mayor be requested to petition the General Court at its next session, to annex to the city of Boston so much of the town of Brookline as lies north of the southerly line of Beacon street, between the Boston and Brookline line at St. Mary's street, and the Brighton line.

The order was read once and laid over.

Alderman Quincy, from the Committee on Armories, to whom was referred the petition of Company F, First Regiment of Infantry, reported the following order:

Ordered, That the allowance for rent of armory formerly occupied by Company F, First Regiment of Infantry, M. V. M., at 1867 Washington street, be discontinued from and after the first day of October, A. D. 1873, and that the sum of eight hundred dollars per annum be allowed and paid for rent of armory now occupied by said company at the junction of Warren and Palmer streets, beginning on the first day of October, A. D. 1873, and continuing until otherwise ordered; said sum to be charged to the appropriation for Armories.

The order was passed—yeas 12, nays 0.

Alderman Clark, from the same committee, reported orders to pay Benjamin G. Boardman \$3000, on account of widening Congress street upon his estate next Milk street; and M. P. Grant and C. W. Lovering, J. P. Putnam and M. P. Grant, trustees, \$2400 30, for land taken from Otis Daniell and others, trustees, in widening Cambridge street. Severally passed.

Alderman Clark, from the same committee, reported an order directing Harriet Wiswell, Hugh Nawn, Noah D. Joyce, Edwin Ray and Donald Kennedy to remove obstructions from Walnut avenue on or before the first day of December. Passed.

On motion of Alderman Clark—

Ordered, That the betterment of seven hundred dollars assessed upon the estate of C. W. Loring and others, trustees, numbered 20 on Edinboro' street, for the widening of Kingston street, by an order of this Board of Dec. 26, 1871, be and the same is hereby reduced one-half, to the sum of three hundred and fifty dollars, which now remains as the betterment on said estate for said widening.

Passed.

On motion of Alderman Gaffield—

Ordered, That the Committee on Public Buildings be directed to provide for the use of the Master of the Lincoln School a private office in the Lincoln School Building, the expense of the same to be charged to the appropriation for Schoolhouses, Public Buildings.

Passed.

Alderman Power, from the Committee on Sewers, reported leave to withdraw on petition of Samuel P. Loud for postponement of collection of sewer assessment in Dorchester avenue; and no action necessary on remonstrance of Walter H. French *et al.* against proposed sewer in Parker street. Severally accepted.

Alderman Power, from the Committee on Sewers, to whom were referred the assessments for sewers in Washington, Warren and East streets, reported that they are correct, and recommend the passage of orders for collection. The orders were severally passed.

On motion of Alderman Power—

Ordered, That the sum of \$96 05 be abated from J. I. Bowditch, for a sewer in Summer street, and the same amount assessed upon Mortimer C. Ferris; that \$64 04 be abated from Howard Stockton, agent, for a sewer in Summer street, and the same amount assessed upon Patrick Donahoe; that \$189 98 be abated from George H. Kuhn, trustee, for a sewer in Summer

street, and the same amount assessed upon the Massachusetts General Hospital.

Read once.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the application of Ross Manufacturing Company to use engine at 72 Dorchester avenue. Accepted.

Alderman Quincy, from the Committee on County Accounts, to whom was referred the request of the proprietors of the Social Law Library, for the usual annual appropriation, reported the following order recommending its passage:

Ordered, That there be allowed and paid to the proprietors of the Social Law Library, under the provisions of section 10, chapter 33, of the General Statutes, and chapter 215 of the acts of 1863, the sum of one thousand dollars; said sum to be charged to the Appropriation for the County of Suffolk.

The order was read once.

On motion of Alderman Gibson—

Ordered, That Dover-street Bridge be closed to public travel on Monday, the 24th inst., and remain closed until the repairs thereon are completed.

Passed.

On motion of Alderman Clark—

Ordered, That the Committee on Common and Public Grounds be authorized to lease the greenhouse on the Public Garden from the expiration of the last lease until the 1st of July next, upon such terms as they may deem best for the interests of the city.

Passed.

Alderman Clark, from the Joint Committee on Streets, to whom was referred the order in reference to the settlement with William Gray for land taken in extending West Chester Park to Beacon street, reported that the order ought to pass. Report accepted, and order passed.

On motion of Alderman Stebbins—

Ordered, That the City Clerk be directed, in behalf of this Board, to prepare and revise the voting lists for Wards 17, 19, 20, 21, 22, to be used at the ensuing municipal election, and that he be authorized to employ such assistance as may be necessary; the expense to be charged to the appropriation for the "Registration of Voters."

Passed.

Alderman Clark, from the Committee on Streets, reported leave to withdraw on petition of R. H. Wiswell to be paid for Warren-street damages—upon his own request, until settlement with the owners of the property he leases. Accepted.

LIMITS OF SUFFOLK COUNTY.

Alderman Quincy submitted the following, which, on his motion, was laid on the table to be printed:

The Joint Standing Committee on Legislative Matters, who were requested to consider the expediency of petitioning the Legislature to annex the city of Chelsea and the towns of Revere and Winthrop to the county of Middlesex, having considered the subject, beg leave to submit the following report: By an act of the General Court, passed in 1738, "all the lands within the town of Boston, heretofore called Winnisimmet, Rumney Marsh and Pullen Point" were "erected into a township by the name of Chelsea." In 1846 a portion of this territory was incorporated into a separate town by the name of North Chelsea. In 1852 a portion of North Chelsea was incorporated as the town of Wintrop.

Simultaneously with the passage of the original act establishing the city of Boston, an act was passed to regulate the administration of justice within the County of Suffolk (Chapter 109, 1821), which provided among other things that the town of Chelsea should not be liable to taxation for any county purposes until the Legislature should otherwise order.

In 1831 an act was passed providing that the connection which by law then subsisted between the city of Boston and the town of Chelsea should continue upon the following conditions: First—That Chelsea should release to Boston all right, title and interest to the county property, and should also relinquish to Boston the exclusive care and management of the court houses, jails, House of Correction and all other lands, buildings and establishments deemed county property; second, that Boston should be at liberty to apply from time to time to the Legislature for any alterations in the laws respecting county or municipal courts, or the administration of justice without interference from Chelsea; third, that Chelsea might at any time apply to the Legislature to be set off from the county of Suffolk to any other county without opposition from Boston.

It was provided further that the act should continue and be in force so far as respects the connection between Boston and Chelsea, for the space of twenty-five years, and thence afterwards until the same should be altered by the Legislature, in

less Chelsea should in the meantime apply to the Legislature and be set off; provided, however, that the rights of property acquired by Boston under the act should remain forever vested in said city. The substantial provisions of this act were subsequently incorporated into the General Statutes.

This connection existed undisturbed for a period of forty years, double the length of time contemplated by the statute. In 1871 the attention of the City Government of Boston was particularly directed to the subject by the receipt of a requisition from the County Commissioners of Middlesex for the payment of a large sum of money for damages caused by laying out a highway in Chelsea. Application was immediately made to the Legislature to relieve this city from such assessments in the future, and an act was passed in 1872 (Chapter 91) providing that no part of the expenses incurred by the laying out, widening, alteration, discontinuance, building or repair of any highway, bridge, or other way of travel in the city of Chelsea or the towns of Revere and Winthrop should be assessed upon the county of Suffolk or the city of Boston.

All other expenses for county purposes continue to be borne exclusively by this city. The gross expenditures for the county of Suffolk during the present financial year are estimated at \$325,000, and that sum has been appropriated by the City Council. Chelsea, Revere and Winthrop, containing about one-twelfth of the population of the county, pay no part of this sum, which, except for this peculiar arrangement, would be properly chargeable upon them in proportion to their valuation.

If an attempt is made to adjust this burden equitably by assessing these corporations for their portion of the county expenses a question immediately arises as to the manner in which the assessment shall be made. It is hardly probable that the Board of Aldermen of Boston would be allowed to have the sole care and management of property for which the other portions of the county were taxed.

Apart from this the connection is open to objection on account of the complications which it leads to in the management of the public business. Chelsea, Revere and Winthrop take part in the election of District-Attorney, Sheriff, Clerks of Courts, Reg-

ister of Probate, Register of Deeds and Commissioners of Insolvency for the County of Suffolk; and of County Commissioners for the County of Middlesex. The Street Commissioners of Boston have the powers and duties of County Commissioners in Suffolk County, with certain exceptions.

The Treasurer of this city is, ex-officio, the Treasurer of the county. The Aldermen constitute the County Board of Accounts; and have the care and management of the county buildings.

It is somewhat surprising that such an anomalous condition of things should have been suffered to continue so long; and it seems necessary only to call the attention of the Government to the subject in order to have the present arrangement terminated, either by the annexation of Chelsea and the two towns to Boston, or to another county.

The committee would, therefore, respectfully recommend the passage of the accompanying order.

For the committee,

S. M. QUINCY, Chairman.

Ordered, That his Honor the Mayor be requested to petition the General Court, at its next session, for the passage of an act to set off the city of Chelsea and the towns of Revere and Winthrop from the County of Suffolk, and annex them to the County of Middlesex.

TAKEN FROM THE TABLE.

On motion of Alderman Quincy, the order for Committee on Legislative Matters to submit their report in print was taken from the table.

Alderman Quincy—I moved to lay the order on the table in order to take the sense of the committee upon it. The committee were surprised to see it coming in at so late a day. But if it is the desire of the other branch that a report of the labor done be made at this late day, the committee have no objection to the passage of the order.

The order was passed.

On motion of Alderman Stebbins, printed City Document No. 123, being the final report of the Joint Committee on Fire Department, was taken from the table and sent down.

On motion of Alderman Gibson, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,
NOVEMBER 20, 1873.

The regular weekly meeting of the Common Council was held at half-past seven o'clock P. M., E. O. Shepard, President, in the chair.

PAPERS FROM THE ALDERMEN.

The following were acted upon in concurrence.

Petitions of Leander H. Jones and Freeborn Adams. Referred, in concurrence.

Final report of the Joint Standing Committee on the Fire Department. (City Document No. 123, 1873. Placed on file.

Request of Water Board for an additional appropriation of \$175,000. Referred to Committee on Water.

Message from the Mayor, appointing, subject to approval, Oliver L. Shaw as Inspector of Buildings, in place of David Chamberlin, resigned. Referred to Committee on Survey and Inspection of Buildings.

Order to provide for the use of the master of the Lincoln School a private office in said school building. Passed, under a suspension of the rules on motion of Mr. West of Ward 16.

Report in favor of passage of order for the city to assume payment of batterment that may be assessed for extension of West Chester park upon other land taken from William Gray in settlement for land taken under the Street Commissioners' order of June 30. Accepted, and order passed.

Report and order authorizing a purchase to be made of one of Skinner's patent extension ladders and fire escapes, at a cost not exceeding \$2600. Referred to the Board of Fire Commissioners.

Report and order for an appropriation of \$3000 to be made to pay the extra expenses incurred in finishing and furnishing the new ferry boat Winthrop. Order read once.

Order authorizing a lease to be made of the greenhouse on the Public Garden, from the expiration of the last lease till July 1 next. Passed.

The following was read once:

Report and order to discontinue allowance for rent of armory formerly occupied by Company F, First Regiment, M. V. M., at 1867 Washington street, from first of October last; and to allow \$800 per annum to be paid for rent of armory now occupied by said company, at junction of Warren and Palmer streets, beginning on first of October, and continuing till otherwise ordered.

UNFINISHED BUSINESS.

The following received concurrent action:

Order authorizing Committee on Fire Department to purchase one of Holloway's self-acting chemical engines, at a cost not exceeding \$1500. Passed.

Order authorizing a contract to be made for water pipes and other materials required to provide an adequate supply of water, the expense not to exceed \$200,000. Passed.

Order for a transfer from the Reserved Fund to the appropriation for Sewers, \$30,000. Passed—Yeas 43, nays 0.

PETITIONS PRESENTED.

Mr. Burditt of Ward 16 presented the petition of H. N. & B. R. Tilton & Cowden and other business men and property owners in the vicinity of Albany and Dover streets, for the location of a steam fire engine on Albany street, near Dover street. Referred to Committee on Public Buildings.

Mr. Morse of Ward 13 presented the petition of John A. Scott and others, members of Company D, First Battalion of Cavalry, M. V. M., for an appropriation of two thousand dollars for repair of armory. Referred to the Committee on Armories.

Mr. Page of Ward 9 presented the petition of Boynton Brothers for an extension of time to build on two lots of land on Columbus avenue, corner of Northampton street. Also the petition of J. B. Smith for an extension of time to build upon a lot on Albany street, corner of Concord street. Severally referred to the Joint Committee on Public Lands.

Mr. Dacey of Ward 2 presented the petition of Joseph Marshall for leave to enlarge his wooden building at 327 Chelsea street. Referred to Joint Committee on Survey and Inspection of Buildings.

REQUEST FOR ADDITIONAL APPROPRIATION.

Mr. Perkins of Ward 6 presented the following, which on his motion was sent up:

The Joint Standing Committee on Common and Public Grounds beg leave to represent that an additional appropriation will be required to meet the necessary expenses of their department during the remainder of the financial year.

The expenditures for the seven months ending November 1st are as follows.

Salary of Superintendent.....	\$1,166 67
Food for deer, ducks and swans.....	185 62
Watering streets.....	1,000 00
Settees, signs, railing around fountain and urinal	1,964 71
Bird houses.....	324 00
Tools, machines and hardware.....	1,249 43
Printing and stationery.....	13 30
Advertising.....	120 02
Committee expenses.....	421 60
Common—labor, teaming, gravel, etc.....	16,730 22
Public Garden—labor, etc.....	16,733 86
Chester square—labor, etc.....	2,054 21
Commonwealth avenue—labor, etc.....	5,150 96
East Boston—labor, etc.....	662 99
Fountain square.....	342 49
Madison square—labor, etc.....	2,933 70
Meeting House Hill—repairs on fences.....	11 75
Orchard Park—labor, etc.....	5,964 93
South Boston squares—labor, etc.....	10,862 10
South End squares—labor, etc.....	1,673 91
Street Trees—labor.....	581 00
Lewis Park—repairs on fence.....	22 92
Longwood Park—labor, etc.....	369 71
Washington Park—labor, etc.....	7,982 34

Appropriation for 1873-74.....	\$80,000 00
Payments.....	78,571 55

Balance unexpended.....	\$1,428 45
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It appears from the statement of the Superintendent that there will be required, in addition to the balance unexpended, the sum of twelve thousand dollars, namely—

For labor.....	\$7,000 00
To complete work already authorized by the City Council.....	5,000 00

\$12,000 00

It should be stated, in justice to the committee, that the appropriation made for the present financial year was ten thousand dollars less than the appropriation made for last year, and that the additional amount asked for at this time is for the purpose of covering expenditures ordered by the City Council, and not contemplated when the appropriation was made. Respectfully submitted for the committee.

JOHN T. CLARK, Chairman.

ARMORIES.

Mr. Page of Ward 9, from the Joint Standing Committee on Armories, to whom was referred the petition of M. J. Dunn for reimbursement of expenses for armory of Company B, Ninth Regiment, M. V. M., reported the following order, recommending its passage:

Ordered, That there be allowed and paid to M. J. Dunn, late Captain of Company B, Ninth Regiment, M. V. M., the sum of forty-eight dollars and forty-six cents, to reimburse him for personal expenses incurred for rent of armory occupied by Company B, Ninth Regiment, at No. 577 Washington street.

Mr. Page of Ward 9, from the same Committee on Armories, to whom was referred the petition of Company E, First Battalion of Infantry, M. V. M., for a new armory, reported that no action on the part of the committee is necessary, and recommended the passage of the accompanying order:

Ordered, That the allowance for rent of armory occupied by Company E, First Battalion of Infantry, M. V. M., in Revere Hall, Bowdoin square, be discontinued on and after the 18th inst., the adjutant-general of the Commonwealth having notified the city that it would not be required to furnish an armory to said company after that date.

Mr. Page of Ward 9 from the same committee submitted the following orders:

Ordered, That the Committee on Armories be authorized to expend an additional sum, not exceeding \$200, in repairing and furnishing the headquarters of the Ninth Regiment of Infantry, M. V. M., at the corner of Harvard and Washington streets; said sum to be charged to the appropriation for Armories.

Ordered, That the Committee on Armories be authorized to expend a sum not exceeding \$600 in repairing and furnishing the armory occupied by Company A., First Battalion of Light Artillery, M. V. M., in Cooper street; said sum to be charged to the appropriation for Armories.

The reports having been accepted and the orders read once, Mr. Page of Ward 9 said—

It is very necessary that the repairs contemplated be commenced before the weather gets cold. I move that the rules be suspended and the orders be passed.

The rules were suspended and the several orders passed—yeas 37, nays 0

SOUP FOR THE POOR.

Mr. Shaw of Ward 5 offered the following:

Ordered, That a joint special committee, to consist of the standing committee of the Board of Aldermen and of the Common Council on the Police Department, be appointed, with instructions to provide soup for the deserving poor of the city, the same to be carried out under the immediate direction of the Chief-of-Police, and to commence as soon as said joint committee shall consider expedient; the expense thereof to be charged to the appropriation for Incidentals.

Mr. Shaw of Ward 5—I am accustomed, Mr. President, to give a reason for everything which I do, and in this case I wish to state that it is earlier in the season than this custom has heretofore been introduced. It is very well known by everybody that this is an extraordinarily hard year. It has been stated in the press that this month of November, thus far, has been colder than any similar time for the last twenty-five years. It is also very well known that there are thousands of deserving persons out of employment in the city of Boston, and it is also very well known that the cause, proceeding as it does, directly and indirectly, from the panic, is not seen so much here as it is in other cities. Nevertheless, it is evident. I have in the last two weeks, been called upon by persons who are suffering for want of food and raiment, and have become so specially for want of employment. The natural consequence is poverty, which is rapidly increasing. This afternoon I have been waited on by two sisters of charity—not by name, but by nature—who have been in the habit of visiting the poor of the city, and I have become satisfied that now is the time to lend a helping hand. I can relate instances of needy persons having called upon the Overseers of the Poor—and I will not say refused, but the granting of the request was accompanied with so much red tape that they were almost starved while waiting for the assistance rendered. It seems to me that now is the best time to meet this demand. It is not known generally to what extent this matter has gone on from 1868 to 1873 inclusive, and I have some figures on the subject, which I will give. The delivery of soup for 1873 commenced January 4 and closed March 9, having continued eighty-five days. The number of families supplied (reckoning each day they applied) was 17,382; number of meals furnished in all 88,541 (one quart for each meal); gallons of soup furnished, 22,174; cost of the whole, something less than \$3500 (which was the amount appropriated by the City Council); cost per quart, less than four cents. I have taken some pains, Mr. President, within a few days, to inquire of the Chief-of-Police as to the manner in which this soup has been dealt out, and I have become satisfied that there is no other source as capable as that department for distributing this supply. The police have used very great diligence in dealing out the supplies, and great discretion in regard to the parties supplied, and they have done an immense deal of good. Individuals are now waiting upon the poor in this city—and they are not persons with very much means either—the ladies to whom I have referred—they have small means but large hearts, and in their veins runs human blood. I have seen inhumanity displayed by parties who have been applied to for charity, and therefore I say, in distinction from them, that the parties who have called upon me have exhibited to a great extent what I shall call humanity. This very afternoon, sir, while I was waiting in the Chief's office to obtain these figures, a well-dressed woman with tears in her eyes called and stated that she was turned from her house in the very ward which I represent, by her inhuman landlord. While absent, laboring for the support of her feeble husband, her landlord came, took possession and carried away the key of the door, and all because she could not pay the small pittance which was due for rent. She called upon the police at the station; one of the policemen took her case in hand, and he obtained the key of the house after much persuasion. Finally it proved that the inhuman landlord had taken out a little stovepipe in which and by which she cooked such meals as she had. There was no stove in the room; her husband had cut a hole in the stove pipe in which the cooking was done, and put some bricks about it to keep what little material she had from setting fire to the house. The Chief took from his pocket some money and gave it to that woman, and the two ladies referred to said, "Cease your crying; go home and take care of your husband and we will give you money to buy a stove with." I can state another instance, Mr. President, of a returned soldier, one who fought and almost died for his country. He came home maimed and was taken down sick, got up

again and was able to work for a while and was again taken down. One of these ladies heard of the case and called upon the Overseers of the Poor, and was bluffed off by the attendant at the office. But she compelled him to attend to her request only by saying unless he did so she would publish him through the press. These parties are now in such a condition that they ought to be helped. I can relate another case, in Ward 8. Early in the year a report was made that a mother and four children had died of smallpox. Now, sir, I can bring proof that those parties were not sick with disease, but perished for want of food, and it was reported that they died of smallpox. But I don't think it is necessary to multiply instances. It has been intimated that Boston shall refuse this mere pittance for the support of her poor. I will only say this, that if there is anything human in our souls or bodies we will allow this thing to commence at the present moment.

Mr. Wells of Ward 3—I have no doubt, Mr. President, that members of the Council are ready to furnish this money, and as the gentleman from Ward 5 has preached such a fine sermon, I move this Council now offer prayer for the sufferers.

The President—The gentleman's motion is out of order.

Mr. Perkins of Ward 6—The gentleman from Ward 5 has given this subject a great deal of study before coming in here, and I should like to have an opportunity of studying the system and its workings. For that reason I should like to have it lie over for a week.

Mr. Shaw of Ward 5—I object to having the order lie over, and I call for the yeas and nays on the question when it is taken.

Mr. Perkins of Ward 6—I will state my reason to the gentleman. This order is an unprecedented one in this Council. The distribution of soup has been under the direction of the Committee on Police and the Board of Aldermen.

Mr. Shaw of Ward 5—I will give my reason for wishing the order passed tonight. It is not unprecedented in this Council, and it is not the first unprecedented thing I have done here. He says it has been done by a committee of the Aldermen. If I had offered an order that a committee of the Aldermen should do this, I would have been met by the saying that I was interfering with the business of the Aldermen. But I am not interfering with their business. I want the people represented. I don't see how any gentleman can oppose such an order as this while employers are discharging their employes by thousands every day, and parties are thrown out of employment who are in want of their daily bread. It is not too early to do good here. When we know there is suffering here day by day, it is the duty of this Council to do something to relieve it. If the gentleman had called round in his own ward he would have seen the poor and indigent who need the help of the city fathers. If you, Mr. President, would go down in your ward your heart would be softened, if it were necessary. And let the gentleman from Ward 3, who got up here and asked for prayers go round in his own ward, and then offer up a prayer for his own soul. But, Mr. Chairman, this is no boy's play; this is no foolish appeal. I was aware that some gentleman would get up here and oppose this order because I offered it. If it is out of time and place, the public will say so. Let us pass it tonight and see what the public will say. Poverty is not a crime, but we all know that the natural tendency of poverty is to crime, though not necessarily so. That is our experience in this city for the last few years. No one can question the propriety of this thing, and I am astonished that a gentleman of such profound knowledge should oppose it, that he should ask to have it lie over for a week.

Mr. Perkins of Ward 6—I don't suppose the gentleman refers to me when he refers to "a gentleman of such profound knowledge." I have not opposed the order. I merely said he had made a careful study of the subject before offering the order. I say that before he expects people to vote on his order he ought to have given them time to find out something more than his say-so. I don't intend to vote on any subject on the say-so of one man, and I shall vote against the final passage of this order tonight. If he calls that opposition he may think so.

Mr. Shaw of Ward 5—When I think that we appropriate fifteen thousand dollars to celebrate the Fourth of July, and twenty-eight hundred dollars to be spent on the Common, for music for the benefit of the poor, and when it is asked that three thousand five hundred dollars more or less shall be given in aid of the poor—to help maintain their very lives—I am astonished that anybody

should rise here and oppose the passage of this order tonight. Here is a snow storm upon us; men and women are suffering for raiment and food this very hour. If that is n't reason enough to stir us up, when we know it is true, and when people are daily hovering around this City Hall asking for food and for employment, and when some of them have offered their services for thirty cents per day, and can't get that even, it is time we set aside all little notions and enter upon the subject at once.

Mr. Pickering of Ward 6—I take it, Mr. President, there is no one here who doubts there is poverty about us, or that it is likely to increase as the season progresses, or that any of us would grudge the small pittance that is asked for the deserving poor. But I have seen it stated that the police, having the distribution of this particular form of charity, have said that it has been very much abused heretofore. Now, I should like to ask any gentleman here who knows the facts, whether that is the case, whether that is the opinion of the police or not. They are competent to know, and if the deserving poor have been shut out and great imposition has been practised in the furnishing of this food, we will not do what the gentleman's order proposes to do. I hope the passage of the order will not be pressed tonight, and I should like to know the opinion of the distributors.

Mr. Denny of Ward 9—The gentleman has just expressed opinions which I have entertained. I have heard that charitable organizations express disapproval of the charity of the city for the reason that the deserving poor don't obtain as much as those who are not deserving. Therefore I don't see why the gentleman from Ward 5 should wish to press the order tonight. I have seen this opinion expressed, not only by the police but by charitable organizations, and they have expressed doubts of the propriety of this method of this charitable distribution by the city. If it is the right thing to do, and if the gentleman will let it lie over for a week that we may ascertain, I should be glad to vote for the order. But as it stands now, it is my impression that this is n't the best thing to do.

Mr. Brackett of Ward 10—I am inclined to favor the proposition of the gentleman from Ward 5, but would like a little more time to look into the subject and learn how it has worked heretofore. I therefore move that it be specially assigned for half-past eight o'clock next Thursday evening.

Mr. Shaw of Ward 5—I can answer the question raised by the gentlemen on my right. I have called upon the Chief-of-Police today and had a long consultation with him, and he approves of the order in the most hearty manner. I read to him the order which I have offered, and it met his hearty approval. He said there was no better way in his judgment, and none so good as that. There were witnesses present when I was talking with him, and I can assure the gentleman upon my honor as a member of this Council, that if the gentleman will call upon the Chief he will state the same thing to him. The Chief showed me his books kept during the consecutive years of the distribution, and from him I obtained all these figures. While I was talking with him in came those ladies, and the Chief, after hearing their story, turned them over to me; so I don't think I need say anything more upon this subject. I think I have stated the exact facts, and as my words will go upon record, if I am not right I hope I shall be disapproved, and if I am not right I will withdraw the order.

Mr. Perkins of Ward 6—The gentleman says he will withdraw the order. I would like to know what good that would do after it has been passed. Our interest here is to see that the city's money is not wasted, and therefore I renew the motion of the gentleman to specially assign for next Thursday evening.

Mr. Shaw called for the yeas and nays, and they were ordered.

Mr. Flynn of Ward 7—I pretend to know something of this soup business, having had the honor about six or seven years ago to introduce an order of this kind into the Council. Then it was made a joint special committee and continued so until within two years, and since that time it has been in the hands of the Committee on Police of the Board of Aldermen. When the change was made I did n't like it. I think the order should receive the vote of this Council, and be disposed of tonight.

Mr. Wells of Ward 3—I have seen the working of this soup business at Station Three, and I can't see where there is any chance for any one to abuse the institution, when it is carried on in the Station House. They open the door at twelve o'clock; whoever comes in signs his name, or, if it be the head of a family, he signs for them all, and if they are given one or two quarts of soup they are credited with it on the books. A great many come in, and if the

soup costs only four cents a quart, it can't do a great deal of harm for a few unworthy people to get a few quarts. I will give enough to pay for forty quarts myself, for any one travelling through the city—I hope the order will pass tonight.

The vote on postponing and specially assigning for next Thursday evening, was lost—yeas 12, nays 32, as follows:

Yeas—Messrs. Blackmar, Brackett, Burditt, Cudworth, Darrow, Denny, Flatley, Hine, Loring, Page, Perkins, Pickering—12.

Nays—Messrs. Abbott, Adams, Bleiler, Boardman, Burt, Caton, Collins, Dacey, Davis, Dean, Edwards, Flynn, Lamb, McCue, McKenney, Morse, Pease, Powers, Prescott, Risteen, Shaw, Tower, Traub, Upham, Warren, Wells, West, Weston, Whiston, Wilbur, Woods, Woodward—32.

Absent or not voting—Messrs. Anderson, Barnes, Bicknell, Bowles, Brennan, Doherty, Hall, Harrington, Holmes, Hughes, Jones, Kelley, Kingsley, Madden, Mahan, Marston, Martin, Thacher—18.

Mr. Shaw moved the vote on giving the order a second reading be taken by yeas and nays. Lost.

The order was passed to a second reading and on motion of Mr. Flynn of Ward 7 the rules were suspended and the order was passed.

ADJOURNMENT FOR THANKSGIVING.

Mr. Dacey of Ward 2 offered an order, that when the Council adjourn it be to Friday evening, 28th inst., explaining that he understood many members wished to go out of the city, and he thought more gentlemen would be accommodated by making it Friday evening.

Mr. Flynn of Ward 7 moved to amend by substituting Wednesday for Friday.

Mr. Dacey accepted the amendment.

On motion of Mr. Brackett of Ward 10 the order was amended by inserting Tuesday, and as amended was passed.

Mr. Blackmar of Ward 11 offered the following:

Ordered, That the Committee on Ordinances consider and report upon the expediency of so amending the existing ordinances of the city relating to the attendance of children at school and "truants" that they shall better conform to recent legislation upon this subject.

Referred to Committee on Ordinances, on motion of Mr. Blackmar.

WATER FOR BROOKLINE.

Mr. Pease of Ward 1 called up the special assignment for half-past eight o'clock, being the order to allow the Water Board to supply the town of Brookline with water, under certain conditions, the question being on giving the order a second reading.

Mr. Pease of Ward 1—It could hardly be expected that I should urge the passage of this order very strongly after the people who sent me here have been denied the same privilege that is now proposed to give to Brookline. But I will simply state the reasons why the order is here. The town of Brookline has applied for the privilege, and the argument used is that that town is about to make an outlay of five hundred thousand dollars or more in taking water from Charles River, and that in all probability Boston would have to assume the expense, in case Brookline should be annexed. This was the idea held out to the Committee on Water, and therefore they reported this order simply to head off that outlay by the town of Brookline. I hardly see the force of this argument. If Brookline wants to come into Boston it will, to my mind, because she wants a supply of Cochituate water. Now if they get the water they probably will not want to come into the city. I have stated this matter plainly and fairly, but cannot see my way clearly to vote for the order, in view of the opinions of residents of the part of the city which sent me here.

Mr. Adams of Ward 14—I believe it is perfectly right and proper for the city to sell all the water she can spare, but self preservation is the first law of nature, and it is so in this case. The first question is whether the city of Boston has got water to sell to her neighbors. I don't believe she has if all the reports we have heard are true. The conduit from Lake Cochituate to the reservoirs has been under heavy pressure and has been continually lowering. I can't see how Brookline is going to incur so much expense if she takes water from Charles River. They will have to lay their pipes, the debt for which will be funded, and Boston will have to assume it if Brookline is annexed, and when the time comes I think the city of Boston will need all the motive power it can get. I am glad to hear the gentleman from East Boston speak as he does. We all know that East Boston has soured on the Mystic.

The order was refused a second reading.

On motion of Mr. Caton of Ward 11, the Council adjourned to Tuesday evening next, at 7½ o'clock.

CITY OF BOSTON.

**Proceedings of the Board of Aldermen,
NOVEMBER 24, 1873.**

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M. today, Alderman Cutter, Chairman, presiding.

RESIGNATION OF HIS HONOR THE MAYOR.

The following communication was received:

EXECUTIVE DEPARTMENT,
CITY HALL, BOSTON, Nov. 24, 1873. }

To the Honorable the City Council: Gentlemen—
Having been elected to represent the Third District of Massachusetts in the Congress which assembles in Washington on the first day of December next, it is my duty to resign the office of Mayor of the city, and I hereby notify your honorable body of my resignation, which is to take effect on Saturday next, the 29th instant.

In making this announcement, I desire to acknowledge the very great obligations which I am under to the members of the Government for their generous aid and support in the performance of my official duties during the present municipal year.

HENRY L. PIERCE.

On motion of Alderman Gibson, the resignation was accepted, and the communication was sent down.

EXECUTIVE APPOINTMENTS CONFIRMED.

Undertaker—E. H. Dunn.

Constable—Barry Sullivan.

Special Police Officers—Henry N. Baker and Albert C. Crosby, 104 Washington street and its vicinity.

John Theodore Clark, Highland Stable, Warren street; George Faul, Ruggles street and its vicinity.

JURORS DRAWN.

Three grand jurors were drawn for the December term of the United States District Court.

CONSTABLE'S BOND APPROVED.

The bond of William Gordon, constable, being duly certified, was approved.

ORDERS OF NOTICE.

The orders of notice on the petitions of Winchester & Hight to use steam engine on Dorchester avenue, corner First street, and Charles Roberts to locate and use steam engine at 21 Chardon street, were considered, and there being no objection the petitions were severally recommended to the Committee on Steam Engines.

PETITIONS REFERRED.

To the Committee on Sewers. John Haggerty, for abatement of sewer assessments.

To the Joint Committee on Streets. John Lyons et al., that Beach street be widened near Washington street.

To the Committee on Paving. D. G. Grafton et al., that Huntington avenue be graded between Clarendon and Dartmouth streets.

George Frost, that Ceylon street be graded.

Thomas Coughlin, to be paid for grade damages at 292 and 294 F street.

William H. Harris et al., that sidewalks be laid on a portion of Tremont street between Parker and Whitney streets.

Donald Kennedy, for leave to place a lamp post in sidewalk of Warren street in front of Kennedy Hall.

John Haggerty, for damages by reason of change of grade on Commercial street, Ward 16.

Hunt, Twitchell & Co. et al., that Arch street be paved with wood from Milk to Franklin street.

To the Committee on Health on the Part of the Board. Boynton Bros., for leave to erect a brick stable for four horses on Northampton street, west of Tremont street.

Isaac Fenno et al., against the proposed erection of a stable on Stanmore place.

Alonzo F. Neale et al., against the proposed erection of a stable in rear of 1043, 1045 Washington street.

George W. Smith et al., against the proposed erection of a stable on Knowlton street.

Cecelia Lewis, for extension of time in which to erect a stable on Dunreath place.

To the Committee on Armories. H. C. Richards, for payment of rent for armory of Company F., First Regiment, M. V. M.

To the Committee on Lamps. John C. Flood, for leave to place a gas lantern over door of 70 Cambridge street.

To the Committee on Police. Dr. C. E. Buckingham, for enforcement of ordinance relative to throwing snowballs in the public streets.

SEWER ASSESSMENTS.

Assessments for the construction of sewers were submitted by the Superintendent of Sewers, as fol-

lows: Warren street, total \$464; to individuals, \$348. Chapman and Appleton streets, total \$1864 77; to individuals, \$1398 58.

Severally referred to the Committee on Sewers.

FROM THE STREET COMMISSIONERS.

An order (printed City Document 124) was received from the Street Commissioners for the widening of Magazine street and laying out the same to Dudley street, at an adjudged expense of \$24,015 95. Following is a schedule of the damages to the several estates:

	Square feet of land taken	Price per foot	Value of land taken	Total amount of damages to each estate
James Dolan, Jr.	509	1 00	\$509 00	\$659 00
Heirs Frederick Neff	468	75	351 00	487 00
Dennis O'Brien	440	75	330 00	370 00
Heirs Samuel W. Weld	431	60	258 60	258 60
John Bowhan	266	75	199 50	199 50
Mary Dimmock	915	90	823 50	823 50
Heirs Joseph Bumstead	541	1 00	541 00	541 00
Heirs Daniel Dowd	421	85	357 85	357 85
" " "	441	85	374 85	374 85
" " "	358	90	322 20	322 20
Heirs Abraham Barker	229	90	206 10	206 10
Joseph Kyle	142	90	127 80	152 80
Jerome Seidensticker	97	90	87 30	112 30
David Gore	116	90	104 40	129 40
James B. Graham	163	1 00	163 00	208 00
John Bannon	191	1 00	191 00	221 00
Ellen Connell	84	75	63 00	63 00
Patrick Connell	74	75	55 50	55 50
Heirs Samuel W. Weld	66	75	49 50	49 50
Patrick Connell	64	85	54 40	54 40
W. Elliot Woodward	1,691	85	1,437 35	1,437 35
Ezekiel S. Johnson	1,000	90	900 00	3,250 00
J. H. Chadwick	2,241	90	2,016 90	2,016 90
Little Sisters of the Poor of Boston	3,549	90	3,194 10	3,194 10
Bernard Foley and Owen Nawn	6,517	1 30	8,472 10	8,472 10
	21,019		\$21,194 95	\$24,015 95

An order was received from the Street Commissioners for the extension of Eustis street to Magazine street, at an adjudged expense of \$11,640 20, the damages, etc., to the several estates being given in the accompanying schedule, as follows:

Estates	Number on the street	Square feet of land taken	Price per foot	Value of land taken	Total amount of damages to each estate
Rodney S. Laird	Eustis st.	1599	90c	\$1439 10	\$3739 10
Sylvester H. Roper	"	1221	90	1098 90	2998 90
Heirs of Daniel Dowd	Magazine st.	1484	90	1335 60	2435 60
Heirs of Abraham Parker	26 "	1074	90	966 60	2466 60
		5378		\$4840 20	\$11,640 20

Severally referred, on motion of Alderman Clark, to the Joint Committee on Streets.

UNFINISHED BUSINESS.

Order to pay the proprietors of the Social Law Library \$1000, as provided by law. Passed.

Order for change in certain sewer assessments on Summer street. Passed.

Orders to assess and collect certain assessments for sewers in Warren street, Washington street, and East street. Passed.

The majority and minority reports, with orders for the mayor to petition the next Legislature for the annexation of portions of Brookline to this city, were considered.

Alderman Quincy—The views of the majority in this matter were substantially these. We have an undoubted right to go to the Legislature and ask for a way to any part of the city. We have what is called at law, "a way of necessity," and the majority thought it would be a mistake to take advantage of such a right and ask a slice of a town that has voted against annexation. It was thought better to stand upon our legal rights, and we so worded the order that the inhabitants of Brookline would come up favoring the annexation of a larger portion of the town than we asked for. The majority were strongly of the

opinion that we had better ask definitely for what the Legislature could not very well refuse to grant.

Alderman Clark—It seems to me that we might just as well go to the Legislature and ask it to give just the part of Brookline it is necessary to have. In my opinion the majority of the citizens desire the annexation of Brookline from the line of Beacon street to the reservoir. We already maintain, at a large expense, a roadway around the reservoir, and there is no reason why we should not have annexed to the city the whole territory bounded by Beacon street. It is contemplated to widen Beacon street, some day, from seventy to a hundred feet. If we go and ask for what we want we shall probably get it. We want Brookline, from Beacon street to the reservoir; so let us go to the Legislature and ask for it. I move that the report of the minority be substituted for that of the majority.

The motion was lost by a rising vote—3 for, 7 against.

The question recurred on the passage of the order of the majority.

Alderman Power—If I understand the order offered by the majority, it does not cut us off from obtaining the whole of Brookline if that is deemed expedient or we can take it.

Alderman Quiney—The idea was not to cut us off from what would be deemed necessary. There has been served upon us already a notice of a petition of inhabitants of Brookline for a change in the boundary line between Boston and Brookline; but what they ask for I do not know. We certainly ought to be in a position to take what the Legislature will give us.

The majority order was passed.

SUFFOLK-COUNTY JAIL.

A requisition was received from the Sheriff of Suffolk County for the expenses of the county jail for the month ending December 1, amounting to \$1759 28, which being approved by the Auditor, was ordered paid.

PAPERS FROM THE COMMON COUNCIL.

Petitions were referred in concurrence.

Order for Committee on Ordinances to report on expediency of amending the Truant Ordinances. Referred to Committee on Ordinances.

Order to expend \$200 for repairs and furniture in armory of headquarters of Ninth Infantry. Passed—Yeas 12, nays 0.

Order to allow Captain Dunn, late Captain of Company B, Ninth Infantry, \$48 46, for rent of armory. Passed—Yeas 12, nays 0.

Order to expend \$600 for repairs and furniture on armory of Company A, First Battalion of Light Artillery. Passed—Yeas 12, nays 0.

Report "leave to withdraw" on petition of Company E, First Battalion of Infantry for a new armory; also an order to discontinue the rent of armory of said company in Bowdoin square after November 18, 1873. Report accepted and order passed.

Request of Committee on Common, etc., for an additional appropriation of \$12,000. [City Document No. 126.] Referred to Committee on Finance.

SOUP HOUSES FOR THE POOR.

The following communications were read:

EXECUTIVE DEPARTMENT, CITY HALL, }
BOSTON, Nov. 24, 1873.

To the Honorable the City Council: Gentlemen—I have the honor to transmit herewith a communication from the Board of Overseers of the Poor in reply to certain inquiries which I made on the 18th instant, in relation to the relief of the poor in this city during the coming winter.

Since the opinion of the Board was asked upon the expediency of distributing soup from the police stations, I have conferred with the City Solicitor upon the subject, and have been informed by him that the City Council has no authority to appropriate money for such a purpose.

It is proper that I should state that the inquiries were made and the opinion of the Solicitor obtained before any action had been taken by your honorable body; otherwise I should not presume to communicate with you upon the subject at this time.

HENRY L. PIERCE, Mayor.

[COPY.]

EXECUTIVE DEPARTMENT, CITY HALL, }
BOSTON, Nov. 18, 1873.

Hon. F. W. Lincoln, President Board of Overseers of the Poor: Dear Sir—In view of the distress which is likely to be produced among the laboring classes during the coming winter, caused by the recent financial disturbances in other sections of the country, I desire to obtain the opinion of the Board of Overseers as to the propriety of taking any official action at this time to meet the extraordinary demands which may be made upon the city for temporary aid.

If any assistance is desired in obtaining information in regard to the number of persons dependent upon their daily earnings who are likely to be thrown out of employment in consequence of this unexpected interruption of business, the Chief of Police will cheerfully furnish it.

I am aware that it is an extremely difficult and delicate matter for the Government to depart from established methods in providing relief for the destitute without increasing the very evil which it is endeavoring to cure. In times of general distress, however, a rigid adherence to the somewhat severe requirements of the laws relating to settlements might work a hardship to the deserving poor. Better that some unworthy persons should be aided than that one worthy person should be allowed to suffer. I have no doubt that the members of your board, most of whom have had a long experience in this charitable work, will be able to devise a system which, while meeting the demands of the times, will be free from the evil consequences which would result from a careless or indiscriminate use of the public funds for the benefit of any person who claimed to be in distress.

It is with a view to avoid hasty action by and by on the part of the Government that I apply to you to make an examination of this matter in advance of the actual demands upon us for extra assistance, so that if any enlargement of the present channels of relief is needed, it may be made with a due regard to the public welfare. In this connection, I should be pleased to have the opinion of the board upon the expediency of continuing the practice which has been pursued for several years past, of furnishing soup from the police stations to a certain class of poor persons. I have not satisfied myself that the City Council has authority to appropriate money for such a purpose; but I desire your opinion on the supposition that the Government has the authority.

I am, with great respect,

HENRY L. PIERCE,
Mayor.

OFFICE OF THE OVERSEERS OF THE POOR, }
BOSTON, Nov. 22, 1873.

To His Honor Henry L. Pierce, Mayor of Boston: Dear Sir—At a special meeting of the Overseers of the Poor, held this day, your communication of the 18th inst., in regard to the relief of the poor the present winter, was laid before them. They gratefully acknowledge that concern for this class of our people which prompted you to address us on the subject, as well as that regard to those interests of a public character evinced by your solicitude that any measure adopted should be timely and judicious in its nature.

The result of the deliberations of the board are embodied in two resolutions in answer to the two objects of inquiry submitted to our consideration. In transmitting them to you I was authorized to make such further comments upon the general subject as might occur to my own mind as to the experience of myself, or that of my associates, in the special work delegated to us by the City Council.

The mere distribution of charity, especially if the means are not furnished from our own pockets, seems to be a simple affair, but when it is considered that the method of its administration is pregnant for weal or woe to the community of which we form a part, it becomes a more serious matter and cannot be hastily discussed in a few words necessarily limited by the nature of this communication. The moment that any individual receives aid at the public charge, that moment that individual's relation to society is changed, and when by the aggregation of numbers those individuals become a large class, they become an important element in the social state, and any event which has a tendency to their increase is to be deprecated. The great fire of November of the last year is to be deplored for the large amount of property destroyed, and the numbers thrown suddenly out of employment, but not the least of its evils was the opportunity furnished to many persons for the first time to appeal to the public for assistance. They were justified under the circumstances, and even invited to make such a claim, and generous means were placed by our citizens to respond to such calls, but as another winter is approaching, we are already observing the indications that a portion of the same number are again at the door of our charitable institutions begging for support. The recent financial panic coming at a similar period of the year, again awakens apprehension, and its effects should be met, not only with a benevolent spirit, but in a manner which, while gently relieving the necessities of the real sufferers, will not encourage the importunities of the thriftless and improvident.

The functions of the Board of Overseers of the Poor, as you are aware, are regulated by the statute

laws of the Commonwealth, and to the extent of their violation by our officers we are recreant to our duties and oaths of office. In some particulars we wish those laws could be amended, but living as we do in a city abounding in charitable organizations, whose treasuries are furnished by the more affluent of our citizens, the cases we cannot legally relieve are succored by them, so that no needy individual of any class has occasion to suffer when his wants are properly made known. We have no doubt that the calls upon these societies will be unusually urgent the present season, and we trust that those generous benefactors who are in the habit of making them the almoners of their bounty will respond to their appeals, so that they will be supplied with all the funds which may be necessary.

The second object of your inquiry, the opinion of the board as to the expediency of continuing the policy of distributing soup from the police stations, was considered, and a resolution adopted disapproving of the measure.

While the first resolutions was passed with unanimous consent, it is but fair that I should inform you that two gentlemen of the board dissented from the opinion of their associates, and voted against this resolution. While these gentlemen agreed with nearly all who have had experience in charitable work, that as a permanent policy the distribution of soup in this manner is inexpedient, yet they felt that the exigencies of the coming winter may be of such a character as will justify its continuance for another year.

Boston has a deservedly high reputation outside of its own limits for its benevolent spirit. It has attained this, not by a prodigal and lavish expenditure of large appropriations, doling out the alms in a lax and loose manner, but by the establishment of a method and system, which, while relieving real want, represses mendicancy. The establishment of soup houses, or turning the police stations into them a few years since, was regarded by nearly all conversant with the subject as a doubtful expedient for relieving the poor; the objections are obvious, and need not be commented on at this time.

Employment for the able-bodied is better charity than almsgiving, and although it is not the province of municipalities to furnish it for the people, yet incidentally some enterprises of a public nature might be prosecuted even out of season, to be supplemented by men of capital engaging in new ventures for their own profit, as well as for the benefit of the laboring classes.

It is the opinion of some of our most sagacious business men that we have already passed the period of our most severe commercial depression, and that the prospects are brightening for a return to our usual prosperity. If this hope is fallacious and will not be speedily realized, I can assure you that our board will endeavor to meet, to the best of their ability, the new emergencies as they arise, and we have no doubt that the same spirit will animate the more private charitable organizations not under municipal control.

There are occasionally cases, from their peculiar circumstances unknown to our visitors, coming to the knowledge of the police, of which we should be promptly notified at our office. There are other cases of extreme destitution in the outskirts of the city, which require immediate and temporary relief, for which arrangements have recently been made with the Chief, in concurrence with our board.

I remain, dear sir,

Yours, very truly,

F. W. LINCOLN, Chairman.

OFFICE OF THE OVERSEERS OF THE POOR, }
BOSTON, Nov. 22, 1873.

At a special meeting of the Overseers of the Poor, held at their office Saturday, Nov. 22, 1873, a communication from his Honor the Mayor was laid before them, and, after a full consideration of the same, the following resolutions were adopted:

Resolved, That as present advised, there is no unusual exigency existing, growing out of the commercial panic, to require any new organization or channel for the relief of the destitute the coming winter. The city is well covered by the Overseers of the Poor and the existing charitable organizations for ministering to the necessities of the needy. While there is some apprehension that, owing to the stagnation in business and industrial pursuits, the calls may be more numerous than in former years, yet the present organizations can accomplish the work if the means are placed at their disposal for this purpose. If the appropriation voted by the City Council to be expended legally by this board should become exhausted, the knowledge of the fact will be communicated, and another appropriation will be called for at the proper time, while an appeal to the

more affluent and benevolent of our citizens, we have no doubt, will meet with a hearty response if the funds of the more private charitable associations should become depleted from the same cause. The knowledge of a large fund to be devoted to charitable objects will, we fear, exert a demoralizing influence upon the community. It will cause a large influx of the improvident of other places to make this city their residence the coming winter, and encourage the same class among ourselves to be less frugal with their means and less reliant upon their own resources, looking, as they naturally would, to the public for support. There is a large class of the really unfortunate, become destitute by sickness or the want of employment, who claim our sympathy, and whose wants will be relieved with that consideration and tenderness which their merits deserve; but there is another class of the idle and dissolute in our large city who take advantage of every source of supply, whose demands should be ignored and utterly rejected.

While it is the duty of every individual, so far as his heart prompts and his pecuniary means will justify, to relieve the necessities of those thrown more immediately about him, and with whose circumstances he is personally acquainted, and this number may be increased in every circle the approaching season; yet we cannot but believe that, after these cases are met, there will be abundance of means at the disposal of the more public channels of charity for the relief of those who have no friends to whom to appeal, and whose necessities must be met by other than private sources.

Entertaining these views, the board are of the opinion that at this time no official action is required of the City Government to meet present or future wants.

Resolved, That the practice of distributing soup from the police stations, in the opinion of this board, is unwise and injudicious, tending to aggravate and increase the evil it designs to alleviate.

A true copy—Attest: JOHN PRATT, Secretary.

The communications were placed on file.

Subsequently the order for appointment of a joint committee to provide, under direction of the Chief-of-Police, a free distribution of soup, the expense to be charged to the appropriation for Incidentals, which had been passed by the Common Council, came up for consideration in the regular course of business.

On motion of Alderman Clark, the order was laid upon the table and the communications from the Mayor and the Overseers of the Poor were taken from file and ordered sent to the other branch. Later in the session the order was taken from the table on motion of Alderman Sayward, who said—

I called up this order again because I can't conceive what is the object of laying this matter on the table and sending the communication to the City Council. It is only a matter of concurrence. Gentlemen's minds must be made up on this question, as well now as at any other time. I hope we shall concur with the Council in the passage of the order.

Alderman Clark—My object was to bring it up again this afternoon, or to lay it over for one week only. I have been in favor of furnishing the soup for the poor as it has been done by the police for some years, and have thought it was an excellent arrangement. I supposed it did a great deal of good. The money has been judiciously expended, and no sum of money laid out by the City Government has been of greater benefit to the poor than this. I have always understood from the Chief-of-Police and the police of the different stations that it was a means of furnishing food for a great many poor people who might otherwise have suffered, but having received a lengthy communication from the Overseers of the Poor, in which they deprecate the manner in which this soup has been furnished by the police, I wish to have time to read the communication, and also to ascertain whether they propose to make arrangements for conducting this business, which they believe to be injudicious when done by the police. I did not propose to have the order lie on the table indefinitely, but merely for one week. If it is illegal, I certainly don't wish to vote for an illegal measure, but I have always supposed it was a judicious appropriation and that it was judiciously used. I still have that feeling. I do not wish to trespass upon the duties of the Board of Charities, but if it is illegal, it has been so this many years. I do not wish to press this matter today, but I am in favor of having this soup distributed either by the Police Committee or by the Overseers of the Poor. I am ready, if the Board think it advisable, to concur with the Council tonight. It is a good thing, and certainly the necessity of providing for the poor is imperative. Probably we have not had a winter in which there

has been so much suffering as there will be in this one coming. I trust we shall see the necessity of doing something to relieve their wants, and I know of nothing more judicious than to spend two or three thousand dollars, as has been done in years past. Whether it is necessary to have the Joint Special Committee I don't know. The work has generally been done by the Committee on Police.

Alderman Sayward—I am not particular about what committee this shall go to. I can't see what can be the object of taking the communication of the Overseers of the Poor from file and letting the whole thing lie over.

Alderman Clark—I should be in favor of having the communication printed. I should like to read it over carefully myself.

On motion of Alderman Sayward, the order was laid on the table.

Alderman Clark moved that the vote to send the communication of the Mayor and Board of Overseers of the Poor to the other branch be reconsidered.

Alderman Gaffield—It strikes me that it ought to be sent officially to the other board. It is a very important matter. The charge of the poor is given to the Overseers of the Poor. They ought to know what is best. They have decided that it is illegal. The City Solicitor is also understood to have decided that this is an illegal measure.

Alderman Clark—I would like to know whether the communication must not be sent to the Council, whether we wish to send it or not.

Alderman Sayward—I can't see how it affects the matter by sending the communication to the Council. The proper way is to keep it here and settle whether we will concur with the Council or not.

The motion to reconsider was carried.

Alderman Clark moved that the communication be laid on the table to be printed.

Alderman Power—I don't see the necessity of printing the document; the money so spent had better be given to furnish the soup. It is a plainly written document, and any gentleman can read it if he wishes to.

Alderman Gibson—I fully agree with the gentleman from Ward 12, and hope the communication will not be printed.

Alderman Power—I think it is a useless expense. It has got to be too common a practice here to have documents printed. As to the matter being illegal, I don't know how that may be; but if it is, I don't see how it can be any more so than the voting of two thousand five hundred dollars last year for music. If we voted for that I think we certainly can overlook little legal quibbles in this matter.

Alderman Stebbins—We have a Joint Committee on the Overseers of the Poor. I think this communication should be referred to them. If, on consultation with the Overseers of the Poor, it is deemed best to establish soup houses in the city it can be done legally.

Alderman Power—I agree with the gentleman, that if the object can be reached in a legal manner we ought by all means to reach it in that way.

The motion to lay the communication on the table to be printed was lost.

Alderman Stebbins moved to refer the communication to the Committee on Overseers of the Poor with instructions to consider the expediency of establishing soup houses for the poor.

Alderman Clark suggested that the committee be instructed to make arrangements for the distribution of soup for the poor.

Alderman Hulbert—I don't quite like the way this thing stands. If we can't do it legally why do anything more about it?

Alderman Stebbins—I suppose it is understood that the Legislature confers power upon the Overseers of the Poor to do this very work. They are the agents of the city, and it is for this very reason that the order is declared illegal. I now move that the communication be referred to the Committee on Overseers of the Poor, with instructions to consider the expediency of establishing, by the Overseers of the Poor, of proper places throughout the city for furnishing soup, or other provisions, for the poor of the city.

The motion was carried.

INSPECTOR OF BUILDINGS.

Alderman Gibson, from the Joint Committee on Survey and Inspection of Buildings, to whom was referred the appointment by his Honor the Mayor of Oliver L. Shaw to the office of Inspector of Buildings, reported that he is in every way qualified to fill the position, and recommended that the appointment be confirmed.

It was so ordered.

THE PUBLIC PARK QUESTION.

At five o'clock the Board took up the special assignment, viz., the order appointing Messrs. Shaw,

Perkins, Flynn, Prescott and Boardman, with such as the Board of Aldermen may join, a Committee on "Public Works," with directions to consider the expediency of providing for the establishment of one or more public parks within this city.

Alderman Emery—I am not opposed to the city having a proper public park, or parks, and I presume that the other gentlemen of this Board are in favor of having a proper park, but I think that at this late day, at this late season, it is an improper time to appoint a committee for the selection of such a park. I think that nothing can be done at this late season unless it be to procure legislation by which proper lands can be taken, and I propose to move as a substitute for the order under consideration the following, which, I think, will make suitable provision for covering that point:

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, or commissioners appointed by the Mayor or the City Council, to purchase or otherwise take lands in Boston or its vicinity for the purpose of laying out one large park or several small parks for the benefit of the people.

Alderman Hulbert—The order that was before the Board and the order which it is proposed to substitute therefor introduce a subject which I have thought should, for the present at least, lie undisturbed. I cannot but regard its being brought forward at the present time as inopportune and unwise, and I have, since joining in the request that this order be laid over for one week, given it such thought as I was able, though not so much as I would like, and I will state the reasons why I regard this thing as inopportune and ill considered.

The gentleman who originated the order, in his remarks at its introduction into the other branch assumed (I use his own words) "that public opinion has reached the point of making arrangements for the laying out of a public park, and to almost demand of the City Government that action should be taken in the matter." If this is really so, it is high time that some of us should give way to others who can more readily and correctly understand what the popular will is. For myself, I shall have to admit that I am a "little hard of hearing." Before alluding to what is the subject matter of the order, I beg to refer to its details, as named therein, viz., the appointment of a Joint Special Committee from the present Council to consider and report, but when, and to what body such a report is to be made, is not defined. It may be replied that this committee will report in due course, as other committees do. Let us see. Within a short month the present City Council will cease to be. Is it to be supposed that any committee appointed for the service required can make the needed investigation, and be able to report to the Council that created the committee? I say it cannot.

The originator of the order must, I think, have contemplated the existence of this committee to be continued beyond the present year, and the report to be made to some future Government. Another provision of the order is that "this committee be called the Committee on Public Works." Rather of a high-sounding title for a simple special committee of inquiry to hear. This may indeed mean little. I am just suspicious enough to fear that it may intend much. One thing is certain, the mover of the order intended that whatever was the work in hand, the committee should bear no common name and title, but one implying large responsibilities. I cannot but think that it is intended that this committee shall be considered as an important one in the public mind, and that its endeavors will be quite prolonged. As I read the order, the real origin, design and scope of it are not at all clear to my mind. The order itself, as prepared, does not strike me pleasantly, I must say. The originator of it, I suppose, does not expect that the creating of this committee is to be without expense to the city. These special committees are at times quite expensive, and I have the impression that if this committee should be appointed it will result in our worthy Auditor being called to make another of his oft-repeated donations to the "City's Parker Memorial Fund."

I will now refer to that which is the main object of the order, viz., the taking steps to inaugurate a scheme for a large, elaborate and costly public park, one to compare favorably with those which some of the largest cities of the country have provided. One gentleman, in the other branch, remarking upon the order, stated that "what is proposed is an inquiry merely, and can do no harm." I do not so regard it. I think the inquiry officially and formerly instituted implies too much to be harmless, if no subsequent steps for the realization of the scheme are contemplated. I shall try to show that it is most unwise to

move, now, in the thing at all. To sustain the position I feel called upon to take on this question, it is not needful or pertinent to array myself against such a scheme under any circumstances. I do no such thing. I refer to the present duty of the city as to it. I think that such a thing as this is one, which, like many things to a private individual, is well enough if it can be afforded. It cannot be properly classed in the same category of the city's needs as a water supply, street extensions and widenings, sewerage, fire apparatus, bridges, school and other needed public buildings, and the like. When these are duly provided for, and the financial condition then is such as to warrant an expenditure which is large and mainly for ornamental and recreating purposes, then is a time for such a matter as the one before us to come up.

To satisfy myself as to what position it is my duty to talk as to the question, I have sought to ascertain as far as I am able, what the actual situation of the city is—both as to what has been done, and what is to be done. I see not how I could properly act in this matter involving an expenditure in the future of such magnitude, without getting at the true position of the city, as I have stated. That I may be the better understood, I ask the indulgence of the Board—in my giving here a condensed statement of such data and information as I have obtained—for my own guidance. That the position may be the better appreciated, I will refer briefly to the condition of the city, at dates prior to the present. I find the total funded debt ten years ago, viz., in May, 1863, was \$10,336,000.

Unfunded.....	184,000
Total.....	\$10,520,000
Less means for the redemption of same.....	1,190,000

Net debt.....	\$9,330,000
In May, 1863, the total debt was.....	14,147,000
Less means for its redemption.....	5,200,000

Net debt.....	\$8,947,000
In May, 1873, the total debt was.....	\$31,841,000
Less means for its redemption.....	13,927,000

Net debt.....	\$17,814,000
At the present time the debt is as follows:	
Funded.....	\$35,513,000
Amount authorized but unfunded yet.....	3,537,000

Total.....	\$39,050,000
Add to this the amount of orders for loans now before the City Council.....	444,000
The sum needed to complete the work in the burnt district, the extension of Washington street, and the widening of Washington and Essex streets, not less than.....	800,000

Making a total of.....	\$40,294,000
Deduct means for the redemption of the debt..	14,114,000

Net debt today.....\$25,180,000

This refers to what has been already undertaken by the city, but it does not give at all the real situation of affairs as they exist, and as they should be viewed by us today. We must look further, and see what there is that the city is likely to be called upon to undertake in the near future, much of which there is urgent demand for immediately commencing.

I therefore beg to call your attention to such items under the head of "future undertakings" as come to my mind, such as are being considered by and urged upon the Government at the present time:

First, the additional and adequate supply of water, which is indispensable and will cost not less than.....	\$7,000,000 00
Extra pipes and labor for extending and enlarging the present supply, beside what has been appropriated for the next year.....	250,000 00
A new court house and site, not less than...	1,250,000 00
Bridges over railroads on West Chester park, as extended.....	125,000 00
Bridges over Boston & Albany Railroad on Beacon street and Brookline avenue, including grade damages, say.....	400,000 00
Bridges over Longwood avenue and Neponset River.....	100,000 00
Building of Eastern avenue, including the drawbridge, which must be undertaken at once, according to an agreement made, all to cost not less than.....	2,000,000 00
Streets, the widening and extension of which are before the city for consideration, and all of which claim to have merit, and are pressed upon the city to undertake, and involving an expenditure not less than.....	7,000,000 00

I do not give details of this estimate, as I should not leave this hall without having a number of streets suggested to me as being overlooked, which I have not dared to include in the above
Public buildings, from.....800,000 00 to 1,000,000 00
In the foregoing I do not include any expenditures to be made on account of or in the recently annexed territory.

I may state here, however, that the increase to the debt of the city, by its assuming the debts of Charlestown, West Roxbury and Brighton, is \$3,500,000. What will be required for the wants of these sections the Board can judge.

The foregoing, if undertaken, will increase the net debt of the city, at a near day, to a sum not less than fifty millions of dollars, and all this without a public park or many other things which I might name as among the possible wants of the city. As the net debt stands today, and with more favorable rates of interest than can be expected to obtain in the loans for the future necessities of the city, the amount of annual interest to be paid is \$2,400,000. The amount to be added annually to the Sinking Fund on account of the above debt is \$600,000, making a total of \$3,000,000, which must be included in the annual tax assessment on account of the existing debt. By the increased indebtedness to arise in the immediate future—if what is contemplated is carried out—soon there will need be a further amount to be added to the sum of annual taxation for interest, etc., of not far from \$2,500,000, making an aggregate to be raised annually in the tax assessments of fully five and a half millions, and this in addition to the current and rapidly increasing ordinary expense of the city.

In 1863, the total current ordinary expenses of the city were.....	\$1,990,000
State tax.....	573,000
Other and extra expenses.....	512,000
Total.....	\$3,080,000
Add War Expenses Special, of which \$900,000 were for recruiting.....	1,140,000

Total.....\$4,220,000
About three-fourths of what the annual interest and Sinking fund is soon to be, I fear. Why, in 1863, the city paid the enormous sum of \$93,000 for interest alone.

How does that appear today? How does the city stand as to the ordinary current expenses for time to come? By reason of the "great fire" the appropriations made for the current year were made at the lowest point possible, and at a point where it will be impossible to keep them hereafter. I venture to state that the appropriations to be made by the next Government will be an excess over the present of \$800,000 to \$1,000,000. What is to be the taxation the next year with this addition to current expenses and the increase in interest, etc.?

If, in the foregoing, I have considered the situation in any other than a plain, fair and candid manner, I shall hope to be so told. I am no croaker, and I have no respect for a man who is. I am no professional watch-dog, pledged to growl at any and every approach to the treasury. I am not unmindful, but quite the reverse, of the future growth, wants and importance of this city. I must confess that it is not without solicitude that I look to the future in our history. Various causes have existed to precipitate upon us, rapidly increasing and immensely large expenditures. The citizens at large do not realize what the facts really are. If they did there would be a wide felt anxiety as to what the policy would be that should prevail at City Hall in the coming year and years. We have a way of deceiving ourselves as to the city finances. We do not meet the annual current and ordinary expenses. Everything that can be pushed off for the future to provide for is so done. If the city builds a small bridge the money for it is borrowed. If we build an engine house or hose-carriage house a loan is made for the expense. So when we erect a schoolhouse, the funds are borrowed. Anything that cannot by any manner of means be made to appear as an unmistakable current expense is made a cause for a loan, and it is to the discredit of the city that it is so. Now I claim that no true citizen will for a moment assent to a policy being adopted which will tarnish or harm the good credit of Boston. It has been the credit of all the country—none better—scarce any as good. Strong and good as it has been it may be injured as easily as female purity, even a breath of suspicion is enough. By the policy which is being pursued the city is in the market continually a borrower. It is unwise. We have no business to borrow for many of the things we do. They should be paid for when procured or else not have them.

Moneyed men are looking on to see what the policy of the city is to be for time to come. The city has had criticisms the current year, not at all creditable, and yet they were not undeserved. I see no way but we must go on and increase to an extent the debt in time to come; but it should be done only for the most imperative demands of the pressing needs of the city. For instance, no delay should be had in securing a full water supply. All will justify the city in this. There are other plain needs. Let these be carefully considered, and such only adopted as it is in

good judgment to undertake. I submit, then, if the present there is any time to take up the subject of a large public park? I trow not. Why, situated as we are, we should lose our self respect to enter upon such a thing now, and we shall certainly lose the confidence of men whose good opinion we need in the proper working of our finances. It is all well to speak of our future, and plan for it; but do not present to me a future with such a debt as some would create by the projects brought forward. Some urge that now is the time to start in the thing because land may be had at a less cost now than at a future date. Suppose it is so. Suppose a man at the Highlands who has a pleasant and comfortable home, who is prosecuting a fairly prosperous business, and yet whose house is well mortgaged, whose capital in business is largely borrowed, and who does not even build a hencoop without making a special loan to meet the expense, should pass by the magnificent grounds and mansion of our esteemed citizen, Horatio Harris Gore, and think it would be a fine thing for himself to have, and should set about buying it, all on a credit mind you. And now because it can be bought less than it can years hence, when possibly he may come to be able to have such an estate. Just as proper for the city now to start out for a park, because a park is a fine thing to have, and Chicago and New York each have one. Our system of borrowing for all extra things, leads to an increased lavish and unwarranted expenditure. Matters have been undertaken this current year just because a loan, instead of the regular appropriations, paid the bills. It is all money.

A park such as is contemplated will cost millions to create, and thousands upon thousands for annual support and establishment; and no income to come back, as a sinking fund. We, as I view it, have come to a point when the policy of the city should be defined, and changed so far as to have it in a line which is commendable to those who should take judgment upon it. We cannot ignore the good opinion of the moneyed world. No shrewder minds are to be found than the men who stand at the head source of capital. Let the city, then, inaugurate a system of judicious expenditure—ever regarding her situation—foregoing the undertaking many very desirable things—desirable to be done. If the city had not the means properly at hand to do it. The city cannot at once, nor for years to come, do all that is proper or needful. I would not do much that is now under consideration, and which, I fear, may be undertaken. Cities had better wait, as private individuals do, having some regard to ways and means. How will such a scheme as this great public park be regarded by those sturdy and honored men who guard the treasury, the City Treasurer and City Auditor? Imagine the great committee—well coated and muffled, ready for December blasts—as starting off in procession, down the wide staircase of this hall, they move on for their tour of inspection (so appropriate is their mission, to the season). See them in the main hall—doors open on either side—and that unimpassioned Treasurer and fierce-visaged Auditor standing in the doorways to view and *bless* the parting train. What a blessing. The parties had better not hear it. I therefore urge that this is no time even to talk about a public park. We cannot afford it. When we can—then, buy it—cost what it may. An ill-afforded luxury is dear at any price. But I go further, and assert that, today, Boston has, for all the uses of her people, a park, better, more easy and cheap of access—more enjoyable when reached than any city in this country. New York had no such facilities as we possess. Any of our citizens can reach pure air, open country, beautiful landscape, quiet nooks and pleasant lakes easier and quicker than the citizens of New York can their Central Park. Central Park will never be so beautiful and satisfactory to the general eye as are our own beautiful suburbs. The time may come when we shall require a park as is proposed, but the time is not now. I hope the general public will come to the rescue and require that the City Council shall make a decided halt and a partial turn-about in the expenditures. It should occur at once. It is going to require the most careful management to shape our finances so as to hold unharmed the city's credit.

Therefore, Mr. Chairman, in due time I shall move that this whole subject be indefinitely postponed.

On motion of Alderman Clark, the whole subject was laid on the table for one week.

EASTERN AVENUE BRIDGE.

Alderman Clark submitted a communication from Hon. Josiah Quincy, chairman of the Board of Harbor Commissioners, transmitting a vote of that board approving of the location of Eastern Avenue and the bridge over Fort Point Channel, in conformity with the recommendation of the Joint Committee on Streets of the City Council. The board hope that the city will soon take decisive measures for the construction of said bridge. Accompanying the vote

of the Harbor Commissioners is a vote of the Executive Council of the Commonwealth, passed November 21st inst., approving said location.

On motion of Alderman Clark, the communication was referred to the Joint Committee on Streets.

BOSTON AND ALBANY, & COT.

Alderman Clark, from the Committee on Streets, to whom was referred the petition of the Boston & Albany Railroad Company for the Board to prescribe the limits in which land may be taken for depot and station purposes, reported the following order of notice:

Whereas, The Boston & Albany Railroad Company hath presented to this Board a petition, praying said Board to prescribe the limits within which said Boston & Albany Railroad Company may take, for depot and station purposes, lands and materials in the city of Boston, in the county of Suffolk, situate within the limits described as follows, viz.:

Beginning at the point of intersection of the southerly line of Kneeland street with the easterly line of Albany street; thence running eastwardly by the southerly line of Kneeland street to the westerly line of Utica street; thence southwardly by the westerly line of Utica street, as accepted by the city, and by said line extended southwardly to a point six hundred feet distant southwardly from said Kneeland street; thence southwestwardly to the easterly line of Albany street at the face of the abutment of the Albany-street Bridge; thence northwardly to the easterly line of Albany street to the place of beginning:

Ordered, That due notice be given to all persons and corporations owning or in any way interested in any part or all of the lands, or materials situate lying or being in said city of Boston, within the said limits, or in any way interested in the subject matter of said petition, that this Board will, on Monday, the fifteenth day of December now next ensuing, at four of the clock in the afternoon, consider said petition and the application of said Boston & Albany Railroad Company, thereby made, and will then and there hear all persons and corporations in any way interested therein by serving John J. Williams, Francis W. Palfrey, trustee, Alice A. Bartlett, Thomas J. Hills, trustee, Mary A. White and John White, her husband, Mary J. Sullivan, Mary Sullivan, widow of John Sullivan, Junior, John Edward Sullivan, child of said Mary and John, all of said Boston; Josiah Stickney of Watertown, in the county of Middlesex, and each of them, with a copy of said petition and of this order thereon, fourteen days at least before said fifteenth day of December, now next ensuing, and by publishing the same once a week for three successive weeks in the Boston Daily Advertiser and the Boston Post, newspapers printed at said Boston, the last publication to be two days, at least, before said fifteenth day of December next ensuing.

The order was passed.

REPORTS AND ORDERS.

Alderman Brown, from the Committee on Assessor's Department, reported "no action necessary" on petition of heirs of Nahum Ward for abatement of certain taxes assessed in 1871, and "leave to withdraw" on petition of proprietors of India wharf for remission of taxes paid on land leased to the city. Severally accepted.

Alderman Brown, from the same committee, to whom was referred the petition of Henry T. Woods, reported the following order:

Ordered, That the City Treasurer be and he is hereby directed to refund to Henry T. Woods the sum of one hundred dollars and sixty-seven cents, being the amount of the tax erroneously assessed in 1872 upon the estate numbered 1086 Shawmut Avenue, and paid by said Woods; said sum to be charged to the Receipts for Taxes of 1872.

Passed.

Alderman Gibson, from the Joint Committee on Survey and Inspection of Buildings, reported an order granting permission to Leander H. Jones to erect a wagon shed at 225 Dorchester Avenue, as asked for in his petition. The order was passed.

Alderman Gibson, from the Committee on Police, reported on the petition of Right Rev. John J. Williams, that liquor saloons he closed on Sundays, that the enforcement of the laws relating to the sale of liquor on Sundays devolves on the police. The Chief of Police informs the committee that all proper efforts are now being made to close all liquor saloons on Sundays, and therefore no action is necessary on the part of the Board. The report was accepted.

On motion of Alderman Hulbert—

Ordered, That the Mayor be authorized to discharge two mortgages given by Donald Ferguson to the town of Dorchester, the debts secured by said mortgages having been fully paid. One mortgage is dated June 20th, 1855, and is recorded with Norfolk deeds, lib. 237, fol. 258. The other is dated February 12, 1860, and is recorded with Norfolk deeds, lib. 290, fol. 18.

Passed.

On motion of Alderman Hulbert—

Ordered, That notice be issued to Parker Bryant to appear before this Board on Monday next, the first day of December, and show cause why the license heretofore granted to him to erect a brick stable for seventy-five horses, on Stanmore place, should not be revoked.

Passed.

Alderman Clark, from the Committee on Common and Public Grounds, reported orders of notice for hearings on Monday, December 9, at four o'clock P. M., on the subject of removing trees from the public streets, as follows: W. R. Gray and Edward Lang, owners of estates on St. James street, and all others interested—removal of an elm which occupies the roadway of St. James street; Henry Reed, owner of estate corner of Ashland and Park streets, Ward 16, and Joseph C. Lindsley, owner of estate on Beach and Park streets, Ward 16—removal of two elm trees on Park street; Benjamin Graves, owner of estate on Mercer street, Ward 12—removal of tree on northeast side of Mercer street, south from Dorchester street; Francis Marden, owner of estate on Neponset avenue, Ward 16, and Bartholomez Roach, owner of estate on Pleasant street, Ward 16—removal of nine elm trees which occupy the roadway of Neponset avenue. The orders were severally passed.

Alderman Gaffield, from the Committee on Public Institutions, to whom was referred an order in reference to the primary schools in the Lewis and Gibson districts, and the proposed school on Beacon street, near Parker street, reported the following orders recommending their passage:

Ordered, That the Committee on Public Buildings be authorized to provide additional temporary accommodations for the primary schools in the Lewis District; the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

Passed.

Ordered, That the Committee on Public Buildings be authorized to provide temporary accommodations for the primary scholars in the vicinity of Norfolk street, Ward 16, in the Gibson District; the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

Passed.

Ordered, That the Committee on Public Buildings be authorized to provide temporary accommodations for the primary-school pupils living between Arlington and Parker streets; the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

Passed.

Alderman Gaffield, from the Committee on Public Instruction, who were requested to ascertain whether the Girls' High School in this city has ever received a legal establishment, reported that they are informed by the City Solicitor that the establishment of such schools is authorized by the statutes of the Commonwealth, and that there appears to be no want of legality in the establishment of the school in this city. Accepted.

Alderman Stebbins, from the Joint Committee on Water, to whom was referred the request of the Cochituate Water Board for an additional appropriation, reported in favor of granting the request, and recommended that the same be referred to the Committee on Finance. Report accepted, and request so referred.

On motion of Alderman Stebbins—

Ordered, That the Cochituate Water Board be authorized to report in print upon the order of the City Council in relation to an additional supply of pure water, and that two thousand extra copies of said report be printed for the information of the citizens; the expense to be charged to the appropriation for printing.

Passed.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the applications of J. P. J. Nolan *et al.*, for transfer of wagon licenses; W. P. Spaulding, to give concerts at South Boston, December 5 and 6; Thomas F. Doherty, to give concert in Sumner Hall, November 27; S. C. Martin, Jr., to give concert in vestry of Unitarian church, in East Boston, December 1; John C. McDevitt, John H. Marshall, John Holland, Thomas Heaphy, T. G. Conry, Patrick Carroll, for victualler's license; E. L. Golart, to keep bowling saloon, at 21 Fleet street. Severally accepted.

Alderman Sayward, from the same committee, reported leave to withdraw on the application of James Scandan for victualler's license. Accepted.

Alderman Power, from the Committee on Sewers, reported that the assessments for a sewer in Buckingham street were correct, and recommended the passage of orders for collection. The orders were read once.

Alderman Power, from the Committee on Sewers, reported an order for the construction of a common sewer in Westminster street, between Winsor and

On motion of Alderman Power—

Ordered, That an assessment of \$62 levied on Benjamin F. Bean for a sewer in Eustis street, and an assessment of \$34 93 levied on James and Martin Millmore for a sewer in Hammond street, be and the same are hereby abated; that \$19 67 be abated from Joseph F. Wilson and assessed upon C. W. Farnum, \$174 18 from Alexander Dearborn and assessed upon John W. Beals, and \$59 77 from William Jones and assessed upon James Edwards, for a sewer in Summer street.

Read once.

Alderman Clark, from the Committee on Streets, reported on the petitions of Nash, Spalding & Co.; Horatio Harris, Stephen Bowen, Alpheus Hardy *et al.*; trustees, and Nathaniel C. Nash, for payment for street damages, that said claims having been left to settlement with referees, no action is necessary; and from the same committee, that no action is necessary on the petitions of George Lawton and John Ritchie *et al.* for street damages, the claims having been settled. Severally accepted.

Alderman Clark, from the Committee on Streets, reported orders to pay for street damages, as follows: Martha A. and Hannah N. Baker \$385 75, widening Ceylon street; Charles Hulbert \$60 80, widening Dale street; George Wry \$131 25, widening Ceylon street; Stephen Baker \$126 50, widening Ceylon street; William Boynton \$12 250, widening of Lincoln street. The orders were severally passed.

Alderman Clark, from the same committee, reported orders for the removal of obstructions from Ceylon and Dale streets within ten days. Passed.

Alderman Power, from the Committee on Paving, reported leave to withdraw on petition of George L. Johnson *et al.*, that the bay windows on the Goodnow estate, on West Brookline street, be allowed to remain. Accepted.

Alderman Power, from the same committee, reported an order of notice to Joseph B. Moors, to remove off his building projecting over the line of High, Congress and Matthews streets. Passed.

On motion of Alderman Power—

Ordered That the street leading easterly from Howard avenue, over land of W. Elliot Woodward and others, and recently opened to public travel, be hereafter called and known as Harlow street.

Passed.

Alderman Power, from the Committee on Paving, reported leave to withdraw on the petition of Richard Miller, for grade damages. Accepted.

Alderman Power, from the same committee, to whom was referred the petition of Joseph F. Paul, reported an order granting permission to Joseph F. Paul to lay down a steam pipe under and across Bristol street, provided he shall first secure the city from damage therefrom and remove the pipe when ordered by the Board. The order was passed.

On motion of Alderman Clark—

Ordered, That the sum of \$204 75, being one-half the tax for 1872 assessed upon the estate taken from George Allen and William Noble for the extension of Devonshire street by an order of the Board of Street Commissioners passed May 13, 1872, and paid by them, be, and the same hereby is, refunded, and the Treasurer is hereby authorized to make payment of the said amount to the said Allen & Noble, upon their receipt; and charge it to an appropriation for Extending Devonshire street.

Read once.

On motion of Alderman Clark—

Ordered, That the betterments of one hundred and seventy-five dollars on the estate of Hannah Glover, and of two hundred and one dollars on the estate of Mrs. Wallace and Mrs. Dill, both on Commercial street, in Ward 16, assessed by an order of the Board of Street Commissioners of August 5th last, for the widening of Dudley and other streets, be and the same hereby are, for cause, abated in full.

Passed.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the application of Haley, Morse & Co., to use steam engine at 411 Washington street, there being no objection. Accepted.

On motion of Alderman Clark—

Ordered, That his Honor the Mayor be and he hereby is authorized to convey, by a deed of release, to the heirs of William H. Bordman, the strip of one hundred and nine square feet of land discontinued from Sturgis street (and adjoining said estate) by an order of the Board of Street Commissioners passed April 15, 1871.

Referred to the Joint Committee on Streets.

On motion of Alderman Clark—

Ordered, That an additional appropriation of \$100 be made to cover the expense of watering the streets around the public grounds; said sum to be charged to the appropriation for Common and Squares.

Passed.

FALSE FIRE ALARMS.

On motion of Alderman Quincy—

quested to prepare and submit to the City Council a draught of an ordinance for the punishment of persons giving false alarms of fires or improperly interfering in any way with the signal boxes connected with the fire-alarm telegraph.

Alderman Quincy—Within the last two or three days, for the first time in a number of years, there have been repeated false alarms of fire. I can only suppose that they were given by some evil-disposed person, who expected to profit therefrom. I can hardly expect that they would have been sounded to create dissatisfaction with the new regime. We have now a statute on the subject, but it is desirable to make it more effective, and to increase the penalty of tampering with the boxes.

The order was passed.

RESIGNATION ACCEPTED.

Alderman Stebbins, from the Joint Committee on Fire Department, to whom was referred the resignation of Assistant-Engineer Zenas E. Smith, made a report recommending that the resignation be accepted.

Alderman Stebbins—In justice to Mr. Smith it devolves upon me to state that his resignation was tendered last June, but that at the solicitation of the committee, he has been prevailed upon to remain till the present time, although he has frequently expressed a wish to be relieved.

On motion of Alderman Stebbins the resignation was accepted.

WARRANTS FOR THE CITY ELECTION.

On motion of Alderman Stebbins—

Ordered, That warrants be issued for the meetings of the legal voters of the first sixteen wards of this city, in their respective ward rooms, on Tuesday, the ninth day of December next, being the Tuesday after the second Monday in said month, at eight o'clock A. M., then and there to give in their ballots for an able and discreet person to be Mayor of this city; also for twelve Aldermen, all of whom to be inhabitants of this city; also to give in their ballots for a Warden, Clerk and five Inspectors of Elections, two members of the School Committee to serve three years, and four members of the Common Council—all to be inhabitants of the city, and to be residents within their respective wards. Also to give in their ballots for one able and discreet person to serve as a Street Commissioner for three years from the first Monday in January next. Also to notify the voters in Ward 14 to give in their ballots for one member of the School Committee in place of P. O. Edson, resigned. All to be voted for on one ballot. The polls to be kept open till four o'clock P. M.

Passed.

On motion of Alderman Stebbins—

Ordered, That warrants be issued for the meetings of the legal voters of West Roxbury (Ward 17), of Brighton (Ward 19), and of Charlestown (Wards 20, 21, 22.) to assemble at their usual places of voting, on Friday, the ninth day of December next, at eight o'clock A. M., then and there to vote for the following officers:

Ward 17—*First*, to choose a Warden, Clerk, and five Inspectors of Elections to serve until January, 1874; *second*, to give in their ballots for a Mayor, twelve Aldermen, two members of the Common Council, and six members of the School Committee—two to serve one year, two to serve two years, and two to serve three years; a Warden, Clerk, and five Inspectors of Elections and one Street Commissioner—all officers in the second clause to be voted for on one ballot.

Ward No. 19—*First*, to choose a Warden, Clerk and five Inspectors of Elections, to serve until January, 1874; *second*, to give in their ballots for a Mayor, twelve Aldermen, two members of the Common Council, and three members of the School Committee—one for one year, one for two years, and one for three years, a Warden, Clerk, and five Inspectors of Elections, and one Street Commissioner, all officers in the second clause to be voted for on one ballot.

Wards 20, 21 and 22—To give in their ballots for Mayor, twelve Aldermen, a Street Commissioner, a Warden, Clerk and five Inspectors of Elections, two members of the Common Council, three members of the School Committee, one for one year, one for two years, one for three years; all to be voted for on one ballot.

The polls to be kept open until four o'clock P. M.

Passed.

GATES AT RAILROAD CROSSINGS.

On motion of Alderman Stebbins—

Ordered, That the Committee on Paving be requested to consider the expediency of establishing gates at the railroad crossings on Marginal, Webster and Sumner streets, East Boston, and report to this Board estimates of the cost of establishing and maintaining the same.

Alderman Stebbins—The Committee on Paving have now, I think, before them a petition numer-

ously signed, asking that a bridge may be built over Webster avenue or Sumner street. I think every member of the City Government has come to the conclusion that such a bridge would be very costly and of doubtful expediency. In view of the fact that an additional ferry is considered in that part of the city, it has occurred to me that the exigency might be met by the establishment of gates, the cost of which would be but slight in comparison with that of maintaining a bridge. I hope the committee will look into this matter and report back. It seems to be a feasible way of protecting the streets. About two hundred trains cross those streets in a day, and there being only a man with a flag, the place is very dangerous.

Alderman Gibson—I thank the Alderman for lending me a hand in this matter. There are over five hundred trains passing there in a day. I have done my best to get this thing through, and I hope the Board will pass the order. I am aware that a bridge could not be reasonably expected; it would cost a great deal of money; but if we could get one gate even, it would be an advantage. There are several streets which cross these tracks, through which young children go to school, and of course it keeps the women in a perfect fever about school hours. Even if a gate be put on Sumner street that alone would be a very good thing.

The order was passed.

STOUGHTON-STREET RAILROAD CROSSING.

Alderman Clark offered an "order to quit" giving notice to the trustees of the Boston, Hartford & Erie Railroad to remove all obstructions forthwith from Stoughton street, in Ward 16, as ordered by the Street Commissioners, and in case of non-compliance, directing the same to be done by the Superintendent of Streets.

Alderman Sayward asked for the meaning of "forthwith" in the order.

Alderman Clark—It means immediately—tomorrow or the next day—to take immediate action. I understand that this order is all that is necessary to allow the Superintendent of Streets to go on at once.

Alderman Sayward—That means just nothing at all. I wish something more definite may be fixed upon, and if the railroad folks do not remove these obstructions, I hope the Superintendent of Streets will have power to do so in a short time.

Alderman Clark moved an amendment so that the work would be done within three days.

Alderman Stebbins—As I understand it the Superintendent of Streets will not remove the posts to the gate which the railroad keeps there, and I hope the railroad will be compelled to keep the gate.

Alderman Sayward—Those posts support the sign which is in the way of the Metropolitan Railroad, and prevent the track from being finished to Upham's Corner, which the people very much desire.

Alderman Stebbins—I was at this place last Friday. It is a gate post and not a sign post. It stands in the way of the Metropolitan Railroad, and I don't think it ought to be removed unless the railroad is compelled to keep up the gate.

Alderman Sayward—Then they can all be removed without the least trouble, and I hope it will be done at once as it is very much desired by the people.

The amendment was adopted and the order was passed.

LIMITS OF SUFFOLK COUNTY.

On motion of Alderman Quincy the report and order (printed City Doc. 127) authorizing the Mayor to petition the next Legislature for the passage of an act annexing Chelsea, Revere and Winthrop to Middlesex County, was taken from the table.

Alderman Quincy—I suppose some gentlemen of the Board have not had time to read this report since it has been printed, but I think I can, in a very few words, give them the substance of the report so that they can vote for the order. About forty years ago the town of Chelsea was exempted from taxation for county purposes, on condition of releasing to the county of Suffolk all right and title to the county jails, to continue for twenty years, at the expiration of which time the Legislature made no change in the arrangement. It is supposed that twenty years' exemption from taxation would be a sufficient compensation, but it went on for forty years and we have been paying for land damages, etc., in Chelsea. Finally, in 1872, the subject was taken to the Legislature and they relieved us. The Alderman read the concluding parts of the report, and the order, and said. If this order is passed it will bring the subject to the Legislature, and then if these towns come forward and express a desire to be annexed to some other county, they can do so. It does not commit the city of Boston to opposing it.

The order was passed.

On motion of Alderman Brown, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council,

NOVEMBER 25, 1873.

The regular weekly meeting of the Common Council was held this evening at half-past seven o'clock. E. O. Shepard, President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The following were severally acted upon, in concurrence:

Petitions of John Lyons *et al.* were referred.

Reference to Committee on Finance of a report of the Committee on Water, recommending the granting of the request of the Water Board for an additional appropriation of \$175,000.

References to Committee on Streets: 1—Of a communication, resolve and order from Street Commissioners, for widening Magazine street, at an adjudged expense of \$24,015 95-100 (City Doc. No. 124). 2—Of a communication, resolve and order from Street Commissioners, for extension of Eustis to Magazine street, at an adjudged expense of \$11,640 20-100 (City Doc. No. 125). 3—Of an order authorizing the Mayor to convey a portion of Sturgis street, discontinued, to W. H. Bordman's heirs. 4—Of a communication from chairman of Harbor Commissioners, transmitting action of said commissioners, and of the Governor and Council, establishing the location of Eastern avenue and the bridge over Fort Point Channel, in conformity with the recommendation of the Committee of the City Council on Streets.

Report (no action necessary) on petition of heirs of Nahum Ward for abatement of taxes assessed in 1871. Accepted.

Report (leave to withdraw) on petition of proprietors of India wharf, that tax of 1873, assessed on a portion of their property, be refunded. Accepted.

Report and order authorizing a permit to L. H. Jones to erect a wagon shed at 225 Dorchester avenue. Order passed.

Order requesting Committee on Ordinances to submit an ordinance providing for punishment of persons who give false alarms of fire, or who improperly interfere with signal boxes. Passed.

Report that the establishment of the Girls' High School is authorized by the statutes. Accepted.

Report of the Committee on Survey, etc., of Buildings, to whom the subject had been referred, recommending the confirmation of Oliver L. Shaw, as Inspector of Buildings, in place of David Chamberlin, resigned. Accepted, and the appointment confirmed.

Message of the Mayor tendering his resignation of the office of Mayor, to take effect on the 29th inst., he having been elected to represent the Third District of Massachusetts in the Congress of the United States. Resignation accepted.

Report in favor of the acceptance of resignation of Zenas E. Smith as an Assistant-Engineer of the Fire Department, tendered by him on the 22d of June last. Accepted.

Order for Water Board to report in print on the order for an additional supply of pure water. Passed.

Message from the Mayor, transmitting a communication from the Overseers of the Poor, in relation to the relief of the poor during the coming winter, came from the Board referred to the Committee on the Overseers of the Poor, with instructions to consider the expediency of establishing places throughout the city for furnishing soup and other provisions to the poor. Laid on the table to be printed, on motion of Mr. Flynn of Ward 7.

The following were severally read once:

Report and order to refund to Henry T. Woods \$100 67, being tax erroneously assessed in 1872, and paid upon estate 1086 Shawmut avenue.

Report and order (new draught) to provide temporary accommodations for the primary-school pupils living between Arlington and Parker streets.

Report and order to provide temporary accommodations for primary schools, Lewis District.

Report and order to provide temporary accommodations for primary schools in vicinity of Norfolk street, Ward 16.

Order that an additional appropriation of \$100 be made to cover the expense of watering streets around public grounds.

Read once and amended, on motion of Mr. Perkins of Ward 6, by striking out \$100 and inserting \$225. Mr. Perkins moved that the rules be suspended that the order might pass.

Mr. Blackmar of Ward 11—I hope the rules will not be suspended. The Finance Committee had

under consideration today the request from the Committee on Common and Squares for an additional appropriation, and they are not inclined to grant the request in addition to the \$80,000 first appropriated. The committee have another meeting tomorrow, and I hope the rules will not be suspended.

Mr. Perkins of Ward 6—As the motion occasions discussion, I will withdraw it.

Report and order for Mayor to petition Legislature for an act to set off Chelsea, Revere and Winthrop from Suffolk, and annex them to Middlesex County. (City Doc. No. 127.)

Mr. Pease of Ward 1—I have been informed by citizens of Winthrop that they desire to be heard on this matter before action is taken by the Council. They have a mass meeting this evening to take action on the subject, and until it is known what they do I hope the report will be laid over.

Mr. Shaw of Ward 5—I should hope that the order will be laid on the table. It is a matter of too much importance for us to consider without more information than we have at present. The proposition is to dismember the towns and city named from the county of Suffolk, and I hope they will have an opportunity to be heard. I believe those places will be annexed to the city of Boston, and I am confident that is their desire. So I hope no action will be taken until they can be heard, and with the consent of my friend from Ward 1 I move that the order lie on the table.

Carried.

Majority report of the Committee on Legislative Affairs and order for Mayor to petition General Court to annex to Boston so much of Brookline as lies north of southerly line of Brighton avenue, with such other lands as may be necessary or proper to form a suitable connection between Brighton and the old portion of the city, and minority report and order of Mr. Perkins of Ward 6, on same subject, came from Aldermen, with the order reported by the majority adopted.

The question was on giving the majority order a second reading.

Mr. Perkins of Ward 6—It will be remembered that when this matter was up before the Council, an order was introduced by the gentleman from Ward 14, as a substitute for the original order from the Board of Aldermen, the substance of which was to run a line from Muddy Brook along Longwood avenue and by Beacon street to Brighton, so as to include the territory between the Brighton road and Beacon street and the greater part of Longwood. When the matter came before the committee the majority reported in favor of the original order in a new draught, which only contemplated adding to the city of Boston so much of the town of Brookline as lies between the southerly line of Brighton avenue and Charles River. To this the majority proposed to add such other additional lands as might be necessary to give access to Brighton from Boston. That is all I want, and the only question is whether the present City Council shall express an opinion on that subject or whether it shall be left to the next City Government. It is to get that expression that I introduced that minority report. This is all the difference there is. If we annex so much of the town of Brookline as lies between Beacon street and Brighton avenue, that will seem to give a convenient connection between Boston and Brighton. Inasmuch as Beacon street is a great avenue on that side and leads directly to the possessions of the city, it seems to me that it should be a part of the city. I thought it was well that this Council should have an opportunity of voting on the question whether they would define the line of the territory they wish to have annexed to the city.

Mr. Jones of Ward 14—In order that members of the Council may become better acquainted with the report I move that it be laid on the table.

Carried.

UNFINISHED BUSINESS.

The following came up as unfinished business and were acted upon in concurrence:

Report and order for an appropriation of \$3000, to be made to pay the extra expenses incurred in finishing and furnishing the new ferry boat "Winthrop." Passed.

Report and order to discontinue allowance for rent of armory formerly occupied by Company F, First Regiment, M. V. M., at 1867 Washington street, from first of October last; and to allow \$800 per annum to be paid for rent of armory now occupied by said company, at junction of Warren and Palmer streets, beginning on first of October and continuing till otherwise ordered.

Passed—Yeas 42, nays 0.

REQUEST FROM THE SCHOOL COMMITTEE.

A request was received from the School Committee for the enlargement of the area of the primary

school lot on Lexington street, East Boston. Referred to the Committee on Public Instruction.

REVISION OF THE CITY CHARTER.

A communication was received from his Honor the Mayor notifying the City Council that, in accordance with the provisions of an order passed October 31, 1873, he had appointed Benjamin R. Curtis, George T. Bigelow, Otis Norcross, Charles G. Greene and Charles Allen a commission to revise the city charter.

The communication was sent up.

PETITIONS.

Mr. Weston of Ward 1 presented the petition of Company B, First Regiment Cavalry (Boston Light Dragoons), representing that Boylston Hall is wholly inadequate for the requirements of an armory for a cavalry company, and requesting that they may have a new armory in the City Building on Mason street.

Referred to Committee on Armories.

WASHINGTON PARK.

On motion of Mr. Perkins of Ward 6—

Ordered, That the Committee on Common and Public Grounds be authorized to expend the sum of \$1100 in improving Washington park; said sum to be in addition to the amount heretofore appropriated, to be charged to the appropriation for Common and Public Grounds.

Mr. Perkins asked for a suspension of the rules that the order might be passed.

Mr. West of Ward 16 hoped that, in view of the action of the Finance Committee, the order would be laid over.

Mr. Perkins of Ward 6—This is simply an order asking for an appropriation for work already done. They are simply asking to be allowed to pay for this work from the appropriation made for expenses of the department during the year.

Mr. Blackmar of Ward 11—The facts are all well known to the Finance Committee. There are some \$1400 now on hand from the appropriation for the Committee on Common and Public Grounds. It has been explained to the Committee on Finance that that amount will be exceeded by the labor account, and I hope if the money is to be expended it will go to that account first.

Mr. Perkins of Ward 6—The order is precisely for that purpose; the money is to pay for improvements already made on Washington park.

Mr. Shaw of Ward 5—Washington park has been brought up here most unexpectedly to me. I have a few figures. I undertook to see, today, what Washington park has cost the city, as I understood it was done particularly in favor of a certain Alderman. This park is in Roxbury, in the immediate vicinity of the residence of one of the Aldermen who is one of the most bitter opponents of public parks. I hope gentlemen will understand me. I am in favor of expenditures for public parks. I inquired today what this Washington park is, not knowing it would be brought up here tonight. I suppose Washington park consists of 396,125 square feet of land in the Highlands. I have no doubt it is a most beautiful place. It has cost the city of Boston \$23,443 16 and I am told that the managers of this matter have gone on to an unlimited extent and spent money there, and that they ran in debt to a considerable amount. I don't object to that. They have done it legitimately and properly, perhaps; but I want to see members of the City Government consistent. I don't want a gentleman in this Government to oppose a public park when he has got the special privilege of a park in front of his own house. Washington park consists, I am told, of a considerable ledge of rocks. This year there have been spent on this park over ten thousand dollars and last year over thirteen thousand. I have no doubt the money was judiciously expended. I am in favor of all such expenditures; but when I find them made it comes with an ill grace for such parties to oppose a general expenditure for public parks in the city of Boston. This is why I am called upon to say something here, because I want to see members of the City Government entirely consistent in their advocacy or opposition to measures of public improvement. As I walked through the corridors of the City Hall, today, I happened to see this piece of paper (holding it in his hand) floating about and I picked it up. I find that a member of the other branch raises his voice and brings to bear all the batteries with which he is endowed and undertook to read those long figures before the Board of Aldermen. When I heard that this particular member of the City Council has made this speech I was somewhat surprised to find that a citizen, after receiving the benefit of an expenditure of over twenty-three thousand dollars for his immediate neighborhood, should raise his voice against a contemplated ex-

penditure when it is indorsed by the people and the whole press of Boston. I shall hope, and I agree with my friend from Ward 11, or some other ward, or no ward at all, that this matter shall be investigated before one dollar more has been spent in that immediate vicinity. If the matter of a public park, now agitated, is to be put down by a gentleman whose property has been benefited to a large extent by parks already established, then I say it is our right and duty to raise our voices here against it, and at any rate to examine into these expenditures. I am in favor of all public improvements, but not in favor of those special improvements which benefit only a particular class to the detriment of the whole people. I hope the objection to the passage of this order will be sustained until we ascertain to what extent this extraordinary expenditure has gone before we vote the money.

Mr. Perkins of Ward 6—One word on the matter which the gentleman has introduced here. I think it is only due to the gentleman whose action has been brought forward. Washington park was the property of the city years before that gentleman became an Alderman or was spoken of for that office, and so far as I know he has never said one word in favor of the expenditure for that park, and not one dollar has been spent at his solicitation. Further, I have no objection whatever to this matter being laid on the table, only I want the Council to understand before they so vote that the order is not for any new appropriation, but is simply to enable laborers who have done the work to get their pay.

Mr. West of Ward 16—There are one thousand four hundred dollars remaining unexpended of the appropriation for Common and Public Grounds. The pay-roll of that department already amounts to two thousand one hundred dollars. If this order is passed there will be some preferred laborers whose claims will be paid. I move that the order lie on the table.

The motion was carried—21 for, 16 against.

MAGAZINE-STREET DISTRICT.

Mr. Prescott of Ward 9, presented a report from the Special Committee on the Suffolk-street District, who were requested to report whether any additional legislation is necessary to secure the raising of the territory bounded by Hampden street, Norfolk avenue, Magazine street and Swett street. The committee report that if the Committee on Streets or the Street Commissioners should deem it expedient to lay out streets at this time over that territory, it would be necessary to apply for additional legislation to secure the filling of the adjoining lands.

On motion of Mr. Prescott the report was referred to the Joint Committee on Streets.

On motion of Mr. Pickering of Ward 6—

Ordered, That the bill of S. B. Eustis, police officer, amounting to \$28, for extra services, be allowed for payment by the Auditor of Accounts, provided it is approved in the usual manner.

Passed under a suspension of the rules, on motion of Mr. Pickering.

PUBLIC INSTITUTIONS.

Mr. Flynn of Ward 7 called for a report from the Committee on Public Institutions, on the request of the Grand Jury of Suffolk County. Submitted to the committee last July.

Mr. Prescott of Ward 9—The Committee on Public Institutions have acted only on a part of those recommendations of the Grand Jury. They have not been called together lately and are not ready to report.

Mr. Flynn offered the following:

Ordered, That the Committee on Public Institutions be requested to report on the order to provide a suitable site for a home for the poor, also upon the recommendations of the Grand Jury submitted to the City Council June 16th, 1873, at the next meeting of the Common Council.

Passed.

MINOT SCHOOLHOUSE.

Mr. Caton of Ward 11 presented a report from the Joint Standing Committee on Public Buildings representing that in consequence of the condemning of the privies of the Minot Schoolhouse, Ward 16, by the Board of Health, as a nuisance, the committee have erected two new blocks of outbuildings of brick on the land recently purchased for the enlargement of the yard of said schoolhouse, at a cost of twenty-six hundred and eighty-two dollars and seventy-seven cents. The committee ask for the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be authorized to erect new privies for the Minot Schoolhouse, Ward 16, at a cost not exceeding the sum of twenty-six hundred and eighty-three dollars;

the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

Mr. West of Ward 16 asked a suspension of the rules that the order might pass.

Mr. Wells of Ward 3—I would ask the gentlemen of the committee if the work is not already done.

Mr. Caton of Ward 11—It is already done. During the recess of the Council the old privies were condemned by the Board of Health, and it was necessary to have them rebuilt forthwith.

Mr. Wells moved that the order lie on the table. Lost.

Mr. West of Ward 16—I have a note from the Superintendent of Public Buildings, in which he says he supposed that he had authority to build those privies after the order of the Board of Health condemning them as a nuisance. He says he made a mistake. The work is done and the man wants his pay. That is all there is to it.

Mr. Wells of Ward 3—The gentleman moved to lay the order to pay the laborers on Washington park on the table. Last week the gentleman argued for laying an appropriation for \$3000 on the table. If the laboring man has earned his money I think he is entitled to it. I don't think gentlemen can swallow this idea, that the Superintendent of Public Buildings thought he had a right to do this work. This is not the first time such a thing has been done. The same question has been brought up here before. I don't see why the gentleman who has done this work can't wait just as well as the laboring men.

Mr. Perkins of Ward 6—I must say that I entirely agree with the gentleman from Ward 3. The gentleman from Ward 16 does n't wish to have preferred claims. Isn't that bill he brings in a preferred claim? If it was doubted that the labor has been performed on Washington park and the Council had refused to allow the payment of the claim, that would be another thing. When the Council voted to lay that order on the table I don't suppose they doubted that the labor had been performed. Now, on what ground does the gentleman ask for this preferred claim?

Mr. West of Ward 16—This work was done on account of necessity, and the appropriation has not been exceeded. The Committee on Common have no right to exceed their appropriation. [Mr. West read part of a letter from Superintendent Tucker stating the necessity of doing the work at that time.] The man has waited for his money four months already. So far as the laboring men on the Common are concerned, I am willing to vote for an order to pay them \$1400, to be divided *pro rata*.

Mr. Perkins of Ward 6—Possibly the person who has got this bill in here can better afford to wait for his pay than the laborers on the park. And about that appropriation—the City Council have been warned that it may be exceeded. I heard the chairman of the Committee on Public Buildings state in the Board of Aldermen four weeks ago that that committee would have to come in for an extra appropriation. But to return to the subject. Last year we had \$92,000; this year we asked for \$80,000, supposing we could cut off the labor in Madison square and the parks in South Boston and other parts of the city. But a great pressure was brought upon us to have work done there. Orders for that work were put in here, and passed without a word of opposition. We have spent twelve thousand dollars on those squares, and now we ask for leave to spend the twelve estimated by the committee for other work.

Mr. Caton of Ward 11—I don't see what this order before us has got to do with the appropriation for Common and Squares. This work was necessary to be done, and I think members of the Council have sense enough to know that if the Superintendent of Public Buildings knew that he was exceeding his power the Committee on Public Buildings would have ordered him to do the work and taken the consequences.

Mr. Wells of Ward 3—But if the Committee on Common have done what the Council authorized them to do, and the laboring man has been there and done his work, and he has a grocery man with a bill staring him in the face, I say if we have \$900 to pay, and have only got \$700, I would pay as far as I could go. Why not allow the Committee on Common to pay the debt as far as they can? It may serve the laboring men. I don't oppose paying this contractor, but there is such a thing as being a favorite. They say that this gentleman has waited four months for his money—well, I have had to wait longer than that, but I have managed to pay my help. If you have got \$1100 or \$1300, I believe we should pay as far as the money goes.

Mr. Shaw of Ward 5—I think every matter should be considered upon its merits. I agree with the gentleman from Ward 11, that if, during the recess of

the City Council, it was necessary to do certain work and certain liabilities were incurred, those liabilities ought to be settled, and the parties doing that work ought to be paid. I shall be entirely in favor of paying a debt incurred under those circumstances. Everybody knows that the Superintendent of Public Buildings is a straightforward, honest man. He has ordered work to be done, but could n't get an order from the Council to authorize him to do it. Now is the time to approve the bills and have them paid. There is no question about it, and as business men we ought to consider those matters as they come up.

Mr. Wells of Ward 3—I don't believe any member of this Council has doubted the honesty of the Superintendent of Public Buildings. I do not. But will the gentleman from Ward 5 remember that during the discussion of the Fire Commission, how he hemmed and hawed about every expenditure made without an order of the Council, and now he turns round and says he agrees with the gentleman supporting this order. I'd like to see where his consistency is. I don't oppose paying any bill; but I don't believe in the doctrine that the gentleman preaches either way.

The order was passed.

On motion of Mr. Perkins of Ward 6—

Ordered, That the sum of \$75 be added to the appropriation for building a tool house and wagon shed on Common; the sum to be charged to the appropriation for Common and Public Grounds.

Laid on the table on motion of Mr. Perkins, and subsequently, on motion of the same gentleman, taken up and passed. A motion to reconsider, by Mr. Jones of Ward 14, was lost.

WATER FOR BROOKLINE.

Mr. Shaw of Ward 5 moved to reconsider the vote of the last meeting whereby the Council refused to give a second reading to the order authorizing the Water Board to make a contract to supply the town of Brookline with water.

Mr. Perkins of Ward 6—I hope the motion will prevail. I understood that a town meeting was to take place in Brookline this afternoon, and this very question of water was to come up. I would be glad to have this matter lie over until we know what action Brookline has taken on the subject.

On motion of Mr. Shaw of Ward 5 the motion to reconsider was laid on the table.

WASHINGTON PARK AGAIN.

Mr. Wells of Ward 3 moved to take from the table the order to pay \$1100 for improving Washington park.

Mr. Shaw of Ward 5—I raise the point of order, that the gentleman from Ward 3 voted against the motion to lay on the table, and he is not competent to move a reconsideration.

The President—The point is not well taken. The Chair is not informed by any record how the gentleman from Ward 3 voted.

Mr. Shaw of Ward 5—I would ask the gentleman from Ward 3 which way he voted.

The President—The point of order is not well taken.

The order was taken from the table by a rising vote—28 for, 11 against.

The question was on giving the order a second reading.

Mr. West of Ward 16—I have no objection to paying the laborers on Washington square, or any other square, the money that is due them. It will create evil feeling among other laborers who can't get their pay if this order is passed. I am willing to vote for an order to pay \$1400, but I am not willing to vote for an order for pay for work on one square to the exclusion of all others. The Finance Committee will have this matter before them tomorrow and their action will be reported to the Board of Aldermen next Monday. For that reason I hope this order will lie over.

Mr. Perkins of Ward 6—All that the Finance Committee have before them is the propriety of granting the request for an extra appropriation for the Committee on Common, over and above what we have now, and over and above the \$1100 we ask for now. I judge from my experience that the City Council will pay all the laborers for work on the squares and Public Garden, and I don't think the city will repudiate any bills of that kind. We come here now and say here is labor performed, let us have the money to pay for it. They say we must divide what we have *pro rata* among the laborers. I don't think the city will do anything of the sort. I think we had better deal with each subject as it comes up.

Mr. Shaw of Ward 5—I agree to that.

The President—The gentleman from Ward 6 has the floor.

Mr. Perkins of Ward 6—The subject now up is the payment of the laborers on Washington park. I don't wish to mix up privies, schoolhouses and parks. We have n't yet exceeded our appropriation up to this time, so far as this order is concerned. The estimate before the Committee on Finance is not for laborers on Washington park, and I prefer to have that question treated on its merits.

Mr. West of Ward 16—I understand all that. But when I say the auditor reports the pay roll of the laborers on the Common and public grounds at \$2100 when there are only \$1400 of the appropriation to pay them with, I say what is true. And I am certain the Finance Committee will not agree to the additional appropriation until the matter is looked into pretty thoroughly, and that will be done on Friday.

Mr. Blackmar of Ward 11—I have never heard the gentleman from Ward 6 make so shallow an argument as he has tonight in support of his order. He says that his order is to pay for labor on Washington park. I ask if it is not for more than that; if it is not for improvements on the park. I don't know what it is for, but we do know that, as members of the Finance Committee, early in the year we went over all the appropriations carefully and struck out here and there what we thought they would bear, that we might carry out what so much had been said about economy. We advised a reduction here and there. I am not sure that the gentleman has stated this correctly. My impression is that we cut down the appropriation on Common and Squares. Last year they had \$92,000. This year the Finance Committee allowed \$80,000 to pass. Now it looks very much to me as if this committee said, We will have that old appropriation of \$92,000. It is very odd that they should come in for just \$12,000 more. It looks as if they wanted to have it in spite of the Finance Committee, who don't care anything for this matter personally. That committee went through estimates, item by item, lump by lump. We considered that the Committee on Common could be honestly run for \$80,000, and are perfectly convinced of that fact today. But here comes a request asking for an appropriation of \$12,000 more, which happens to be just the sum cut off from last year's appropriation, as much as to say, We will have that old appropriation now. It looks as if they say that \$80,000 wont do, and they will have that \$12,000 whether or no. We have good reason to argue in that direction. Now, the Finance Committee had that matter under consideration today, and we asked for the chairman of the Committee on Common and the City Forester to appear before us and we adjourned to hear them. We propose to investigate the matter, and if it is necessary we will make the appropriation. But here is an order in which the gentleman tries to introduce his ideas instead of having an order for the pay of laborers on Washington square. As my colleague from Ward 16 has said, there are \$1400 unexpended, and to pay the laborers will require \$2100. Now, if we make an appropriation for "improvements" in any part of the parks, we want that money to be for paying the laborers. It seems to me that we are the ones who are looking out for the laborers instead of the gentleman. The Committee on Public Squares had warning that they should cut their garment within the range of \$80,000. But they have n't done it and have just exceeded their appropriation \$12,000. I am sorry this discussion has sprung up. I don't believe any gentleman on the Finance Committee has any wish to evade the payment of an honest debt. I assure you it is no light matter to go through all these appropriations and cut down, here a little and there a little, and then to be laughed at at the end of the year, and have them say, We have gone on just as we pleased, and now we want you to pay our bills. This is a good time to check this thing, if we mean economy. We want time to look into this matter tomorrow. If the Chairman of the Committee on Common and the City Forester explain it, all very well; but we want to see why it is after the estimate is cut down that they come in here and say they will have the extra amount.

Mr. Dacey of Ward 2—The gentleman says the argument of the gentleman from Ward 6 is very shallow. I think his own argument is a very shallow one. When the Committee on Common and Squares made their estimate for this year they had economy before them, and reduced the appropriation to \$80,000, and did n't wait for the Council to do it. We were satisfied that \$80,000 would do it. We did n't know that so much money would be required. I am willing that this matter should lie over, but these laborers are in need of their money, and should have it. This debate shows one thing—that gentlemen allow personal feelings to control them.

Mr. Shaw of Ward 5—I shall agree to the appro-

priation, for the committee have given good reason for it. I am in favor of appropriations which are properly spent, and I am certainly ready to vote for that appropriation. I hope it will pass. But I am always opposed to the expenditure of money when it has not been appropriated. I think the committee make a reasonable request, and I shall be in favor of the additional appropriation of \$12,000 if they can give as good reasons for it.

Mr. Jones of Ward 14—I wonder the gentleman did n't rake down the Paving Department when they asked for \$20,000 more. May be he will have a chance to rake down the Department of Sewers, the Fire Department and others before the year is out. Washington park I am very familiarly acquainted with. It is in the ward which I have the honor to represent—"in part." At the beginning of the year we found that the \$5000 set aside for that park would hardly do anything at all, and during the year we asked for an extra appropriation, and it was allowed us. The park is situated in the central part of the city, surrounded by citizens who pay a large part of the taxes of the city of Boston, and within ten minutes' walk of it there are thirty thousand people. In the course of a few years it will make as lovely a spot as any other in the country—I don't care where you go. Although the order is worded so that it may be for trees, sods, shrubs, etc., I know myself that it is for labor, carting, taking down walks, grassing walks and putting them in shape and trimming bushes, etc. I certainly hope that the order will pass tonight. I think the men should be paid. It is nothing but a common order, such as is introduced here at every meeting in the year.

Mr. West of Ward 16—I don't want the gentlemen of the Council to understand that the Finance Committee have objected to granting the additional appropriation of \$12,000, but what they ask is that delay may be had till Friday evening. All they ask is that the chairman of the committee and the City Forester will explain the matter. If they explain it satisfactorily they will get an additional appropriation, and if they don't they wont.

Mr. Jones of Ward 14—I don't know what the Finance Committee has to do with this order. It is for money already appropriated for Common and Squares. We want \$1100 that have already been appropriated and I can't see what it has got to do with the request for an additional appropriation.

Mr. Wells of Ward 3—It is very easy to see how committees will go outside of the appropriations. If the gentleman from Ward 16 recollects in the discussion about the fence on the Common, he made a motion that it be transferred to Dorchester. I will ask the gentleman if the Finance Committee will pay the bills for resetting that fence, and if the bill comes into the Council I will ask if he will sit there and vote against paying it. I don't know whether the fence is set up or not, but some one has got to do the labor and get the pay. I don't see why the laborers on the park should be compelled to wait.

Mr. Train of Ward 13—It seems to me that the simple wording of that order has caused all this debate. I move to strike out the word "improving," and insert "labor upon," making it simply to pay the laborers on the park, so that it may be appropriated to the object for which we desire it.

Mr. Perkins of Ward 6—I should like to know whether the gentleman from Ward 13 objects to paying for supplies that have been brought there, such as loam, sod, stone. As a member of the committee I don't like to take the responsibility of the amendment.

Mr. Train of Ward 13—I don't wish to deprive any one of his pay who has hauled loam and sods, but they can wait another week and come under the head of the appropriation for Washington park. My object was to favor paying the laboring men. I merely wish to further the matter as much as I can.

The amendment was rejected.

Mr. McCue of Ward 5—The Committee on Common ought to have had more money this year than they had. Instead of \$80,000 it ought to have been \$100,000. I hope the order will pass.

Mr. Denny of Ward 9—I don't know but I differ from my colleagues on the Finance Committee as to the present order. We have in our committee a request for an additional appropriation of \$12,000. We wish to know why this is necessary, because in the first place a part of that appropriation has been expended without authority, and that we all believe improper for any committee to do unless it is deemed necessary. We will hold the proposition until we have an opportunity to investigate. Now we have an order for an appropriation within the amount in the hands of the committee. The committee have a right to expend

that sum of \$1100. I hardly see how we can object to their expending \$1100 or \$1400, but we do object to their spending a dollar beyond the amount already appropriated—that is, \$80,000. That is where I stand in the committee with reference to the \$12,000, but I can't object to this order for an expenditure of \$1100.

Mr. West of Ward 16—I thought I made myself well understood when I said that the Finance Committee did not object to this. My only objection was that we should use \$1100 out of \$1400 and have nothing left to pay the \$2100.

Mr. Denny of Ward 9—I don't think we can take any responsibility in regard to the spending of \$1100 when they have \$1400, but the Committee on Common have exceeded their appropriation and the Finance Committee have got something to say about that.

Mr. Blackmar of Ward 11—The matter of paying this \$1100 will reduce the sum in the hands of the committee to \$300. Their argument is that this \$1100 has been spent in improvements, for I am bound to say improvements, as we don't know what they include. Then the hue and cry will be raised on this question of labor, just as it has been here tonight, and we have only \$300 to pay for labor contracted for. The question with us is, can a committee exceed its appropriations, make its contracts, go on entirely independent of the Finance Committee? Can they go on, and make their expenditure, and at the end of the year strike a balance, and say, we want so much more, and not a single day be given the Finance Committee to consider the expenditure for improvements, which they say, verbally, means labor? Now they come in and say the laborers are suffering, and appeal to our sense of humanity and expect to be justified in making such an appeal before we have a chance to make an investigation.

Mr. Perkins of Ward 6—The gentleman knows how much money we have got and how much we ask for; he knows that orders which were introduced for improvements in South Boston were not in the original estimates sent in by the Committee on Com-

mon to the Auditor and Finance Committee; and he must have known, when the Council voted to give us \$5000 here and there outside of what we estimated for, that our appropriation was running short. Now we have spent a number of thousands of dollars for labor. We have gone ahead and employed men to do the labor, in the expectation that the City Council will allow us to do it. I don't think the City Council will object to allowing us this extra thousand dollars for labor on the public grounds. This is what we ask for, and the money given originally has been diverted into other channels. I object to the Committee on Common being censured for exceeding their appropriation, when they have done it in full view of the Finance Committee.

Mr. Pickering of Ward 6—I can't see how it is necessary for them to come here and ask for an order to spend \$1100 when they have got \$1400. If they have to spend \$1400, why don't they go ahead and spend it; and if more money is wanted after the appropriation is expended, they can come and ask for more. Then the Finance Committee can look into the matter and discuss whether it shall be granted or not.

Mr. Perkins of Ward 6—My colleague asks the question, Why have n't the committee power to spend this money? It is because no joint committee have power to spend any money without an order from the City Council. During the year we get a certain appropriation and put in orders authorizing the expenditure. But we don't put in an order for a special appropriation until it is wanted for the purpose.

The order was passed to a second reading.

Mr. Wells of Ward 3 moved to suspend the rules that the order might pass.

The rules were suspended and the order was passed.

A motion to reconsider the vote by which the order was passed, offered by Mr. Perkins of Ward 6, hoping it would not prevail, was lost.

On motion of Mr. Wells of Ward 3, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
DECEMBER 1, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M. today, Alderman Cutter, Chairman, presiding.

EXECUTIVE APPOINTMENTS CONFIRMED.

Special Police Officers—Otis G. Turner, District Telegraph Company; Francis Y. Henson, 114 State street and the vicinity; Henry L. Higginson, Union Safe Deposit Vaults.

Railroad Police Officers for Boston & Providence Railroad—Charles O. Evans, Sullivan H. Hill, Samuel Toomey, L. D. Stevens, Edward Lang, Charles G. Chipman, George Trail, Jeremiah Buttrick, D. S. Hill, W. N. Hamblet, N. B. Phillips, H. A. Standish, D. L. Davis, Isaiah Hoyt, Nelson Drakes, A. M. Ormsbee.

PETITIONS REFERRED.

To the Committee on Sewers. John P. Clapp, for abatement of certain sewer assessments in Ward 16.

To the Committee on Faneuil Hall. E. E. Hale et al., for use of Faneuil Hall on Dec. 16 for celebration of the centennial anniversary of the Boston Tea Party.

To the Committee on Claims. Charles L. Keyes to be paid for personal injuries received from an alleged defect in Portland street.

To the Committee on Health on the Part of the Board. G. A. Somerby et al., against proposed erection of stable by Boynton Brothers in rear West Chester park.

E. W. E. Thomson, to erect stable for two horses on vacant lot in Ward street.

Edward Dolan, to occupy wooden stable for one horse on F street.

H. J. G. Denny, for leave to add three stalls to stable in Otter street.

To the Committee on Paving. Martin Beatty et al., that the name of Cazenove place be changed to Cazenove street.

Weston & Rand, for plank walks on Commonwealth avenue and Exeter street.

Sabin & Page et al., that Franklin, Federal and Devonshire streets may be made passable.

Robert Bishop, for the grading of Tudor street between D and E streets.

Stephen Clapp et al., that the name of Pond street in Ward 16 be changed to Pleasant street.

To the Joint Committee on Streets. Smith, Avery & Maynard et al., that Beach street be widened near Washington street.

To the Committee on County Accounts. Paymaster of Police and Municipal Courts, for increase of salary.

NOTICE OF PETITION FOR ANNEXATION.

Notice was received from the town of Winthrop of proposed petition of that town for annexation to Boston. Referred to Committee on Legislative Affairs.

ORDER OF NOTICE.

The order of notice to Parker Bryant for hearing on proposed revocation of permit to build stable was taken up.

Alderman Hulbert—I am authorized to state that the whole matter has been arranged amicably with the neighbors, so that there is no further cause for the order.

On motion of Alderman Hulbert, the order was indefinitely postponed.

On the petition of Sewall, Day & Co. to use stationary engine on Parker street, an order of notice was passed for a hearing on December 22d, at four o'clock P. M.

QUARTERLY REPORT OF THE CITY CLERK.

The report of the City Clerk for the quarter ending November 1st was submitted, representing that the receipts and amounts paid into the city treasury, for the term named, have been \$800 99, as follows: Recording mortgages, etc., \$615 30; licenses of billiard rooms, \$155; of intelligence offices, \$7; auctioneers, \$16; sale of old ballots, etc., \$7 69. Read and sent down.

SEWER ASSESSMENTS.

Schedules of assessments for the construction of common sewers were submitted by the Superintendent as follows: Copeland street—total, \$2499 07; to individuals, \$1874 30. Catawba street—total, \$1414 74; to individuals, \$1061 06. Gough street—total, \$1169 07; to individuals, \$876 80. Franklin street, between Pearl and Oliver streets—total, \$893 86; to individuals, \$445 40.

Severally referred to the Committee on Sewers.

CONSTABLE'S BOND.

The bond of Lemuel Clark, constable, being duly certified by the Treasurer, was approved by the Board.

UNFINISHED BUSINESS.

Order to levy and collect sewer assessments in Buckingham street. Passed.

Order to abate certain sewer assessments in Enstis and Hammond streets, and to change certain sewer assessments in Summer street. Passed.

Order to abate from the tax on Allen & Noble's

estate on Devonshire street the sum of \$204 75. Passed.

PAPERS FROM THE COMMON COUNCIL.

Petitions were referred, in concurrence.

Message from the Mayor announcing his appointment of Benjamin R. Curtis, George T. Bigelow, Otis Norcross, Charles G. Greene and Charles Allen as the commission to revise the city charter. Placed on file.

The following received concurrent action:

Report from Committee on the Suffolk-street District that additional legislation would be necessary to enable the Street Commissioners to lay out streets on the Swett-street District. Referred to Joint Committee on Streets.

Order to pay bill of S. B. Heustis, a police officer, for extra services (\$28). Passed.

Report and order for the erection of new out-houses in Minot Schoolhouse yard, at a cost of \$2600. Passed.

Order to allow the additional sum of \$75 for erection of tool house and wagon shed on the Common. Passed.

A request from the School Committee for the enlargement of the area of the Lexington-street Primary School lot. Referred to the Committee on Public Instruction.

WASHINGTON PARK.

The order to allow the additional sum of \$1100, for improvement on Washington park, which had been passed by the Council, was considered.

Alderman Hulbert—I desire to say a word here. At the last meeting of the Common Council, on the introduction of this order, remarks were elicited from a gentleman concerning this matter of Washington park. Under all other circumstances I should decline to take any notice of it. But as the statements then made are entirely false, I wish to state something concerning it.

The Alderman read the remarks of Mr. Shaw of Ward 5 at the last meeting of the Common Council on the order under consideration, and continued—

I have something to say, Mr. Chairman, concerning this. Washington park is a tract of land purchased years ago, long before Roxbury was annexed to Boston, for the specific purpose of a park, and after annexation that park has lain still, and not a single Highlander who has appeared in this Board, including this humble individual, has come here with a private axe to grind at the city's wheel.

The gentleman who preceded me last year did not come into this Board to advance measures for his particular interest. So far as I am concerned, I have never troubled the Committee on Common concerning the appropriations. I have never gone near them, and when they made the appropriations not a word escaped my lips. When the original appropriation was made it was for \$5000; then demands came from other parts of the city and they saw fit to increase it, and not one single dollar was spent at my suggestion. I don't live facing the park, but I do live in sight of it. I am proud to say that I have not come here this year with a private axe to grind at the city's expense, and it is not for me to get up here and make statements so utterly false as were made in the Common Council.

The order was passed.

HOME FOR THE POOR, ETC.

Order for Committee on Public Institutions to report on a site for a Home for the Poor, and upon the communication of the grand jury, at the next meeting of the Common Council, came up passed.

Alderman Hulbert moved to amend so that the report would be submitted at the next meeting of the Board of Aldermen instead of the Common Council.

Alderman Power asked the reason for delay. The committee are to meet tomorrow to attend to this matter. He did not believe it possible for the committee to bring in a unanimous report on the Home for the Poor, but on the other matters they are all ready to report.

Alderman Hulbert replied that the committee had made every endeavor to report today, but it was impossible to do so. Some members have not had sufficient time to investigate the matter.

Alderman Power—The committee can report just as well next Thursday as at any other time on this matter. I have been accused of delaying this matter of a Home for the Poor, but I don't see any possibility of the Committee on Public Institutions to agree on any one site, and the matter has got to come before this Board again in the shape of majority and minority reports, and we are as well prepared now to give that to the Council next Thursday as now.

Alderman Sayward—If there is to be any report to the Council on this matter of the Home for the Poor I hope members will have all the time they need. It is very evident that this committee have been very dilatory in this matter, as all other committees have been generally.

Alderman Hulbert—As chairman of the committee I have used my best endeavor to have this report ready. Simply as a matter of proper preparation I

think Thursday evening will be too early. Some gentlemen of the committee have not visited a single site, and have been before the committee today asking for an opportunity to do so. That is why I ask this amendment.

Alderman Power—For the purpose of complying with the purpose of this order one gentleman, who has not had time to make up his mind, has gone to look at the place this afternoon. The majority of the committee will be prepared to vote for the place favored by the chairman of the committee, and there is no question but we shall be able to report next Thursday evening, and I can't see any reason why it should be put off any longer. I ask that when the vote be taken it be by yeas and nays.

Alderman Gibson—If gentlemen ask for longer time I think they ought to have it. We can't do anything much before spring, any way, and it ought to have a thorough investigation. I should hope the time will be extended.

Alderman Power—The time is not asked for to give gentlemen an opportunity to visit any other place. Gentlemen went expressly this afternoon that they might be ready to vote yea or nay on the question tomorrow, and I cannot see what is to be gained by deferring the matter any longer. If they are not ready, the committee, as a committee, can ask for further time.

Alderman Sayward—The gentleman says nothing is to be gained by delay; I would ask him what there is to be lost by letting it lie over.

Alderman Power—Nothing, except that the committee cannot gain anything by laying it over. The committee cannot agree, and the reports might as well come in next Thursday as next Monday.

The amendment was adopted—yeas 10, nays 2, as follows:

Yeas—Aldermen Bigelow, Brown, Clark, Cutter, Emery, Gaffield, Gihson, Hulbert, Quincy, Sayward—10.

Nays—Aldermen Power, Stebbins—2.

REQUESTS FOR ADDITIONAL APPROPRIATIONS.

The Chairman presented reports from the Finance Committee, to whom were referred the requests of the Water Board and the Committee on Common and Public Grounds, recommending the passage of the accompanying orders:

Ordered, That the treasurer be and he hereby is authorized to borrow under the direction of the Committee on Finance, the sum of \$175,000, to be added to the appropriations for Water Works.

Ordered, That the Auditor of Accounts be and he hereby is authorized to transfer from the Reserved Fund to the appropriation for Common, etc., the sum of twelve thousand dollars.

The orders were severally read once.

The appropriation for Public Buildings for the year was \$92,000 00.

Following are the various expenditures of the appropriation classified with the amounts for the eight months of the financial year: Masonry, \$7195 21; carpentry, \$9604 12; painting and glazing, \$5064 57; gas fitting and plumbing, \$3439 80; whitewashing and plastering, \$2903 75; furniture, \$6370 11; roofing, \$1707 01; iron work, \$3151 59; locksmith, \$127 30; gas and water, \$2256 06; rents, \$2128 12; cleansing, \$2458 14; fuel, \$759 25; salaries, \$4700 00; supplies, horse keeping, and expenses of committee, \$2757 43; grading and watering, \$1003 75. Total, \$55,626 21.

Recapitulation—Extraordinary expenses, \$35,405 18; ordinary repairs and expenses, \$55,626 21. Total, \$91,031 39.

It will be seen that out of an appropriation of \$92,000 the sum of \$91,031 39 has been expended. The committee are of the opinion that the sum of \$25,000 will be required for public buildings for the remaining four months of the financial year, and respectfully ask for an appropriation of that amount.

The request was referred to the Committee on Finance, and ordered to be printed.

REPORTS AND ORDERS.

Alderman Clark, from the Committee on Streets, presented orders to pay for street damages as follows: Heirs of Rebecca Sargent, \$1833 75, widening Dorchester and G streets; heirs Edmund P. Dolbeare, \$118 75, widening of Broad street. Severally passed,

On motion of Alderman Clark—

Ordered, That due notice be given to Michael Scanlan and all other parties interested, that this Board will, on Monday, the 15th inst., at four o'clock P. M., take into consideration the expediency of removing a tree which occupies the roadway in P street, South Boston, opposite the estate of said Scanlan, numbered 57 on said street, and any persons objecting to said removal will then and there be heard.

Passed.

Alderman Gibson, from the Committee on Survey and Inspection of Buildings, presented a report in favor of granting the petition of Renter & Alley, to erect buildings within the building limits, and recommending the passage of the usual order therefor. The order was passed.

On motion of Alderman Hulbert—

Resolved, That this Board hereby assents to the discharge by the Mayor of the mortgage given to the city of Roxbury by Anthony Garrett and Stephen Ellis, dated October 1, 1866, and recorded with Norfolk Deeds, Lib. 349, fol. 313, and to the execution by him of the legal instrument necessary for that purpose, to be delivered upon the payment to the City Treasurer of the amount due upon said mortgage.

Alderman Gihson asked if the Committee on Paving were ready to report on the subject of bridges over the Eastern Railroad and crossings at Sumner street, in East Boston.

Alderman Cutter, chairman of that committee, said the committee were not yet ready to report.

Alderman Gibson extended an invitation to the members of the Board to visit the locality on Wednesday morning at nine o'clock. The invitation was accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the applications of Charles Roberts and Winchester & Hight to use steam boilers and engines. Severally accepted.

Alderman Power, from the Committee on Sewers, to whom were referred the schedules of assessments for sewers in Warren street and Chapman and Appleton streets, reported that they are correct and recommend the passage of orders for collection. The orders were read once.

Alderman Sayward, from the Joint Committee on Health, to whom was referred the request of the Board of Health for an additional appropriation of \$1000 for quarantine purposes, submitted the following report recommending the passage of the accompanying order:

Ordered, That the Auditor of Accounts be and he hereby is authorized to transfer from the Reserved Fund the sum of \$1000 to the appropriation for the Quarantine Department.

Passed—yeas 12, nays 0.

Alderman Sayward presented a report from the Committee on Health on petition of Charles H. Jenkins *et al.* for the suppression of the protracted use of locomotive whistles. The committee say the city has not authority to act, and recommend that the petitioners make application to the Old Colony Railroad. Accepted.

Alderman Sayward, from the same committee, reported in favor of granting the application of Celia Lewis, and recommend that the time allowed for erecting stable on Dartmouth place be extended to June 1, 1874. Accepted.

Alderman Sayward submitted a report from the Joint Committee on Public Buildings, representing that in consequence of the extraordinary expenses created by order of the City Council during the present year, the appropriation for Public Buildings for the financial year 1873-74 has been nearly exhausted. Following is the cost of the work performed by order of the Council, and charged to the appropriation for Public Buildings, none of which was anticipated at the time the appropriation was made, in February, 1873:

Purchase of two buildings in Washington square, for the accommodation of the engine and hook and ladder carriage, including the fitting up of the same for men and horses.....	\$3,334 47
Erection of an engine house on Parker street, on land leased for that purpose.....	3,034 25
Altering and enlarging Hose House No. 4, to accommodate an engine and horse hose carriage, together with the men and horses connected therewith.....	9,314 74
For the high service supply for City Hall, including the standpipe, hose and fixtures in connection with Tobey's patent as a preventive against fire.....	4,036 98
Iron shutters for the City Hall, strengthening the treasury vaults, and providing a fire-proof room in the same for the preservation of plans and public documents.....	4,310 70
Iron shutters and Hyatt lights for the Public Library Building, and for other protection against fire.....	7,500 00

In addition to the foregoing the following have been spent by the Committee on Public Buildings:

Alterations and new ventilation for the City Prison.....	\$1,146 00
Excavating the cellar of Engine House No. 10, and protecting the same against tidewater..	2,727 98

Total..... \$35,405 18

Alderman Quincy presented the report of the Committee on Legislative Matters, (printed City Document No. 129,) giving a summary of their labors during the last session of the Legislature. Read and sent down.

On motion of Alderman Stebbins—

Whereas, By an agreement between the Commonwealth and the city, an avenue has been located over Fort Point Channel and the South Boston Flats, and designated "Eastern avenue," it is therefore

Ordered, That the Committee on Paving be requested to consider the expediency of changing the

name of the public way running from Commercial street to the East Boston Ferry landing from Eastern avenue to South Ferry avenue.

Passed.

On motion of Alderman Stebbins, the petition of George B. Upton and others, that action in relation to the taking of Sudbury River be deferred until other sources for supply of water are examined, was taken from the table and referred to the Committee on Water.

Alderman Quincy, from the Committee on Ordinances, who were directed to consider the expediency of amending the ordinance relating to the Fire Department, so as to provide that the commissioners shall have no power to interfere with the engineers during a fire, reported inexpedient, for the following reasons:

The committee cannot assume that the Board can possibly regard the command or direction of the department at fires as any part of their general official duties under the ordinance. At the same time should a case ever arrive of such gravity as to render them willing to assume, before the community, the weighty responsibility of removing from command an engineer or other officers from forces actually in action, the committee would not deprive them of the power of so doing by the proposed forbidding of interference. If, as has been argued, the statute power of command at fires is given to the engineers or other officers "of the Boston Department," cannot legally be extended to such "other officers" as these commissioners, then such extension by the ordinance is impossible, and cannot be inferred from its language. If, as the committee contend, the City Council may designate any officers of the department to exercise these powers, then the right to interfere in the last resort and under such exceptional circumstances as induce the commissioners to accept the responsibility, relying on the public for justification, the committee regard as wholesome and beneficial.

On motion of Alderman Quincy, the report was laid on the table in order to enable a member of the committee to prepare a minority report.

Alderman Quincy, from the same committee, who were requested to report an ordinance in relation to the giving of false fire alarms reported the following:

Be it ordained, etc.

Section 1. No person shall open any of the signal boxes connected with the fire-alarm telegraph for the purpose of giving, or causing to be given, a false alarm of fire, or interfere in any way with said boxes, by breaking, cutting, injuring or defacing the same, or pulling the slides therein, except in case of fire, or without authority opening, tampering or meddling with said boxes, or any part or parts thereof, or with the fire-alarm telegraph wires or anything connected therewith.

Sec. 2. Any person or persons found guilty of violating any of the provisions of the foregoing section shall forfeit and pay a fine of not less than five dollars nor more than fifty dollars for each offence.

The ordinance was read once.

Alderman Sayward, from the Committee on Licenses, reporting in favor of granting the applications of David Smith & Co., William K. Wood, and John McDonough, victuallers; J. H. Donnelly, F. F. Bibber, for billiard saloon license; Pascal Gerard to exhibit feat of magic December 3 to December 15; L. C. Newhall to exhibit game of billiards in Bumstead Hall; W. B. Stacey to give concert in Tremont Temple; L. H. Jones & Co. *et al.* for transfer of wagon licenses; Keys and Ryan for two wagon licenses on Condon street; Bay View Quarry Co., for three wagon licenses; Hampden Cunningham for an auctioneer's license. Severally accepted.

OLD MATHER SCHOOLHOUSE.

Alderman Gaffield, from the Committee on Public Instruction, who were directed to inquire what disposition should be made of the Old Mather Schoolhouse, reported the following order, recommending its passage:

Ordered, That the Committee on Public Buildings be authorized to remove the Old Mather Schoolhouse from its present position to the northwesterly corner of a lot of land owned by the city fronting on Highland street, and indicated on a plan in the office of the Superintendent of Public Buildings; the expense attending the same to be charged to the appropriation for Schoolhouses, Public Buildings.

Alderman Stebbins inquired what disposition is to be made of the building—The committee don't say whether it is to be a target for hoys to throw stones at, or to be sold again.

Alderman Gaffield—When the order was presented to the committee I addressed a note to the chairman of the School Committee of that district, and received a reply stating that they desired another room fitted up for primary-school purposes, and would soon need the whole building. Therefore the committee passed the order in the form requested.

Alderman Stebbins—I notice that the order don't

provide for fitting up the building for school purposes.

Alderman Gaffield—If the Committee on Public Buildings have n't the authority to do so all that is necessary for them to do is to ask for the money.

Alderman Gibson—I understand that the lot has considerable stone upon it which will have to be blown out.

Alderman Sayward—I supposed all the blowing out on this schoolhouse had been done before this. The Committee on Public Buildings don't generally fit up schoolhouses for the School Committee until it is asked for, and when this is asked for it will be time enough.

Alderman Gibson—It seems to me that we ought to take hold of this just as if we were doing our own business. If we want it for a schoolhouse let us get all the blasting out for the cellar. It is pretty much all ledge out there and ought to be properly prepared.

Alderman Gaffield—It is proposed to remove this house upon a lot where there is not a large ledge. If it is necessary, I move that there be inserted in the order the words "and fitted up for primary-school purposes." That was the intention of the chairman of the School Committee.

The Alderman read an extract from a note to him, to the effect that the building would soon be needed for a primary school.

Alderman Sayward—If the Committee on Public Instruction desire to amend their report, I move it be recommitted and amended in the proper manner. It is an unusual manner to spend the city's money to fit up a schoolhouse at the mere suggestion of one member of the School Committee.

Alderman Gaffield—This will only make delay. The report was written with the idea of having the building fitted up for primary-school purposes. The gentleman has asked many times that it may be put out of the way of the new schoolhouse and this is to expedite matters.

Alderman Sayward—I am anxious to have it removed now, but I don't think it is proper way to spend the city's money to fit up schoolhouses at the suggestion of one member of the School Committee. When the request comes from the School Committee then will be time to do so.

The motion to recount was lost by a rising vote—4 for, 6 against.

The question recurred on the amendment of Alderman Gaffield.

Alderman Hulbert—I judge that the order had better stand as it was presented. If we go beyond that we act simply on a note from one member of the School Committee of the district. We should wait until the request comes in proper form.

The amendment was rejected and the order was passed.

THE PUBLIC PARK QUESTION.

On motion of Alderman Quincy, the Board took up the special assignment for five o'clock, being the order appointing Messrs. Shaw, Perkins, Flynn, Prescott and Boardman, with such as the Board of Aldermen may join, a committee on "Public Works," with directions to consider the expediency of providing for the establishment of one or more public parks within this city, the question being on the substitute order offered by Alderman Emery requesting the Mayor to petition the next Legislature for authority to take land for a park or parks.

Alderman Quincy—I am strongly opposed, Mr. Chairman, to the measure proposed by the other branch, but I am further inclined to favor the substitute offered by the Alderman on my right. It needs no prophet now to foretell the magnificent future of our city. Croakers are now dumb who once announced that our commercial importance was on the wane, and that under the shadow of our gigantic sister city, grass would soon grow on our wharves as we have caused it to grow on those of Salem. That our position is to be in the front rank among the metropolises of the New World is now assured, and that a park worthy of such position among cities, must, sooner or later be obtained, all seem to agree. The question then arises, should the first step in this direction be taken by the present City Government at this time, and if so in what manner? If we can take such step in such a manner as to involve no present expense, and without binding or even influencing our successors on the question of when the burden of the cost involved should be assumed, I think, even at this late stage of our municipal existence, we had better do so. And this I think will be effected by the passage of the substitute. It can do no harm to obtain the desired power and leave the question of the proper time for its exercise to be decided hereafter. But I agree most fully that in view of our present financial condition and the imminent demands for further expenditures which are unavoidable and necessary, for this outgoing City Government in the last month of its existence to create a new committee with a title indicating clearly enough the intent that

it shall be perpetuated by our successors with indefinite powers, and a capacity for spending money limited only by the month of December, would be a cause for the just dissatisfaction of our constituents, especially, if as I contend, their work when the time shall come to undertake it, can be better performed for nothing by gentlemen ready to assume the task for its honor. I hope that when this power shall have been obtained from the legislature, there will be appointed an honorary impartial commission to examine the various locations, and report upon their respective merits. Some of our first citizens are sufficiently interested in this matter to give their services, and if it were advisable to visit other cities, would do so at their own expense and not that of the taxpayers. On the material presented by their report, the City Government could then act as it saw fit by committee or otherwise. If we can obtain facts and information for nothing, through a commission instead of at great expense through a committee of an already overworked City Government, our duty in the premises seems to me clear. With these views I shall vote for the substitute, and should that fail, then for an indefinite postponement.

Alderman Clark—I did not propose to say much on this subject tonight, but the gloomy view of the subject taken by the Alderman from the Highland District, last Monday, is such that I must get off something. I am not one of those who believe that grass is going to grow on the streets of the city of Boston, and I do believe it is the duty of this City Government to take some action on this subject. I wish to state that I shall favor the substitute offered by the Alderman from Ward 12, because I believe that this thing has been delayed long enough, and we should at once take some steps towards laying out a park or series of parks commensurate with the growth of the city.

I do not purpose to take the time of the Board but a very few moments in explaining my views upon this subject. The remarks by the Alderman from the Highland District at the last meeting of this Board have attracted a good deal of attention, and perhaps excited some uneasiness among the taxpayers. He presented a statement of our financial condition which was very far from encouraging. If it was a perfectly fair statement we might well pause before entering upon any new improvements or enterprises which would involve expense to the city. I think I shall be able to show in a very few words that it was not a statement of the whole case, but that it was a partial statement, and calculated to give a very erroneous impression of our condition. The Alderman wanted to frighten us from the contemplation even of a public park, and he went to work and figured up a debt that was somewhat appalling. He took a very gloomy view of the situation. He dwelt upon the enormous increase in our expenses and indebtedness during the past ten years, and he said very little about the increase of our industry and wealth; very little about the increased expenditures being the result of our increased prosperity.

If the gentleman will look at the objects for which the debt was contracted he will see that they are mainly for the purpose of furnishing facilities for carrying on business. Does any one pretend to say that we should be in a better position as a corporation without these improvements in streets and grades and without any increase to the debt, than we are with these improvements and with the debt? Does any one pretend that we could have made such rapid progress in the development of our industry and commerce as we have during the past six years, if these improvements had not been made? Considering what has been done during the past ten years, I am astonished at the small addition to city debt instead of being surprised at its increase. On May 1, 1863, the total net debt of the city was \$9,330,000 and the valuation of the real and personal estates was \$302,507,200. On the first of May, 1873, the net debt was \$17,814,000 and the valuation was \$693,831,400. The valuation had more than doubled, and this he it understood, just after a fire which had destroyed \$80,000,000 of property, while the debt had not doubled, being in fact about a \$1,000,000 short of it. Thus we see that we were nearer owing \$17,000,000 than we were owing but \$9,000,000.

But, says the Alderman, our liabilities have been largely increased since the first of May last. Very true, and so have our means of meeting them increased in proportion. It should be stated that during this period of ten years two million dollars were added to our debt, on account of expenses for war purposes. Previous to 1866 but very few important street improvements were made. In that year the Betterment law was obtained and the work was then begun in earnest. It would take too much time to enumerate the great street improvements which have been carried through since that time. Familiar as the members of this Board are with the work of the Government, I think they would be astonished in going over the statement of the Auditor to see what

has been done in the way of widening and extending streets during the past six years. In nearly every instance I think it will be found that the property abutting on the streets which have been laid out, widened or extended, has increased in value for taxable purposes sufficiently to cover—in many cases, much more than cover—the interest on the expense of the improvements.

Now, as to the future, I do not think the outlook is at all gloomy. The Assessors' valuation of real and personal property in Boston, Charlestown, Brighton and West Roxbury for the present year is \$765,817,000. Between 1871 and 1872 the valuation of Boston went up from \$612,000,000 to \$682,000,000, about twelve per cent. in one year, and there had been no new territory added during the year. The valuation of Brighton in 1872 was \$10,881,000, in 1873 \$14,548,000, an increase of about thirty-five per cent. Assuming an increase of ten per cent. on the valuation of Boston next year, and in view of the improvements on the burnt district and the increase in the value of property in the new wards, it will, undoubtedly, be much more than that. The total valuation will amount to \$832,000,000. The total tax this year in Boston, Charlestown, Brighton and West Roxbury is \$10,256,348. The same amount next year would make the rate per one thousand about \$12 15. Add a million dollars to that amount and the rate would be about \$13 50. In 1863 the rate was \$11 50; in 1865, \$15 80; in 1870, \$15 30; in 1873, \$12 80. In comparison with other large cities in this country, Boston certainly appears to good advantage. The rate in New York last year was \$29 01 on a thousand; in Philadelphia, \$21 50; in Chicago, \$15 00; in Cincinnati, \$20 10.

The Assessors' valuation in Chicago is based upon the actual market value. In the other cities named, the tax valuation is considerably below the actual valuation, but it can be shown, I think, that property in Boston is much less heavily taxed for municipal purposes than property of equal value in other large cities. In estimating the probable additions to our debt on account of public works contemplated or in progress it should be borne in mind that the interest on the water debt is substantially covered by the water rates. Loans made for the extension of the water works should not, therefore, be classed with loans made for other purposes. The statement of the Alderman in regard to the expense of constructing Eastern avenue is greatly exaggerated. The City Engineer made a careful estimate last year for the use of the city and the State. Omitting details, it appears that the cost of the solid portion of the avenue from Federal street to the Harbor Commissioners' line, including land damages, will be \$242,765 16; the cost of bridge structure, \$158,565 00; total \$401,330 16. In the indenture which the city entered into this year it is expressly stated that Boston shall not be obliged to build the bridge and extend the avenue at a greater cost than the estimate of the City Engineer dated June 15, 1872, which I have already given. The construction of the avenue on the easterly side of the channel does not cost the city anything. All the parties owning the flats included within the lines of the avenue have agreed to fill them to a grade satisfactory to the Board of Aldermen of Boston and convey them to the city without expense.

If the items which went to make up the total of \$7,000,000 for proposed street widenings are not more trustworthy than this statement about Eastern avenue, the taxpayers have no occasion for alarm. Suppose lands were purchased next year for a public park at an expense (after deducting betterments) of a million dollars, and the whole amount was put into the tax levy of that year, it would be an additional burden of twelve cents on every man who paid a tax on a hundred dollars, or \$1 20 on a thousand. Add this to the tax next year with an extra million dollars to cover the increase in ordinary expenses, and we have a rate of \$14 70. If a loan was made for, say, thirty years, and a tax levied to cover the interest and to provide a sinking fund to pay the bonds at maturity, the extra tax on every \$1000 would be ten cents, or 1-100 of one per cent. The idea that a public park is a luxury which the city ought not to indulge in, unless there is more money in the treasury than the Government knows what to do with, is all wrong. As the growth of the city increases and all the attractive points in the surrounding country come to be thickly occupied by dwelling houses, the necessity of furnishing some place where the people who do not own horses and carriages can resort to for recreation and fresh air becomes more and more pressing.

At the hearing before a committee of the City Council in 1869 on the subject of a public park, an official statement was put in to show that 6 7-10 per cent. of the children born in Suffolk County were horn dead, while only 2 9-10 per cent. were born dead in the other counties in Massachusetts. Of the children born in Suffolk County alive, 18 35-100 per

cent. died under one year, while in the other counties 13 7-100 per cent. died under one year. The State Board of Health in their last report say, it will be seen that the mortality of Boston is unprecedented. Exclusive of deaths from smallpox, the mortality of 1872 exceeds that of 1871 twenty-five per cent. But apart from sanitary considerations it can be shown that from a financial point of view the establishment of a park would be expedient, that, in fact, it can be made to pay if properly managed. At the hearing in 1869, to which I have referred, Hon. George B. Upton put in an official statement to show that the increased valuation of the three wards surrounding Central Park in New York paid a tax which covered the whole of the interest on the cost of the lands, and improvements for the park, and left an excess of \$1,809,966 39.

Mr. James Houghton submitted the following statement from a well-known real-estate operator in New York:

"The Central Park was planned and accepted about twenty years since (Fifty-ninth to One Hundred and Sixth street, and subsequently to One Hundred and Tenth street). At that time lots from Fifty-ninth to Seventy-fifth street, on Fifth avenue, could have been bought in quantity for five hundred dollars each, and less. During the past three years they have sold for \$18,000 to \$30,000. Below Fifty-ninth, down to Forty-second street, a selection could have been had at eight hundred dollars to fifteen hundred dollars each. Last year one lot sold, northeast corner Fifth avenue and Fifty-fourth street, opposite St. Luke's Hospital, 25 by 100 feet, for \$40,000 cash. Fifty thousand dollars was then and is now the asking price. Fifth avenue, from Seventy-fifth to One Hundred and Tenth street, when the park was accepted, was one hundred dollars to two hundred dollars per lot; now \$8000 and \$10,000 to \$15,000 each; and beyond the park, for at least one mile to one and a half miles, the advance on real sales has been large and constantly upward. On Eighth avenue, west side of park, Fifty-ninth to One Hundred and Sixth street (park bounds at first Fifty-ninth to One Hundred and Sixth and to One Hundred and Tenth streets, and Fifth and Eighth avenues), there were no buyers, or hard to find."

Mr. Chairman—I had not supposed until one week ago today that any one here doubted for a moment the importance of having laid out, sooner or later, somewhere in the neighborhood of Boston, a public park which would accommodate the great multitude of people, so rapidly populating our city. It is something in which all classes are interested, the rich and the poor, the professional man and the merchant, the mechanic and the day laborer, all classes, both male and female, are more or less interested in having located within easy access a public park, which shall be open and free to all alike, as much the property of the one as of the other. It has been said that the whole neighborhood of Boston is one continuous park, that whichever way you drive the country is so beautiful and presents such a variety of landscape, with hills and valleys, with a land view and water view, scenery such as the neighborhood of no other city in this country can present, and on account of our having these great natural advantages, we have everything which is to be obtained in the laying out and building of a great public park, and therefore that any expenditure of money for this purpose would be unwise and injudicious.

This is all very well for those who are able to drive around and about this delightful country, but it is not what the multitude require. I admit, and fully agree to everything that can be said in regard to the natural beauties of the suburbs of the city. I do not believe that there is anything in the neighborhood of any city in any country that will compare with it; and as I drove over the hills and through the valleys of Milton and Dorchester, Roxbury and Brookline, during the autumn just closed, and enjoyed so much the beauties of nature, I thought of the great mass of the people in the city who were unable to enjoy that beautiful scenery, but who would be made healthier, happier and better if they could only, to a small extent even, be enabled so to do. It is for this very reason that the country is so beautiful and offers such attractions and facilities for the construction of a park for the people who cannot afford to ride over the country, that we should at once take such action as will enable us to secure a part of this splendid country, and make such arrangements and preparations as will enable the people, at small cost, to enjoy to some extent that which the great mass are now denied.

A park is always one of the great attractions of a city. The Central Park is one of the great sights of New York, as is also the parks of Philadelphia and Baltimore. It is always one of the first places a stranger visits upon reaching either of those cities, and a city without a park is behind the times, and cannot be ranked as a first-class city. We have natural advantages which will enable us to have the

finest park in America if so desired. Nature has given us every facility, and it only remains for us to improve the opportunities so abundantly spread out before us. We have always taken a just and honest pride in our Common and Public Garden; and well we may, for they have been and still are among the most pleasant attractions of the city and among the things most enjoyed by the people; but we are fast outgrowing them, as we have outgrown the narrow and crooked streets and small warehouses of the past. We must be alive to the fact that we are called upon to anticipate the wants of a city of a million inhabitants, instead of a city of one hundred thousand, as at the time of the addition of the Public Garden.

The land can be taken now at small cost compared with what it will be worth a few years hence. Every year's delay will add to the cost on account of increased value of land. It will cost more now than it would have cost three years ago. It will cost more next year than this, and so on as the years go by. Let us, therefore, take such action as will insure the commencement of this too long neglected improvement.

Mr. Chairman, those are my views upon this subject of a public park. I believe that we ought not to delay taking some action looking to the laying out of a series of parks to surround the city, or in the neighborhood of the city. I admit that the expenditure and the taxes therefor look large. But the improvements of the city, the value of real estate and the growth of the city, will all help to pay the expense and tend to reduce the taxes of the people. I do not think that this subject is confined entirely to certain classes of people who have real estate to sell and expect to be benefited by the laying out of a public park in their vicinity. I know that the great majority of the business men of the city are in favor of a public park. As a merchant of the city, I think it is my duty to do every thing to increase and help push forward the mercantile interests of the city, and do what I can for its future growth and prosperity. Another thing, I do not believe that capitalists have any fears of taxes being so enormous. That was n't the sentiment in years gone by. Who came here in 1869 and asked for the laying out of a public park? Marshal P. Wilder, George P. Upton and George B. Emerson—men who are not to be at all benefited by a public park. And I believe all such men represented by Marshal P. Wilder and George B. Emerson are in favor of it. The estimates of the gentleman from the Highland District foot up to an enormous amount. Among them was \$1,500,000 for a court house. Now we are not obliged to build a court house during the coming year, nor the next two years. But when we do, we have got land enough to sell to pay for the court house. That should be stricken out entirely in the enormous bill which looms up before the people. Then in this enormous expenditure for laying out streets he forgets to tell you that if the Street Commissioners do their duty we will get form 33 to 50 per cent. back in the way of betterments. I believe it is our duty to petition the incoming Legislature to permit the city—not to compel the city, but merely for such an act as will allow them to do so if they see fit—to take or purchase land in the next one or two, or three or five years, for a public park. I therefore shall support the substitute of Alderman Emery, and hope it will prevail.

Alderman Hulbert—The alderman from Ward 6 would not misrepresent anything pertaining to the public finances or public interests. I think he will award to me the same intention. There is n't an item that I presented last week, save that of Eastern avenue, that can be reduced a dollar. I took great pains in investigating the case of Eastern avenue. I went to sources that I deemed reliable. I produced an aggregate which is as low as I was warranted in doing. If we can save anything by filling in from South Boston, that is something gained. The least sum that the City Engineer will say it will cost is \$1,200,000. If it is necessary to reduce that a half or a quarter of a million, I can bring forward other matters that will easily bring the figures up to the original amount. The gentleman has named the new Court House. I named \$1,250,000; I should have said \$1,500,000. I had no intention to create any one-sided story or present anything that is n't perfectly fair and candid. I had no other motive. I do not expect to trouble this or any other body another year with remarks of this kind. The Alderman claims that a debt is the measure of the prosperity of the city. That may be true, or it may not be. Certainly, it is not a measure of this city's prosperity. The Alderman stops at May, 1873. Come forward today and the debt is \$26,000,000, a change of \$9,000,000. The gentleman refers to my omitting the item of betterments. I have n't forgotten it. I took pains to ascertain from the Street Commissioners what amount we could recover, and the highest sum I could obtain was about six months' interest on the indebtedness; the whole amount is six months' interest and

half the amount of the Sinking Fund on the present debt. We are not going to get back one-half or one-third, by any means. I speak advisedly. Another argument is brought from New York. I understand all this matter. One of the gentlemen quoted here as giving statistics from New York had very good reason to do so. He had a very large tract of land that he wished to sell, and was intensely interested in having a public park. I know all about that. I want to say a few more things, and if gentlemen will bear with me I will be as brief as possible. I feel intensely on this matter, and have not expressed myself as strongly as I feel, and I ain't a blue stocking, by any means. If any man will take a slate and pencil, and figure this thing out clearly, I would like to see it. Now this city, within a few months, has got to go into the market and borrow a large amount of money, and for purposes that enter into the business wants of the city—enterprises which our true development requires to be done. I did not come here last Monday night to ask this city to shut down the gate. Let us do what is necessary at first. I said wait till we can act legitimately for a park. I say so today, and I will give you my reasons. I undertake to say that all the money Boston can possibly borrow within the next two years she needs for things that are pressing for her material business interests, not for any thing extravagant or fanciful. I differ with my friend on my right and with the Alderman from Ward 6, as to the harmlessness of going to the Legislature this winter and getting authority to take land. You may talk about it being harmless, but it is no such thing. You can't convince those who loan you money of that. I tell you that the park question looms up, you may think it is in the distance, but the whole thing keeps in sight. The ostrich remains in sight even if he does stick his head in the sand. I say it will prejudice your present loans. Now I claim that the public credit of Boston, as such, should not be tainted nor harmed nor injured in any way by any man living except on an extraordinary account it cannot be prevented. We may burn up two hundred millions of property and we may find ourselves in a way to repair our credit. But I say don't let 's do it by purchasing luxuries that we don't need. It is every citizen's duty to protect the credit of the city when he can. I say it is not possible for the City Treasurer to effect loans in the next few months for all the things that are pressing to be done. I say you cannot borrow them on terms proper for the city of Boston to pay. I say, therefore, some of the material things must be delayed inevitably. Now it seems to me that the community should know—for, gentlemen, the community don't know the financial condition of the city; how many read the Auditor's reports?—things are left to go on and we are left to look after these things; how many can say how much Boston owes today? It is a thing that needs watching into and looking after. The public are deceived and should be undeceived. If the public understood how this thing is they would insist that some of these departments should give up to the needful things. There is the Board of Street Commissioners. If there is any board in this hall that deserves confidence, and where we have a right to place confidence, it is in the Street Commissioners. And yet, if any gentleman will look over the portfolio and see the things proposed to be done, and see what things of actual merit are proposed, and what they are going to do and what those things will cost, you can't help saying, "you must wait; you can't do all these things." I tell you, you must wait; they can't be done. We don't want any masterly inactivity either; but we do want masterly conformity to the present state of things. We have come to a point where we have had extraordinary expenses. We have done the best, as we believe, we could under the circumstances. I don't find fault with the course of things, but I say here we are with a debt of over twenty millions. Now, the tendency of things in City Hall you and I have seen. I declare here that an expenditure of half a million dollars today goes through here easier than one of five thousand did ten years ago. The gentleman quoted the debt of 1855. I did not go back to 1855. I did not think it was necessary. We have not grown richer in the last five years. The ground I take is this: We have got on the scale of large expenditures. The outside pressure is tremendous, and I wonder that we stand up as well as we do. Citizens having land come up and press for this or that improvement. The ball is moving with a velocity that is terrible. We have got to learn to keep within our appropriations, and I am glad we have got a Finance Committee that will call committees to account for spending too much money. We have got to the point where there are two forks in the road. You may go on one way, borrowing money, getting into debt, enter into all these enterprises so desirable, and roll up your debt and interest account, and force up your valuation. The valuation of Boston today is the

highest of any city in the country. It is forced up here to the extreme limits, and we have been deceived so for years. The Assessors are forcing it up just as high as they dare to, and citizens will bear me up in what I say. Now, go on that road and just as sure as anything you will come upon evil times. If you go on the other road, determined to incur debt only when it is proper and acting with caution, I can see daylight, because moneyed men are looking on to see what our policy is to be. This is not the first time in our history that the matter of a debt has come up. In the time of the elder Quincy, of "Josiah the Bold," whose blood flows in the veins of that gentleman there, he said "The city, for sufficient causes, having created a public debt, has had the determination to enter upon a course of rigid economy to reduce it." That was the man who was so bold, who is quoted here time and again as so bold. If you want to get toned up on finance read those addresses of his, and I tell you you would vote for a public park this year. Now, I want to know if it is not important that we should conduct our finances so that we can borrow money at easy rates of interest. We have been accustomed to go to England, to the banking houses of the world. We have never gone there as suppliants. Our Treasurer has had a pretty stiff hack. But to start this park project and send him to England next spring to negotiate his loans, let him go to our old friends, the Baring Brothers, of whom Russell Sturgis, a Boston man, is now the head. I have talked with him about Boston and I will tell you one thing. Our Treasurer will tell you today that if you pass this order for a park, and you send the Treasurer to Baring Brothers he will be most respectfully snubbed. Then if he goes to another old friend, Morgan, the banker, he will get a decisive "No, sir." The fact is we have strained our credit this year, and I am afraid there will be trouble. There is no poetry about this. It is all fact. I say we have no business to enter upon a course of procedure that will damage the credit of the city. The city does not need a park. Gentlemen talk about this magnificent city of the future. I say we have got to take time for growth. We are not so big a city yet. Nobody supposes that our city has more than 265,000 inhabitants. That is all you can make out of it. More than that, Boston is not going to grow as the cities of the West do. We have got to grow the Boston way. We are not going to have any such rapid growth as some think. We shall have time to look into all these matters. Now, what is it to us that New York has Central Park? Why, she must have it. The Mayor of New York was on here a few years ago, and in going through the suburbs said, "If we had your suburbs we should not want a park." There is not a child or a man who can't get out into the country today if he wishes it. You speak of land being bought for less today. I have no doubt I can buy a magnificent coach, today, for less than I can years hence. But is that any reason I should ride in a \$3000 coach? I don't care what a park will cost when we want it. The difficulty is not the cost of the land. When you get the land you begin to spend money upon it. When any avenue is opened for spending the city's money, it does seem as if all the hummers in creation are behind. I know what the sentiment is abroad. You travel abroad and you will find that you are a citizen of no mean city. We are charged with carrying a piece of Boston Common in our pockets. It is a piece of Boston pride and I am glad of it. You go to Europe today; New York is understood there, and they give the whole country a reputation from that of New York. I am not saying she deserves it; I am simply telling you the fact. I am Boston born, and I will stand up for old Boston, and I say what I do, because I don't want to see her credit injured. There is Jersey City, today, which can't pay her debts. Who wants to be a citizen of Jersey City? There is New York trying to issue legal tenders. We will have to do it too if we go into all these things. Now, you can't have a city with prosperity unless you allure and bring capital within it. I go for bringing capital within our borders. Reasonable taxation makes a great difference. It makes a great difference whether a man pays a hundred or two hundred thousand dollars taxes. There is a very large class of our population who feel this in their bones. I want to see moderate taxes, because it is for the best interest of the city, and when you crowd taxes up to the highest point you injure the city. Then, I want to see every provision made for the business of the city. I will go with the gentleman from Ward 6 in that. Show me anything that will benefit the business interests of the city, and I will go for it. Last winter some of our people were making great efforts for Western trade. I said very well, let us get Western trade if you can. But, I said, create skilled industries; build them up. When you come to that water power is of no account. Your steam

power is just as good. The advantage of having skilled industries here is that skilled workmen will locate here and you can have competition; purchasers will meet trade at the head sources of supply. I don't care whether you can make silver watches or ware; I don't care whether you sell them here or send them to New York. When men employ a number of men it helps all the avenues of trade. Therefore I shall vote for water, whether it costs five or ten millions. You can't afford to be without water. Give us water, so that men can put up engines here by the hundred if they wish it. Let us have a water supply, and then you will have a property that can be taxed. We want to keep the expense of doing business moderate. Why has the wool trade increased so extensively within the past few years? One reason is, the expenses in New York are greater than here. Wool can be handled at a less expense here than in New York. A ship owner is willing to come here for a cargo worth a thousand dollars less than he will go there, because he has extra charges to pay there. I say, create facilities for trade, that you may bring in skilled industries, and then you will have prosperity: but you can't do that by creating luxuries. You can't create property, gentlemen, by going out and building a park. It is a fallacy to think so. As to the increase of taxable property the fact is it ain't worth a skiver to you or me. I knew of a gentleman who would have \$2500 come to him from an uncle when the latter should die. He spent that money over three or four times before his uncle died, simply because he was going to have it. A park will not create property. The fact is we discount all that beforehand. Our growth is to be a steady growth. We won't have more than three hundred thousand when we take in all the annexed territory. I have n't said anything about the increased expenses. If gentlemen suppose that the citizens of Brighton, West Roxbury and Charlestown are not human you are very much mistaken. It is our bounden duty to aim for a policy that will keep taxation within proper limits. If war comes let us meet it, but don't let us do it in time of peace. I believe our city is in a transition state, I don't know where this is to end. They are talking of annexing Cambridge and Somerville and Chelsea; and a few days ago I saw in a Berkshire paper the suggestion that we take in Berkshire and make her a part of us. Now, this creating a city debt is a great evil. The cities of the country today are struggling under this thing. If we go on five years longer—well, we'll be the belle city for debt. This large indebtedness of a large municipality harms the whole community. I ask whether we have n't come to the time when prudence—and by prudence I mean good judgment—would withhold us from undertaking these great enterprises. You know that in old time a certain king disregarded certain things, and he was sent out to eat grass with humiliation. He returned to reason. I think the cities of the country today are eating the grass of humiliation. I mean by that when a city can't get credit. Look at New York, that great city with its millions upon millions, consulting about issuing legal tenders to pay her debts to her workmen. That is eating the grass of humiliation. We have got a large debt, and I can see where we have got to increase it many millions. We have got to borrow it where we can get it cheap. We came near being snubbed last year. You may talk about the panic as much as you have a mind to, but that is n't the trouble. When we can't go into the market and get money at A 1 rates something is wrong. If I should find some gentlemen's names on the street selling at eight or nine per cent. who ought to sell for six, I should think something was the matter. Now, a man who has always been a six-per cent. man, does he go at nine per cent. if everything is all right? It is n't as it ought to be. If we can't get money at A 1 rates there is something wrong. I say let us come home and see where we stand. If the moneyed men have any misapprehension let us go and make a statement. We have always been considered A 1. I don't want Boston to stand below that. It is worth living for to keep her A 1. Don't let us borrow money to injure our credit. Therefore, if we must postpone that building or this street rather than injure our credit, I say postpone that building. The gentleman says the Court House is n't pressing. Why not? We need it. There are other things pressing. If you go to the Auditor or Treasurer and sit down and talk with either of them, and say what can we borrow at fair, reasonable rates, I think you will get some plain common sense from him. Therefore if you bring up the subject of a park; if you inaugurate it, initiate, begin it, it becomes an element in the thoughts of all moneyed men who are estimating your wants. If we will be manly enough to say this park is necessary and it is desirable, and when we can afford to we must have it, I feel an interest in the success and growth of Boston; but I say let us

be manly enough, if there is outside pressure, if there are newspapers urging this; let us look this thing squarely in the face and say, will it hurt our credit to take this thing now, and consider it, and go right out and say we won't touch this thing now? I am not willing to have the interest account double what was the entire city expense a few years ago, and I submit that the position I take is a correct one. I believe that the city, today, will say that the park question should be laid aside; that we should have good credit in our money markets. All this talk about the great future of the city—why you and I won't live to see it; we are not going to have such a mushroom growth as you speak of. I hope we shall pursue such a course as will save the credit of the city unharmed.

Alderman Clark—If there is anything in the world that will ruin the city's credit it is just such speeches as that of the Alderman from the Highland District. I pretend to say that the credit of the city of Boston stands as fairly today as it ever stood, and I should n't wish to have a better mission than to go abroad and ask the Barings or Morgans for another loan at five or six per cent. and not at eight or nine per cent. They would say it is just the place they want to put their money—where it is safe. I contend, gentlemen, that it is not hard to make a loan for a city—whose valuation is eight or nine hundred millions, and whose debt is only twenty-six millions. I presume to say that the City Treasurer will have no trouble in raising money in Europe within the next six months easily. I am glad the gentleman has referred to the elder Quincy. He had strength to build a public market with greater opposition than that given to the public park today. Does anybody doubt the wisdom of that measure? He had the courage to buy a piece of property which he advised the city to hold, and was thereby enabled to leave half a million dollars more to his heirs. There is no trouble about this money, notwithstanding all these gloomy forebodings. Mr. Morgan was a member of the firm with which the gentleman was once connected, and in 1840 the firm broke up, much to the regret of the business community of the city of Boston. Notwithstanding that many old business concerns have gone out of business, the trade of Boston is rapidly increasing. I will venture to say that, if the Treasurer goes to Europe and can't effect a loan there, if he will put it off a few months he can get it from our own citizens, and they will let the city have it at a reasonable rate of interest. They have put their money in these new buildings. Notwithstanding a fire by which over sixty millions were swept off the face of the earth, what was the number of failures in this community? The mercantile community stood up and paid a hundred cents on the dollar almost to a man. And during this financial crisis I know of but one single failure on State street. A few years ago the Cunard Company took off their steamers because they could n't get freight enough to fill them with. Now, those steamers are running from here once a week. This is a tremendous stride, and they are talking of having them leave here twice a week next spring. I suppose there is also more than double the amount of business done over the railroads that there was ten years ago. I don't know what the debt of Boston will be ten years hence, but I do know that as our debt increases, so our means increase in still greater proportion. The gentleman has seven millions down in his estimate for things which are first rate to do if we see fit to do them. It is n't to be supposed that we are to do everything that everybody represents to us. I should estimate the cost of water to be \$7,000,000. The City Engineer's estimate is \$5,000,000, but I don't propose to go into these estimates. The question is simply this: Shall we inaugurate a measure to take advantage of an opportunity to buy land at a very small expense, or wait till the land becomes so expensive that we can't afford to take it? The expenditure would be very small for the amount required now—not enough to deter any foreign banker from giving us a loan. I have attempted to say that a public would so improve the taxable valuation that it would pay the entire expenditure. I also believe that it is important for us to encourage manufactures everywhere within the limits of the city, but if you do build up manufactures you will have a very large class of laboring men for whom it is good policy to provide; and if it is nothing more than justice that you should look to the sanitary condition of those you bring around you. It is all very well for him and me, who can ride and drive through the city and into the suburbs, but the mass of people are poor; and when they do get into the suburbs, at every green field they see stuck up the sign, "This is private property; trespassers will be prosecuted according to law." It is our duty to make provision for this class of people who cannot afford to indulge in the luxury of a carriage. It is n't necessary, Mr. Chairman, to go through this labyrinth of

gloom which the Alderman presents. It is n't necessary, I am glad to hear him say, that Boston is so highly respected abroad. She has never had any trouble in getting credit abroad and never will have, provided she don't get up and say her credit is gone to the dogs. This order simply asks the Legislature to give the right to take or buy land for the purpose of a public park. It does n't require the expenditure of a single dollar, and I hope therefore we shall get a majority of the Board and that the order will be passed.

Alderman Emery—I move that when the question be taken it be by yeas and nays on the substitute. Carried.

Alderman Gaffield—This is an important question, and one on which able speeches have been made on both sides. I think the matter ought to lie over for a longer time, and I move it be laid upon the table.

The motion was carried.

BROADWAY BRIDGE.

On motion of Alderman Power, the orders to repair the draw and rebuild the foundations of the Broadway Bridge, and for a loan of \$114,000 to meet the expense thereof, and report of City Engineer on the subject (City Doc. No. 128), were taken from the table.

The question was on the passage of the orders.

Alderman Hulbert—I took some pains to get the opinion of the City Engineer, and I must say that from what I learned from him I have come to the conclusion that the plan proposed under the head of estimate No. 3 would accomplish everything that was desired. The only questions are durability and the cost of the iron piles. There seems to be no objection to this form of structure. These piles are the same as the old ones; they are simply for guiding and moving the draw, and there is that much less room displaced in the channel; besides saving fifty per cent. expense. I fail to see the necessity of going to this extra expense of \$36,000 or \$40,000.

Alderman Stebbins—I have not conferred with the City Engineer, but have carefully read the report as printed and have arrived at the same opinion as the Alderman from the Highlands. I therefore move as an amendment to strike out the words "\$114,000" and insert "\$78,000."

Alderman Power—I hope the motion will not prevail. If we are to have an engineer the only true policy is to follow his advice, unless we wish to be subject to this continual breaking down. Nobody can doubt that the plan marked 5 is the best, and will make the bridge as sure as can be. Nobody knows when these piles will give way. No man will dispute this. If you don't want to get into trouble I advise you to adopt the plan No. 5. Any man who knows anything of the wear and tear of iron, knows that it must give way sooner or later. The piles kept settling all the time, and it is likely to continue, and nobody doubts that they will have to be replaced in a short time. It is n't good policy for the city to be left in that predicament. This solid stone structure is just as sure a thing as can be built in the world, and it is the only safe, economical plan for the city to adopt. The City Engineer says it is the best.

Alderman Stebbins—I would ask if the Harbor Commissioners have been consulted, and whether they have any objection to these stone piers going there?

Alderman Power—It is not to be presumed that anything will be done without consulting the Harbor Commissioners.

Alderman Hulbert—I hope it may lie over. I asked the City Engineer a great many questions and concluded that the plan expending \$78,000 is the best.

On motion of Alderman Power a recess of five minutes was taken to allow members to inspect the various plans.

On the reassembling of the Board Alderman Power said. The Committee on Bridges are unanimously in favor of adopting this plan; they feel the heavy responsibility on them, and if anything should happen they would be to blame. The draw is liable to tumble over when it is open. Dover-street Bridge is out of repair and closed, and if it should be necessary to close this one you see the predicament people getting to and from South Boston are in.

Alderman Gibson—I don't think the delay of a week would make any great difference. Dover-street Bridge will be done next week.

The Chairman stated that this order would have to go to the Council, and according to their rule it would have to lie over there a week. The danger is from settling back to the columns while they are rolling the bridge on and off. When the bridge is on and people are passing over it is perfectly safe.

Alderman Power—There is no danger except where the draw is turned off, but the bridge has been in a dangerous position all the year. And the committee have been perplexed at the large expense that in their judgment ought to be incurred; they have concluded

that it is n't for the best interest of the City of Boston to throw away money to make repairs on it.

Alderman Stebbins—If I vote today I shall vote for estimate No. 3, because I think it is the best. Perhaps after waiting a week, my opinion might change. After the first of December very few vessels pass Fort Point Channel. I know that from experience, having done business there many years. No matter whether you pass this order or not, nothing will be done till spring.

Alderman Emery—I think we have an able Committee on Bridges; they favor this plan unanimously, and I hope we shall pass this matter this evening, and adopt the committee's report.

Alderman Clark—I go for the best bridge, provided it will not interfere with the harbor; and I don't understand that the Harbor Commissioners have been consulted in regard to the filling up of the channel. If I vote tonight I shall vote ignorantly, so far as any knowledge is obtained outside of the Committee.

Alderman Gibson—If this channel is to be open for all time I go for the largest expenditure, but if it is to be kept open for only fifteen or twenty years, I shall go in for a smaller expense. It is my opinion that in thirty years that whole channel will be filled.

Alderman Power—The committee and the City Engineer are unanims. I don't care what action is taken here, but I want some action taken so that we can get the matters off our shoulders.

Alderman Gibson in the chair.

Alderman Cutter—I have the honor to be the chairman of the Committee on Bridges, and perhaps it is as well for me to make a statement. This bridge has been an eyesore to me. I have tried to get up a plan to save that bridge without spending too much money. If you are going to build it for only twenty years, it is best to take a cheap structure. The Engineer says now is the best time to do the work, while vessels are not passing through there in large numbers.

Alderman Hulbert—It seems to me that we should know what the opinion of the Harbor Commissioners is in regard to the displacing of so large an area. It seems to me that two objects can be obtained by a delay of one week. We can learn what is the best plan and what is the opinion of the Harbor Commissioners.

Alderman Cutter—I had the honor to build the draw of Federal-street Bridge. We got up a plan satisfactory to the Harbor Commissioners, and went on to let the draw job out. Just as we got it let out the Commissioners vetoed us and were determined to have us build another structure—up in the air, like the Broadway Bridge. We had to go before the Legislative Committee and represent to them that it was unfit for heavy teams and horse cars; and so they agreed to our plan, if we would put in the word "temporary." So Federal-street Bridge is a "temporary structure." You want to show them what you want and satisfy them of its utility.

Alderman Power—I don't think there will be very much objection from the Harbor Commissioners. I don't see what objections they can possibly make.

Alderman Hulbert—It seems to me best to delay a few days and get the opinion of the Harbor Commissioners.

Alderman Gibson—This thing is the biggest elephant in Boston. Within four years the whole bridge has been rebuilt from the abutments; the draw has never been true. It is liable to go down at any time.

Alderman Power—If gentlemen have confidence in the committee they will not question the fact that the plan adopted is the best. Of course, if we can't get permission it will perhaps have to go over to the next Government.

Alderman Gaffield—I was a member of the Government when the Broadway extension was urged. It was then said that it was for our advantage to use these piles, and it seems to me that three years have fulfilled the prediction. I think we should adopt the plan recommended by the committee.

Alderman Clark—For the reasons given by the committee, I shall favor the adoption of the plan unanimously recommended by them. I would ask the gentleman from Ward 1 whether he was in the City Government when this project was adopted?

Alderman Gibson—I was not; and if I had been I would have labored to defeat this project. It has cost us \$14,000 a year every year since.

Alderman Gaffield—I wish to state that the year I referred to it was defeated, and passed the year afterward.

The amendment was lost and the order was passed—yeas 11, nays 1—as follows:

Aldermen Bigelow, Brown, Clark, Cutter, Emery, Gaffield, Gibson, Power, Quincy, Sayward, Stebbins—11.

Nays—Alderman Hulbert—1.

On motion of Alderman Stebbins, the Board adjourned to Tuesday, December 9, at four o'clock P. M.

CITY OF BOSTON.

Proceedings of the Common Council,
DECEMBER 4, 1873.

The regular weekly meeting of the Common Council was held at half-past seven o'clock P. M., E. O. Shepard, President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Report of the City Clerk placed on file.

Petitions of George B. Upton, of the town of Wintrop and others, referred in concurrence.

The following papers received concurrent action:

Report and order authorizing a permit to be issued to Rueter & Alley to erect a wooden building. Order passed.

Reference to Committee on Finance of a request of the Committee on Public Buildings for an additional appropriation of \$25,000.

Order requesting Committee on Public Institutions to report on Home for the Poor, etc., at next meeting of Common Council, amended by inserting Board of Aldermen.

The following were read once:

Order to abate from the tax on Allen & Noble's estate on Devonshire street the sum of \$204 75.

Report and order authorizing the removal of the Old Mather Schoolhouse to the city lot, Highland street.

Report and order for a transfer of \$1000 from Reserved Fund to appropriation for Quarantine Department.

The order authorizing the rebuilding of the draw and foundations of Broadway Bridge, over Fort Point Channel, at an estimated cost of \$114,000, and for a loan therefor, were considered.

Mr. Perkins of Ward 6—It strikes me that this is precisely a similar case to that of the Dartmouth-street bridge which the Council referred to the Committee on Streets. It is an application from the Board of Aldermen for an appropriation for \$114,000 to be spent by one of their committees. It strikes me that it needs further investigation and it would be proper to be referred to the Joint Committee on Streets.

The motion was carried.

Mr. Dean of Ward 12—As it is a matter of very great importance I would like to move that the committee report at the next meeting. Of course it ought to be investigated, but it is getting to be late in the season and action should not be deferred.

The Chair—It would be necessary to reconsider the last vote to make such an amendment.

Mr. Perkins of Ward 6—I can assure the gentleman that the committee will consider it first.

UNFINISHED BUSINESS.

Report and order to refund to Henry T. Woods \$100 67, being tax erroneously assessed in 1872, and paid upon estate 1086 Shawmut avenue. Passed.

Report and order (new draught) to provide temporary accommodations for the primary-school pupils living between Arlington and Parker streets. Passed.

Report and order to provide temporary accommodations for primary schools, Lewis District. Passed.

Report and order to provide temporary accommodations for primary schools in vicinity of Norfolk street, Ward 16. Passed.

Order that an additional appropriation of \$225 be made to cover the expense of watering streets around the public grounds. Passed.

A PERSONAL EXPLANATION.

Mr. Shaw of Ward 5—I believe it is always in order for a member of the City Council to rise to a question of personal privilege. That is my object at this moment. I have read in the official report of the doings of the Board of Aldermen on the 1st instant, as follows:

[Mr. Shaw read the remarks of Alderman Hulbert during the consideration of the order for improving Washington park.]

Mr. Shaw—Well, sir, I am the gentleman referred to, and in order that I shall not be misunderstood—for I never undertook, in my life, except in the few remarks which I made at the opening of the Council, to put my remarks on paper—and that nobody may be libelled, I have written down what I have to say. Now, sir, I have nothing to take back, nothing to retract; but, on the contrary, as the gentleman has so emphatically called attention to my remarks, and so *sanctimoniously* said they are "entirely false," I wish to state something concerning it. Perhaps he may, upon reflection, conclude that it is best to let well enough alone; for I have taken pains to obtain a few figures and a few more facts, and he possibly may find his pert allusion to me (in his anti-park speech) as the "statistician of the Council" may "contain more truth than poetry."

The Alderman says, very plausibly, "I don't live facing the park, but I do live in sight of it." His house, by measurement, is less than 400 feet from the park. Why did n't he add the *whole truth* and say "I own in addition to my house lot about 300,000 feet, or nearly *seven acres*, almost the whole of which is directly in front of this park, through a portion of which I have had a street laid out so as to bring it into the market, making his whole territory there about *eight acres*." "Figures don't lie." I hold in my hand a plan of the entire district standing in the gentleman's name, with the number of feet to each lot. In what I had to say in my former allusion to him I cast no reflections on him as an individual or as a property holder near Washington park, my remarks being illustrative of a principle in which the whole public are concerned, as showing the narrow and selfish views of such as find themselves surrounded by all the luxuries with which God and nature have blessed them, and are so ready to deny to the less fortunate the enjoyment of such privileges. If the gentleman desires anything more, I can reinforce my statements in the same direction, for he may as well understand that I shall allow no man, however tall he may stand in his boots, to go unanswered when he charges me with making statements to this Council or elsewhere, which are "entirely false." But, sir, I may have said enough at the present moment to satisfy the Council at least that I have made no false statements, and I am ready to go before the public on that issue. And the gentleman may as well understand now as well as at any other time that I shall allow no man to go unanswered. This is a charge made by a member of the City Council, and I am a member of the City Council and have a right to rise in my place when an attack is made upon me, when I rise here and state facts. With the condition of the Council, anxious for adjournment, I shall go no farther, but I shall wish it to be distinctly understood that, however sanctimonious and however much a man may be a church member, I care not for his character, nor his command of the property which he owns nor his position in society; I shall stand up here and defend myself. And when I make a proposition here for the benefit of the public, in my judgment, at least, I shall endeavor to reinforce it with all the facts and statements and arguments with which God has endowed me. Now, sir, I am ready to say to you and my friends in the City Council, and to the gentlemen who belong to the City Government of Boston, that I don't come here to raise my voice in favor of any project which directly affects me. I have never charged that the gentleman has raised his voice directly in favor of any project that affects him, but I reiterate the statement I have made, and hope it will echo through these halls, that it is very inconsistent for any gentleman, who has been placed as he has, with all the beauties of a public park around him, to rise in his place and make such statements as he has made. When that gentleman can put his finger upon one single point in which I have diverged from the public interest, then he may chastise me and criticise me in a lengthy speech which he may make on this project, or any other. I beg pardon of the Council for taking so much time. When the matter of a public park comes before the Council again I shall be prepared to meet his argument and I shall endeavor to show that the statements which he made are perfectly illusive, and, as has been remarked in the other branch, if anything tends to ruin the credit of the city of Boston, it is the remarks of that gentleman. He is a business man and should know better. He should know that every word of his is recorded; that it goes across the continent and to Europe, and directly affects every attempt of the city of Boston to negotiate a loan. At a future time I shall endeavor to answer the argument of the gentleman upon the public park question.

Mr. Perkins of Ward 6—I don't know that I am in order, but I should like to say one word. The gentleman from Ward 5 has risen—

The Chair—The gentleman is out of order.

Mr. Perkins—I did n't know but I might be allowed to speak by unanimous consent.

Mr. Shaw of Ward 5—I shall beg leave to reply to the gentleman if he speaks.

The Chair—That is precisely the difficulty of allowing one gentleman to speak out of order; another will wish to reply.

Mr. Perkins—If the gentleman proposes to choke me off—

Mr. Shaw— I proposed to choke nobody off. If the gentleman is allowed to speak, I shall claim the privilege of answering him.

PETITIONS.

Mr. Pease of Ward 1 presented the petition of the town of Wintrop in regard to the matter of annex-

ation to the city of Boston, and asking for a hearing.

On motion of Mr. Pease, the petition was referred to the Committee on Legislative Affairs:

Mr. Upham of Ward 16 presented the petition of A. T. Stearns for permission to erect a building larger than the legal dimensions.

On motion of Mr. Upham, the petition was referred to the Committee on Survey and Inspection of Buildings.

REPORTS OF COMMITTEES.

Mr. Flynn of Ward 7, from the Joint Committee on Streets, to whom were referred the resolves and orders of the Board of Street Commissioners for the laying out of Magazine street at an expense of \$24,015 95, for the extension of Quincy place to Pearl place at an expense of \$12,784, and for the extension of Eustis street to Magazine street at an expense of \$11,640 70, presented reports recommending the passage of the several orders in concurrence with the Board of Street Commissioners.

The orders were severally read once.

Mr. Flynn of Ward 7, from the Joint Committee on Streets, to whom was referred an order to authorize the Mayor to convey a portion of Sturgis street, discontinued, to the heirs of W. H. Bordman, submitted a report recommending the passage of the order.

The order was passed to a second reading, and laid over under the rules.

Mr. Bicknell of Ward 4, from the Committee on Public Buildings, to whom was referred the petition of W. H. Baldwin, *et al.*, in reference to a new ward room in Ward 10, submitted a report representing that the present ward room is equal in accommodation to the other wards in the city, and the committee deem it sufficient for the citizens of the ward for two years to come, when a new division of the wards will take place, and the location of the ward rooms be changed. The committee believe that further action on the petition is at present inexpedient.

The report was accepted.

Mr. Bicknell of Ward 4, from the same committee, submitted a report recommending that the petition of F. P. Meigs, in reference to the proposed introduction of certain school desks and seats into the public schools, be referred to the Committee on Public Instruction.

The report was accepted and the petition referred as recommended.

Mr. Loring of Ward 12, from the Committee on Public Institutions, to whom was referred the communication from a Committee of the Grand Jury of Suffolk County, in relation to religious instruction in the institutions under the management or control of the city, submitted a report recommending that the subject be referred to the Directors of Public Institutions, with a request that they will consider the matter and report to the City Council on or before the 15th inst., their opinion as to the propriety of changing the present rules of the institutions providing for moral and religious instruction.

The report was accepted and the reference ordered as recommended.

LEGISLATIVE MATTERS.

The report of the proceedings of the Committee on Legislative Matters (City Doc. No. 129) came down among the papers from the Board of Aldermen, and came up for consideration.

Mr. Shaw of Ward 5—Mr. President, I desire to have that matter lie upon the table, because I wish to make some comments on that report, and state some facts which are not stated in that report. I move that the report lie upon the table.

The motion was carried. Later in the session Mr. Dean of Ward 12 said—

Mr. President—I desire to move that the report of the Committee on Legislative Affairs, or what purports to be the report of that committee, be taken from the table. I do this for the purpose of moving that it be recommitted to the committee. The report, since it has been written, has never been considered by the committee, and there are many things in it which are erroneous. I therefore move to take it from the table.

Carried.

Mr. Dean of Ward 12—I move that it be recommitted to the Committee on Legislative Matters.

Mr. Perkins of Ward 6—I shall not oppose the motion, but I would remind the gentleman that it was on his motion that the chairman was authorized to make the report.

Mr. Dean of Ward 12—That is entirely true, but the gentleman does not state it exactly as it was understood by the committee. The gentleman from Ward 3 made the motion that the committee report in print, and that matter was considered in the committee. My motion was that the chairman should prepare the report, but I did not mean that the chairman should present the report to the City Council, but that he should submit the report to the com-

mittee, and that then it should be presented to the City Government. One great trouble of this City Government is that chairmen of the joint standing committees, especially the chairman on the part of the Board of Aldermen, think they can pocket the entire committee, and they go on as they please, even sometimes treating the committee with discourtesy, as, for instance, a gentleman making a report to the Board upon a matter that I, as a member of the committee, was interested in, when I knew nothing about the report. It is a thing that would not be tolerated in any legislative body. Now the chairman of the committee was to prepare this report, but it was understood that the report should be submitted to the committee, otherwise it is not a report of the committee.

Mr. Shaw of Ward 5—I am glad to hear the statement of the gentleman, for it is in accordance with statements I have made with regard to the arbitrary manner in which chairmen of committees have acted. I stated a few evenings since, in regard to the committee upon which, Mr. President, I had the honor to be appointed by you, that the vote authorizing chairmen to approve bills met my disapproval. In regard to this report of the Committee on Legislative Matters (City Document No. 129), it is one of the most fulsome documents I ever read in behalf of a certain gentleman; and I think that before I sit down, if it will be in order, I shall move to amend its title; I may or may not conclude to do so. In the first place I notice that it contains an entirely gross misstatement. I know what I say, and am responsible for what I say. I call attention to the ninth page of this document, in the matter referring to Berkeley street, which this report says is "one of the most important matters," etc. Without reading the whole, I will give one extract:

"In this connection the committee will state that at one of said hearings objection was made by a member of the lower branch of the City Council to the chairman's assuming to appear in behalf of the city, without special instructions in the case from the City Government."

Mr. Shaw—This is the "lower branch"—we are the "lower branch"—we are the "lower branch"—we are the "lower branch"—perhaps you may not be aware of it—this is the lower branch. I did make that proposition, Mr. President, and was sustained by a large majority of the committee on the ground I took, and I shall be sustained here tonight by one of them at least, if not by others. The position which I took before the committee was the correct one. It was that the chairman of said committee had not the right to appear before the committee of the Legislature and assume to pledge the city of Boston to any one particular act or measure without a vote of the City Council, and I reiterate and repeat that statement here which I believe is absolutely true, and in which I am sustained by every gentleman who understands parliamentary usages. The report also says:—

"The Judiciary Committee, however, overruled said objection on the ground that the authority given by the joint rule was general, 'unless otherwise ordered,' and not confined to cases of special instructions."

Now, Mr. President, this is n't true. I have had some little experience in the Legislature and some experience before legislative committees. I rose as I had a right to do, as a citizen of Boston, as a member of the City Government, and did object to the statement which the chairman of this Legislative Committee made, which was that the city of Boston was bound to do so and so, and that the City Government were found to sustain such and such action. I stated there unqualifiedly that no vote had passed the City Council authorizing such a statement to be made, or such action to be taken. The chairman of that committee, on which there were other most respectable lawyers, said that my statements as a member of the City Council would be taken with as much force as those of a member of the committee. So much for that. "Member of the lower branch"

Now, again, on the tenth page, with regard to "Commission on Drainage and Water Supply." And here let me remind the Council that this question on the drainage and water supply has been before the Legislature before, when I had the honor to be a member in 1872, and to which bill I was enabled to add an amendment that the commission should not be appointed except by a vote of the City Council; and that bill provided that an area within ten miles, more or less, from this building should be surveyed, or rather that a commission should be appointed by the State for the purpose of surveying for a water supply and for the laying out of streets in those towns adjacent to Boston or within ten miles of it. That matter was brought, about one year ago, to the attention of this Council, and it was rejected by an

almost unanimous vote. What then occurred? Why, sir, the application is made to the Great and General Court for a modified plan, but of the same character; modified in this, that the expense of the same should be assessed equitably upon the cities and towns benefited thereby. In that plausible shape it went before an eminently respectable committee of the Legislature. The gentleman says, "Hon. William Gray" and "the chairman of this committee" went before said committee—of which I have something to say afterwards. The hearing went on, and Hon. Mr. Gray made his statement, and he was supported and supplemented by Hon. Mr. Quincy and several legal gentlemen, as for instance, Hon. H. G. Parker, city solicitor of Cambridge, and by that eminent lawyer of Cambridge, Hon. Mr. Muzzey, and by the City Solicitor of Somerville, and the representatives of the town of Newton, and some other towns adjacent to the city of Boston, and on humble individual who has now the honor to address you, rose and protested against such action. Of course that committee, some of them being acquainted with me, and with whom I had previously the honor to serve in the Legislature, were somewhat surprised that I should have the courage to appear there and raise my feeble voice on a constitutional question—for that is what I spoke upon. In answer to the question on which side I appeared, I declined to state unless they agreed to give me a full and square hearing, and they concluded to give me further time and I appeared. I then told them that I believed no such proposition as they made was constitutional; that I did not believe it was the right of the Legislature to pass any such bill, and most certainly if they passed it the Executive would not approve it. I stated my grounds and will state them now, that no Legislature had the right to assess for the purposes named therein, the cost of grading and improving the streets of Medford or any other town upon the city of Boston.

I submit now if this was not sound doctrine. Some laughed at me for the proposition, but I had the honor to receive from Hon. Mr. Muzzey, whom I believe to be an able lawyer, this compliment. He said, "Mr. Shaw, I am opposed to you, as I appear in behalf of the city of Cambridge; but you have made a very sound, legal, constitutional argument." Of course my friend from Ward 6 laughs; *let him laugh*. What was the result? The bill was reported to the House of Representatives, where it passed with only a feeble protest from some of the city members. But when it reached the Senate, some of the legal gentlemen there began to look into it. They found the same difficulty that I had found. They called the attention of Hon. Charles R. Train, Attorney-General of the Commonwealth, to it and asked him if that bill could not be amended. What was his reply? It was, "No, gentlemen, you can't amend an unconstitutional law," and the bill went to the dogs. So much for that. Now, sir, I ask why in the name of common sense, justice and decency, why this honorable chairman of this committee should not have reported the facts in this case instead of saying "member of the lower branch"? I admit I am a "member of the lower branch;" I am not a member of the "higher branch," and never expect to be, and don't expect to be a member of the "lower branch" after this year. Again, why could not the facts have been stated without a slur upon that humble member of the "lower branch"? I am very much surprised at the statements of this document. On the first page of the report that the gentleman signs it says "at the first meeting of the committee a vote was passed authorizing the chairman," etc.—"the chairman," etc. I find "chairman" down three or four times on that page, and I go on, and pages 4, 5, 6, 7, 8, 9, 10 and 12, I find, with scarcely a reference to the committee, that the "chairman" quotes himself nineteen times. Well, sir, I suppose that is a matter of taste, but this is very bad taste, in my judgment. I have thought, when I see reports come in here from the committees of the City Government, that they came with the sanction of the members of the committees. I have taken it for granted that that was the case with this one, but when I asked members of this committee if they are responsible for this report, they say they are not. I don't intend to criticise any one, but I do say that when a chairman undertakes to make a report it should be taken before the committee to receive their sanction before it is submitted to the City Council. It looks to me like an attempt on the part of the gentleman who signs this document to blow his own bugle. That is not in accordance with the rules of etiquette, and especially when I find misstatements in the document. I wish therefore that this matter may go before the committee, as my honorable friend has proposed, and that it shall be investigated and criticised and a proper re-

port giving these facts shall be made, so that the City Council shall understand what have been the doings of their committee before the Legislature, especially in view of the fact that we shall soon have a new Legislature coming into the State House, and that new propositions have been made to be reported to the Legislature. It seems to me it will be the duty of any future committee to keep a proper record of their measures as they bring them before the Legislature, so that this Council shall know what action they take. Now, sir, I forgot to state one considerable objection, and an important one, in my mind, in regard to the passage of this order, which is this: It was stated in the House, when I was a member, in 1872, what would be the probable expense to the city of this Commission on Water Supply and Drainage. It was to consist of three civil engineers—somewhat expensive gentlemen. My proposition was that if the city of Boston needed any survey, she could do it with her own material and her own men, and she needed no commission appointed by the State to attend to her business while she had a competent Civil Engineer, a Surveyor and a Superintendent of Sewers and Drains; that it was not for the interest of the taxpayers of the city of Boston to go into an expenditure which at the lowest estimate was a quarter of a million of dollars, and that nine-tenths of this expense would come upon her. The city of Boston is capable of doing her own surveying. If that is not a financial reason, I don't know what financial reasons are. The ground which I took was that the Legislature could not assess the city of Boston for any such purpose, and if it did there was no power in the land that could collect such an assessment.

Mr. Perkins of Ward 6—I don't desire to discuss the sagacity of the gentleman from Ward 5 on constitutional questions. It is generally understood that the Committee on Legislative matters is a one-man committee, and always has been since it has existed. I think that two years ago, when the late Mayor was chairman of the Committee on Legislative Matters, he was the only member of the committee who appeared before the Legislature. I believe it was customary for the City Solicitor to act with the chairman. Last year it was found most convenient for the chairman of the committee. I asked a member of the committee at that time if he had much to do, and he said no, all he had done during the year was to go over to Young's once. This year it was suggested and agreed that inasmuch as the committee often took action on matters in which both branches were interested, a member of the committee on the part of the Common Council should act also. It was not convenient for the chairman of the committee on the part of the Council to act, and the duty devolved upon me. I did not attend very frequently; the chairman did attend to his duties very faithfully. I attended one hearing, at which I saw the gentleman, as he states. He has impugned the courtesy of the chairman. I cannot say whether the statement on page 9 is correct or not, but as to the statement on page 11, I can say that the remark is strictly true in every particular. The gentleman from Ward 5 did appear before the committee in question. After the Chairman of the Committee on Legislative Affairs had appeared for the city, the gentleman from Ward 5 got up and opposed the proposition in hand. The chairman of the committee before which the hearing was in progress, Senator Larnard of Pittsfield, told him he could not be heard as a representative of the city. The gentleman said he claimed to be a representative of the Common Council of Boston—

Mr. Shaw of Ward 5—No, sir.

Mr. Perkins of Ward 6—As a member of the Common Council then. The chairman said, "The city of Boston is represented by an Alderman, you cannot be heard as a representative of the city." This is the statement which, I say, is correct. Of course, the gentleman has his own opinion as to that, but I think that when a statement is denied, I may be allowed to state that it is correct. In regard to the other matter, I think the chairman was authorized to make the report, but of course, if the gentleman desires to have the report go to the committee again, I shall not object. I believe the report is perfectly accurate, and when the charge of egotism is made against the chairman, it should be remembered that he was the only member of the committee who did the work, and I don't see why he should not say so. He was authorized by the committee to make the report, and having done so he is now charged with blowing his own trumpet. The chairman of the committee had nothing to do with having this report come in. The truth may as well be told: the order was offered by the gentleman from Ward 3, and might have been written by some one

outside of the City Council, perhaps a member of last year's Council; I don't know. When the matter came up in the committee, Alderman Quincy stated that he had not preserved the records of his appearances before the legislative committees, because the committee had never before been required to report in print, and he would have to hunt it up. Then it was suggested that he see what sort of a report he could get up, and, as I understand it, present it. I wish to defend the gentleman from the charge of inaccuracy.

Mr. Shaw of Ward 5—I will correct that statement. When the gentleman was present at that one time, Senator Learnard was in the chair. The statement I made was that I appeared as a citizen of Boston and not as a member of the City Government. Senator Learnard then said, "Mr. Shaw, are you in favor or opposed to the proposition?" I replied, "I do not desire to state whether I am in favor or opposed now. Senator Learnard was called away by sickness in his family and did not appear again during the whole session. A gentleman from Cambridge took the chair and notified me of a hearing they were to have, and invited me to appear before them, and I did make the statement which I have made here, in the presence of the legal talent there assembled. They did hear me and seemed to listen with some attention to the points which I made. That is the whole history of the case. The gentleman was present only once, and that was the time when I said I would not state on which side I appeared, but would state my points at a future hearing, and when I was called at a future hearing, I stated that I had come to do so, and to oppose the passage of the bill; and I am exceedingly gratified at my success in saving so large an amount of money to the city of Boston."

Mr. Perkins of Ward 6—I don't see that we disagree at all. My statement was that the chairman's statement is correct, and that he had a right, under the joint rule, to appear before the Legislative Committee on behalf of the city. I remember the time that the gentleman alludes to. They intended to hear all those in favor first and the remonstrants afterward. The point is that he was not properly recognized as a representative of the city, and did not appear authorized by the city.

Mr. Dean of Ward 12—Nothing of course is more unpleasant than to spend time in personal matters. Certainly if this report were the only thing that had come to my attention—if there had been nothing more than a proper disregard of the duties of committees—I should let the matter pass without saying a word. Now with regard to the most of what is contained in this report, I don't know as much as the gentleman from Ward 5 or Ward 6. I noticed in the paragraph at the top of the fourth page what seems to me to be an important error, and that is in relation to appearing before the Committee on Public Charitable Institutions in regard to the support of lunatics and the carrying of that committee to the lunatic asylum and ending in the location of a new lunatic hospital. Certainly the gentleman from Ward 6 and myself acted throughout the entire matter, both in the hearings before the committee and in going to South Boston with the legislative committee, and we had the able assistance there and at the Legislature, of my colleague from Ward 12, Mr. Loring. We both felt a deep interest in this; the whole committee acted, and a majority did act, and yet the report says, "The committee, by their chairman, approved and advocated," etc., and "besides taking the committee," etc. Now that is a matter in which the whole committee took a deep interest, myself particularly, and in which we were aided by my colleague, Mr. Loring. The other thing which I speak of is of as much importance as anything else, and I may say I feel as guilty as any one else. The report says, "At the first meeting of the committee a vote was passed authorizing the chairman and Councilman Perkins to appear in behalf of the committee before any and all legislative committees in support of the interests of the city, according to the authority conferred by the joint rule of the City Council."

Now, then, Mr. President, that had been practised up to this year. Being a few minutes late at the committee meeting on my arrival, I was informed of the passage of the vote. I didn't undertake to make any motion to reconsider, but I did make such observations in regard to it, which ended in the understanding and was distinctly talked of, that the chairman should appear in regard to the multitude of matters that were talked of, that did not involve the passing of our judgment upon—for instance, the form of bills, the looking over hills, in order to see that the city's interests were not in jeopardy. But it was not understood in regard to important matters, and I don't mean to say it is not formally so, for, if you get the record, you

will find it so stated. I don't mean to say that the chairman has stated what is untrue, or neglected to give anybody else credit for action; he has done so much himself that in writing the report he would naturally say so. The thing I do object to is that everything was "delegated." Now I don't believe that we as a legislative committee have the right to delegate to the chairman all of those powers. There are a great many that we could delegate with safety, and all of those were talked over. Now I suppose that if the idea had occurred to him he would not have done it. I don't mean to say that the chairman would not feel that he was authorized by the vote of the committee to make this report. The motion was that he should prepare the report. It was not my idea from the very character of the business that was to enter into it. I should suppose that from the character of the business, if it was to be sanctioned by the committee it should be referred to them. I do not undertake to say for a moment that the chairman of the committee has done more than he thought the vote of the committee authorized him to do, but it is a bad practice, and it seems to me to be growing, for the chairmen of the committees to take everything into their own hands without sufficient regard to the other members of the committees. I should like to see the rules of this City Council materially altered. A matter may be originated in this branch and may here have its most earnest supporters, and yet the chairman of the committee on the part of the Board of Aldermen signs and presents the report. Now the better way is to make all the members of a committee make reports. The chairman of a legislative committee, when there are half-a-dozen reports to make, would scatter them among the members of the committee, and a chairman who would not do so would be considered derelict in his duty, and would have the matter taken out of his hands by vote of the committee. Now, here the Clerk of Committees is left to prepare reports, the chairman on the part of the Board of Aldermen presents them, and the other members do not completely understand matters before them. Very many times, when the gentleman from Ward 5 has asked for an explanation, no member of the committee could make a response. If this practice of joint committees is to be kept up, I should be in favor of separating those committees, having, for instance, a Committee on Ordinances on the part of the Common Council, or any other committee, so that when matters come here they may be investigated by our own committee. In the Legislature, it is very convenient to have joint committees. Great expense and trouble may thus be saved, but they have a Judiciary Committee of the House and of the Senate. This system, it seems to me, has been pushed too far. I hope that this report will be recommitted to the committee, though it is of less importance now that this discussion has taken place.

Mr. Perkins of Ward 6—I think the gentleman from Ward 12 has made some very important suggestions, particularly in regard to the leaving of reports in the hands of the chairmen of committees, the other members never knowing anything of them until they come into their hands. The gentleman so abused this evening has labored zealously this year. He has written his own reports and gone out of the usual ruts, and you will find an individuality in them. I hope the gentlemen who come here next year will imitate his example in this respect. I think the gentleman will admit that the committee authorized the chairman to make the report. When I understand that a chairman is to make a report it is that he shall present it. The gentleman has done me the honor to state with his usual—I don't recollect his words, though it was complimentary. He now admits that my statement was certainly correct in regard to that vote in the Committee on Legislative Matters, but he states that there was some conversation afterwards. Now, we will all be justified after eleven months in taking the record of the committee rather than any desultory conversation. I think the committee records will show that Alderman Quincy is perfectly correct.

Mr. Dean of Ward 12—I don't wish to be misunderstood; it was not a desultory conversation. Arriving in the committee room late, I understand that a certain vote has been passed, what should I do? Shall I move to reconsider? I suppose not. The question is, what is meant by that vote? It is that upon every matter arising on which men may differ, you are to consult the rest of the committee, and it was distinctly understood that that was to be the case.

The question on recommmitting was then put, and the motion was passed.

On motion of Mr. Perkins of Ward 6, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

DECEMBER 9, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M. today, Alderman Cutter, Chairman, presiding.

EXECUTIVE APPOINTMENTS CONFIRMED.

Special Police—J. Theodore Garney, Taher street and its vicinity; Frederick C. Gohring, Baptist Beuel Church.

ORDERS OF NOTICE.

The hearings on the orders of notice of intended removal of an elm tree from the roadway of St. James street and nine elm trees from the roadway of Neponset avenue, were postponed to Monday next, on motion of Alderman Power, and specially assigned for consideration then.

The order of notice for intended removal of four elm trees from the roadway of Park street, Ward 16, was considered.

Alderman Power—Gentlemen who are residents of Ward 16 expected to be present at this hearing have been unable to attend, and they have also requested me to move that this order be specially assigned for Monday next.

Alderman Clark—There are four or five parties here present, and unless they ask for a postponement I shall move that they be heard.

On motion of Alderman Power, it was voted to give the petitioners a hearing.

Mr. John C. Lindsley said the trees had been in the street thirty-five years to his knowledge; they are pretty trees and no accident has ever occurred from them. Every citizen in the vicinity objects to their being removed.

Alderman Stebbins—How far are they from the sidewalk?

Mr. Lindsley—They are near the centre of the street.

Alderman Stebbins—I suppose that you know the city is liable in case of accident.

Mr. Lindsley—They stand in the centre of the street and there is ample roadway on each side.

Alderman Stebbins—How wide is the roadway?

Mr. Lindsley—Thirty-five feet.

Alderman Power—Have the trees ever been the cause of any accident, to your knowledge?

Mr. Lindsley—No, sir.

Mr. Henry Reed—In making this remonstrance against the removal of these trees I have been reluctant to say anything, as they are directly opposite my house and it might appear that I was more interested than anybody else. I have taken pains to ascertain the wishes of the people in that square and find that they wish those trees to remain there. There is room for two carriages to pass on the left side and room for one on the other. There seems to be no reason for any accident to occur. This complaint comes from the captain of the police station, who has passed in this paper to Mr. Harris, who is opposed to having the trees removed, and gave me authority to say that he did not think their removal necessary. The trees are an ornament, and if taken away from the square all its beauty as a place of residence is gone. I don't offer the remonstrance simply because they are in front of my residence. There is an ample driveway and no reason for any accident to occur.

Mr. Whall—I heard that the trees were to be cut down, or that there was a petition to that effect. I have been a resident of Dorchester thirty-five years, and felt it to be my duty to come and remonstrate against it. There is no reason for it. There is sufficient room on both sides for any team to drive through. It is a pity and a shame to have those trees removed. They are the beauty of the square. If there was any necessity for having them removed I should say, "Amen, take them down;" and if it is necessary I can get witnesses; the whole neighborhood of Harrison Square would come up and remonstrate against it. I can't see why the Captain of Police should present this petition for it.

On motion of Alderman Sayward, the petition was recommitted to the Committee on Paving.

The orders of notice for a hearing on the proposed removal of one tree on the northeast side of Mercer street, thirty-five feet south from Dorchester street, being under consideration, Alderman Gibson moved that it be specially assigned for Monday next.

Alderman Power—I believe that if those trees are to be cut down generally, it would be better to recommit the petition to the Committee on Paving.

Alderman Gibson—I have no objection to that. It does seem to me that the parties ought to be heard.

The Chairman—All the parties in interest have had notice of the hearing served on them.

The motion to recommit was carried.

PETITIONS PRESENTED AND REFERRED.

To the Committee on Steam Engines. Curley & Lennon, to set up and use a small smelting furnace at 4 Province court.

To the Committee on Licenses. W. R. Mitchell for an auctioneer's license at 148 Hanover street.

To the Committee on Paving. A. M. Boole, to be paid for grade damages at 137 Prescott street.

To the Committee on Sewers. Samuel Macintire, for delay in enforcing payment of assessments of cost of sewer in Brook avenue.

Jacob Symonds, for abatement of sewer tax on Beacon street.

Richard Justice, for abatement of sewer assessment.

To the Committee on Legislative Affairs. Notice of proposed petition of the city of Somerville for annexation to Boston.

To the Committee on Health on the Part of the Board. A. F. Neale and several hundred others, against the stable of Brigham's heirs on Washington street.

D. W. Lewis, to occupy a wooden stable for one horse on Station street.

H. Gihlin, to erect brick stable for one horse on C street, near Sixth street.

G. O. Hovey, against additional stalls in stable of H. J. G. Denney on Otter street.

William Dall and others, and Barnes & Buck and others, in favor of the erection of stable on land of William Brigham's heirs.

SEWER ASSESSMENTS.

Schedules of assessments for the construction of common sewers were submitted as follows by the Superintendent of Sewers: Moreland street—total, \$524 18; to individuals, \$393 14. Shawmut avenue, between Washington and Circuit streets—total, \$13,825 16; to individuals, \$4608 38. Sixth street, between O and P streets—total, \$737 80; to individuals, \$553 35. Westminster street—total, \$156 88; to individuals, \$78 44. Alpine street (to Circuit)—total, \$2405 89. Severally referred to the Committee on Sewers.

SIDEWALK ASSESSMENTS.

Schedules of sidewalk assessments were submitted by the Superintendent of Streets, as follows: Pleasant street, \$2728 05; Commercial street (Ward 16), \$1315 20; Broadway, \$3071 77; Columbus avenue, \$557 68; Chandler street, \$572 69; Woodbine street, \$1659 38; Stoughton street, \$5360 77; Norfolk street, \$211 56. Severally referred to the Committee on Paving.

CONSTABLES' BONDS.

The bonds of George M. Felch and Phineas Bates, constables, being duly certified by the treasurer, were approved by the Board.

REQUESTS FROM THE SCHOOL COMMITTEE.

Requests were received from the School Committee for such changes in the Girls' High Schoolhouse as will enable the pupils to study photography; that the yards of the Vernon-street Schoolhouse be paved; and for additional primary-school accommodations in the Sherwin District. Severally referred to the Committee on Public Instruction.

AUDITOR'S EXHIBIT.

The Auditor's monthly exhibit for November was submitted in print (City Document No. 132), and sent down. Following is a recapitulation of the expenditures for the month:

	Appropriations, Revenues, etc.	Expended.	Unexpended.
General.....	\$11,054,042 12	\$6,455,887 49	\$4,598,154 63
Special.....	9,297,060 86	4,835,101 89	4,461,958 97
	\$20,351,102 98	\$11,290,989 38	\$9,060,113 60

THE PUBLIC LIBRARY.

A request was received from the Trustees of the Public Library for an additional appropriation of \$11,650 to meet the expenses of the Public Library and its branches to the close of the city financial year. The estimates submitted are—Binding, \$1800; books, \$3650; catalogue, \$1000; fuel, \$500; furniture, \$250; gas, \$250; printing and stationery, \$2100; salaries, \$1000; transportation, \$800.

Referred to the Committee on Public Library.

THE PUBLIC PARK QUESTION.

A petition was received from Alpheus Hardy, Horatio Harris, and 130 others, asking that further action on the proposed public park be postponed. Read and sent down.

THE DORCHESTER MURDER.

Alderman Stebbins—Mr. Chairman, before proceeding to the regular business of the evening, I desire to offer an order relating to the mysterious murder committed in the Dorchester District on Friday evening last. The facts in the case are these: Bridget Landergerin, a faithful woman living for many years in the family of Mr. Shelton Barry on Bellevue street, while returning at about ten o'clock, from a visit made to some friends in the Highland District, and, when near Upham's Corner, was brutally murdered, her skull being fractured in many places, and her head and face bruised beyond recognition. The woman was evidently unaccompanied up to the time of the murder, relying, perhaps, for protection upon the good order which prevails in the community. The police authorities have made diligent investigations, but, thus far, have been unsuccessful in their efforts to secure the murderer. It has been thought desirable by many members of the City Council that the Mayor should be authorized to offer a reward for the detection of the criminal, and, if possible, remove this from the list—already too large—of mysterious murders committed in this city and its vicinity. Mr. Chairman, the frequency, during the past few years, of crime committed against persons and property in this part of the State should engage not only the earnest attention of the police authorities, but also of every thoughtful person interested in the detection and prevention of the violation of laws made for the protection of society. If the sum named in the order is not sufficiently large to secure the apprehension of the assassin, then let us double the amount, and secure at least one of the murderous villains who infest this city. We cannot restore the life of Bridget Landergerin—a poor woman, little known and with few friends—but the city of Boston, with its wealth and strong arm of power, can use every endeavor to secure the punishment of the criminal who took from this woman her life, which was as dear to her and her few friends as are the lives of those who are held in remembrance by the members of this board. Mr. Chairman, I offer the following order, and ask that it may take its several readings, this evening:

Ordered, That the Mayor be authorized to offer and pay a reward of \$1000 for the detection and apprehension of the person who murdered Bridget Landergerin, in the Sixteenth Ward of this city, on the 5th instant; said sum, if paid, to be charged to the appropriation for Incidentals.

Alderman Power—Mr. Chairman, I suppose it is hardly necessary for any gentleman in this Board to say anything on such a subject. It seems to me there can be but one opinion as regards what our duty in the premises should be, to show to the public our feelings, and let it be known that we are determined that we will do our utmost to bring these villains to justice. I hope the order will be passed.

The order was passed.

UNFINISHED BUSINESS.

Ordinance to prevent false alarms of fire, or tampering with fire-alarm boxes or wires. Passed.

Orders to collect assessments for sewers in Warren street, and in Chapman and Appleton streets. Passed.

Order for transfer from the Reserved Fund of \$12,000 to appropriation for Common, etc. Passed.—yeas 12, nays 0.

Order for a loan of \$175,000, to be added to the appropriation for Water Works. Passed—yeas 12, nays 0.

The order that an additional appropriation of \$100 be made to cover the expense of watering streets around public grounds came up amended by the insertion of \$225, for \$100. The Board concurred.

PAPERS FROM THE COMMON COUNCIL.

Petitions were referred in concurrence. The following papers received concurrent action:

Report from Committee on Public Buildings referring to the Committee on Public Instruction the proposition to introduce "Meigs's Physiological School Desk and Seat" into the public schools. The Board concurred.

Request from citizens of the town of Winthrop, asking to be heard on the proposal to set off said town to Middlesex County. Referred to Committee on Legislative Affairs.

The orders authorizing the rebuilding of the draw and foundations of Broadway Bridge, over Fort Point Channel, at an estimated cost of \$114,000, and for a loan therefor, came up referred to the Joint Committee on Streets.

Alderman Power—This is something unusual, although it is the same course that seems to have been adopted by the Council on the order for building the Dartmouth-street Bridge. Of course I cannot just

understand why the Council has adopted this course. However if they don't propose to delay action on the matter, it is all right. I can't see any difference whether the Committee on Paving or the Committee on Streets build this bridge. The reason why the Committee on Bridges put this matter in at this time was that there can't be any question that there will be a great saving if it is attended to and the contract is made immediately. All I have to say is, that if the Committee on Streets give their immediate attention to this matter, they will save the city a great deal of money.

The Board concurred in the reference.

Report requesting Directors for Public Institutions to report on the 15th instant, on the recommendation of the grand jury on subject of religious services in public institutions.

Alderman Sayward—I can't conceive, Mr. Chairman, the object of the Committee on Public Institutions in referring this matter to the Directors of Public Institutions. There are certain rules by which those directors are governed. If they saw any necessity for a change they would come to this Council and ask for it. But there is no need of such a change, and if there is the directors have no power to make it. I hope the report will be laid over.

Alderman Power—The matter was thoroughly discussed in the Committee on Public Institutions, and when it was being looked into I stated that I believed this was only a waste of time, that it would n't amount to anything to refer this matter to the directors, but the majority of the committee seemed to think that before they would order or recommend any change they wanted an opinion in official form from the Directors of Public Institutions. That is the reason why they have referred this matter to the directors, and requested them to report their reasons why a change should not be made, so that the committee might act more intelligently after receiving that report. I think it is n't best to lay this report on the table, even though it should go to the directors, and nothing more be said about it. I believe it is better to let the matter take the course recommended and concur with the Council in letting the directors send in their reason why they have not granted the prayer of the petitioners which was the cause of the matter ever coming to this Board. There has been a petition to the Board of Directors for a change; they either have not taken any action or refused to grant the prayer of the petitioners. Therefore, the Grand Jury have taken up this matter and recommended it, and before the committee act on it they want to get the opinion of the directors.

Alderman Hulbert—From the discussions before the committee I think it very proper that this inquiry should be made of the Directors of Public Institutions.

Alderman Sayward—I am not particular about this matter, but I can't see what light is to be gained. Here is the Committee on Public Institutions, and they have certain work to do. It seems to me that this is part of their work. If there is any evil to be remedied, it is for this Government to say so. The Board of Directors don't ask for any change. They can put into those institutions any religious teacher they please. The gentleman says this comes from certain parties whose petitions have not been granted. He says no action has been taken on the petition. Now, if he knows anything about it, he must know that there has been action, because, if there is any change desired it is this City Government who will make it; and if this Board of Aldermen and this Common Council desire to force it upon the directors, of course this Board will have to comply with the wishes of the Council. We have already certain rules, and if the Board of Directors desire any change they will come here and ask for it. I can't see what object will be gained by this reference. If there is any change to be made, here is the place to make it.

Alderman Power—The Alderman tells the story. As I say, certain parties have asked for a change which the Board of Directors have the power to make or ask for, but they don't see fit to make or ask for it. The parties then looked elsewhere for a change. Now this Government would simply like to know what their reasons are for not making the change. We want to know officially. I know privately what their reasons are, but other members do not. We want to know officially what the reasons are before taking action. It is to save the appearance of dictation that this reference is made. It seems to me that this committee have proceeded with the utmost courtesy in this matter.

Alderman Sayward—The gentleman says the committee don't desire to dictate. Now, his own argument contradicts that. The inference is that the committee have made up their minds that there ought to be a change, and the committee don't want

to make it. Now, as to the directors having refused to do anything, the gentleman does not state the thing as it is. They have not refused, and I challenge him to show that they have. Certain petitions have come there, but there has been no action upon them. He says they are refused. That is not so. The committee don't desire to make a change there unless they obtain the reasons of the directors why they should n't.

Alderman Power—If a number of citizens should come to this Board and ask us to grant certain things, and if a gentleman moves to lay that petition on the table, or postpone it, and such action is taken, it is the same result as a refusal would be. That has been the action of the Board of Directors for several years on this matter. A majority of the people in those institutions, are, I am sorry to say, members of a certain denomination. They ask to have the privilege of worshipping God according to the dictates of their own conscience. This has been refused, because they can't get any action taken upon it. The gentlemen say the directors have taken no action. They have n't emphatically refused to grant the petition, but these petitioners are getting out of patience waiting for action, and they have taken another course, and are trying to accomplish their purpose. Now, as to the Committee on Public Institutions, from any action they have taken, it is out of my power to say what their ultimate action would be on the subject. Whether they will vote to make the change or not I can't say. A majority of the committee simply said they wanted to get an intelligent opinion from the directors and to know why the directors have n't taken any action. And I say they could n't have taken a more courteous course.

Alderman Sayward—I still say that the gentleman spoils his own argument. He says the petitioners have been refused action by the directors. Now, they have come to this Government and why should we send it back to the directors. I am as liberal as anybody can be in religion; I go to church as little as anybody. Now, there are a great many things in this government that have n't been acted on. Now the committee come here and want to get out of the responsibility of it. I move that the report be recommended.

Alderman Hulbert—The alderman who has just spoken don't understand the position of this thing. In the first place the City Council has no control over this thing at all. The committee to whom was referred the consideration of this thing have done the only thing that they could do. They have, after a proper, courteous consideration of the question, asked from the proper sources which control this thing, information which will inform the City Council what is the practice, what has been petitioned for, whether granted or not, and, if not granted, why not. The object of the committee was to ascertain just that, and the Alderman who has just spoken is assuming that the committee have thrown this responsibility upon the directors. They have n't thought of doing so. This City Council can't change the rules down there, and it seems to me this question should not be up here for discussion today, but the procedure of the committee is open to inquiry. I claim that the action of the committee is appropriate; it is entirely appropriate.

Alderman Sayward—I think I do understand the case, and I do think the gentleman don't understand his business as chairman of that committee, when he tells us he can't get that information. He can get it. Moreover, he says he can't change the rules; that is true. The gentlemen know there are twelve directors, and they can get the information if they so desire. They can summon them before the committee. Now, sir, I move to recommit the report to the Committee on Public Institutions.

Alderman Power—I hope it will not be carried, but that we will concur with the Common Council. It seems to me that all the gentleman says goes to prove that if anybody ought to assume the responsibility of this, it is the Board of Directors, as they have the power to make the change if they see fit, but as I said before there has been no action. People have repeatedly tried to get some action on this matter. They have now taken the proper course to get it. No doubt some members of the committee have got the reasons of the directors, but we have n't got it officially. I don't know why those gentlemen should not wish to give their reasons. It is an important matter to those interested.

Alderman Sayward—I am one of the Board of Directors of Public Institutions. He says the responsibility is on the Board of Directors. Well, sir, the Board of Directors are ready to act either before or after election. This matter is before the committee; it is their work and ought to be done by them. I have no doubt when those Directors are summoned

before the committee, they will be ready to respond. The motion to recommit was lost, and the Board concurred in the reference of the report.

THE CITY FINANCES.

The chairman submitted a report from the Committee on Finance, to whom was referred the request of the Committee on Public Buildings for an additional appropriation of \$25,000, that the reasons given by the committee for this request are the large expenditures for new buildings for the Fire Department and for more protection to the City Hall and Public Library Building against fire which were not provided for in the annual appropriation. The Finance Committee, while admitting the necessity of the expenditure made by the Committee on Public Buildings, would embrace the opportunity to say that in no case should a committee present a matter to the City Council involving the expending of money not provided for in the appropriation under their charge without stating that fact; so as to enable the City Council to judge more clearly whether such an exigency exists as to require an outlay outside of the regular appropriation. Your committee also desire to impress upon the heads of departments and the committees under whose charge the appropriations are disbursed that no work should be undertaken that cannot be accomplished within the appropriation granted by the City Council and upon which the financial structure of the year is based. It is fraught with evil to deviate from this sound policy. Only urgent public necessity caused by accident or destruction should justify such a proceeding. If all the departments should pursue the policy of exceeding their appropriations, there would be no alternative left but to borrow money to meet the current expenses of the city, which would be highly objectionable and not to be considered for a moment. The committee, in view of the facts presented by the Committee on Public Buildings, report the accompanying order.

(Signed)

L. R. CUTTER,
Chairman.

Ordered, That the Auditor of Accounts be and he hereby is authorized to transfer from the Reserved Fund to the appropriation for Public Buildings the sum of \$25,000.

The order was read once.

REPORTS AND ORDERS.

Alderman Hulbert, from the Committee on Public Institutions, to whom was referred the recommendation of the grand jury for Suffolk County, "that accommodation for tramps or casual homeless people be provided in connection with the police stations, separate and distinct from the quarters assigned to persons arrested for crimes," submitted a report recommending that the subject be referred to the Committee of the Board of Aldermen on Police.

The report was accepted and the reference ordered.

Alderman Sayward, from the Committee on Faneuil Hall reported in favor of granting the petitions of E. M. Chamberlin *et al.*, Charles W. Slack *et al.*, and Rev. E. E. Hale *et al.*, for the use of Faneuil Hall. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the applications of Samuel Roach, Louis Sommers and Marshall Lincoln, to keep billiard saloons; Elliot, Blakeslee & Noyes, for auctioneer's license; Edward Stanley, to exhibit panorama of Ireland, at Wait's Hall, December 13 and 15; E. Brewster, to give public ball; Stephen Hull, to exhibit "World's Curiosity"; A. Keyes & Co., *et al.*, for transfer of wagon licenses; Albert Omond, for wagon stand; nine minors, for newshoy's license; John Montaine, for transfer of pawnbroker's license to Maurice M. Isaacs and David Black; Abram French & Co., for hack stand; John F. Bowcers *et al.*, for transfer of hack licenses; Thomas B. Drinan, Crosby & Co. and Marcellus Humphrey, for victualler's license. Severally accepted.

Alderman Sayward, from the Committee on Health, reported in favor of granting the applications of John Healey, to add five stalls to stable 63 Liverpool street; George W. Cavanagh, E. W. E. Thompson and Joseph J. McCarthy, to occupy wooden stables. Severally accepted.

On motion of Alderman Quincy—

Ordered, That the Committee on County Accounts be authorized to enter into an agreement with Edwin Wright to refer to disinterested persons the claim made against the city by said Wright on account of damages alleged to have been caused to him by the termination of his contract for arranging, grouping, systematizing and indexing the papers and records

of the Suffolk Registry of Deeds, dated the 20th day of September, A. D. 1869.

Passed.

On motion of Alderman Quincy—

Ordered, That his Honor the Mayor be requested to petition the General Court at its next session for the passage of an act extending the time within which the city was authorized by chapter 78 of the acts of the year 1869 to lay out a public street or way across South Bay.

Alderman Quincy—This is the matter of extending Sweet street. The time in which the bridge is to be built expires next March. It is very necessary, if the bridge is to be built, that the time should be extended, and I move that the order take its second reading and pass tonight.

The order was passed.

Alderman Sayward, from the Committee on Public Buildings, to whom were referred the order and petition for the location of a steam fire engine on Albany street, near Dover street, presented a report recommending that the subject be referred to the Board of Fire Commissioners.

Alderman Sayward—On October 27th an order was passed to this effect, that the Committee on Public Buildings be authorized to purchase a lot of land on Albany street, between Dover and Beach streets, and erect thereon a steam fire engine, etc. Just following this came a petition from several taxpayers at the South End for the consideration of the expediency of erecting a steam fire engine on Albany street, near Dover street. In consequence of this order and this petition following this order, the committee thought it would be better, after making some inquiries in reference to the locality for a steam fire engine, thought that the engine now on Washington street might be dispensed with if an engine was located on Albany street. The committee therefore submit this report.

The report was accepted and the reference ordered.

Alderman Emery, from the Joint Committee on Public Lands, to whom were referred the petitions of Boynton Bros. and S. B. Smith, reported the following orders, recommending their passage:

Ordered, That the time for erecting dwelling houses upon two lots of land on Columbus avenue, corner of Northampton street, as sold by the city, September 1, 1869, to Messrs. Boynton Bros., be extended to January 1, 1875, upon condition that they pay to the Superintendent of Public Lands the sum of \$250, within ten days from the passage of this order. Passed.

Ordered, That the time for erecting a building upon the lot of land on Albany street, corner of Concord street, as sold by the city January 1, 1872, to S. B. Smith, be extended to January 1, 1873, upon condition that the sum of \$100 is paid to the Superintendent of Public Lands within one day from the passage of this order. Passed.

Alderman Power, from the Committee on Sewers, reported the following:

Ordered, That the sum of \$23 05, assessed upon Patrick Flynn's estate for a sewer in Bolton street, is hereby abated.

Ordered, That the collection of \$46 52, assessed upon John Haggerty for a sewer in Dorchester avenue, be postponed till entry is made into the sewer.

Ordered, That \$186 74 be abated from the assessment upon George Gardner, and \$11 37 from the assessment upon Elizabeth N. Fiske for a sewer in Summer street, on account of overestimate of land.

Ordered, That \$22 51 be abated from the assessment of Caroline Geib for a sewer in Stoughton street, on account of overestimate of land.

Ordered, That \$63 35 be abated from Daniel S. Johnson for a sewer in Summer street, and the same amount assessed upon Barrett & Dwyer.

Ordered, That \$26 76, assessed upon William Quigley's heirs for a sewer in Bolton street, is hereby abated.

The above were severally read once.

Alderman Power, from the Committee on Sewers, to whom were referred the schedules of assessments for sewers in Copeland, Franklin, Gouch and Catawba streets, reported that they were correct, and recommended the passage of orders for collection.

The orders were severally read once.

Alderman Power, from the Committee on Paving, reported in favor of granting the petitions of John C. Flood, to place gas lantern over door at 70 Cambridge street; Donald Kennedy, to place lamp post in sidewalk of Warren street in front of Kennedy Hall; and leave to withdraw on the petitions of Stephen Clapp *et al.*, that the name of Pond street (Ward 16) be changed to Picasant street; D. G. Grafton *et al.*, that Huntington avenue be graded between Clarendon and Daveport streets; Martin

Beatty *et al.*, that the name of Cazenove place be changed to Cazenove street.

Severally accepted.

Alderman Power, from the Committee on Paving, reported orders to pay for grade damages as follows: Timothy O'Regan, \$800, Paris street; James T. Brown, \$350, No. 56 Regent street; Caroline H. Brooks, \$400, corner of Regent and Alpine streets.

Severally read once.

Alderman Power, from the Committee on Paving, reported orders as follows: To grade Ceylon street, between Bird and Quincy streets, Ward 16, at an estimated cost of \$1200; to grade Tudor street, between D and E streets, at an estimated cost of \$3500; to pave Arch street, between Milk and Franklin streets, with burnettized spruce blocks, at an estimated cost of \$4000, the expense to be charged to the appropriation for the Burnt District.

Severally read once.

Alderman Power, from the same committee, reported an order directing the City Engineer to prepare plans for a foot bridge over the railroad tracks on Sumners street, East Boston, and to present said plans, with an estimate of the cost of said bridge, to this Board.

The order was passed.

Alderman Power, from the Committee on Paving, reported orders establishing the grade of Eustis street, easterly from Hampden street to that part of said Eustis street recently laid out; Tudor street, between D and E streets, and Magazine street, between Dudley street and Norfolk avenue, severally in accordance with plans and profiles drawn by the City Surveyor, dated June 5, 1872, and deposited in the office of said City Surveyor.

Severally read once.

Alderman Clark, from the Committee on Streets, reported orders to pay as follows: Asa P. Morse, \$6170, widening Essex street; Thomas Higgins, \$69,270 96, extending Washington street to Haymarket square; John Roessle, administrator of John Roessle, \$17,132 75, widening of Washington street; John Roessle, administrator estate of John Roessle, \$39,414 18, widening Pyncheon street; Edward A. White *et al.*, \$121,751 27, widening Water street.

Severally read once.

On motion of Alderman Clark—

Whereas, An estate supposed to be James C'Brien's, formerly numbered 75, and now 138, in Kingston street, was assessed for betterment from the widening of that street, in 1870, by an order of this Board of December 26, 1871, to the amount of \$900, and it now appears that at the time of the widening, James O'Brien was dead, and the estate was the property of his heirs: it is

Ordered, That the said assessment be and it hereby is so amended and changed, as to be \$900 upon the estate of the heirs of James O'Brien numbered formerly 75 and now 135 on Kingston street.

Passed.

On motion of Alderman Hulbert,

Ordered, That the Superintendent of Streets be authorized, under the direction of the Committee on Paving, to repair and strengthen the bridge on Dartmouth street, over the Albany and Providence railroads; the expense, not exceeding three thousand dollars, to be charged to the appropriation for paving.

Passed.

On motion of Alderman Gaffield—

Ordered, That the subject of providing additional accommodations of a permanent character for the pupils in the new Grammar School District, Washington Village, as requested by the School Committee July 15, 1873, be referred to the next City Council.

Passed.

REPORT OF COMMITTEE ON LEGISLATIVE MATTERS.

Alderman Quincy—I rise to a question of privilege. In the very edifying debate which arose in the branch overhead (if I may without disrespect so designate that body) on the subject of city document No. 129, a Councilman from Ward 12 is officially reported to have spoken as follows:

"One great trouble of this City Government is that chairmen of the joint standing committees, especially the chairman on the part of the Board of Aldermen, think they can pocket the entire committee, and they go on as they please, even sometimes treating the committee with discourtesy, as, for instance, a gentleman making a report to the Board upon a matter that I, as a member of the committee, was interested in, when I knew nothing about the report. It is a thing that would not be tolerated in any legislative body."

I presume allusion is here made, Mr. Chairman, to the report from the Committee on Ordinances, which

now lies on your table. The facts are these: The committee were directed to consider the expediency of a certain amendment. A meeting was called, and the subject fully discussed. On motion of the gentleman from Ward 12, action was postponed to a subsequent meeting, to be called next week, that members might examine legal points or consult the City Solicitor. The chairman did consult the City Solicitor, and after the week had expired, called another meeting. A quorum was present, the gentleman from Ward 12 absent. The subject was again discussed, also the advisability of further postponement on account of the gentleman's absence. A motion was made by a member of the other branch that the committee report inexpedient without further delay. That motion being put and carried, it became the chairman's duty to make such report, which he did, having first read the same to the committee, and stating his intention to table the same in order to give time to the absent gentleman to prepare a minority report should he so desire. If there has been discourtesy to the Committee on Ordinances, whether it should be charged to the chairman rather than to the member whose repeated absences and claims of recommitment certainly have not lightened the committee's labors during the year, may be a question which may be safely left to the committee itself to decide.

HOME FOR THE POOR.

Alderman Hulbert, from the Joint Standing Committee on Public Institutions, to whom was recommitment the reports in relation to the purchase of a site for a Home for the Poor, reported that having considered the matter in accordance with an advertisement for proposals, twenty-one estates situated within the limits of the city (including the portions recently annexed) were offered to the committee at prices varying from five hundred dollars an acre to twenty cents per square foot. A careful examination was made of all those which seemed to possess any claims to consideration, but the committee were unable to find among the estates offered any one which they could agree in recommending the City Council to purchase. While the question was in this condition a proposal was received from the present proprietors of the Austin farm in West Roxbury to convey that valuable estate to the city at a greatly reduced price. A full description of the property is given in City Document No. 108, of the present year. The price asked when the previous report was submitted was \$175,000—a little less than six and one-quarter cents per square foot. It is now offered to the city for \$75,000—a little less than three and one-half cents per square foot. At this reduced price the committee (with the exception of one member) are of the opinion that it would be greatly for the city's interest to secure the property without delay, and they would therefore recommend the passage of the accompanying order. For a majority of the committee,

JAMES POWER.

Ordered, That the Committee on Public Institutions be authorized to purchase as a site for a Home for the Poor, the lot of land known as the Austin farm, bounded on the easterly side of Back street, between Boston and West Roxbury, on the southerly side by Morton street, on the westerly side by Canterbury street, and on the northerly side by Austin terrace, so called, containing fifty acres more or less, the price paid therefor not to exceed the sum of \$75,000.

Ordered, That the Auditor of Accounts be authorized to transfer from the appropriation for a Home for the Poor at Deer Island the sum of \$75,000, to be applied to the purchase of the Austin farm as a Home for the Poor.

Accompanying the above is a minority report signed by Alderman Hulbert, respectfully dissenting from the foregoing recommendations of the majority.

On motion of Alderman Hulbert, the order was passed to a second reading.

Alderman Hulbert—Mr. Chairman, in the report of the joint committee to whom was recommitment the subject of a "site for a Home for the Poor," submitted to the Board today, I appear alone, as non-concurring in the recommendation made therein. After a careful review of the matter, such as it became under the circumstances, I feel it my duty to express my disapproval of the site recommended, and further, to seek to prevent, if possible, its adoption by the Board, by presenting, for your consideration, the reasons controlling my own decision. I wish to say just here that in what I feel it my duty to state I intend no disrespect to the other members of the committee, and do not at all impugn their motives in their action. The subject referred to the committee for consideration and report is "a suitable site for a Home for the Poor." The first

inquiry is, "What is wanted for such an institution?" First, a proper provision for the comfort, health and care of the paupers of the city. Second, proper facilities for the economical and least burdensome conduct of its affairs. That a fine site, with a commanding view, situated amid a growing and beautiful neighborhood, and whereon structures are to be erected of a style which, with the conspicuous grounds, will altogether render it one of the proud "sights" of the city, is the idea to govern in selecting a location, as it seems to me, is by some entertained, I do not think it wise. I judge our common sense should go arm and arm with our philanthropy.

I now wish to call your attention to the class of people for whom Boston is called to make this provision; and in stating what I do I intend no lack of respect and sympathy for the "deserving poor." We are to act upon a knowledge of facts, so far as such can be obtained. It is estimated that of the total number of paupers provided for by the city, fully one third are those who have been in the House of Industry; another third, persons of low and dissolute habits and degraded lives; then quite a large number are those who, although able-bodied, yet are too lazy to labor, and throw themselves upon the city. During the colder months this class is large. But a small proportion are of the class known and truthfully called the "honest, virtuous poor." I regret that such are the facts. The worthy poor of our city find relief mainly through other channels, and will continue to do so, as the character of the inmates of the City Almshouse is such, and is likely to be such, that the better class of poor will avoid going there if possible. For humane reasons it is proposed to remove the paupers of the city from Deer Island to some locality away from the criminal institutions. At Deer Island they have been made comfortable in every respect, and, at the same time, with a due regard to economy and propriety. To change the institution to another locality is to enhance expenses materially, as now the officers in care of the other institutions superintend the almshouse also. Another set of officials must be created. Then, by reason of the change, I look for a large increase in the number seeking a home in the institution. I believe that soon, after a change is made, the number to be cared for will be fully five hundred, and at a day not remote, we may expect the inmates will number 800 to 1000. Nothing can be further from wisdom than to so arrange and carry on the new institution as to render it a standing invitation to a class of persons ever ready to be supported at the city's expense, and be a perpetual bid for pauperism. For a site there is needed a pleasant, healthy location, having an ample supply of good water, one properly isolated and situated as to affect, not injuriously, surrounding property, with an area ample enough for the present and future needs of the city, and upon the line of a good railroad, having direct and rapid communication with the city proper. The President of the Board of Directors of Public Institutions stated to me that to have the institution on the line of a railroad is indispensable and, to use his words, "a man must be crazy to think of locating it elsewhere." The advantages of direct railway communication are apparent. In the transportation of the material for the buildings, at the outset, there will be a lessened cost. Then, afterwards, in the carrying on of the institution, in the transportation of the supplies of the paupers, the visitation by the friends of the inmates, the intercourse and visitation of those who have the official oversight and conduct of its affairs, there will be a great saving in expense, beside all the convenience experienced. That the board may have some idea of the quantity of supplies likely to be required, I give herewith a memorandum of the main items furnished to Deer Island in 1872, where some twelve hundred persons are provided for, viz. 2300 tons coal, 120 tons meat, 2000 barrels flour, 6000 gallons molasses, 4300 bushels meal, 900 bushels beans, 25,000 pounds sugar, 52,000 pounds salt fish, 2150 pounds coffee, 7000 bushels potatoes, 15 tons soap stock, 20 tons straw.

I now come to the consideration of the site recommended by the majority of the committee, viz., the "Austin Farm," so called. In a former report submitted, and in remarks made to the board at the time, I stated my objections to this farm. I claimed then that the price was exorbitant. No one now will doubt the validity of that objection, when the same property is now offered for \$75,000, for which \$135,000 was then asked. But I made another and equally valid objection—that it was not on a line of railroad, but far remote from one. I now take the ground, and propose to substantiate it, that however reasonable the price of this property, as now offered, may be regarded, still the City of Boston for the special purpose for which it is wanted, cannot afford to buy it;

nav, further, that the city, if to utilize it for a Home for the Poor, cannot afford to accept it as a free gift.

This farm is situated five and one-eighth miles by the nearest road from City Hall. It is four fifths of a mile from the nearest railroad station. Now consider the practical working of the institution if placed there. All the supplies must be transported by teams, the paupers must be sent by conveyances furnished by the city. Officials must go and come by the expensive mode of carriages; visitors must, unless the city provide adequate conveyance, be subjected to much inconvenience, and to them, usually poor people, a material expense. Aside from the inconvenience arising from the location, the actual increased expense to the city annually, by reason of the remoteness from railroad communication, will be a large sum, far beyond the annual interest on the cost of a site on the line of a railroad. I am not surprised that persons, at first thought, are pleasantly impressed with the "Austin Farm," but when it is looked at, with a due regard to the cost of carrying on the special institution to be placed there, it is quite a different thing. I have the opinions of the President and some of the experienced Directors of Public Institutions as to this site. Neither of them approve of it, as they look at it from a practical point. It should be borne in mind that during the cold months of the year, when it is the most desirable that the access be easy and comfortable, the number of the inmates is the largest. The idea of selecting a good farm as such, is not needful. These people live without work. An examination was made at one time of the real physical condition of the inmates of the almshouse, and ninety per cent. were pronounced able-bodied men, able to labor. The inmates of the other institution at Deer Island are made to work, but no work is done by the poor. It may be thought by the tenor of my remarks hitherto that perhaps I am disposed to delay meeting this question the present year. I am not. I am fully prepared at the proper time to introduce an order recommending a site which has, I believe, as many of the requisites desired as can be expected to be obtained in any site likely to be found. It is on the line of an excellent railroad, having direct and very frequent communication with the city proper. It is within thirty minutes' ride by rail, has an ample supply of water, a large area sufficient for the future wants of the city, is approved by the President and such of the Directors of Public Institutions as I have seen as a fit and good place, and it can be purchased for less than thirty thousand dollars—a site I do not hesitate to recommend as one entirely suitable. I will not longer now dwell upon the features embraced in it.

Thus far I have considered the "Austin farm" upon its simple merits only, and upon these have come to my own conclusion. But I feel I shall not be doing justice to this Board, the city or myself, if I leave the matter just here. I doubt not that while I have been giving my views as to this estate, the query has arisen in your minds, why it is, that if the facts are as I state them—the other members of the committee think differently—it is a proper query—I have put it to myself—I have reexamined my own premises and conclusions because of it, and I must confess I am unable to answer the query. I do find in the history of this thing that the condition of Mr. Bradt and his partner is one calculated to enlist the sympathy of friends. How far this may have influence with any members of the committee, if at all, I cannot say. I am not here to impute any unworthy motive to any one of the committee. The Board should know how this matter is, I think. In April, 1872, Mr. W. Eliot Woodward, a member of the present Common Council, purchased of Mr. A. W. Austin an estate for \$92,300, giving a mortgage at seven years for \$76,800. On May 1, 1872, thirty days after this purchase, Mr. Woodward sold the same estate to Messrs. Herman D. Bradt and George W. Seaverns for the sum of \$154,530; these gentlemen assuming the mortgage given by Mr. Woodward for \$76,800 and giving further mortgages payable in five years for \$72,730, making a total amount of mortgages of \$149,530 on a purchase of \$154,530—thus paying but \$5000 on so large a transaction. I believe it is generally understood that the owners have expected to make a sale of the property to the city. Very many persons have interested themselves in behalf of the parties. I am informed that the first price named was some \$200,000: and during the year—at one price and another—this estate has been proposed to the city, and quite a pressure brought to bear to have the city take it. Any one can see the existing urgency for a sale, and now that it is offered at the price of \$75,000, it might seem a favorable purchase at that rate. But I claim that it is not adapted to the purposes in hand; and I

cannot admit into the question as acting for the city a personal consideration for the owners, although their exigency is a pressing one. I am sure the interest of the city will be much better served by seeking a different locality.

Alderman Power—I suppose, Mr. Chairman, that that matter has been so long before this Government that its particular merits and demerits have been thoroughly gone into by this Board, and I suppose every member thoroughly understands this question. The committee have gone all over the ground, and after examining many places, as the gentleman mentioned, have finally, seven to eight, concluded, after all their deliberations, that the Austin farm is the most preferable of all the places, at the price that it is now offered to the city. In relation to the remarks that the gentleman has made as to the property, compared with the site that he would recommend himself, it is more plainly stated in the report that was made to this Government than I can state from my own memory. [The Alderman read the description of the Austin farm from the report first submitted.] In relation to the necessity of immediate action at this time, the committee are unanimous. This matter has been delayed a much longer time than it should have been. I suppose that the members of this Board are aware that the Austin farm is four miles and a half from City Hall, while the place the gentleman last up recommends is nine miles. He says the city cannot afford to buy the Austin farm, and gives as one reason, among numerous others, an enumeration of the large amount of material used at Deer Island, and says the President of the Board of Directors says that railroad facilities are indispensable, for the reason that this large amount of material has to go to the institution. If that is so, why has this President been himself so anxious to have this institution located at Deer Island. If I understand the opinions of the President of the Board of Directors of Public Institutions, it is his opinion that this institution should be on Deer Island. But it seems to me that other matters enter into the subject that are of more importance to me. Now, allowing that it is, I say that all the articles for the use of the Home for the Poor can be transported to the Austin farm for less money and as speedily and as expeditiously by team than by railroad. I suppose no gentleman has any doubts that there will be railroad communication much nearer than at present. It is, at present, only ten minutes' walk from the railroad station. In relation to the intentions of the former purchasers of this place, and their hoping to sell it to the city, I don't see how this should enter into the question at all. I don't know what the intention of the former purchaser was. If he intended to do so, he failed. It is offered at a price that not a gentleman in the city can base an objection to it on that ground. Therefore, as the committee are a unit as to the question of immediate action, I hope this order will take its second reading at the present time.

Alderman Hulbert—Mr. Chairman, allow me to say a word here. I have no interest in anything I have said except the interest of the city. It is purely upon the same ground as I would select a place for myself to carry on this very business, that I made this investigation. I have had a conversation with the President of the Directors for Public Institutions, and some of the directors, and none of them approve of the Austin farm, and those I have seen do approve of the site that I have in my mind. I am opposed to the Bradt estate because it has no proper communication. Take the present season, for instance. Paupers can be taken to the place I propose in thirty minutes. To the other place it is five and one-eighth miles. I state the exact distance by the nearest road that can be taken. The place I approve is eight miles away, but it could be reached by railway in thirty minutes. In the other case you must have your conveyance—the paupers transported by teams. When it is stated that supplies can be taken to the Bradt Farm as cleanly and quickly as that, I say it can't be done. This is on the line of a good railroad, is easy of access, and paupers can be easily and comfortably placed there. Those who have friends there can visit them comfortably and definitely. It is a definite thing. I think tickets by the quantity can be purchased at 12½ cents; the place this side is eight for a dollar. Such is the expense of doing this business, I contend, that after furnishing homes for these people that is all they can ask for, and the city has to see how it can do this thing economically for itself. I think that ideas of economy should enter into this thing. The building site and everything should be in reference to a Home for the Poor, not the style of architecture or kind of site that I would put up for a university or court house. Now, I said, the city as a matter of

money, taking into account the expense to be incurred, could n't afford to take the Bradt estate as a free gift. Now it seems to me that those who are familiar with this thing are the President and the Board of Directors. We all know the president would have preferred to have the almshouse remain at Deer Island, but he understands very well that they can't be entertained, and he submits to it. He gives me his unqualified opinion that railway communication must be had. The argument of the Alderman does not hold, for you can send down all your supplies to Deer Island by boat. Now in the estate I have in mind the cars can be run right into the yard and unloaded, and supplies can be run right from the cars into the bins, and with the railroad that it is on, any arrangement can be made that is reasonable. Now, I say, we have a duty to see to the friends of these people. They can go for a small sum and visit them. Now you locate them there on the Austin farm, and the next thing is you will not only be asked for conveyances for these people, but for these friends. That is the next thing asked for. We have got to double our pauper expenses immediately after this thing is done; there is no economy in this thing. We do it for humanity, and it is our duty to start it on an economical basis. If the Directors of Public Institutions have authority to put a building there, they will do it in a style of common sense.

You go down to Deer Island and there is no nonsense there. The directors will carry out the same idea here. We are not bidding for paupers to come to the city and be supported. The Austin farm is a fine farm, I admit. But the city will injure the surrounding property to locate this almshouse there. This is no place to put it. Where I propose to put it will not injure property, and when the time comes I will say many things in its favor. Let us put this thing where the supporting of so large a number of paupers can be done economically. Let us not put it where everything has to go by carriage, for your committees will have to go in carriages as well as your paupers. I can't see any good reason or one single argument for that Bradt estate. I have n't altogether been pleased with the course of matters in regard to that Bradt estate in this Council this last year, but I don't propose to go into that.

Alderman Power—The principal reason seems to be that, owing to the extraordinary beauties of the Austin farm, the gentleman is afraid that the Board of Directors, or those having charge of the building, will become so entirely infatuated with it that they will be tempted to go into extravagance. I don't think that worthy of consideration for a moment. I don't think the fact that they have a beautiful location will make them spend more money than if they don't. One great objection to Neponset having it at Deer Island is that it might be accessible to the poor, and that they might be visited by their friends.

Now I don't think any one is going to lose his manhood simply by going into an institution merely because it is easy of access and has a beautiful location, and I don't believe we are going to have any more paupers for that reason. I don't think the people of this country are made of this kind of stuff. When people go into the poorhouse they do so because their want of means compels them to. Now, this place is only a half-hour's walk from almost any part of the city. Any one can drive there with a horse and carriage quicker than they can go by railroad to the other place named by the gentleman. There is no railroad station on that place, a railroad goes by it and there is a station about a mile from there. If the city wants to go to the expense of building a station it can do so. Now as to the place selected by the gentlemen—it is a fit place for a pauper to live. A sheep could n't live upon it. It is the worst spot of land that the committee have visited since they have had the matter in hand. The only argument is that the price is \$29,000 while the price of the other is \$75,000. Now, sir, I say that the city cannot afford to take any such site, because it will cost more to put it into shape than the cost of this Brandt farm would be. On the Austin farm, all you have to do is to pick out the spot where you want your building, and set it there. I say it will cost more to fix up and grade this barren place than the price asked for the Austin farm. I don't believe there is any reason to think it will injure that locality. There is no question but that it will enhance the value of the property, and if the city could get a million or a half a million dollars for it, they could afford to move. Now unless the gentlemen of this Government wish to procure a home entirely unfit I say they should n't defeat this matter. I say the purchase of this land is a good investment for the city of Boston. It is a beautiful place, and there is no

justification in turning those poor paupers out into the barren, swampy place like that the gentleman would recommend, when we could get so beautiful a location at such a low price. Therefore I hope the orders will be passed.

Alderman Hulbert—I sha n't make any statement that is n't true. I stated that this place had railway facilities. There is a station right on the premises, where there is no need of a carriage or anything of the kind. Furthermore, the gentleman stated that this is nine miles from City Hall. It is just nine miles to Dedham, and this place is a mile this side. One from nine leaves eight. Furthermore, part of it is good land and part of it poor.

Alderman Sayward—I would just remind the gentleman on my left that the great object is to get a place easy of access. Now where can you find a place easier of access than Deer Island?

Alderman Power—In regard to having a railroad station on the Austin farm, I expect there will be a station there when there is population enough to warrant the railroad in putting it there.

Alderman Hulbert—The parties now owning the place have the promise of the railroad company to put a station there, and they are laying out a street for the purpose. The place is laid down on the map. The Dedham Branch goes through the place, and they intend a station there. I don't want anything said that is n't exactly so.

Alderman Clark—For one, when there is so great difference of opinion between two gentlemen of such excellent judgment, I should like an opportunity to go there. There is, certainly, a very great reduction of price and that is something. The modest decline of \$60,000 is something gained to be sure. The price it was offered for six weeks ago was \$130,000; the price asked today is \$75,000. The figures are sufficiently low to induce us to purchase. It may not be a bad investment, as the land may double in a few years. But if there is such a good place where supplies can be run under cover and easily, I am inclined to think I would like to see it. But I think the Bradt place is about as good a location as the committee will be able to find. There are advantages in having a railroad running directly through the property, and there is this advantage in the Austin farm—a horse railroad certainly runs to within twenty minutes of it. I don't think it is more than twenty minutes from the horse railroad in Dorchester to the Austin farm. I should like an opportunity to see the place, which the Alderman from the Highland District has referred to, and as we shall probably meet again on Friday, I should like to have this subject laid over until next meeting. I don't want to vote upon this subject ignorantly. I do know about the Austin Farm, and I believe the price for which it is offered now is low enough. It has the advantage of being only a few miles from City Hall. Members of the City Government, the directors and the friends of those who live there can go there without walking only a short distance, or going by carriages. I doubt very much whether there will be a railroad any nearer the Austin farm, unless a line was built specially to go from there to the Boston, Hartford & Erie station. While I did oppose the purchase of the Austin farm at \$125,000, believing it too much, and thought the Neponset lot was better at the price for which it could be purchased, still at the price named, and unless the advantages are infinitely superior to the place spoken of by the gentleman from the Highland District, I shall vote for taking the Austin farm. I suppose that \$75,000 includes all the territory looked at by the committee before. I understand that there are about fifty acres of land within the inclosure. If I am wrong the chairman will correct me.

Alderman Power—The estate contains about fifty acres. [The Alderman read from the original report a description of the farm and buildings.] It is the same lot for which \$135,000 was asked. Now, Mr. Chairman, I don't want to deprive any gentleman of an opportunity of acquainting himself with the place, but I object to having this matter postponed any longer than next Friday. I am willing to let it lie over till then, if gentlemen desire to look at the place, but I hope they will not have any other excuse then. I hope they will vote for or against it and settle the matter. If we are going to have a Home for the Poor, let us have it. All agree that it is very much desired. If gentlemen have n't satisfied themselves, I am satisfied they will only want one look at it to cause them to make up their minds. I don't think they will hesitate long about voting for the Austin farm if they see it.

Alderman Clark—I wish to state as one that I shall be ready to vote next Friday. I was ready to vote today, but the remarks of the gentleman were so strong that before I vote for the Austin farm, al-

though I believed it is the most desirable, I want to see the other. But, I must say, the decline of \$60,000 in six weeks in real estate, is the greatest I have ever seen. I don't know of any stocks that have declined as much as that.

Alderman Sayward—I don't like the argument of the gentleman. Now, if that is a proper place for a Home for the Poor, we should n't stop on account of a few thousand dollars.

Alderman Stebbins—I would like to ask the member from the Dorchester District one question. He is a member of the Board of Directors. Do they oppose the Bradt farm as a Home for the Poor?

Alderman Sayward—As a body they neither oppose or favor any place. The question has never been before them.

Alderman Hulbert—I stated that members of the directors whom I had seen individually expressed preference for the Austin farm.

Alderman Power—I would state that such members as I have seen have expressed great preference for the Austin farm. They have expressed themselves in the very highest terms. In relation to the great fall of property, I don't think the Austin farm has fallen as much as the Water Power Company. Every gentleman knows there has been a great depression of all kinds of property. I don't believe any estate in the neighborhood would bring more than two-thirds of what it would a few months ago. The city is getting the benefit of the change.

Alderman Clark—I think we should take into consideration the value of property. I should vote today for the Neponset lot for \$75,000 if we could not get the Austin farm for that sum. There is a great difference between \$75,000 and \$156,000. I think we ought to take the cost into consideration. It does make a difference, and we are obliged to use our best judgment. But if we can buy a piece of property

that will answer the purpose for a much smaller sum, then we should take the one that costs less.

Alderman Sayward—The gentleman don't state the case fairly. When we went to the Austin farm they were both the same price. Now, I say if there is a place in Dedham that you can buy for \$30,000 that will answer the purpose, why don't you go and vote for it.

Alderman Clark—That is why I wish to go and look at it.

Alderman Sayward—Then there can't be any need of committees, if we can't take a majority or minority report and act upon it without the whole City Government going to see for themselves.

Alderman Clark—I don't propose to ask this Board to go out with me. I propose to go myself. Now, here are two gentlemen, both of good judgment, who differ widely in opinion. I want to go and see for myself.

Alderman Power—The gentleman is mistaken; it is not one against one, but seven against one.

Alderman Gibson—It seems to me we are just getting the owners of property waked up; we are getting a little more competition. Property is falling very rapidly, and I have no doubt that if we wait a short time we shall have a considerable fall, and be able to get this property much cheaper.

Alderman Clark—I move that the order be specially assigned for the next meeting of the Board.

Carried.

THE ELECTION RETURNS.

On motion of Alderman Stebbins the Chairman appointed Aldermen Stebbins, Power and Gaffield a committee to receive and examine the vote cast at the election today.

On motion of Alderman Stebbins, the Board adjourned till Friday next, at one o'clock P. M.

CITY OF BOSTON.

Proceedings of the Common Council,

DECEMBER 11, 1873.

The regular weekly meeting of the Common Council was held this evening, E. O. Shepard, President, in the chair.

PAPERS FROM BOARD OF ALDERMEN.

Petition of Alpheus Hardy *et al.*, for postponement of action on public park. Laid on the table, on motion of Mr. Shaw of Ward 5.

The following papers received concurrent action:

Auditor's monthly exhibit. Placed on file.

Notice of proposed petition of Somerville for annexation to Boston; request of the Trustees of the Public Library for additional appropriation; and various requests of the School Committee. Referred, in concurrence.

Report recommending reference to Board of Fire Commissioners, of order and petition for location of an engine house on Albany street, near Dover street. Accepted and reference ordered.

Order authorizing the Mayor to offer and pay a reward of \$1000 for the detection and apprehension of the person who murdered Bridget Landergin in Ward 16, on the 5th instant. Passed, under a suspension of the rules, on motion of Mr. Flynn of Ward 7.

Order for Mayor to petition General Court for an act extending time for city to lay out a public street, or way, across South Bay. Passed.

Order referring to next City Council the subject of providing additional accommodations for pupils in the new Grammar School District, Washington Village. Passed.

Report and order to extend time to January 1, 1875, for Boynton Brothers to erect houses upon two lots of land on Columbus avenue, near Northampton street. Passed.

Report and order to extend time to Jan. 1, 1875, for S. B. Smith to erect a building upon a lot of land on Albany, corner of Concord street. Passed.

Report and order authorizing a transfer of \$12,000 from Reserved Fund to appropriation for Common, etc. Passed under a suspension of the rules, on motion of Mr. Perkins of Ward 6.

The following were severally read once:

Report and order authorizing a loan of \$175,000, to be added to appropriation for Water Works.

Report and ordinance in relation to the fire-alarm telegraph.

UNFINISHED BUSINESS.

The following came up as unfinished business, and received concurrent action:

Report and order authorizing the removal of the Old Mather Schoolhouse to the city lot, Highland street.

Mr. Upham of Ward 16—Mr. President, by the operations of rule 23 of this Council, I feel myself debarred from voting on this question from the fact that I am owner of a shed erected upon the premises, which has been located there since 1837. There are also twelve owners of those premises who, it appears to me, have legal possession of the property, having held it for so long a time by vote of the town.

Mr. Upham was excused from voting, and the order was passed.

Order to abate from the tax on Allen & Noble's estate on Devonshire street, the sum of \$204 75. Passed.

Resolves and orders from the Street Commissioners:

1. For widening Magazine street, at an estimated expense of \$25,000. (City Doc. No. 124.) 2. For extension of Eustis to Magazine street, at an estimated expense of \$11,640. (City Doc. No. 125.) 3. For extension of Quincy place to Pearl place, at an estimated expense of \$12,784. (City Doc. No. 49.) Severally passed.

Order authorizing a conveyance to W. H. Bordman's heirs of a portion of Sturgis street, discontinued. Passed.

Report and order for a transfer of \$1000 from Reserved Fund to appropriation for Quarantine Department. Passed—yeas 44, nays 0.

FIRE DEPARTMENT.

The first monthly report of the Board of Fire Commissioners in compliance with the "Ordinance to establish a Fire Department" was submitted. The report says, "The Board was organized on the 20th ultimo, and the report is as complete as our present means of information will allow us to make. If any plan can hereafter be adopted by which more exact

information on each of the subjects named in the ordinance can be obtained, it will be shown in our future reports, as it will be our aim as faithfully as we are able, fully to carry out this and all other requirements of the ordinance. The experience of a few days has not been sufficient to fit us for giving any other information or to make any suggestions of interest or value to the City Council; but it may be proper for us to add that we find ourselves in a position where study, and labor, and time, will all be needed to work out an improved state of things in the department placed under our charge."

The report contains a list of all the fires which occurred during the month of November, giving the locality, boxes from which the alarms were sounded, the steamers and engines in attendance and the loss and insurance. Following is a recapitulation of the items furnished:

Alarms.			Insurance.		Loss.	
Bell.	Still.	Total.	Building.	Stock.	Building	Stock.
27	14	41	\$8,050	\$65,152	\$8,050	\$102,263 23

The report was sent up.

PUBLIC SCHOOL ACCOMMODATIONS.

On motion of Mr. Thacher of Ward 15—Ordered, That additional accommodations be furnished for the Heath-street Primary School, Comins District.

Referred to Committee on Public Instruction.

Mr. West of Ward 16 presented requests from the School Committee for the erection, in connection with the English High and Latin schools, of suitable accommodations for the use of the School Committee, including a hall in which the meetings of the board may be held; for an enlargement of the lot recently purchased for the English High and Latin schools; and to abandon the Cottage-place School, and the erection of a new nine-room primary school-house on or near Elmwood street.

Severally referred to the Committee on Public Instruction.

USE OF PETROLEUM.

On motion of Mr. Burditt of Ward 16—

Ordered, That the Committee on Ordinances be requested to report what changes, if any, are needed in the ordinance in relation to the manufacture, storage and sale of petroleum and its products, in order to secure the prompt enforcement of its provisions. Passed.

PUBLIC BATH HOUSES.

On motion of Mr. Wells of Ward 3—

Ordered, That the Committee on Ordinances be requested to consider the expediency of placing the bathing houses in charge of the Board of Health. Passed.

THE REPORT ON LEGISLATIVE MATTERS.

On motion of Mr. Dean of Ward 12, the Council voted to reconsider the vote by which the printed report of the Committee on Legislative Matters was recommitted to that committee.

The question recurred on recommitment.

Mr. Dean of Ward 12—Mr. President, that matter was recommitted on my motion, but upon reflection it seems to me that it is so late in the season that it is hardly worth while to trouble the committee with it. I therefore hope the motion to recommit may be lost.

The Council refused to recommit, and voted to accept the report.

SOUP FOR THE POOR.

On motion of Mr. Dacey of Ward 2, it was voted to take from the table the reference to Committee on Overseers of the Poor a message from the Mayor, transmitting a communication from the overseers in relation to the relief of the poor during the coming winter, said reference being with instructions to consider expediency of establishing places throughout the city for furnishing soup and other provisions to the poor. (Printed City Doc. No. 130.)

The question was on concurring with the Aldermen in the reference.

Mr. Dacey of Ward 2—Mr. President, I do not wish to reflect upon the Board of Overseers of the Poor, but the fact that there is a great deal of complaint coming from all quarters of the manner in which people are treated who call at this bureau for assistance, and the great indifference which characterizes this bureau, leads me to believe that we had better not burden this department with any more duties of this kind. I know there are kind-hearted and charitable men on this board. No one can be kinder in heart than the worthy chairman, ex-Mayor Lincoln, but these men who are brought so frequently in contact with poverty get cold-hearted. A few weeks since a case came to my attention. A lady came to

this bureau who wanted her case investigated. She needed relief, and yet she did not receive proper attention. There are some more cases of this kind which have been brought to my attention. I know a lady myself who has got tired of going to this bureau and will not go there any more because of the red tape required in procuring assistance. The board, in their resolution, say "there is no unusual exigency existing, growing out of the commercial panic, to require any new organization or channel for the relief of the destitute the coming winter." Now I beg to differ with the board right here. For years I have been a member of an organization the duty of whose members is to go about once a week relieving the needy. I know there is an unusual exigency. I find that there is an unusual amount of poverty. More people are out of employment than there were at this time last year. Furthermore, in regard to this method of distributing soup, the gentleman who introduced the order says the Chief-of-Police indorses the present method.

I have taken pains to go among the police and ask the officers, and they indorse it almost to a man. I never have heard a single objection raised to it, except this one which comes from the board of Overseers of the Poor. Furthermore, the Board say that "the practice of distributing soup from the police stations is unwise and injudicious, tending to aggravate and increase the evil it designs to alleviate." Now, we know that there is no man going to a police station to stand in line and wait for his turn to get a bowl of soup unless he needs it. It is better that a few unworthy should receive something than that the worthy should suffer. Therefore, I feel that the Board of Overseers of the Poor have got as much as they can do and I don't think it best to give them any more, and I certainly hope the matter will not be referred to them and that the distribution of soup shall proceed as usual.

Mr. Shaw of Ward 5—I desire to say a few words, Mr. President, in advocacy of the adoption of this measure by the City Council. I am opposed to this reference to the Committee on the Overseers of the Poor, and I can only wish that my voice and health were in such a condition, tonight, that I could do full justice to the subject. But my labors for a few days have been such that I do not feel competent to treat it as I ought to, but I will endeavor to say something which will bear possibly upon the subject. Mr. President, I find the twenty-first of Proverbs says that "who so refuseth to listen to the cry of the poor, shall cry himself and shall not be heard." Now, Mr. President, you are well aware that it is not my custom to commit to paper what I desire to say upon any subject, but this afternoon I have written out what I have to say, because I shall particularly attempt to discuss something of the legal part of the subject. Gentlemen may laugh if they see fit, but I shall not be deterred from doing what I think is my duty in the premises. And first I desire to make some comments upon City Document No. 130. On November 24th his Honor the Mayor made a communication to the City Council, which contained these words:

"Since the opinion of the Board was asked upon the expediency of distributing soup from the police stations, I have conferred with the City Solicitor upon the subject, and have been informed by him that the City Council has no authority to appropriate money for such a purpose."

Annexed to this are reports in answer to his communication of Nov. 18th, signed by the President of the Board, and a resolution passed by the Board. The Mayor goes on to state his views and asks the opinion of the board. The reply he obtained is this communication signed by F. W. Lincoln, and dated the 22d, and in it I find these words:

"The moment that any individual receives aid at the public charge, that moment that individual's relation to society is changed, and when by the aggregation of numbers those individuals become a large class, they become an important element in the social state, and any event which has a tendency to their increase is to be deprecated. The great fire of November of the last year is to be deplored for the large amount of property destroyed, and the numbers thrown suddenly out of employment; but not the least of its evils was the opportunity furnished to many persons, for the first time, to appeal to the public for assistance. They were justified under the circumstances, and even invited to make such a claim, and generous means were placed by our citizens to respond to such calls."

"Were invited," Mr. President, "to present themselves and ask for aid." And yet the conclusion of this document is that they can't legally receive such aid. And they go on to say, "that no needy individual of any class has occasion to suffer when his wants are properly made known." On the eighth

page they say that the resolution—which was to the effect that the city could not legally furnish the soup—was voted against by two men of large hearts, or rather they voted that it was legal, or in their judgment it should be done. Now go on further and the communication says—

"Boston has a deservedly high reputation outside of its own limits for its benevolent spirit. It has attained this, not by a prodigal and lavish expenditure of large appropriations, doling out its alms in a lax and loose manner, but by the establishment of a method and system which, while relieving real want, represses mendicity. The establishment of soup houses, or turning the police stations into them, a few years since, was regarded by nearly all conversant with the subject as a doubtful expedient for relieving the poor; the objections are obvious, and need not be commented on at this time."

If the objections are obvious, why not state them. Not one single word has been sent in here to show that they are obvious, not one scintilla of proof to show that they are obvious. Now, sir, here is a Wel-lerism, so to speak—

"Employment for the able-bodied is better charity than almsgiving."

Just as if everybody didn't know it. "And, although it is not the province of municipalities to furnish it for the people, yet incidentally some enterprises of a public nature might be prosecuted, even out of season, to be supplemented by men of capital engaging in new ventures to their own profit, as well as for the benefit of the laboring classes."

Well that meets the exigency to an enormous extent, in intimating that people may go into business for the purpose of supporting the poor. How many men will do it? Was there ever such an undertaking in Boston? Again—

"It is the opinion of some of our most sagacious business men that we have already passed the period of our most severe commercial depression, and that the prospects are brightening for a return to our usual prosperity."

Heaven save the mark. I'd like to see the evidence of returning prosperity. I see it nowhere. I notice that manufacturing establishments throughout all New England are suspending day by day.

"If this hope is fallacious, and will not be speedily realized, I can assure you that our board will endeavor to meet, to the best of their ability, the new emergencies as they arise, and we have no doubt that the same spirit will animate the more private charitable organizations not under municipal control. There are occasionally cases, from their peculiar circumstances unknown to our visitors, coming to the knowledge of the police of which we should be promptly notified at our office."

Well, I can cite instance after instance which has occurred within the last three weeks, for which I have personally, or through others, applied for relief from the Board of Overseers for females and families without means of daily support, and the propositions have been rejected, and that right in the face of this document. These are facts which I can prove and will prove absolutely at the proper time. Now I go on to the tenth page and find a document signed by John Pratt, Secretary:

"Resolved, That, as at present advised, there is no unusual exigency existing, growing out of the commercial panic, to require any new organization or channel for the relief of the destitute the coming winter. The city is well covered by the Overseers of the Poor, and the existing charitable organizations, for ministering to the necessities of the needy."

A fact which I and the whole people of Boston deny. The month of November has witnessed more poverty and more need has been required for deserving poor than in the same period for years. And that is the character of this document from beginning to end. Now, Mr. President, I can only characterize this document as one which has been got up for the purpose of allaying the public excitement now existing on this subject, and for no other purpose. It does not practically meet the exigency in any sense of the word. The deserving poor, day by day and night by night, are suffering, and yet the people of Boston are not aware of it. In street after street in the districts which many of us represent are deserving people who are suffering from hunger, to speak of nothing else. Now, Mr. President, it has been my custom, somewhat, to refer to facts and figures, and I will simply give a few to show that while we are lavish in our expenditures for extravagances, we are not willing to feed the hungry or clothe the naked. The expenditures for the Fourth of July in 1872 were \$22,022 13, and for music on the Common, \$2,932 13, making \$24,924 26. By careful management this year those expenses have been reduced to the sum of \$15,657 73, and some of us in this Council

have the credit or discredit of bringing down these expenditures which are customary and legally passed by the City Council for the benefit of the people. Now, Mr. President, I desire to give to the Council, if they will have the kindness to hear, what I have committed to paper.

Mr. President, I have examined, with some considerable care, the letter of his Honor the late Mayor, dated November 18, to the Board of Overseers of the Poor, and their answer to the same, and while I find sentiments of humanity expressed by the Mayor, I fail to see responsive answers thereto; but, on the contrary, a strict adhesion to the old-fogy idea that "Boston cannot depart from established methods" on this or other subjects. Now, Boston has for the five years last past departed from the established method of helping her deserving poor in one particular manner; and not a single instance has been shown where it has worked unfavorably to anybody, but thousands of instances can be cited where such help has directly and indirectly been greatly for the advantage of the community, not only in the line of humanity, but in an economical sense, as saving to the public expense the cost following from crimes committed by reason of poverty. Look you to the records of the Chief-of-Police and find whether I am correct. Every word of what I have said and more will be proven by those records.

The theories advanced in the statements of the Board of Overseers in themselves may be very proper, but, practically they fail to meet the exigencies of the case. I took occasion a few days since to address a letter to the City Solicitor in order that I might obtain his reply in writing upon the legality of the city's furnishing soup for the poor, with special reference to chapter one hundred and sixty-five, Legislative Acts of 1861; and I have here his reply, which I will read so that I shall do him no injustice, for I have the highest respect for his opinion, but am well aware that on a point of possible doubt he would very naturally, and properly too, decide on the safe side.

CITY SOLICITOR'S OFFICE,
2 Pemberton square, Boston.

George A. Shaw, Esq.: Dear Sir—In my opinion, chapter 165 of the acts of 1861 does not authorize the furnishing of soup as proposed. It provides for certain specific things, and "other purposes of a public nature." The other purposes must be of the same general character as those enumerated. Besides, that act by its terms provides for matters not theretofore provided for by law. Assistance for the poor was provided for before the enactment of that statute, and the mode of rendering it was also provided for. Very respectfully,

Your obedient servant,

J. P. HEALY.

Now, Mr. President, let me read that act, chapter 165, Legislative Acts of 1861:

"Any city, by vote of the city council thereof, in addition to the sum heretofore authorized by law to be raised and appropriated, may appropriate any funds in treasury, or raise money by taxation, and appropriate the same for the providing of *armories* for the use of military companies, for the celebration of holidays, and for other purposes of a *public nature*; PROVIDED, that such appropriations shall be made by vote of two-thirds of the members of each branch of the city council present, and voting by ye and nay vote, and that the amount of such appropriations made by any city, in any one year, shall not exceed one *fiftieth* of one per cent. of its valuation for the same year."

Now, sir, one fiftieth of one per cent. of the valuation of this year, the valuation being seven hundred millions, is a hundred and forty thousand dollars—not one-half of which has been spent, and there is yet remaining in the treasury the other half to be expended for purposes of a public nature. Now, sir, I had the honor to be a member of the Senate in 1861 when this act passed, and as it was a matter of very general interest, the debate on it is well remembered. An attempt was made to amend the act by inserting "towns" so as to make it apply to towns, but the amendment did not prevail, and it was adopted and approved as it now stands, intending that it should cover purposes which had nowhere before been provided for, but for exigencies which might arise, and it certainly admits of a most liberal construction. Mr. President, the City Solicitor has given his opinion, as he holds it; but there may be those who differ from him, for even the best judges on the Supreme Bench often differ, and on the most important cases. But as I understand the reason of this opinion, it is that "the act provides for certain specific things and other purposes of a 'public nature,'" but certainly it does not say of a "like public nature." I wish my equal friends here would take special notice of this act, because I think it is a matter which they can

appreciate. And also that "the act by its terms provides for matters not theretofore provided for by law. Assistance for the poor was provided for before the enactment of that statute, and the mode of rendering it was provided for." I admit all of that, but it does not say, nor did it intend to say, that no further nor additional legislation shall be enacted; and I have always understood that as a rule of practice, courts and legislative bodies always accept the latest act as law. It may be presumption for me, as I am not a lawyer, "nor the son of a lawyer," to undertake to argue a legal question before this board; but, nevertheless, I have the right to give my opinion on a subject open for discussion. Again it is argued that the providing of soup for the poor is not of a "public nature," because it is only for a class (the poor), and not for the whole public. Now I think that is a fallacy, an entire fallacy, and will not stand the test of investigation and scrutiny. Now, what say Webster and Worcester both? "Public; in general indistinction from private acts—as the general people, the general acts." Nature—What say Webster and Worcester, quoting Dryden, "Sort, kind, species, in the nature of. That is, partaking of the nature of?" Now, if this act is not in the nature of a public measure, what is it? Because it is only taken advantage of by the poor, is it thereby taken out of the scale of legality for the purposes proposed? Let me read that again. "Because it is only taken advantage of by the poor." Is n't any public act to be partaken of by such individuals as see fit to partake of it? It is n't the whole public who are bound to do so, but only those who see fit to partake of the provisions of this act, and it is only that the poor shall partake of the provisions of this act because they see fit to do so. You and I, Mr. President, if we see fit, may partake of this soup, and I believe if this Council does not pass this measure, the next one will. Mr. President, I should like to have the people of Boston vote upon this question, that is, whether they would sustain the view I take upon it. Do you think there is a single voter in this city of ours of 350,000 inhabitants, including my friends from Charlestown who are witnessing our proceedings tonight, who would be mean enough to deposit in the ballot box a "No"? I should pity the man who would do it, and should advise him to do as the young man did who went West, and after getting quite well acquainted there, wrote home to his father to come out, saying, "Mighty mean men get office out here, and I think you would stand a good chance if you should come out." One of nature's noblemen, as well as a peer of the British realm, Lord Brougham, says, "It was the boast of Augustus that he found Rome of brick and left it of marble. How much nobler will be the sovereign's boast when he shall have it to say that he found law dear and left it cheap—that he found it a sealed book, and left it a living letter—that he found it the patrimony of the rich and left it the inheritance of the poor—found it the two-edged sword of craft and oppression, and left it the staff of honesty, the shield of innocence." It has been said that what has been done in the soup line for the five years last past has been wholly illegal, and if attempted again an injunction would be asked for by ten eminent citizens of Boston and the whole matter stopped. Well, suppose the ten citizens do muster up courage enough from their rusty brains to ask an injunction before they obtain it; they may wish they had followed the advice of the Western boy to his father and followed in the same footsteps. I think I see these ten men proceeding to ask for said injunction, and to illustrate my idea let me suppose a case. And in doing so I shall make use of some portion of the language a gentleman (not of this branch of the City Council) used in his speech against a public park.

Now, let us "imagine the great committee, well coated and muffled ready for December blasts, as starting off in procession down the wide staircase of this hall, they move on for their tour of inspection (so appropriate is their mission to the season). See them in the main hall, doors open on either side, and that unimpassioned Treasurer and fierce-visaged Auditor standing in the doorways to view and *bless* the parting train. What a blessing! The parties had better not hear it."

Imagine ten eminent citizens of Boston, headed by a tall gentleman from the Highlands with a written speech in his hand; on his right "that unimpassioned Treasurer, and fierce-visaged Auditor" on the left, flanked by a brace of ex-mayors, poor overseers, —all, all, decked in robes of sable, listening with more than Oriental splendor, "ready for December blasts"; imagine that grand army of patriots "as starting off in procession down the wide staircase of this hall" to the room of the Supreme Court. "What a blessing" will it be

as the grand leader unfolds his ponderous portfolio, and proceeds to read to the court, with the refined diction of a George Francis Train and the eloquent oratory of a Daniel Pratt, one after another of those studied sentences, and to emphasize one after another those rounded periods, and then to listen in breathless silence to the Honorable Chief-Justice as he replies to them, "Men of Boston! go home and study the laws of God and man, and learn to do unto others as ye would that others should do unto you. The Supreme Court of Massachusetts has hearts not made of stone. You talk neither law nor logic, charity nor humanity." Your injunction is refused! Now look on that picture, then on this: And as these antediluvian malecontents, dressed in purple and fine linen, pass from the Court House to their homes of affluence and luxury, a poor widow begs a penny of them for the sustenance of her fatherless children, and she gets this for a reply: "Before we can do anything for you we must know whether your late husband had paid five years' taxes in Boston, and was an American citizen," and heartsick she returns to her home of poverty. Which of these, Mr. President, think ye, as here pictured, are God's chosen ones?

Mr. West of Ward 16—I think we had better take a practical view of this question, risk the legality of the action and pass the order, and then if any citizens want to test it, let them get an injunction. The city can't be very much injured, and I think we had better pass the order at once and risk the consequences.

Mr. Loring of Ward 12—In view of the fact that the city has already made suitable provisions for the poor, I shall vote against the order.

Mr. Wells of Ward 3—I will state for the information of the Council what I saw today at the Chardon-street Bureau. I was there about twelve o'clock, and saw some dozen or fifteen, one after another, passing up the steps and rapping at the door, where stood an ex-policeman, who was discharged for cruelty to a boy. Not one of those applicants was admitted. Now if members of this Council propose to vote to make poor people who live in Dorchester come to this bureau to get a pint of soup, I for one don't propose to do it.

Mr. Dean of Ward 12—Where the City Solicitor has so much experience in matter relating to municipal law, the chances are that, when he gives an opinion on a subject relating to municipal law, it is right. And yet it seems to me that this is one of those pressing emergencies, and I for one should be unwilling to deprive the poor of this very simple and cheap relief—when it can be so easily supplied and is so accessible to them—until the question has been passed upon by the Supreme Judicial Court. And in this connection it may be proper to state that that court has considered that in applications for injunction it has a discretion, and on some occasions, if my memory serves me rightly, when applications have been made for injunctions to restrain municipal expenditures, the court, in the exercise of that discretion, which they are possessed of, have declined to interfere by injunctions. If I am not mistaken there have been such instances within my recollection. Therefore, while a question may exist in regard to the legality of such an expenditure, while we know that relief will be asked for and while we know that some improper persons wish to get relief, rather than that proper persons should go without it, and while we have the testimony of the gentleman from Ward 2, which can be listened to with entire confidence, it seems to me that the better way, on the whole, is to try and give this relief, and if we fail then it will turn out that it is their fault and not ours.

Mr. Perkins of Ward 6—I don't understand that the question now is that the poor shall have soup at the police stations or no soup at all. I do n't know that the question is whether they will get no soup at all or whether they will have to tramp into Chardon street. The question seems to be whether the Committee on Overseers of the Poor, after a conference with the Overseers of the Poor, should come to the conclusion that it should be furnished to the poor; then comes the question what place they should select. I don't believe it is necessary to associate it with police stations, but it seems to have been taken for granted that if we don't pass this order to allow \$3000 to be appropriated for soup, no relief will be given. That is n't a fair statement, and I don't think the reference should be defeated on that account. I have a letter from Mr. Thomas C. Amory, in which he says—

"The illegality resolves itself into this—that the relief of the poor being devolved upon the Overseers of the Poor, the distribution of soup by the police under an order of the City Council may be of doubtful legality or undoubted illegality, but the distribution of the soup by the Overseers of the Poor at the sta-

tions, with authority from the City Council, would not be open to the same question."

If that be so it seems to me to be wiser for the City Council to authorize the Overseers of the Poor to expend this money, than that the City Council should undertake to do it themselves. Of course that is *prima facie* evidence that it is illegal. The City Solicitor says it is. Now, if it is illegal to spend this money for the poor, it seems to me foolish to destroy this opportunity to dispense this charity simply because we have had these charges trumped up here. I was on a committee to investigate charges against the Overseers of the Poor two years ago, and they were entirely exonerated. I have here an article from the Sunday Courier, in which this paragraph occurs in reference to the sentiment of the poor:

"For reasons that will be sufficiently obvious upon reflection it is the policy of the State to offer no other alternative to the non-settlement poor who can bear the journey there, than the almshouse. But as no mode is provided by which such persons can be removed unless children or insane without their consent except as vagrants, a large number of our most needy poor who will not go to Tewksbury are left without other provision than private charity or such temporary aid not reimbursed by the State as comes within the definition of relief until removal. There is some difference of opinion as to what this signifies; the general and prevailing opinion being that fuel and groceries in extreme cases for a brief period are all that the law sanctions. This view seems to be sustained by the opinion of the City Council, who, in 1863, instructed the overseers that their duty was to make no expenditure for the use of any person who had not a legal claim upon the city for support and assistance; and that no such person had such claim to support either in whole or in part unless he had a legal settlement in Boston. That if a person fell into distress here who had a settlement elsewhere in the State, it was the duty of the overseers to afford him temporary relief at the expense of the town in which he had his settlement; and if he had no such settlement then they ought forthwith to take the necessary steps to have him removed to one of the State almshouses. No other mode, as already stated, is known to exist for such removal except by complaint under the vagrant law, which in many cases, would be gross inhumanity."

It seems sir, that if those instructions from the City Council to the Overseers of the Poor have never been rescinded, it is the Council and not the Overseers of the Poor who are responsible for any distress that may arise therefrom. I think it is better that we should not fling insinuations at officers whom we have ourselves elected. If there is anything wrong let it be investigated; if there is anything wrong let the City Council apply to the Legislature for a change in the law in relation to a settlement of the poor or for a change in the law in relation to the method of relief. I hope the reference will prevail.

Mr. Wells of Ward 3—I did n't propose to say anything further, but it is an old saying that everybody is not born with a silver spoon in his mouth. The gentleman talks about Tewksbury Almshouse for the poor. If he will follow the doings of the Tewksbury Almshouse arrangement, he will find that if a poor man goes there he will be liable to get sentenced for two years. Then the gentleman talks about flinging insinuations against the officers. There is not one word I have uttered but what I would wish published. I stand by what I say and they are facts. I don't think there is much need of making any talk about a few thousand dollars, and I think there are members of this Council and the other branch who will subscribe three thousand dollars. The gentleman says the Overseers of the Poor can distribute this money, but the gentleman don't say that certain parties who will have to establish the places will eat up the three thousand dollars before the people get it. Now the kettles are all prepared, the police are happy to distribute this soup. Now, the question is whether it is n't best for the Council to give the whole of this appropriation to the poor. No matter if a man is passing through this city and is needy, why, pass him by. What I say today has convinced me: That man who was discharged from the police of Boston was tending that door; if he was not fit to be on the police force, he was not fit to stand there and say who was an object of charity. Then the gentleman says it is a fling; if he will go and look back at the name on that document he will know that the man was formerly an assessor of Boston and was placed there by friends. My living and what I possess has been made by brains and muscle; I have been in this City Government many years, and I know the working of it, and I tell you that the affairs of this city are managed by men who can't earn a

living by their brains or muscle, and they are put into these positions by their friends. They are not competent to stand there. If the city is to give a man aid, give it to him and let him go on—not time him by the bell. I am ready to stand here and give \$100 if anybody else is willing, and here are two others beside me who will do the same. We can raise the money here in the Council.

Mr. Shaw of Ward 5—The gentleman from Ward 6 says cases have been trumped up. I can state cases of my own knowledge. No longer than a few days ago a woman met me and a reporter who sits over there at that table, and asked for help, and that kind-hearted reporter gave her some money to take her to the Charity Bureau; she applied there for assistance and got nothing—got nothing, sir; and a kind-hearted lady whom I can name here, and to whom the case was reported by me, took that woman in charge and provided for her wants. The reason why she was refused was the fact that it could not be ascertained that her father had paid five years' taxes in Boston. And this case having been reported in the newspapers, money has been sent in a sealed envelope, received and applied for the object designed by the proprietors of the Traveller. Now, sir, I can tell you of a case that occurred today, and then let the gentleman rise and say that cases are trumped up and brought here for any such purpose. I say such a charge is inhuman and indecent—I repeat it, sir, it is inhuman and indecent. A case occurred in which the Overseers of the Poor did furnish a poor man of Boston with two dollars and he spent it for his sustenance. In twenty-four hours a kind-hearted lady gave him the money to return the amount to the overseers and that board refused to take that man's name from the record of paupers, and he stands there today, with his name as a pauper, with the two dollars returned to that institution. Now think of Ward 6, which the gentleman represents in part—and I thank God only in part—which has elected a woman to the School Committee, and I, for one, intend to do my best to get a woman on that Board of Overseers of the Poor, a kind-hearted woman who knows the wants of the poor. It is not within the line of propriety for the gentleman from Ward 6 to rise here and say cases have been trumped up. Why sir, I can bring instance after instance of extreme poverty which have been relieved only by individual contributions after they have been refused by this inhuman board. I repeat it, it is an inhuman board, for it is the duty of that board to suppress inhumanity. I care not whether it is an ex-Mayor or the meanest and poorest man in Ward 5 where I live, who is the member, I say it is inhuman also for gentlemen to rise here and make such statements. Give me a man of heart, whether he is born in America, Ireland or Germany; I care not for his nationality or his color, but give me a man with "human blood in his veins," as I once before remarked. Now, sir, I speak with some degree of fervor upon this matter, because I think it is due to the exigencies of this occasion—because I think we represent a constituency of Boston and should do what we have a perfect right to do, and what I believe it is right to do, the opinion of the City Solicitor to the contrary notwithstanding. The honorable City Solicitor has decided this point in the same way in which he has before decided matters in which there is doubt—in favor of the city. But let that matter go to the Supreme Court, and there is not a court in the land but will decide that this act will admit of a liberal construction. I can only repeat what I have said before, that this matter is of a public nature. There is not a man in this room who can rise in his place and show it is not a public matter. I trust the Council will excuse me for speaking with some ardor, and I wouldn't do it except for the statement of the gentleman from Ward 6, who said cases have been trumped up here, while cases have been stated by myself and others of the suffering that is endured by citizens of this city. Yesterday morning there were discharged from employment several men whose subsistence depends upon the two dollars per day they get from the city. This is a notorious fact. Now where are they to get their subsistence? I have today been trying to get employment in the Navy Yard for parties discharged from the city, and I found Mr. Pook, the naval constructor, and the heads of departments willing to employ parties, notwithstanding the fact that there was very little work to do. If the gentleman from Ward 6 will take a fifth of his time and inquire into the wants of the people of his district, he never will say that those charges were trumped up. I only say this to the Council for the purpose of showing that this is no fallacy, and that the people of Boston, who are kind-

hearted and generous, are calling attention to it day by day, and they are contributing to it from their own purses. There are thousands who are willing to partake of the soup which the city furnishes, but are unwilling to beg from door to door. I could enumerate instance after instance where the city of Boston can save thousands of dollars by preventing crime, the consequence of poverty. Day after day the records of the courts will show you that crime is committed by reason of poverty, and the expense of it is to be paid by the city of Boston and that poverty and hunger might be alleviated by the provisions which are proposed in this order. Now, sir, I say it is not only a matter of humanity, but a measure of economy for the city of Boston to provide the poor with this small pittance. And I shall repeat, at the risk of being called foolish for arguing against the opinion of the City Solicitor, that I believe the Supreme Court will decide in favor of the constitutionality of this law. It will be declared legal and constitutional.

Mr. Dacey of Ward 2—Perhaps from what the gentleman from Ward 6 said, it may be necessary to state that I can prove whatever I have said. In regard to insinuations, I am not willing to take from the gentleman from Ward 6 one particle of credit, but I must say that—

"For ways that are dark
And tricks that are vain,
The gentleman from Ward 6 is peculiar."

Mr. Denny of Ward 9—Assuming that we are all willing to do something for the poor, after listening to the long speeches this evening, would it not be best not to defeat the resolution before us, but to pass it and let the Overseers of the Poor consider the expediency of establishing the soup houses, and then vote upon it after hearing the report? If we defeat this order the whole thing will fall to the ground. The order went to the other board and was defeated there. Now we have from the other board this reference and recommendation, in which I hope we shall concur, with the amendment, which I shall offer. I move to strike out the words, "consider the expediency of establishing," and insert the word "establish."

Mr. Wells of Ward 3—I am opposed to the gentleman's amendment clean through. If he will tell this Council why we need to refer it to the Overseers of the Poor to consider the need of establishing what we have already in the station houses, I will vote for this amendment. It does seem to me that the gentleman's amendment is incurring a bill of expense to do what we have already, and we don't need another institution of this kind.

Mr. Denny of Ward 9—My amendment is intended not that there shall be new places provided, but that they shall establish them in places at their discretion. I am quite willing to leave the question of selecting the places to this committee of this Council. If you defeat this reference you will defeat the whole thing.

Mr. Dacey of Ward 2—If this order is illegal I can't see how the amendment is to make it legal. Furthermore, I believe that the Overseers of the Poor have enough to do. I don't believe in so much red tape in the giving away of a bowl of soup. There are so many instances of red tape with the overseers that I don't believe in hurdening them any more. If the present system is a success I can't see how the amendment will do anything to make the matter legal, if it is illegal now.

Mr. Denny of Ward 9—If the gentleman is puzzled on the question of legality, I can't see how we can fail to pass the order, after the speeches which have been made on either side. That objection don't prevail in this Council.

Mr. Dean of Ward 12—As I said before, I don't know whether it is legal or not. I have said that I shall vote for it if it is illegal, and I believe the citizens of Boston will support us.

Mr. Perkins of Ward 6 read a portion of the extract above quoted, and thought the amendment was open to the same objection as the original order.

Mr. Dean of Ward 12—I should like to suggest or propose an amendment, so that it will read "to establish at the several police stations."

Mr. Denny of Ward 9—I have no objection. I accept the amendment.

Mr. Wells of Ward 3—I have my doubts now, if the gentleman's amendment should prevail, whether the poor will get any help. I know that the Overseers of the Poor will not establish the soup houses. I hope the Council will not pass it.

Mr. Shaw of Ward 5—I would ask the question whether we have power to instruct the Overseers of the Poor.

Mr. Brackett of Ward 10—It seems to me that the order will not instruct the Overseers of the Poor, as

the instructions are to the Committee on Overseers of the Poor. It seems to me we ought to pass the order to instruct the Overseers of the Poor.

Mr. West of Ward 16—If we pass the order to instruct the committee, there is nothing to prevent them from going and establishing the soup houses.

Mr. Burditt of Ward 16—It seems to me that if we pass this amendment, we take it from the Overseers of the Poor, and give it to the Committee on Overseers of the Poor. It don't matter to me how it is done, so it is done. I hope the amendment will be adopted.

The amendment was carried, and the Council concurred in the reference as amended.

Mr. Dean of Ward 12—I would inquire how the vote making the appropriation stands. I forget whether we passed the appropriation for that purpose.

The President—The Chair believes that the original order instructing another committee to expend this money, is now pending in the other branch, being on the table. Th's now goes down in addition.

On motion of Mr. Pease of Ward 1, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

DECEMBER 12, 1873.

An adjourned meeting of the Board of Aldermen was held at one o'clock P. M. today, Alderman Cutter, Chairman, presiding.

EXECUTIVE APPOINTMENT CONFIRMED.

Special Police—Robert Evans, Chapel of Good Shepherd and Huntington House.

PETITIONS REFERRED.

To the Committee on Health on the part of the Board, Erskin & Bennett, to occupy wooden stable for twelve additional horses on corner Meridian and Eutaw streets.

To the Committee on Streets. Sawyer, Jameson & Cook, for abatement of assessment for betterment on Stoughton and other streets.

To the Committee on Paving. David R. Whitney & Co. et al., for a sidewalk on Milk street, between the Post Office and Oliver street.

UNFINISHED BUSINESS.

Orders to pay John Roessle, administrator of John Roessle, \$39,414 15, on account of widening of Pyncheon street, and \$17,132 75, on account of widening of Washington street.

Severally passed.

THE ELECTION RETURNS.

Alderman Stebbins submitted the following:

The committee appointed to examine the returns of votes cast in the several wards of this city on the ninth instant, for mayor and aldermen and for one street commissioner, have attended to that duty and report that the 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, having a plurality of votes, have been duly chosen for their respective offices:

Mayor—Samuel C. Cobb.

Aldermen—Leonard R. Cutter, John T. Clark, James Power, Solomon B. Stebbins, Alanson Bigelow, Hiram Emery, Andrew J. Hall, Thomas B. Harris, Francis A. Peters, William F. Brooks, Charles J. Prescott, Roland Worthington.

Street Commissioner (for three years)—Joseph Smith.

The committee recommend that the City Clerk be directed to notify the above-named persons of their election.

SOLOMON B. STEBBINS,
JAMES POWER,
THOMAS GAFFIELD, } Committee.

The report was accepted.

REPORTS OF COMMITTEES.

Alderman Clark, from the Committee on Streets, reported an order to pay Martin M. Rogers \$129 55 for land taker, from Mary Tucker, by the widening of Cottage street.

Passed.

Alderman Clark, from the Committee on Streets, reported leave to withdraw on petition of William Childs, for more pay for land taken at the corner of Third and Emerson streets. Accepted.

Alderman Sayward, from the Committee on Health, reported leave to withdraw on applications of Edward Dalen, John O'Hare, T. & W. Glynn, Adeline P. Flanders, and heirs of William Brigham, to erect and occupy stables. Severally accepted.

HOME FOR THE POOR.

On motion of Alderman Hulbert, the Board took up the special assignment, the order to purchase the Austin farm for a home.

Alderman Hulbert—I will only occupy the attention of the Board for a few moments. Mr. Bradt called upon me after the meeting of the Board, and showed me that an incorrect impression would be created by a little omission which I myself had not observed. If the Board will allow me, I will refer to it. I referred to the purchase of the Bradt farm, and its being resold, and then I am informed that the first price named was \$200,000, and during the year the price has decreased to \$75,000. It did not occur to me that not quite all of the original tract was proposed to be reconveyed to the city. I told Mr. Bradt that I was under a wrong impression which might be corrected. Furthermore, Mr. Bradt took no exceptions to the other remarks I made. I will explain to the Board. Of the land which Mr. Bradt does not propose to transfer to the city, are twelve acres on Woodward street, for which Mr. Woodward paid

\$2800 and resold to Mr. Bradt for \$6530. The case stands like this. There were conveyed in all to Mr. Bradt about forty-four or five acres of upland, and about twenty four acres of meadow land; he reserved seven acres of upland and twelve acres of meadow land. The city gets about twelve acres of meadow land and thirty-seven of upland. I will say a few words more upon this subject, and not trouble the Board further. In what I have said I have intended to be perfectly candid, and truthful, so that no wrong impression should be created. I also want to refer to another thing. Some have got the impression from the remarks I made here at the last meeting that I am not sufficiently regardful of the comfort of the class referred to, and in rejecting one site I undervalue the comforts of the poor. I wish to state here that I am open to no such criticism. In all that I have stated I have been duly regardful of the comforts of the poor in the kind of building and conveniences to be furnished. I have not omitted to consider the comfort and convenience of the poor and their friends, and I will give you the reasons why. The place that I propose, as compared with the one referred to in the order, is within one mile of a large town; it is on the line of a railway where the cars are passing every hour in the day, I think. It is capable of being made very pleasant and beautiful. The variety of scenery around it is great and it is pleasantly located for the inmates of the institution to occupy when the grounds are put in good order. Give me ten thousand dollars, and I will make that place look beautiful. I have in mind the comfort of these people because I want to place the institution where their friends can go, comfortably and conveniently, in any season of the year, and visit the inmates. In order that gentlemen may understand how important that is, I will state that the proportion of friends visiting paupers at such an institution, as compared with the number visiting reformatory institutions is as three to one, for this reason: in reformatory institutions only one ticket can be issued at a time, while whole families are allowed to visit the paupers at a time. Another thing, which is very important, is that aged persons may be able to visit the paupers. This is an important thing. Take the next six months in this cold climate—they must be placed so that their aged friends can go there as comfortably and conveniently on land as they can go to Deer Island. Therefore, I have not ignored the comfort of the poor in all that I have proposed, and I fail to see that I am not correct. I want to repeat just one thing that I have stated before. I have no point to carry in this thing; it is just as clear to me in the policy of the city as anything I have ever been called upon to do in my life. I have conversed with many persons, and I have been told that it is indispensable, in carrying out this thing, that it must be put upon the line of a good railroad, and one gentleman said to me that when the city comes to pay the bills for transportation they will see it.

I have found upon my desk a letter from a person with whom I never conversed on the subject, fully indorsing what I have said. If I should give the name it would carry weight with it. Now, gentlemen, I don't insist upon the lot I propose. Give me another just as good, and I will go for it. I have travelled about a good deal, and have not found as good a lot on any railroad as this, and therefore I am willing to state here that that lot will answer—will for all time, answer the purposes of the city. I am willing to have that go upon record as my opinion. Almost everywhere you go you find the neighbors object to the location of such an institution close to them; the railroads don't want it. When you come to find a site on the railroad you will find yourselves blocked at every corner. I know of no other locality that has as much that is desirable as this. I will say further that I never have objected to the Austin farm on account of its beautiful site. There is no doubt about that. I don't object to that, but I do object to taking it because it has not those other facilities which apply to the inmates, and to their friends, to the city, so all that appertains to the conduct of the affairs of the institution in the matter of economy, and to the city officials who are to have charge of it for years to come. This Austin farm is situated where it will not have a railroad for many years to come. I went over the ground last night. A very large extra expense must be made; there is no mistake about that. That is all I have to say, Mr. Chairman. It is simply a business transaction. If we make the place I recommend attractive, it is just as desirable as the Austin farm. It can be put in attractive shape; it is feasible, desirable and economical and easy to be carried on. It seems to me that this is a plain case, and upon that I take my position.

Alderman Power—I did n't mean to say anything upon this subject this afternoon, and I would not now were it not for the effects of the remarks made on a former occasion by the gentleman who has just spoken on this subject. I don't mean to say—I don't think—that he had any intention of maligning the character of gentlemen interested in this purchase, or injuring them in any way. But his remarks have had a great tendency to injure them, and the Boston Journal, of which I have a copy in my hand, in its remarks on the next day, contained the same impression and conveyed it to the public—which impression is, that gentlemen have been trying to put this property upon the city at an exorbitant price. And all this has been brought in here to prejudice us to act unfavorably on the Austin farm. This is what the Journal says:

"Alderman Hulbert made an able exposé yesterday afternoon of the condition of the proposed Home for the Poor, stating some facts which indicate that an effort has failed to perpetrate a great wrong had the original price named for the proposed estate been accepted. If some gentlemen figure in an unenviable light, they have only themselves to thank for it. In view of the fact that a better estate, which will cost the city less money and is far more eligibly located, can be secured, ought to be sufficient reason for at once abandoning all consideration of the Austin farm. * * * While there may be more or less sympathy felt for the unfortunate owners, it is very clear that the city of Boston ought to wash its hands at once of a location which is tinged with such grave suspicions of an attempt to put up a first-class job."

Now, sir, who are these gentlemen who figure in an unenviable light? It certainly must convey the impression that the committee who have had this matter in charge must stand in an unenviable light before the public. Since I have had the honor to have a seat in this Board I have thought that if ever there was a committee appointed in this City Government whose character stood above suspicion it was this committee. I have felt that here was a committee that was above suspicion of bribery. And now here is a statement that makes this committee "stand in an unenviable light." An impression has prevailed that that same property which was first offered for \$200,000 is now offered to the city for \$75,000. But the gentleman has explained his remarks, and so far that is right. Now, sir, I want to say that the very first estate offered to the committee was the "Ward farm," so called, owned by R. A. Ballou. It was deeded by deed recorded in Suffolk Registry by F. J. Ward and others, and conveyed to Samuel Wheelock, for more than a hundred thousand dollars for about fifty acres of land, and I think this committee will agree with me that fifty acres of the Bradt farm is worth fully as much as that. That farm was offered at ten cents per foot, that being the lowest price, and yet when the gentlemen were asked to make some concessions to the city of Boston, they said no. Now, contrasting this action with that of the proprietors of the Austin farm, it appears as if somebody else was trying to put up a job on the city. This land was bought at the same time that the Austin farm was, when people were run crazy about land. Everywhere land was bought at high prices, and the sales were made in good faith. So if the gentleman will look into this matter he will see that there is nothing which should prejudice this purchase. The owners of this property stand in the community as good as the gentleman from the Highland District. If they don't happen to be worth as much money as myself or the gentleman, they are entitled to as much respect. They wanted to sell this land, and as their chances of selling it grew less and less, and the value had declined, they offered it for less, as they wanted the money. Where is there a merchant in this city who has n't done the same thing? I have done the same thing myself in business. I have sold merchandise for \$30,000 that could n't be bought for \$60,000 today. It is the experience of every gentleman who owns land in the outlying districts. So there should n't be a wrong impression conveyed, that this land has been offered to the city for a less price than at first. But there is a great wrong done here. I know the gentleman would not do anything to injure me or insinuate that I am doing wrong in advocating this place. I am glad for the interest of the city that we waited and waited, and now the city is going to get the benefit of this fall in the price of land. Now, in view of the fact that it will not do to wait any longer, I advocate the purchase of the Austin farm for a Home for the Poor, and seven out of eight of the committee advocate it. Now, the gentleman says no man of common sense will take it as a gift for a Home for the Poor. Now, I grant that the gentleman who made use of that expression has a

full measure of common sense, but I don't think he has absorbed all of it in the community. I think this committee have a full measure of common sense, and seven out of eight of them advocate the purchase of the Austin farm. Now, I don't believe that the proprietors of the Journal would cause such an aspersion upon my character, "Some gentlemen figure in an unenviable light, and they have only themselves to thank for it." I have advocated the purchase of the Austin farm for \$130,000 and do I "stand in an unenviable light"? There was a time when it would have brought that amount in market. The gentleman says it is indispensable that a place should be easy of access. Now, sir, the Austin farm can be reached as easily as the other—you can go on foot and get there before you could go to the other place by rail. And the gentleman speaks of the poor who wish to visit their friends. Why, the great reason why poor people wished to have the institution removed from Deer Island was, that they might go there without cost. Why, you can go to the Austin even if you have no money. There is no depot there, it is true. The gentleman says there will be a depot at the place he names—he says he has heard that there is to be a depot there soon. I have heard that there is to be a branch of the Boston Hartford & Erie Railroad by the Austin farm. Another thing, I say the city can't afford to buy the place named by the gentleman, from matter of economy, for it will cost as much to place it in good condition as it will to buy the Austin farm. As I said before, I did n't want to say anything more about the Austin farm, and I should not were it not for the article in this paper. It has conveyed the impression that the gentlemen advocating the Austin farm had bad motives; it was calculated to do them an injury and to injure the gentlemen who own the property. That is all. I only wished to express my opinion on this article. I hope this order will take its second reading this afternoon, but if any gentleman is not prepared to vote, and would like it postponed until next Monday, as the Council does not meet before then, I have no objection to that if any one wishes it.

Alderman Gibson—I would like to ask the chairman of the Committee on Public Institutions how much additional accommodations there are at Charlestown, West Roxbury and Brighton for the care of the poor.

Alderman Hulbert—There are no accommodations at West Roxbury and none at Brighton. There is a poor-farm at Brighton, on which there is a moderate-sized dwelling, where twenty or thirty people can live. The town of Brighton found it cheaper to support their poor in another way. The city of Charlestown have a home for the poor. I would simply say, in reference to what the Alderman said, that Mr. Bradt told me that he felt that my statement was, under all the circumstances, such as he could not take exception to, except the statement I referred to before. I took as much pains as could be possible not to reflect upon any member of the committee. But every member of the committee has seen the pressure that has been brought to bear during the last year. I said to Mr. Bradt "that is not my way," and he said "such things were generally done that way." I took especial pains not to impute anything unfavorable to the committee. When, in my position as chairman, I found that I differed with the committee I was led to look very carefully over the matter. But when I deem it my duty I can't give up, though I am generally ready to change my convictions when sufficient proof is offered. Knowing what I know, and passing through what I have on this question, I have n't skill enough to make my statements more delicate than I did. I stated those facts that I knew, but without satire.

Alderman Quincy—My first impulse on hearing of this astonishing fall in real estate was to vote against the purchase on any terms, for it seemed to me as if the inference could not be avoided that an attempt had been made to obtain an inflated and exorbitant price from the city, and in my view of the relations which we hold to the money of the taxpayers, I felt as a guardian might on finding that a plan had been made to get the better of his ward. It seemed as if it was our duty to discourage such attempts by refusing to deal on any terms with those by whom they had been made. But in view of the fact that gentlemen more conversant with the subject, and whom we all trust, are of the opinion that no such attempt should be inferred, and that if made it has certainly failed, and that we are now dealing in fact with other parties, I am willing to vote for the purchase because it seems to me that it cannot fail to be a good one for the city.

Alderman Power—I have made the remarks that I have in defence of this City Government, because

they are needed. This article in this paper would convey the impression abroad that there was something wrong in the City Government. The gentleman opened his speech upon another subject of importance, a short time ago, with the remark that the honor and credit of the city of Boston should be guarded as sacredly as the virtue of woman. I agree with him, that it should be so guarded and preserved and protected from suspicion. That is the reason I make this defence of the members of the Government. I feel proud to say that I think that if there ever was a committee that stood above suspicion, it is the rest of this committee (beside myself) who have had this matter in charge. Now, I may say of this place favored by the gentleman, that it was offered to members of this Government within a year for \$15,000. There is no question about that offer; I state it upon the authority of members of the Government to whom it was offered. But I don't see what that should detract from the merits of this place. It should stand on its own merits.

Alderman Stebbins—Mr. Chairman, Mayor Pierce, in his inaugural address to the City Council, referred to the proposition to establish a Home for the Poor separate from those of a penal or reformatory character, and gave it his hearty approval and said, "The present system is discreditable, and should not be tolerated beyond the time absolutely required to make different provisions." This portion of the Mayor's address was referred to the Joint Committee on Institutions, and the committee have given the subject great attention; visiting, I understand more than twenty different farms offered for sale to the city as suitable locations for a home. The committee have now made their final report, and the City Council are called upon to decide between two locations. One situated on the boundary line between Ward 17 and Dedham, the purchase of which is favored by the chairman of the committee, the other location is known as the Austin Farm, and the purchase of which is favored by the other seven members of the committee. I wish, Mr. Chairman, to state briefly why I shall vote in favor of the Austin farm. Yesterday, in company with several members of this Board, I visited both locations, and I must say that, after the statements made at the last meeting of the Board, I was agreeably disappointed in the advantages offered by the location favored by the chairman of the committee, both in regard to the railroad facilities and the nature of the soil; but the objections, to my mind, against this location are the remoteness from the centre of the city and the increased cost of erecting buildings, by reason of carting and transporting building materials so great a distance. Alderman Hulbert at the last meeting of the Board, suggested that the supplies for running the institution could be delivered at this place cheaper than at the Austin farm. I must disagree with the Alderman on that point. Take for instance coal, large quantities of which will be required; the Providence Railroad have no facilities in Boston for receiving coal direct from vessel, consequently it would be necessary to cart the same to the depot, and this expense together with the freight would be much larger than it would cost to deliver it at the Austin farm by them, and it would be the same with all other supplies. When the purchase of the Austin farm was first brought forward, I was opposed to it for two reasons. (1) The price, \$135,000, I considered more than the property was worth. (2) The odor of jobbery which, whether right or wrong, seemed to hover around it. By the reduction of the price to \$75,000 both objections are removed, and I have reason to believe that the city are now dealing with parties who represent the bottom price at which this estate has been bought and sold for. The Austin farm is not too remote. The Metropolitan and Highland horse cars run within a mile of its location, the Hartford & Erie Railroad have recently established a new depot within about half a mile, and this railroad are seeking a location from their Worcester branch, which now enters the city through Brookline, over the Albany road, by a new route to their main line, and which will cross or come near the Austin farm.

It will be necessary to keep one or more teams wherever the home is located, and I apprehend that one such team could transport from the city all the lighter supplies required at the institution. It seems to me that the interests of the city will be best served by the purchase of the Austin farm, and I shall so vote, and I trust that good substantial buildings may be speedily erected, which shall reflect credit upon the city and afford the comforts of a home to the deserving poor.

Alderman Clark—At my request this subject was laid over in order to give members time to go out there. I was one of those who went out there yesterday, and I found the place recommended by the

Alderman from the Highland District much better than I had been led to think from the description given by the Alderman from Ward 12. It is a very good piece of land and has very good facilities for transportation. If that were the only consideration, it would be much better than the Austin Farm. There is no doubt that by spending ten or twelve thousand dollars it could be well adapted for the purposes proposed. But I fail to see that it would be so good an investment to purchase at \$25,000 or \$30,000 as it would be to purchase the Austin farm at \$75,000. I think the latter will increase very much in value in the next two or three years, and I don't know why the city should not look well to its investments as well as an individual would. At the present time the facilities for the transportation of supplies are rather against the Austin farm, but I doubt very much whether that cannot be done by the institution itself by a team as well as it can over the Providence Railroad. There is no question, if any one will go and see both, that the Austin farm at \$75,000 is much cheaper than the West-Roxbury farm at \$25,000. The question as to whether fraud was attempted in trying to sell the Austin farm to the city at an exorbitant price—a charge which has been made—is not to be decided at present. I do not believe that any fraud has been attempted. But it has declined from \$155,000 to \$75,000, and there has been no such decline in real estate or merchandise within my recollection. The panic has caused no such a decline as that. This place was sold by Mr. Austin to Mr. Woodward for \$90,000; Mr. Woodward sold it to Mr. Bradt for \$155,000. Mr. Bradt has paid \$5,000 and one or two years' interest. It has probably gone back into the hands of the original owner, Mr. Woodward. He comes here and makes this offer. He has made a good thing by the sale, and has reserved seven acres, which will be worth much more than he paid. We are not dealing with Mr. Bradt, or any of the parties who have made the attempt to force this property upon the city at an exorbitant price. At any rate, I do not intend to let that influence me in my vote upon this question. I believe that of all the places which have been seen, at the price for which we can buy it, the Austin Farm is the best investment. I still believe that if the place at Neponset could be bought for the same price, and the Austin Farm at \$25,000, as at first proposed, I would vote for taking the Neponset lot. The means for getting to the Austin farm are certainly convenient, for the horse railroad goes within four-fifths of a mile. The country about it is very pleasant and delightful, and certainly there can be no objections to having a pleasant locality for a Home for the Poor even, if it is not going to cost too much to obtain such a site. There is plenty of land for such additional buildings as may be needed for a Home for Orphan Children or any other purpose that may be desired hereafter. The soil is good, and I for one do not believe that no labor can be obtained from the paupers that we are obliged to support. I don't know how it is with city institutions, but I know that in the country the able-bodied poor are obliged to work as well as those who are not paupers. I believe we should look to the quality of the soil somewhat, and I think the number of acres contained in the Austin farm is none too much. I believe the inmates in the institution can do a sufficient amount of labor to raise their own vegetables, and I think a great many other things can be raised there. Those are my reasons, Mr. Chairman, for voting for the Austin place. I did oppose it at \$125,000, and I should oppose the purchase of it at \$100,000; but I think \$75,000 is a low price for it. I believe a real-estate man who could take it at that price and hold it for a few years, would make money upon it; but I do not believe a real-estate man could take the West Roxbury place and hold it and make anything on it. I believe the Austin farm, at the price named, is the best place for the purpose.

Alderman Power—It is certainly gratifying to me, if it is so, that all sorts of merchandise have escaped the general breakdown that I thought had spread through the land. If it is simply in the metal business that the panic has struck I am glad to hear it. But I can't agree with the gentleman opposite. I think the panic has affected all sorts of business. I did not bring this paper here for this purpose, but here is an advertisement of the house of Jordan, Marsh & Company, where goods sold formerly at \$800 are marked down to \$400, and from \$500 down to \$200. That is worse than real estate. Other things have gone quite down to half price. Look at the dry-goods business—the best Brussels carpetings for \$1.50, when I paid \$3.50 for some some time ago. So it seems it struck into the dry-goods

business as well as real estate. The gentleman must remember that a few weeks since one of the best estates in Franklin street, for which many fine offers were made last year, was put up at auction, and they could n't get a bidder; so it seems to me that right here in the business centre of Boston real estate has been affected. There is no question about the manner in which real estate in the out-lying districts has been affected. I don't believe that the place I have mentioned, which was offered to us first, can be sold today for \$50,000 cash. To my mind there is n't any question at all about the decline in such property.

The order was passed—yeas 11, nays 1—as follows:

Yeas—Aldermen Bigelow, Brown, Clark, Cutter, Emery, Gaffield, Gibson, Power, Quincy, Sayward, Stebbins—11.

Nays—Alderman Hulbert—1.

SEWER ASSESSMENTS.

Alderman Power, from the Committee on Sewers, to whom was referred the schedules of assessments for sewers in Moreland, Sixth, Westminster, Alpice and Shawmut streets, reported that they are correct, and recommend the passage of orders for collection.

The orders were severally read once.

On motion of Alderman Gibson—

Ordered, That there be paid to Amasa Bird, the sum of \$505 51 for paints, carting, etc., and work on telegraph poles; the same to be charged to the appropriation for Fire Alarms.

Read once.

SWETT-STREET HOSPITAL.

Alderman Sayward, from the Committee on Health, to whom were referred the communication of the Board of Health and other papers relative to the Swett-street Hospital territory, submitted a report recommending the passage of the accompanying order:

Ordered, That the land and hospital building located on Swett street, now in charge of the Board of Health, and subject to its orders and regulations, be and the same is hereby transferred to the custody of the Committee on Public Lands.

The order was passed.

Alderman Stebbins inquired when a report on the location of a new smallpox hospital might be expected.

Alderman Sayward replied that one suitable site had been reported by the committee which had been rejected by the Council. The committee did n't propose to report any more sites this year.

PETITION FOR RECOUNT OF VOTES.

A petition was received from seven citizens of Ward 19 (Brighton) representing that they had good reason to believe that there were inaccuracies in the returns for ward officers from that ward, and asking that a recount may be made.

Referred to a special committee, consisting of Aldermen Stebbins, Power and Gaffield.

On motion of Alderman Power, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
DECEMBER 15, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M. Alderman Cutter, chairman, presiding.

JURORS DRAWN.

Five additional traverse jurors were drawn for the December term of the Superior Criminal Court.

EXECUTIVE NOMINATIONS.

Police Officers with all the powers of constables, except serving and executing civil process—Wilbur Laskey, Jr., Michael W. O'Brien, Samuel D. Chamberlain, John L. Savage, Moody Quimby, George F. Malcolm, George F. Sawyer, A. S. Buswell, James H. Wardeu, Charles H. Cneever, Michael Toomey, John C. Blake, Ira C. Foster, Oliver W. Shapleigh, Robert J. Brady, Charles A. Phillips, John B. Corcoran, Charles Glidden, William B. Dailey, William Guffin, Bernard Armstrong, William Matthews.

Severally referred, on motion of Alderman Gibson, to the Committee on Police.

The following nominations were confirmed:

Lieutenants of Police—Sergeant John L. Cook and Officer John F. Ham.

Sergeant of Police—Officer Joseph R. Burrell.

Special Police without pay—William Crawley.

PETITIONS REFERRED.

To the Committee on Paving. George N. March *et al.*, for plank walk on east side of Hawley street.

To the Committee on Sewers. P. H. Rogers *et al.*, for postponement of collection of sewer assessment in Dorchester avenue.

To the Committee on Faneuil Hall. George V. B. Ladd *et al.*, for use of Faneuil Hall for a public ball on January 22, 1874, by the Knights of Pythias.

To the Committee on Health on the Part of the Board. S. Y. Chase, to occupy wooden stable for two horses on Border street, rear No. 169.

Henry Hurl, to occupy wooden stable for eight horses on vacant land near Ward street.

Heirs of William Brigham, to occupy a brick and a wooden stable at 1051 Washington street.

To the Committee on Claims. David E. Mayo, to be paid for personal injuries caused by unsafe condition of Winnisimmet Ferry.

William Harmon, to be paid for injuries to his team in Ward 16.

To the Committee on Public Lands on the Part of the Board. Thomas W. Carter, to rebuild and enlarge his kiln on City Hospital land on Albany street.

To the Committee on Survey and Inspection of Buildings. A. D. Williams, for leave to erect a building on Farnham street beyond the legal dimensions.

To the Committee on Armories. Company E, Ninth Regiment Infantry, for an armory.

Company A, Ninth Regiment Infantry, for an armory.

To the Committee on Assessors' Department. Aaron D. Capen, for the remission of portions of his taxes for 1870-1871.

ORDER OF NOTICE ISSUED.

On the petition of heirs of William Brigham, to locate and use steam engine of 200-horse power in rear of 1051 Washington street, an order of notice was passed for a hearing on Thursday, the 1st day of January, 1874, at one o'clock P. M.

HEARINGS.

The order of notice of intended removal of trees from St. James street came up to be considered and was temporarily laid aside at the request of Mr. W. R. Gray, who expected other parties to appear. Later in the session, on motion of Alderman Clark, it was specially assigned to next Monday at four o'clock P. M.

The order of notice for the removal of nine elm trees from Neponset avenue, was considered.

Mr. Roach appeared for the estate of Bartholomez Roach, which is covered by five or six of the trees. There was no great necessity for taking them down, he said; the street is sufficiently wide for travel and the trees are just on the edge of the sidewalk. It would be considerable injury to the estates to have the trees removed.

On motion of Alderman Power the petition was referred to the Committee on Paving.

The order of notice of proposed removal of a tree from P street, South Boston, was, on motion of Alderman Power, referred to the Committee on Paving.

BOSTON AND ALBANY DEPOT.

The next hearing was on the petition of the Boston & Albany Railroad Company for leave to take land for station purposes in certain limits.

John White appeared for several property owners interested. They did not object, but simply desired fair compensation for the land.

Edward S. Rand appeared for the estate of Josiah

Stickney. He did not come to object, but merely to protect the interests of the owner of the estate. The question of damages will come up afterwards. He did not appear to oppose or object.

George S. Hale appeared to represent the railroad corporation. This proceeding does not diminish the obligation of the corporation to pay for the land. Under the statutes, the company cannot go outside the space of five rods without permission of the Aldermen. When the Board give their permission to take within certain prescribed limits, they will then have to settle for the estates. No person's rights are interfered with by this proceeding.

Alderman Clark offered the following:

Whereas, The Boston & Albany Railroad Company hath presented to this Board a petition praying said Board to prescribe and define the limits within which said Boston & Albany Railroad Company may take, for depot and station purposes, lands and materials in the city of Boston in the county of Suffolk, situate and described as follows, to wit: beginning at the point of intersection of the southerly line of Kneeland street with the easterly line of Albany street, thence running easterly by the southerly line of Kneeland street, to the westerly line of Utica street; thence southerly by the westerly line of Utica street, as accepted by the city, and by said line extended southerly to a point six hundred feet distant southerly from said Kneeland street, thence southwesterly to the easterly line of Albany street at the face of the abutment of the Albany-street Bridge; thence northerly by the easterly line of Albany street to the place of beginning; a portion of said lands and materials being without the limits of the road of said Boston & Albany Railroad Company;

And whereas, due notice has been given to all the owners of all lands and materials situated, lying or being within the bounds and limits described in said petition and hereinbefore described, of said petition, and that said board would, on the fifteenth day of December, at four of the clock in the afternoon, consider said petition, and the application of said Boston & Albany Railroad Company, thereby made and hear all persons and corporations in any way interested therein;

And, whereas, said Board did accordingly at said time and place consider said petition and application and hear all persons and corporations desiring to be heard in regard to the same, and hath adjudged and doth adjudge that the said lands and materials are necessary for said Boston & Albany Railroad Company; now then, said Board doth hereby prescribe the limits within which the same may be taken, as follows:

Beginning at the point of intersection of the southerly line of Kneeland street, with the easterly line of Albany street; thence running easterly by the southerly line of Kneeland street to the westerly line of Utica street, thence southerly by the westerly line of Utica street, as accepted by the city and by said line extended southerly to a point six hundred feet distant southerly from said Kneeland street; thence southwesterly to the easterly line of Albany street, at the face of the north abutment of the Albany-street Bridge; thence northerly by the easterly line of Albany street to the place of beginning.

And said Board doth adjudge that said Boston & Albany Railroad Company may take, for depot and station purposes, any and all the lands and materials situated, lying or being within said limits.

The order was passed.

RELIGIOUS INSTRUCTION IN PUBLIC INSTITUTIONS.

The following was received:

OFFICE OF THE BOARD OF DIRECTORS FOR
PUBLIC INSTITUTIONS,
BOSTON, Dec. 13, 1873.

To the Honorable the City Council of Boston: Gentlemen—In reply to the communication of the City Council requesting the Board of Directors for Public Institutions to report on or before the 15th inst., their opinion as to the propriety of changing the present rules of the institutions providing for moral and religious instruction, I have been requested to state that, at a meeting of the board held on the 10th inst., it was

Voted, That the president be requested to inform the City Council that, in the opinion of the board, it is inexpedient to change the rule, inasmuch as the Board of Directors have now ample power to provide for such religious instruction as they may deem expedient.

Respectfully,

J. P. BRADLEE, President.

The communication was read and ordered sent down. Subsequently, on motion of Alderman Power, the vote to send down was reconsidered.

Alderman Power—Mr. Chairman, the Committee on Public Institutions, when they referred that matter to the Board of Directors, asked for certain information which that report does not give. As I stated when this question was up before, there have been

various petitions presented to the Board of Directors of Public Institutions asking for a change in the rules, that a certain denomination, of which the greater number of people in those institutions are composed, might have the privilege of religious instruction according to their belief. It is well known that the directors have not granted the request, and then the petitioners had to look elsewhere for that privilege. The matter in that way has reached the Committee on Public Institutions. Now this committee are ready to act on this matter, but the majority, with some good reason, think that before acting they would like to have certain information that they cannot get except from the directors. The committee wish to act intelligently, and before acting they wish to know the reason the petition has not been granted. The directors say they deem a change inexpedient. Now the committee wish to know the reason why the directors deem it inexpedient to make the change. Perhaps when they have those reasons the committee may not wish to make the change. In that communication we ask their reasons for not granting this petition, but in this reply the directors don't throw any light on the subject. Now, sir, that this thing may be settled one way or the other, the committee would like to have the reason of the directors for deeming a change inexpedient—why a change asked for by eighty per cent. of the people in those institutions for the privilege of worshipping God according to the dictates of their own conscience, and in the faith in which they were born. Of the inmates of those institutions—I blush to acknowledge the truth—at least eighty per cent. belong to a certain denomination, and yet they cannot have the privilege of worshipping God according to the faith in which they have been brought up. Now, the people of that same faith in this community want to know why the great majority of the people in those institutions can't have the opportunity to worship God in their own way. The only way they can be reached is through their religion, and they are there because they have wandered away from their religious influences. Now, sir, this matter has been before the public for some time. All the denominational papers in this country have expressed an opinion upon it, and all the papers of Boston are unanimous on this subject. The committee want to know the reasons of the directors, and therefore, Mr. Chairman, I move that the communication be referred back to the directors with instructions to give us their reasons for deeming it inexpedient to make a change in the method of religious instruction at those institutions.

Alderman Sayward—Being the humble representative in the Board of Directors from this Board, I have a word to say. I would like to have the communication that was referred to them read.

The report of the Committee on Public Institutions, recommending the reference to the directors, was read by the Clerk.

Alderman Sayward—That is just what I supposed the order was. They have reported that no change was necessary, as they have it in their power now to elect any one to direct the religious exercises at the House of Correction, etc. The question of putting some other teacher into those institutions has never come before the directors.

Alderman Power—No member, Mr. Chairman, regrets to have a religious question come up here more than I do, and I regret very much having to bring this matter before this Board. The petitioners do not ask them to change the arrangements at the institutions; they do not wish them to hire any other clergyman; they only ask that a clergyman of their own belief may be allowed to go there once a week and hold services in any place the directors may see fit to give them. They don't wish to put the city of Boston to any expense at all and they only ask that the great majority of the people there may be allowed to have a religious teacher of their own faith. I move that the document be referred back to the directors and that they give us the reasons why they will not allow the change to be made. The committee are all ready to act on the matter, but they want to know the reasons of the directors, who simply say it is inexpedient to make the change. Perhaps if the committee knew the reasons of the directors, the matter would end there.

Alderman Sayward—It appears to me that the gentleman is mistaken. If he wishes to get at any particular question it must go in a different form from that request. This has nothing to do with any petition. The directors simply answered the question that you asked them in regard to changing the rules. Now if you have anything else to refer to them I shall not object. But now that you have got this matter back it would be proper to recommit it to the committee. If there is any question that my friend desires to get before the directors to be answered he can put in such a document. But it appears to me there is nothing to be gained by referring it back to the directors.

Alderman Hulbert—The Alderman from Ward 12 is correct in what he expected the Directors of Public Institutions to report. I remarked at the last meeting what we desired to know. [The Alderman read his remarks at the last meeting on the subject of referring the communication from the grand jury to the Board of Directors.] The object of the committee was to obtain just that information. The wording of the order of inquiry is not as full as I supposed it was, and perhaps the reply of the directors is all that that order could call for in one sense. Still it was expected that the directors would give their opinion to the City Council as to the request that was made by the grand jury, giving information as to what was the practice and what objections they have, if any, to a change. I think that opinion should be given, and I am in favor of recommitting that order with the request that the directors shall give to the City Council a statement of what the present provision is, and objections, if they have any, to making the change asked for. I think that is due to the City Council.

Alderman Sayward—Notwithstanding what the gentleman has said they intended to get, the order certainly asks only that the Board of Directors give their opinion as to the change of their rules. For the information of the gentleman, I will read the rule of the Directors of Public Institutions.

"The chaplain shall be elected by the Board, annually, in the months of April or May, and whenever a vacancy may occur. It shall be his duty to perform divine service on the Sabbath, and such other times as may be set apart by the Board for religious exercises, and shall visit the sick, instruct the inmates in their moral and religious duties and counsel and advise them prior to their discharge, and perform such other duty in his capacity as the Board or the master may require. He shall not be allowed to exchange or send any substitute without the consent of the Superintendent of the Board."

I presume the directors will be ready to answer all questions they are asked, but they don't propose to answer any that are not asked.

Alderman Hulbert—I think, if anything, the fault was in the form of the inquiry. I think it was intended to have the opinion of the directors in regard to the change and their objections to such change. It seems to me that something more full should be had from them.

Alderman Gaffield—It seems to me that if we are making an inquiry on any question of these gentlemen it should not be general. If the inquiry is general we must expect a general reply. If particular information is asked for, we should ask for it in a particular manner. Now this question is about something that has not been spoken out. The question is why can they not have a Catholic priest there. Why not ask it right out? Now it is stated that there are eighty per cent. of the people in those institutions who are Catholics. If we ask the question in regard to one denomination it seems to me we might, with the same propriety, single out others. Some may be Episcopalians, or Congregationalists, and they might not like the Catholic form of worship, and the Catholics might not like the Congregational or Episcopal form of worship. It seems to me this question ought to be brought before the directors in a tangible manner. They ought to be asked if all classes of persons can have ministers come there. As the Alderman remarked, I may blush to say there are some Unitarians there, and they might want a minister of their denomination and the directors might, in order to please all, have a Unitarian one day, a Catholic tomorrow, a Congregationalist the next day, and so on. Let the inquiry be made in a specific form, and that ought to get a specific answer.

Alderman Power moved to lay the subject on the table. Carried.

CONSTABLE'S BOND.

The bond of Sarell Gleason, constable, being duly certified, was approved by the Board.

SEWER ASSESSMENTS.

The Superintendent of Sewers submitted schedules of assessments for the construction of sewers, as follows: Stoughton and Myrtle streets, total \$2272 38; to individuals, \$1704 29; Ericsson and High streets, total, \$2648 33; to individuals, \$1986 25; Clifton, Hudson, Albion and Cottage streets, total, 4029 23; to individuals, \$3021 93; Neponset avenue, Walnut, Wood, Taylor, Franklin and Water streets, total, \$12,320; to individuals, \$7766 66; Regent, St. James, Akron and Fountain streets, total, \$9020 50; to individuals, \$6765 38. Severally referred to the Committee on Sewers.

WIDENING OF PEARL STREET.

An order (City Doc. No. 133) was received from the Street Commissioners for the widening of Pearl street, near Milk street, at an adjudged expense of \$66,440, the following schedule giving the names of owners, etc.:

ESTATES.

	Square feet of land taken.....	Price per foot.....	Value of land taken.....	Total amount of damages to each estate.....
Mutual Life Insurance Co., New York.....	1806	\$21 00	\$37,926 00	\$37,926 00
James Leeds.....	439	14 25	6,255 75	6,255 75
Thos. Mims and sisters.....	185	14 25	2,636 25	2,636 25
Susan C. Wheelwright.....	171	15 25	2,436 75	2,436 75
Hers Zabdial B. Adams.....	215	14 25	3,063 75	3,063 75
Caleb Stetson.....	223	14 25	3,177 75	3,177 75
Sancl & Wm. Atherton.....	313	18 50	5,790 50	5,790 50
Hers Edward Cruft.....	287	9 00	2,583 00	2,583 00
James Parker.....	123	13 00	1,599 00	1,599 00
Hers J. M. Smith.....	52½	18 50	971 25	971 25
	3314½	.....	\$66,440 00	\$66,440 00

The order was read once and laid over under the rule.

Later in the session Alderman Clark moved the order take its second reading, and said—

I would state that the subject has been before the Committee on Streets and they fully recommend the widening of the street. It is necessary to have as little delay as possible, inasmuch as the insurance company are desirous of commencing, at once, to lay their foundations. The Street Commissioners unanimously recommend the passage of the order.

The order was passed in concurrence with the Street Commissioners.

RESIGNATION.

A communication was received from Samuel C Cobb, rendering his resignation of the position of member of the Board of Directors for Public Institutions, he having been notified of his election as Mayor of the city for the ensuing municipal year—the resignation to take effect this day.

Referred to Committee on Public Institutions, on motion of Alderman Holbert, with directions to make a nomination to fill a vacancy.

UNFINISHED BUSINESS.

The following came up as unfinished business, and were severally passed:

Order to pay Edward A. White *et al*, trustees, \$121,751 27, for Water-street damages.

Order to pay Asa P. Morse \$6170, for Essex-street damages.

Order for Superintendent of Streets to grade Tudor street, from D to E street. \$3500.

Order for Superintendent of Streets to grade Ceylon street, from Bird to Quincy street. \$1200.

Order to pave Arch street, from Milk to Franklin street, with wood. \$4000.

Order to pay Timothy O'Regan \$800, for Paris-street grade damages.

Order to pay James T. Barrow \$350, for Regent-street grade damages.

Order to pay Caroline H. Brooks \$40, for Regent and Alpine street grade damages.

Orders to levy and collect assessments for construction of sewers in Gouch, Catawba, Copeland and Franklin streets.

Orders to abate certain assessments on estates of John Haggerty, Michael Lane and others, for sewers in Bolton street, Dorchester avenue, Summer street and Sloughton street.

Orders to establish grades for Tudor street, Eastist street and Magazine street.

Orders to levy and collect assessments for sewers in Moreland, Alpine and Westminster streets, in Shawmut avenue, and in Sixth street, from O to P street.

Order to pay Amasa Bird \$505 50 for painting, work, etc., on telegraph poles.

The report and order for transfer from Reserved Fund of \$25,000 to appropriation for Public Buildings was considered.

Alderman Sayward—I have a single word to say here. I see by the report of the Committee on Finance that the Committee on Public Buildings have had to take a severe chastisement for spending money not appropriated at the commencement of the year. I had the honor, sir, of making this request for an additional appropriation for the Committee on Public Buildings, and I stated in detail why it was asked for. I believe, sir, the reason for this additional \$25,000 has been forced upon this committee by other committees of this Government. On every occasion I stated to this Board the necessity of being economical in the appropriation for Public Buildings, for at the rate we were going on we should have to call for more money. Now sir, this expenditure has been made greatly in consequence of the Committee on Fire Department, which have placed this extraordinary expense upon the Committee on Public Buildings. But it does seem to me that if a committee had

gone beyond its appropriation, it was necessary to lecture that one and not the Committee on Public Buildings. As my friend stated here in regard to the debate on the Home for the Poor, there is a wrong impression given to the public by this report. In the first place, the Committee on Public Buildings have not gone beyond their appropriation. When requests have been made here, at committee have risen in their place and stated what would be the result. I don't rise to find fault with the Committee on Finance, as I think they should look after the financial affairs of the city very closely; but they should lecture those committees who have gone beyond the appropriation and not those who have not.

The order was passed—yeas 12, nays 0.
Order to pay Thomas Higgins \$69,270 96, for Washington-street damages. Passed.

Alderman Clark—For the purpose of making this conveyance immediately, it was necessary for a gentleman to come on here from the city of New York, and he is exceedingly anxious to return tomorrow by the ten o'clock train. I understand that in order to have it signed by the Mayor it would be necessary to move a reconsideration, and for the purpose of a commodious the parties, I move to reconsider the vote whereby we passed the order just read, hoping it will not prevail.

The motion was lost.

SOUP FOR THE POOR.

The reference to Committee on Overseers of Poor of a message from the Mayor, transmitting a communication from the said overseers in relation to the relief of the poor during the coming winter; said reference being with instructions to consider the expediency of establishing places throughout the city for furnishing soup and other provisions to the poor (Printed City Document No. 130), came up with amendments authorizing the above committee to provide soup at the several police stations in this city.

The question was on concurrence with the Council in the amendments.

Alderman Quincy—I hope we shall non-concur. Charity at random is universally admitted to do more harm than good, and of all forms of charity at random I think none are more calculated to produce evil results than this. It creates, attracts to the city and collects the class of the idle and vicious, who become dependent on it, while the self-respecting and industrious poor, who seek to support themselves, are hardly in any appreciable degree benefited. Because certain plants in a garden need water we do not pay amissly into the air with a fire engine in the hopes that some will fall where it will do good. Even if it did, so much more falls where it does harm that the soil is flooded and the rank weeds of swamp and morass make their appearance. In an article in one of the December magazines this very matter is used to illustrate the evil resulting from mistaken charities though prompted by the higher Christian benevolence. One Brown is supposed to have founded by will a "Beef and Broth Kitchen" for gratuitous distribution of food. The result is that it attracts into the city a large class who might support themselves in the country where their labor is needed, by holding out the fallacious promise that work or no work there shall be food for all. That such a mischievous charitable institution should be aided by an exemption from taxation necessarily borne more heavily on that account by others seems to a certain publican as rather odd, and the reader is inclined to agree with him. Better that many undeserving should be supported than that any deserving should suffer in the argument. If to support the undeserving simply did no harm and the deserving could be reached in no other way I might assent to this position. To compare the illustration of the garden—if the water which did not fall on the useful plants could run off without swamping the beds and encouraging the crowd weeds, and the garden was locked up so that one could not take a watering pot and put a little where it was wanted, then the fire-engine experiment might be a success, otherwise it is evident that its employment would be highly damaging to the general interests of the garden. In support of these views we have a communication from the Board of Overseers whom we have elected to give their special report on a steady to this matter, unequivocally condemning this practice of soup distribution as "unwise and injudicious, tending to aggravate and increase the evil it designs to alleviate." This communication we refer to the Committee on Overseers of the Poor with instructions to consider the expediency of the very measure which the overseers so strongly condemn; in other words we ask the committee to look into the matter and tell us whether they agree with the overseers or would advise us to override their objections. Now the position taken in the branch overheard by the amendment seems to be this: Why send it to a committee when it clearly enough appears that the overseers are wrong in the

matter; that they don't know their business, but are guilty of red tape and inefficiency, which makes the adoption of this measure which they condemn our imperative duty as Christians. Therefore, instead of asking their opinion on the expediency of doing it according to law, let us simply instruct them to do it against law, or against the City Solicitor, who don't know the law. I can't vote for any such amendment. In regard to these vague charges and insinuations of red tape and dereliction of duty on the part of the Overseers, I understand that these gentlemen court nothing so much as investigation, under which, it is believed, they will vanish like smoke. I would refer those gentlemen who do not know (as I did not until recently) how much the board endeavor to do, how much they succeed in doing and what they are prevented from doing by the law, to an article written by one of their number in last Sunday's Courier. It seems that they go to the full extent if not beyond their legal powers in assisting meritorious cases irrespective of settlement or claim against the city for support. The City Solicitor in 1863 instructed them that they had no right to expend a cent for persons without such settlement or claim. But to relieve actual suffering they have disregarded the strictness of this instruction. I quote the article alluded to as follows:

"The overseers are consequently forced to give temporary aid in meritorious cases where there is no settlement, but feel constrained by the opinion of the City Solicitor to limit it to the immediate necessity, turning over the case by mutual understanding to the Provident Association and other organized private charities. If these societies had ample funds to meet all such cases of want this would seem the wisest and best disposition to be made of them. If we undertook the support, full or partial, of all who chose to flock here from other States and countries it would be difficult to discriminate, and would operate to the prejudice of our own poor. We should have an efficient and worthless population, liable at times, when out of work and needy, to become lawless and dangerous to public order.

As there appears, therefore, no other alternative for the non-settled poor who will not go to Tewksbury than the charity of the Provident, Howard Benevolent, St. Vincent de Paul and similar associations, it behooves the public to keep their treasuries generously replenished this winter should it prove an unusually severe one for the poor. If not perfect, the Chardon-street system is an improvement upon any previous mode of relief."

The reasons for and nature of that system, Mr. Chairman, were all set forth in City Document No. 45 for the year 1871, being the overseers' report for that year, from which I will venture a few citations: "Indiscriminate almsgiving is now admitted to be the most prolific source of vagrancy and the petty forms of vice. Large cities draw together the idle, the thriftless, the vicious. This class live, if they can, on the industrious and thrifty; they would be fed and warmed and clothed on means they do not earn, and as long as money or other assistance can be had for the mere asking, beggars will abound and multiply. To meet this want of our citizens the Charity Bureau was organized; municipal relief and private charity supplement and act in unison with each other; and although it may be some years before our people will fully understand the system, the experience of every month satisfies us of the wisdom of the experiment. In this connection it is a source of gratification to be able to state that the plan which has been inaugurated in Boston of bringing the Overseers of the Poor and the private charitable organizations together in one building, has proved not only satisfactory to ourselves, but has received the warm encomiums of those interested in similar works in other large cities, not only in this country but in Europe." "Several public meetings were held in London during the month of March"; "at one of which, sir, Michael Hicks Beach, M. P., was chairman; he called particular attention to what had been done in Boston by the erection of a building for the centralization of charitable agencies, and commended our system and plan to the favor of the British public." "In one of the circulars issued by the London organization, one of the main causes of pauperism is stated to be 'the demoralization of the poor by indiscriminate charity.' The conclusion to which my examination of the subject leads me, Mr. Chairman, is that if the coming season threatens to be severe, it is our duty as men to put our hands in our own pockets and contribute according to our means to these organized and combined private charities of our city. The proposed disposition of the taxpayers' money for the contemplated indiscriminate distribution of soup I regard with the overseers as mischievous and with the City Solicitor as illegal. Those holding different views will conscientiously support the amendment. I cannot for a moment suppose, however, that any member of this branch, because he votes for this employment of money out of the public pocket, will arro-

gate unto himself all the Christian charity there is extant, or denounce for inhumanity or pelt with Bible quotations those who are so bold as to differ from him.

Alderman Hulbert—I have looked at this thing very thoroughly, and I can't see where we have any right to appropriate a dollar. And as I don't propose to do that which is manifestly against the advice of the City Solicitor, I would move you that this whole subject be referred to the Overseers of the Poor, for them to act as they may think best.

The motion was carried.

PAPERS FROM THE COMMON COUNCIL.

Petitions were referred, in concurrence.

Report of Fire Commissioners for November. Placed on file.

Order from School Committee contemplating the abandonment of the Cottage-place Schoolhouse, and the erection of a new house near Elmwood street. Referred to Committee on Public Instruction.

Report and order authorizing a conveyance to W. H. Borden's heirs of a portion of Sturgis street, discontinued.

Passed, in concurrence.

Request for additional primary-school accommodations for Heath-street scholars. Referred to Committee on Public Instruction.

Report of Joint Committee on Streets in favor of passage of resolve and order to widen Magazine street at an estimated cost of \$24,015 94. (City Doc. No. 124.) Passed, in concurrence.

Report of Joint Committee on Streets in favor of passage of resolve and order to extend Quincy place to Pearl place at an estimated cost of \$12,784. (City Doc. No. 49.) Passed, in concurrence.

Report of Joint Committee on Streets in favor of the passage of resolve and order to extend Eustis street to Magazine street at an estimated cost of \$11,640 20. (City Doc. No. 125.) Passed, in concurrence.

Order for Committee on Ordinances to report what changes are needed in ordinance on petroleum, etc. Passed, in concurrence.

Requests from the School Committee for the enlargement of the Latin and English High School lot, and for such modification of plans for said school-houses as will provide for a suitable hall for meetings of School Committee. Referred to Committee on Public Instruction.

REPORTS OF COMMITTEES.

Alderman Gibson, from the Joint Committee on Survey and Inspection of Buildings, to whom were referred the petitions of A. T. Stearns, for leave to erect a wooden building on Fulton street, Ward 16, and William Pope & Sons to erect a lumber shed on Albany street, submitted reports recommending the passage of orders for granting the same. The orders were passed.

Alderman Gibson, from the same committee reported leave to withdraw on petition of W. T. Brigham, for leave to construct a cellar below grade at 1043-45 Washington street. Accepted.

Alderman Gibson from the same committee, who were requested to consider if any measures should be taken for the better protection against fire of buildings where combustible materials are stored, made a report recommending that the subject be referred to the Board of Fire Commissioners. Report accepted and reference ordered.

Alderman Emery, from the Joint Committee on Public Lands, to whom was recommitted the report and order relative to cancelling the bonds given by Ivory Bean and John S. Dunlap, reported that, having again considered the same, they would state that frequent interviews have been held with the parties, and the committee are convinced that it is for the best interest of the city to adopt the order of June 16 in a new draft, and recommend its passage:

Ordered, That upon payment of one thousand dollars to the Superintendent of Public Lands, together with all taxes due at the present time, the Treasurer be and he hereby is authorized to cancel the bonds numbering from two thousand four hundred and thirty to two thousand four hundred and thirty-seven, both inclusive, and which were given by Ivory Bean and John S. Dunlap, May 1, 1871, for land on Dedham street, between Harrison avenue and Albany street, as represented upon a plan recorded in "Book of Plans," numbered two, page two hundred and three, of "City Lands Sold," in the office of the Superintendent of Public Lands, and that the said Superintendent be directed to take possession of the aforesaid lots of land in behalf of and for the use of the city of Boston.

The order was passed.

On motion of Aldermen Gibson—

Ordered, That the bill of J. A. & W. Bird & Co. for \$90 40 for paint, etc., furnished the Fire Alarm Department, being in excess of the amount appropriated for that purpose, be paid, and the said sum be charged to the appropriation for fire alarms.

Passed.

On motion of Alderman Gihson—

Ordered, That the Joint Standing Committee on the Survey and Inspection of Buildings be authorized to employ such additional clerical assistance in the office of that department as they may deem necessary, at an expense not to exceed \$450; to be charged to the appropriation for Survey and Inspection of Buildings.

Passed.

On motion of Alderman Gibson—

Ordered, That the maximum number of lieutenants in the Police Department be fixed, until otherwise ordered, at thirty.

Passed.

On motion of Alderman Quincy—

Ordered, That his Honor the Mayor be requested to petition the Legislature for the passage of an act to change the mode of preparing the voting lists and of registering voters in this city, so that said duties may be transferred from the Board of Aldermen to competent registrars, who shall perform the same as nearly as practicable within the limits of the several wards of this city.

Passed.

Alderman Clark, from the Joint Committee on Streets, reported orders to pay for street damages as follows: Trustees Permanent Peace Fund, \$9450, extension of Quincy place and Pearl place; W. Elliot Woodward, \$1437 35, widening and extension of Magazine street; Amasa Whiting, \$2780, widening Hawley street. Severally passed.

Alderman Power, from the Committee on Paving, reported leave to withdraw on petition of Henry N. Sawyer *et al.* to be paid for grade damages on Thornley street, and inexpedient to make the proposed change of name of Eastern avenue to "South Ferry avenue." Severally passed.

Alderman Power, from the same committee, reported orders to pay for grade damages as follows: heirs of F. J. Chickey, \$50, 35 Warrenton street; Arthur Pickering and trustee, \$400, 130 Broad street. Severally accepted.

Alderman Power, from the Committee on Paving, reported an order to pave the sidewalks with brick on Tremont street, between Parker and Whitney streets, and report a schedule of the expense to the Board. Passed.

On motion of Alderman Power—

Ordered, That the City Surveyor be and he is hereby directed, on and after the passage of this order to permit no person to project beyond the line of any public street in this city, the plinth or base of the front of any building, or any portion of any building which at its lowest part is less than eight feet above the sidewalk; and in case such projections are made after due notice by him to the contrary, to report the same to the Board of Aldermen for its action.

Ordered, That the Inspector of Buildings be and he is hereby directed to notify all parties taking out permits to build, of the above order.

Passed.

Alderman Power, from the Committee on Paving, to whom were referred the schedules of sidewalk assessments for Pleasant street, Commercial street (Ward 16), Norfolk street, L street, Columbus avenue, Stoughton street, Chandler street, Woodhine street, reported orders for the assessment collection of the proportional part thereof.

The orders were severally passed.

Alderman Sayward, from the Committee on Health, reported in favor of granting the application of Boynton Bros., to erect a stable. Accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the applications of James C. Connelly, to give an exhibition of athletic exercises at Institute Hall; Alert Engine Company, to give a series of assemblies at Oakland Hall; W. R. Mitchell, for auctioneer's license; D. H. Holbrook, for transfer of wagon license; Charles M. Warren, for wagon stand at 338 Dorchester street; Alfred Morrison, to keep a billiard saloon at the corner of Dix place and Washington street; Alexander McNutter, Kendall & Dearhorn, Taylor & Burgess, for victuallers', and Mary A. Crawford, for innholder's license; William Sherburn, to give an exhibition of Japanese paintings. Severally accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the application of Curley & Lennon to use furnace at No. 4 Province court. Accepted.

Alderman Power, from the Committee on Sewers, reported leave to withdraw on petition of John P. Clapp, for abatement of sewer assessments in Ward 16. Accepted.

On motion of Alderman Power—

Ordered, That the \$17 84 assessed upon Richard Justice for sewer in Bolton street be and the same is hereby abated.

Read once.

On motion of Alderman Power—

Ordered, That there be paid to Caleb A. Conant \$85 51, upon his giving to the city a deed satisfactory

Kingsbury street; the amount to be charged to the appropriation for Sewers.

Passed.

Alderman Power, from the Committee on Sewers, reported no action necessary on petition of Samuel McIntyre for delay in the assessment of sewer assessments. Accepted.

DUTIES OF THE FIRE COMMISSIONERS.

On motion of Alderman Quincy, the report "inexpedient to legislate," from the Committee on Ordinances, on the subject of the control of the Engineers of the Fire Department by the Fire Commissioners at fires, was taken from the table, and the report was accepted.

FREE PASSES OVER THE FERRIES.

On motion of Alderman Gaffield, the report and order to furnish passes over the East Boston ferries to the Chief and Deputy-Chief of Police and to the members of the Police Department in East Boston was taken from the table.

On motion of Alderman Hulbert, the report and order were indefinitely postponed.

IMMORAL EXHIBITIONS.

On motion of Alderman Sayward, the report of Committee on Licenses that it is inexpedient to insert any clause or condition in theatrical licenses on the subject of immoral exhibitions was taken from the table.

Alderman Hulbert—I move that that subject be indefinitely postponed, the action of the Board of Aldermen having made it unnecessary.

Alderman Sayward—It seems to me that this is a little discourteous. This report was laid upon the table, and the order was passed. It appears to me that the report should be accepted.

The motion to indefinitely postpone prevailed.

METROPOLITAN RAILROAD IN BEACON STREET.

On motion of Alderman Power the order for a hearing of all parties interested in proposed location of the tracks of the Metropolitan Railroad on Beacon street, from Gloucester street to Brighton avenue, was taken from the table.

Alderman Power—As the railroad company have secured another location, I suppose they don't wish for this hearing. I move that that matter be indefinitely postponed.

Carried.

THE SOUP QUESTION AGAIN.

On motion of Alderman Quincy, the order for appointment of a joint committee to provide, under direction of the Chief of Police, a free distribution of soup, the expense to be charged to the appropriation for incidentals, was taken from the table.

Alderman Clark—I move as a substitute to that order the following:

Ordered, That the Overseers of the Poor be requested to provide supplies of soup and provisions for the temporary relief of all applicants in this city who may require such form of assistance during the present winter, and that the Police Department be directed to furnish to said overseers any aid in the premises which they may require; the expense to be charged to the appropriation for Overseers of Poor.

Alderman Clark—I offer this, Mr. Chairman, as a substitute for the original order, because if anything is to be done in the distribution of soup the present year, it is high time we were about it. There can be no legal objections to that, and I don't believe there can be any moral objections to it. It will be placed before the Overseers of the Poor, and they can consult the Police Department about it. The police have all the apparatus for distributing the soup, and if the Overseers of the Poor will look into this matter they will see that a great deal of soup can be well distributed by the police. I offer this order because I believe it is wholly unobjectionable from a legal standpoint.

Alderman Hulbert—A portion of this order has already, in substance, been passed this evening. I would suggest to the Alderman whether he had better not modify his order, or make it conform to the one already passed.

Alderman Clark—I understand that the order passed this evening amounts to just about this—it will be referred to the Committee on Overseers of the Poor, and they will unanimously report no action necessary. I believe a majority of the Board believe that some action is necessary, and that some steps should be taken to furnish soup to those who have not obtained a settlement in the city of Boston. I have no doubt that a majority of the Overseers of the Poor believe that the distribution of soup or provisions, except by themselves or the various charitable institutions, is wholly unnecessary. Now, a good many people think to the contrary, and among them some one or two—certainly one, at least, of that board—think that a greater distribution will be necessary this season. I have no objections to modifying the order to conform to the one already passed, provided some immediate action shall be required. I should have moved a reconsideration of the other order had not this one been taken from the table. I believe

diate relief of the great many people who are in want and suffering. If any action is to be taken at all, the present year, it is time we were about it. I believe this order will accomplish the ends desired, and obviate any legal objections that may arise. I have no doubt—at least I hope—it will meet with concurrent action in the other branch.

Alderman Gaffield—It seems to me that this action is premature and improper. I know it is not the popular side to take, but I think that when we choose people to do certain work—men of character, such as compose the Board of Overseers of the Poor—it strikes me we ought to have confidence in their judgment. This matter has already been referred to the proper authority—the only one which has power to spend the money. You have their opinion of this matter, that it is inexpedient, and the City Solicitor has decided that it is illegal. It strikes me that with this double influence, we should have no doubt about our action. Suppose there should be a public meeting in Boston which would pass a vote directing the Committee on Streets to lay out a great many streets, and that same meeting should pass a vote of censure because the committee did not do it. This vote would surely be one of censure on the Overseers of the Poor. Those two words, "soup" and "provisions," would simply throw out an inducement to the poor of other cities to come here. I know something about the poor, and have been a visitor of the poor for many years. I feel sympathy for the poor, and I respect their independence when they have it. I want to do everything to prevent an increase of paupers in the city. Now a gentleman said the Committee on Paving are doing everything they can to keep men at work, and I think it would be the best to spend thousands of dollars in that way. Then we get a *quid pro quo*. This same question has been called up in New York. A meeting of the various charitable societies was held and the first proposition made was like this one—a generous proposition, sir, moved by generous impulses. A motion was made to provide soup for the poor, when Mr. Domas B. Eaton immediately arose and said it would be a bounty to the poor, and cause the poor from all parts of the country to rush to New York. I know a great many poor people come to Boston, because we have a great many charitable societies, and we provide well for the poor. I have known of a photograph of the institutions at Deer Island being distributed through England to show how well we provide for the poor in Boston. Therefore I think it would be well to let this thing go to the twelve gentlemen who constitute the Board of Overseers of the Poor, and hear what they have got to say before we take action. If they say they want twelve thousand dollars for the purpose I will vote to give it to them.

Alderman Quincy—Allusion was made to the popularity of this matter, Mr. Chairman. I presume it is as indifferent to the other members of the Board as it is to me; and I hope we shall all act according to our convictions. I have already shown my reasons for opposing this plan; and having referred the subject to the overseers, I will not now vote to instruct them. If they have expressed their honest convictions—as they certainly have—it does seem to me like a vote of censure upon this Board of Overseers of the Poor to pass this order.

Alderman Clark—I do not intend, in offering this order, to have it appear that it is a vote of censure upon the Overseers of the Poor. No member of this Board has a greater respect for them than I have myself. I understand that the Overseers of the Poor only give relief to those who have a settlement here. If the Charity Bureau is open to all persons who are in want, and aid is rendered to all worthy persons who apply there, then I don't know but I should decline to vote for any appropriation for further expenditures. But I have my information from one of the Overseers of the Poor, one probably who spends as much of his time among the pauper population of the city as any other member of the board; and he informs me that some part of the arrangement would be most excellent. He has suggested how it can be done in a letter to a member of the Common Council, to which no one could make any objection. Now this same gentleman told me that in visiting the poor of the city he did find parties, whole families, who were sorely in want of the necessaries of life—in regard to fuel, clothing and food. He is a member of the Board of Overseers, and he cited several instances where complaints had been made that persons were not properly attended to by the Overseers of the Poor. Upon looking around him he found there was no occasion for the complaint. Now if we have got several thousand dollars to spare let us spend it in this way. We can spend, in this way, the money left over from the Fourth of July. I don't mean to pass a vote of censure upon the Overseers of the Poor, but I do say there are a great many cases of honest poverty which escape the attention of that board. I know that the soup distributed last winter

did a great deal of good, and I believe it was a most excellent thing. I know that a great many families were relieved by it; heads of families out of employment were aided. There is not a single day that gentlemen in business don't have applications from men thrown out of employment, who find it almost impossible to obtain work enough to support their families. This idea of increasing the objects of charity by allowing ourselves to render a little aid to the suffering poor during the season is, in my opinion, absurd. I do not believe poor people leave their homes and come here just because they know they can get a quart of soup. I hope, sir, that we shall pass this order or take such action as will allow the Overseers of the Poor to make an extra expenditure for the furnishing of soup for the poor during the present season.

Alderman Gaffield—The Alderman has referred to a letter from one gentleman. That gentleman is one of a committee of twelve. He has not had the experience of other gentlemen of that board. That gentleman's views are different from those of others who have had a larger experience in this matter. Now, I want to call the attention to the fact that we have charitable societies and this gentleman is himself president of one; he knows that the city is distracted, and he knows that every person can be sent to any one of them. There is the Howard Benevolent Society, and a great many others, and there is no difficulty in getting a case investigated. It is this helping the poor without investigation that increases poverty in our city. There are rooms in the house of this society in order that the institutions may all work together. I feel sure that if the matter is left as it ought to be that it will be done as it ought to be done. I feel for the poor, and I have not worked twenty-five years for the poor without knowing something about them. When the Overseers of the Poor ask for this sum, I will vote for it; I would vote to give them ten thousand rather than three or four thousand to spend in this work.

Alderman Gibson—This matter seems to be surrounded with difficulty at every point. If I understand the matter right it is this: We have no right to provide soup for the poor, and the Overseers of the Poor have no right to assist any but citizens of Boston. Now, we have a great many who are not citizens of Boston—a great many widows and children and infirm people. I should be very glad to vote for this appropriation if I can be shown that it is legal. But here I go to the City Solicitor and he says it is not legal. Now, I don't imagine we could elect a Board of Overseers of the Poor who would go through all the byways and alleys, and to every poor man's and woman's house, and make a thorough investigation of their affairs. I know one gentleman who does make thorough investigations among the poor, and if gentlemen were to hear some of the stories he tells they would shed tears. Now, I don't believe you can get a party for nothing who will make such investigations, and I don't believe there is another man or a woman who will go round among the dens of this city as he does. We have families in this city who live in dens as filthy as any hogs.

Alderman Stebbins—I would ask the Alderman if the Board of Health have been notified of such cases.

Alderman Gibson—I don't know from my own personal observation—only what I have heard. Now if we could limit this distribution, so that no man between the ages of twenty and fifty, unless infirm, would receive it,—if there is an able-bodied man coming in I would like to cut him off. I would like to vote three, five or ten thousand dollars to these suffering families, but I don't exactly see how we can separate it. That is what puzzles me. We have no legal right to do it. Neither can the Overseers of the Poor do so, except the applicants have a settlement. If we had authority to establish soup houses in every ward in this city—if we could have a party to take charge of it, and send tickets only to the deserving, I should be willing to stretch a little in my vote—but I can't do it now. This thing is abused very much. Very much of the soup is exchanged for liquor. Miserable creatures will take the quart of soup and exchange it for liquor. I have good reason to believe that this is true. I agree that the deserving poor ought to be helped. How much time do the Overseers of the Poor spend in going about the city? I'd like to know that. If you will show me how I can vote for this thing legally, I will do it.

Alderman Stebbins—I have heard some curious stories in relation to this distribution of soup. I have heard that even boarding-house keepers in Ward 1 were supplied with soup during the winter, and when the soup was discontinued in the spring they gave up keeping boarding house. This exchanging of soup for liquor is a new revelation from Ward 1.

Alderman Gibson—I did not allude to Ward 1.

Alderman Stebbins—I don't intend to censure the

Overseers of the Poor by my vote, but what I intend to do is in a legal way.

Alderman Sayward—This thing is getting a little mixed—this "soup and other provisions." If this thing is illegal, I don't understand that it will make it legal to give it to the Overseers of the Poor, and then for them to give it to the police.

Alderman Stebbins—This order provides for an expenditure from the appropriation for Department for Overseers of the Poor.

Alderman Sayward—Then I ask whether this money can be spent except upon those who have a settlement here?

Alderman Stebbins—I should hope that the police will exercise great care and discrimination—giving the soup and investigating the case afterwards.

Alderman Sayward—Then let us be men and give the poor people soup, and let the police investigate afterwards. We should vote manfully, and vote either for soup or no soup. We can take the chances, and if there is an injunction we can put our hands in our pockets. I think we had better run the risk.

Alderman Quincy—I don't think we ought to dodge the question, but come up immediately. I honestly believe that a vote for this measure is a vote of censure. The Overseers of the Poor report that it is inexpedient. Now if I believed that the Overseers of the Poor were all wrong, I would vote to instruct them. I don't see how gentlemen who vote that way can help seeing it in the light of a censure.

Alderman Clark—I don't think it is a vote of censure. We simply disagree with them. The Overseers of the Poor are not unanimous in their opinion. Because we don't think just as the Overseers of the Poor do, is no reason why the passage of this order should be construed into a vote of censure. I understand that if we instruct the parties who are specially designated to have charge of the poor of the city to spend a certain amount of money, that makes it legal. I don't profess to understand much about law, but that is common sense. I don't propose to dodge this question in any shape. I would vote for this resolution in any form, either for the soup to be distributed by the police or by the Overseers of the Poor. I would have no objections to striking out the word provisions. I hardly know whether the gentleman from Ward 1 is arguing for or against soup; certainly if he believes the soup is exchanged for rum, that is a reason for him to vote against it. I don't believe that the soup obtained at the station houses is exchanged for rum. All applicants are obliged to give their name, age and place of residence, and those applicants are looked after. It may be that in some cases persons get soup who are not entitled to it, but in ninety-nine cases out of a hundred this soup distributed has done good, so we are informed by the captains and patrolmen. I believe that no amount of money expended during the year does more good than this. I don't care whether it is popular or unpopular, but I believe in it, and shall vote for it. I don't propose to vote to censure the Overseers of the Poor or the officers of the charitable institutions. But if they had any amount of money they could find opportunity to do good with it. Now, there are parties who devote their whole time in such institutions at the North End, who go about into the houses, and cellars, and garrets of these poor people, where probably very few of these Overseers of the Poor ever go. But these men and women go there every day, and one of those good women said to me the other day that it made her heart bleed when she heard of this Board of Aldermen refusing to give this small pittance to the poor. She devotes her life and her money for this cause. These are the parties, Mr. Chairman, who know whether the appropriation is judicious or harmful.

Alderman Sayward—I disclaim any intent to censure the Overseers of the Poor. They do something that is according to law; this is to make them do something contrary to law. Now, I believe the best place to have this thing done is just where it has been done for several years past—at the station houses. We can put it upon the Overseers of the Poor if we choose. In my ward I don't believe there are many who will need this soup, but if any one in my ward wanted to get some soup and had to come into Boston to the Charity Bureau, he would starve before he got there.

Alderman Emery—I think I shall vote to have this soup dispensed. The reasons given why this Board should not so vote are various. They remind me of the reasons given by a man who was asked to take something to drink. He said he would, but there were three reasons why he could not. First, he promised his father on his dying bed that he would never take anything; second, he belonged to a total abstinence society; and third, he had just taken something. This soup is something like that. A gentleman comes up here and says, "I would willingly vote

for this soup, but the wrong parties will get it, and for that reason I can't vote for it." Another gentleman says, "I would willingly vote for it, but it would do damage to the community, and therefore I can't vote for it." Another one says, and this is the third reason; that it is illegal and it can't be done. Now I propose to vote for it and take my chances.

Alderman Gibson—It seems to me we don't talk as if this thing were thoroughly understood. If I understand it the Overseers of the Poor have the right to spend money only for those who have lived here long enough. Now we ask them to do something that we won't do ourselves. They have got no money to do it with. We ask them to feed a population that it is illegal, by the laws of this Commonwealth, to feed. Now they can deal out a ton of coal or send supplies to those in need. But suppose they find a party who has a large family and is deserving, and yet he has not gained a residence here. They can't aid him. So it seems to me that the best plan is to have it done through the police stations. But if we vote to do that they say there would be an injunction, though I don't think that would be the case. It would be best not to direct the Overseers of the Poor to do an illegal thing; we had better do it ourselves and face it, and then if any citizens wish to get out an injunction they can.

Alderman Stebbins—I am informed that the rule of the Auditor's Department is that after the City Solicitor has decided that any order is illegal no bills for expenditures under that order will be approved. So we may pass vote after vote and no money can be had. For this reason I think the better way is to vote for the order of the gentleman from Ward 6.

Alderman Gibson—If the bus should come from the Overseers of the Poor could they be approved?

Alderman Stebbins—The overseers sometimes draw their money in large amounts, and the bills do not have to be approved the same as in other departments.

Alderman Gibson—It seems to me that this thing is like a man-of-war without guns.

Alderman Hulbert—It seems to me that by passing a vote which will contain the latter part of the order of Alderman Clark we will cover all the ground that we can cover. I don't think we can vote to spend money illegally, and I shall not do it. This thing has assumed publicity. The late Mayor got information on the subject, and I understand he would have vetoed any order of that kind. I think this order we have passed this evening for the Board of Overseers of the Poor to take such action as they may deem best is all right, and then if the Alderman from Ward 6 shall offer another order requiring the police to render assistance when called upon, then we will cover all the ground we can legally. I don't see how we can act differently. I took the pains, today, to go over the list of names of the gentlemen who are the Overseers of the Poor of this city. They are a very likely set of men. I know some of them, and others I don't know. They are intelligent men, and understand their business. Now, the Overseers of the Poor have to their credit some \$34,000 to be expended. Those gentlemen have reported to us, as late as November 27, that the practice of distributing soup at the police stations tends to aggravate poverty. Another gentleman, who spends his time in benevolent labors, says, "Don't give your alms indiscriminately. There are an immense amount of false and fictitious applications being made." It is the opinion of all who have to do charitable work that this way of doing it is not the correct one. And when the press has spoken out so strongly on this subject, I think we are fully warranted when we make this request to the Overseers of the Poor, and by doing so we shall have relieved ourselves of it. It is a very small matter, three thousand dollars for soup; it seems like idle talk about nothing.

Alderman Clark—It does not appear to me to be a small matter by any means. It may be a small matter to us, individually, but it may be a very large matter to hundreds and thousands of people in the city. This order simply requests the Overseers of the Poor to do this thing—it don't direct them. The gentlemen on that board will not do it if they find there are legal objections to doing it. They are not going to do an illegal thing simply because we request them to do it.

Alderman Emery—I hope, by all means, that it will be done legally, and I agree entirely with the remarks of the gentleman from the Highlands. I have no doubt the overseers will do all they can possibly do, and I believe we have the information from the same gentleman that they do act somewhat beyond their legal obligations in dispensing the public charities, and I think they are not to be blamed for it. I should certainly wish to avoid everything illegal and hope it will have certain restrictions that will take away all illegality. If it is necessary to have it

amended, to have it come within the legal requirements, I hope it will be done. But, at all events, I think we should pass it in some way.

Alderman Sayward—If we all believe in the good judgment of the Overseers of the Poor, why do we want to put in any additional order? Why do we want to request them to do anything? It is just as well as to pass an additional order. I don't believe the overseers can have any better information than they can get at the police stations. Now, it appears to me that the police have better means of information than the Overseers of the Poor can have, but I think it would certainly be better to leave it where it is than to pass another order.

Alderman Quincy—I agree that it is just where it ought to be. Of course the Overseers of the Poor would not take any action that is illegal or inexpedient, and it seems to me that although we can't directly appropriate money for the purpose, yet we can legally direct them to spend their own money. [The Alderman read a portion of the extract previously quoted.] That is the way in which they are authorized to spend their money, and we have no right to direct the committee to make expenditures in any other way.

Alderman Stebbins—The Overseers of the Poor, in addition to the money which they receive from the Council, are also the agents for the trust funds left to the city for the aid of the poor. Those funds amount to over \$300,000 and some of them are not tied up in any such way. They are the agents of the city and it is entirely legal to dispense those funds as they judge best. There are the Pembroke and Boylston and various other funds—one is for the pious alone, one for furnishing wood and coal, but a large amount is limited to the discretion of the Overseers of the Poor. The other order that is referred to has nothing directory about it. The order that was directory was from the other branch. I think we had better dispose of this matter by passing this order.

Alderman Gaffield—The amount is small and the number of poor is large. I meant no reflection when I said it is popular, and I don't reflect upon any gentleman of this Board, for I don't think that they advocate this matter because it is popular, but I will say that it is a fact that a gentleman in the other branch made a speech on the subject just before election, and he wanted copies of the speech to distribute among his constituents to let them see what he had to say. You may say what you please; you may say "Oh pshaw." or not, just as you please; and you may appeal to the gentleman from Ward 12, but it is a fact. Now, sir, I have no doubt that these gentlemen do visit among the poor to see that their paid visitors do their duty. I don't think the gentlemen of this Board can have visited the poor much, if they had they would not have said what they have. I do not think that is true that there is a great amount of poverty in Boston this winter. It is my experience that the harder the winter the warmer are the hearts of the people and the greater the charities. In times of panic men who want money feel more for others. There are in this city a hundred and fifty churches, each of which has a sewing circle or charitable organization; there are various benevolent societies, and last of all come the Overseers of the Poor with the funds which they can use for this temporary relief we are speaking of, and they can render that aid as they think best. I should be sorry to have it go forth to the world that we allow our poor to suffer. You can go to the right source—there are twenty or thirty charitable societies, and a hundred and fifty churches, each of which is a charitable society of itself. Now, we propose to have five hundred more, for every one of these police officers will become a visitor of the poor and dispenser of charity. I believe every one of these twelve Overseers of the Poor is competent to judge what is best for the poor.

Alderman Quincy—In order to test the sense of the Board on this question I move an indefinite postponement of the whole subject, and on that I ask for the yeas and nays.

The yeas and nays were ordered.

Alderman Power—As the papers and political tickets have been flying about during the past week, and various intimations have been made that I had reached the highest pinnacle of fame that was possible for me, gentlemen wont accuse me of trying to seek any more popularity by espousing the side of the poor people. I don't wish, however, to vote, Mr. Chairman, for any order that will have anything like an appearance of censure upon the Overseers of the Poor, because I believe them to be high-minded gentlemen who have endeavored to do their duty as far as they can. But I don't believe that they have the opportunity to know the misery and want that exists in this city, that the policemen do. I believe

that this soup, distributed under this system from the police stations, with proper restrictions, will do an immense sight of good; I don't see how it can help it. I don't believe in the indiscriminate distribution of the soup, but I do believe it can be dispensed so that it will be a substantial benefit to thousands of poor persons. A great many people must and do suffer before their wants can be properly known to the Overseers of the Poor, while at every police station each officer certainly knows the true condition of all within his precinct. Therefore, if this soup can be furnished and dispensed under proper restrictions, I mean to vote for it. It has been furnished year after year by this City Government. Now it is said that it is illegal, but I can't see how it can be any less legal to furnish soup this year than it is to furnish music on the Common. When that came up here I said the money would be wanted to furnish soup for the poor this winter. It seems to me that this soup is more needed than was the music on the Common. If the order has the appearance of dictation or reflection, or censure on the Overseers of the Poor, I don't want to vote for it, because I believe those gentlemen do all that they can under the laws by which they are governed.

Alderman Bigelow moved to amend by inserting, after the word "requested," the words "at their discretion."

Alderman Clark accepted the amendment.

Alderman Hulbert—I don't think it is quite in shape yet.

[Alderman Gibson in the chair.]

Alderman Cutter—It seems to me that this has got to be boys' play. If we have a board who are competent to oversee the poor, why not let them do it? If you have not, then abandon them and put somebody there who is competent. It does not seem to me that this board ought to take up a work that is left to the Overseers of the Poor. Now, why tamper with them? I trust this order will be indefinitely postponed.

Alderman Cutter in the chair:

Alderman Clark—This has got nothing to do with their duties. It has always been done by the Police Department, but it has been decided by the City Solicitor that this soup cannot be legally distributed by the city as formerly. We propose to put it in a shape that will make it legal.

Alderman Gaffield—I think I understand that it goes to the Overseers of the Poor.

Alderman Clark—I think we all understand that the whole matter goes back to them.

Alderman Quincy—This subject is now before the Overseers of the Poor to act as they deem best. The expression used by Alderman Gibson, that this is like a man-of-war without guns, meets the idea exactly.

Alderman Clark—I accepted the amendment "at their discretion"; if the times do not demand it the overseers certainly will not do it. There has been suffering this winter. I read the other day of a woman actually dying from starvation. Her husband had been thrown out of employment; he went out to find some work, and before he returned she died. I suppose that is a case where a man had not a settlement; I suppose he had not paid taxes for ten years. There are a great many families who don't have as much food to sustain life as they ought to have.

Alderman Gibson called for the question.

The question was first taken on Alderman Quincy's motion to indefinitely postpone the whole subject:

Yeas—Aldermen Cutter, Gaffield, Gibson, Hulbert, Quincy and Sayward—6.

Nays—Aldermen Bigelow, Brown, Clark, Emery, Power, Stebbins—6.

There being a tie, the motion to indefinitely postpone was lost.

The question was next taken on the substitute order of Alderman Clark:

Yeas—Aldermen Bigelow, Brown, Clark, Emery, Power, Stebbins, 6.

Nays—Aldermen Cutter, Gaffield, Gibson, Hulbert, Quincy, Sayward, 6.

There being a tie the order was declared defeated.

Alderman Quincy moved that the original order be indefinitely postponed.

Alderman Stebbins—As that order has been decided illegal, I shall certainly vote to indefinitely postpone it.

The motion was carried.

THE PARK QUESTION.

Alderman Emery moved to take up the orders relating to a public park. Lost.

On motion of Alderman Gibson, the Board adjourned.

CITY OF BOSTON.

Proceedings of the Common Council, DECEMBER 18, 1873.

The regular weekly meeting of the Common Council was held this evening, E. O. Shepard, President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Various petitions were referred in concurrence.

The following papers received concurrent action:

Reference to Committee on Public Institutions, with instructions to fill vacancy, of a communication from Samuel C. Cobh, resigning as a Director of said institutions.

Report referring to Board of Fire Commissioners the order requesting the Committee on Survey, etc., of Buildings to consider and report what measures should be taken for the preservation of buildings composed of combustible materials in densely populated parts of the city. Accepted.

Report (leave to withdraw) on petition of W. T. Brigham, for leave to construct a building below grade, in rear of 1043-45 Washington street. Accepted.

Report and order for a permit to William Pope & Son to erect a lumber shed on Alhany street.

Passed.

Report and order authorizing a permit to A. T. Stearns to erect a wooden building on Fulton street, Ward 16.

Passed.

Report and order (new draft) authorizing treasurer to cancel two bonds given by Ivory Bean and John S. Dunlap, of May 1, 1871, for certain land on Dedham street; and directing the Superintendent of Public Lands to take possession of said land.

Passed.

Report and order that the hospital lands and building on Swett street, now in charge of Board of Health, be transferred to custody of Committee on Public Lands.

Passed.

The following were read once:

Order authorizing the employment of additional clerical assistance in the office of the Survey and Inspection of Building, at not exceeding \$450.

Order to pay bill of J. A. & W. Bird & Co. of \$90 40, for paint furnished the Fire-Alarm Department.

Order to pay Amasa Bird \$505 50, for paints, painting, carting, etc., for said department.

Resolve and order from Street Commissioners for widening Pearl near Milk street, at an adjudged expense of \$66,440. (City Document, No. 133).

Report and order for a transfer from Reserved Fund of \$35,000 to appropriation for Public Buildings.

Order requesting Mayor to petition Legislature to change the mode of preparing voting lists, from the Board of Aldermen to competent registrars.

On the question of giving the order a second reading, Mr. Flynn of Ward 7 said—

This appears to be an important matter, Mr. President. The order is one which every member of this Council and citizens generally are interested in. I would like some member present to give an explanation of what it is intended to do.

The President—Is the Council ready for the question?

Mr. Flynn of Ward 7—I move the order lie on the table.

Carried.

DUTIES OF THE FIRE COMMISSIONERS.

Report of the Committee on Ordinances, inexpedient to amend ordinance in relation to Fire Department, so that the Fire Commissioners shall not interfere with Engineers while engaged in extinguishing fires, came from the Aldermen, accepted.

The question was on concurrence.

Mr. Dean of Ward 12—Mr. President, it will be remembered that this order was introduced by myself, and referred to the Committee on Ordinances, of which, on the part of this branch, I have the honor to be the chairman. It came up once before the committee when I was present, and after some little discussion, at the suggestion of a member from this branch, who desired to take time to investigate it, thinking it a matter of considerable gravity, and he should not like to pass upon it until after some reflection—although I was ready to deal with it then, I thought that any member should have such time to investigate as he thought fit—it was postponed. It came up at the next meeting

and in my absence the report here recommended—inexpedient—was adopted, in the absence of the member who had introduced it and was expected to give such reasons for its adoption as might to him seem weighty and just. It seemed to me that that was a very irregular course of proceeding, and I am happy to say that so far as some of the members of this branch are concerned it was against their wishes. I see it was called attention to in the other branch that the chairman on the part of this branch was not present. That is true, but it is but fair to say that the calling of committee meetings at noon had been protested against by some of the members of the Committee on Ordinances, who are so unfortunate as to be compelled to earn their living by their daily labors; and to call it when members of the legal profession were compelled to be absent was protested against too, and the opinion was expressed that it should be called after four o'clock when the courts are through. Now the chairman, who has nothing to do, called the meeting when people who have something to do are apt to be engaged in their daily labors. A cursory examination of the lucubrations of the chairman—it is not the report of the committee—will satisfy any one that this report ought not to be adopted. It ought to be carefully considered by somebody and it ought to be adopted by nobody. It will be remembered that when this ordinance was on its final passage—although I dislike the establishment of commissions and disliked to see the first inroad of them into the Government—although I did not undertake to examine into the details of the bill, and although I knew any motion to amend by me would be supposed to be factious opposition, rather than an attempt to amend the measure—I called attention to this defect. But after the ordinance had passed it became my duty and the duty of every member of this branch, to see if there were any amendments that ought to be made in order to make the ordinance work harmoniously. It ought to make the different officers agree with each other so far as their duties are concerned. Now then, the first thing that would strike one on looking at this ordinance—any one, I mean, who had been paying attention to the reorganization of the Fire Department—any one who knew that there was a provision in the law of the Commonwealth that the engineers should have charge at fires—any one who knew that by the statute law over which no ordinance can ride, that the engineer is the only one who can extinguish fires and has the authority to call in the aid of citizens in extinguishing fires; and when we know that at the last Legislature an attempt was made to get rid of the so-called town-meeting system, and put it into the hands of the engineers alone—any one who knows of that law would be surprised to see this attempt to intrust it to a board of commissioners, in direct conflict with the provisions of the statutes, with the powers of the Board of Engineers, created by the statutes, and which this ordinance can't obliterate, but recognizes. Any one familiar with the powers of this organization of the engineers, must have looked with a great deal of surprise upon this ordinance stating that the board of commissioners should have authority, and should be intrusted with the extinguishment of fires. This very authority simply says the commission shall have some of the powers belonging to the City Council. The first section says "the City Council may establish a Fire Department," and subsequently there is a provision that this thing may be done by any board the city may select. Now this city has selected a board, and they may have something to do with prescribing their duties, but it don't put that board in the place of the engineers, any more than it places the city in the place of the Board of Engineers. They have nothing to do with the Board of Engineers, except, perhaps, to prescribe rules. But when they undertake to deal with fires then they are doing what the statute expressly forbids. Now, Mr. President, for the purpose of showing the importance and gravity of this matter, it has been claimed, and the action of the Legislature was based upon it, that the great trouble in regard to this fire in November was that at the time there was no head to the department, and complaints were made that different people were meddling, and it was finally determined that everything of that sort should be put at rest, and if buildings were to be destroyed and a citizen was to lose his property, it should be done by the proper authority, and he should be compensated for it according to law. This committee having passed that ordinance, and perhaps the chairman, being a little proud of his ordinance, caring more for that than for the real good of the city—instead of looking to the good of the city—he by this very provision robs the ordinance of all of that concentration of power, when the immediate difficulty of a fire

arises. It scatters and divides it between the commissioners and the engineers, so that the commissioners may meddle and undertake to interfere with the engineers in the discharge of their duties. Knowing that it was not within our power to grant this authority, that there could not be anything more disastrous to the management of fires than the passing of an ordinance like this,—with the mere matter of whether it is wise or not, or expedient, I do not propose now to deal. But I do desire to call the attention of the Council to this report, and I will undertake to explain my views of it so far as any provisions here are concerned, that do not meet with my approval. Now let us see. They have got this provision, that "the duty of extinguishing fire, and protecting life in case of fire, shall within the city of Boston be intrusted to the board of commissioners." Now, standing alone, that might be construed by anybody except a lawyer to allow the commissioners to interfere with the engineers in extinguishing fires, and so, many members of this board argued and thought, and if it was their understanding, it may be the understanding of the board of commissioners, and we all know that boards are more likely to exaggerate their powers than to diminish them. But let us see how the chairman is compelled, in order to make it sound possible, to rush into the strangest inconsistencies. The committee reported it inexpedient to repeal this ordinance.

"The committee cannot assume that the board can possibly regard the command or direction of the department at fires as any part of their general or official duties under the ordinance."

Now then, Mr. President, it will be observed that the excuse—that was the only possible excuse, and the only question I had with regard to it—taking the laws together you find that they have not got the authority; then when you read the ordinance you find it gives them the authority. Well, of course it should not. Well, here is the committee reporting that they cannot possibly regard the extinguishment of fires as any part of their general official duties under this ordinance.

Now, then, if that cannot possibly be the case, then, of course, the attempt to interfere would be useless. If it cannot be considered that the duty of protecting life and property within the city of Boston shall, when a fire is raging, be a portion of their duties, then we can see no use of repealing it. But if it can be so construed, then there would be an advantage in repealing it, because it would be giving authority to the board to exercise power which, by the statute law of the land they cannot exercise. Then you have the Board of Engineers exercising statute powers, and you have the Board of Commissioners believing that they have, and according to the chairman of the Ordinance Committee, the same power. But it is very strange and ridiculous to see the conclusion of this report. The next provision says, "But we cannot deprive them of the authority of discharging men while engaged at fires." There is another provision that they shall have power to discharge at any time for cause, so that the extinguishment could not have had and was not intended to interfere with that power. But before the report gets through, there are still greater inconsistencies. They say it has been urged that the statute power of command at fires is given to the engineers and other officers of the Boston department, and may be legally extended to other officers, as these commissioners. Such an understanding of the statute is impossible and it cannot be construed as giving that power.

But he goes on further, "If, as the committee contend"—if this Committee on Ordinances conclude—"the City Council may designate any officers of the department to execute these powers, then the right to interfere in the last resort and under such circumstances as may induce the commissioners to accept the responsibility, relying on the public for justification, the committee regard as wholesome and beneficial." You have got this committee making this report, that it is utterly impossible for these commissioners to regard the direction of the department at fires as any part of the general or official duties, and you have got on the other side of the page, the report declaring that the City Government may designate the officers, and they have the right to do it, then those commissioners ought to interfere and have the right. So, while the ordinance says they can exercise that authority, this committee conclude they have not got it and ought to exercise it. I take it, that anybody glancing at such a report, would conclude that any person who wrote it ought to be put under guardianship. I suppose he wrote that mess of stuff, looked at it, said that it sounded right, and that it ought to go. Such a thing as inconsistency never occurred to him, or certainly he would never have put himself

into such a trap as that. Now, I have no sort of feeling about it except to have the City Government pass the right sort of an ordinance. I wanted it to be the action of sane men, of tolerably intelligent men, who can see a contradiction when there is one written, as there is on this page—the greatest possible contradiction. But we ought to be taken under guardianship if we are to pass that sort of thing. Now, I had prepared an ordinance, and the only trouble with it is the lateness of the season, and I have some reluctance to undertake it, because I know this fire matter has been before us so much that we have become weary of it, and especially, so far as my own indorsement would go, if I were going to pass upon it, and I only propose this amendment to prevent confusion in the department—my own judgment would be that the commissioners ought not to have the power that this ordinance undertakes to give them, but they would be justified in assuming it after this, because you have got here that which, if you accept, tells them in direct terms to undertake to discharge a duty that the previous part of the report acknowledges distinctly and states that under the law of the Commonwealth they have no authority to discharge. I have written an ordinance since I came into the room—and it reads as follows. I will present it. So far as I am concerned, certainly I ought to be sufficiently on record, whatever becomes of it, but I would not care so much about the record if I had not been arraigned in the other branch, except that in the mere discharge of my duty I must regret that I was not at the last meeting of the committee, that I might have continued to urge it as I had the first day. The ordinance I have prepared reads as follows:

Be it ordained, etc.

Section 1. The following language at the beginning of section 4, of an ordinance passed in the year eighteen hundred and seventy-three, entitled "An Ordinance to establish a Fire Department," namely, "the duty of extinguishing fires and protecting life and property in case of fire shall, within the city of Boston, be intrusted to said board of commissioners, shall not be construed to authorize said commissioners to direct, while the fire is raging, the engineers as to the discharge of their duties while extinguishing fires, pulling down or demolishing buildings or suppressing tumults and disorders at such fires."

That is, that they shall not interfere with the engineers while they are doing those duties at fires, which by the statutes are given them, and that is using the language of the statute giving the Board of Engineers the authority to extinguish fires. I move that ordinance as a substitute.

Mr. Shaw of Ward 5—Mr. President, it cannot be supposed, after the stand which I have taken with regard to the adoption of the ordinance providing for Fire Commissioners, that I shall undertake to do anything that shall weaken their hands or that shall take from them the powers which were intended to be given to them, under the ordinance. But, sir, when I read this report and when I consider the circumstances under which it is made, and when I hear the able and learned argument which has been made by the gentleman, the chairman of this committee, I am convinced that it is too important a subject to be considered at the present time or at any time to be lightly passed upon. I think the statements made by the gentleman—although I disagreed with him, and he with me on the subject of a Fire Commission should have weight. I think he has explained it, and given sufficient reasons why nothing whatever should be done at present. Therefore, under these circumstances, and, as he has stated, it being late in the year, I move that the whole subject be passed over and referred to the next City Council.

Mr. Dean of Ward 12—I don't desire to oppose that motion. All I care for is that the subject shall receive the careful consideration which its importance demands. I should feel that we were very derelict in our duty to pass this report. But if the subject is kept open, that it may receive sufficient examination, that will satisfy me.

The motion to refer to the next City Council was carried.

THE SOUP QUESTION.

The vote of the Common Council for the committee or Overseers of the Poor to establish soup houses at police stations, came down non-concurred in; and instead thereof a vote authorizing the Overseers of the Poor to take such action as they deem necessary.

The President—Will the Council adhere or recede?

Mr. Flynn of Ward 7—I move the subject lie on the table. Carried.

Mr. Flynn obtained unanimous consent to offer the following:

Ordered, That the Overseers of the Poor be directed to furnish temporary relief to the poor during the present winter by distributing soup at the police stations, or elsewhere; the expense to be charged to the appropriation for Overseers of the Poor.

The question was on giving the order a second reading.

Mr. Loring of Ward 12—When this matter was before the Council at the last meeting, I had a few words to say, and I now desire to correct the words of the official report of the proceeding. The point under discussion was the appropriation of money for establishing places for furnishing soup for the poor, and the reference of the whole subject to the Committee on the Overseers of the Poor. I am made to say, as I find in the printed journal, which I will read, "In view of the fact that the city has already made suitable provisions for the poor, I shall not vote for the order." What I did say is this, "In view of the fact that the city has not for several years made suitable provisions for the poor, or for any one class of the poor, I shall vote against the reference and I shall vote for the appropriation." I will add, Mr. President, that I believe the reason of the error was that I did not speak distinctly.

Mr. Flynn of Ward 7—I offered that order in order to obviate all legal difficulties in regard to the distribution of soup for the poor. In that order it is ordered that the amount shall be charged to the appropriation for the Overseers of the Poor.

Mr. Shaw of Ward 5—I wish my voice was in such a condition that I could do myself justice tonight. I am in favor of the proposition made by the gentleman from Ward 7, and I think I can give satisfactory reasons. Mr. President, it is very well known that City Document No. 130, to which I now call attention, is an expression of the views of the Board of Overseers of the Poor upon this subject. It is enough for me to say that at present. Now, sir, I shall touch in what little I may have to say tonight, somewhat upon subjects of rather a delicate nature. But, sir, I am responsible here for what I say, and I propose to hold myself to that responsibility. I am aware that the course which I have taken since I brought this subject to the City Council has been criticised by many of the people of the city of Boston, who feel that their rights have been to some extent invaded. I mean, Mr. President, the parties in power. In what I shall have to say I shall not undertake to tread upon the rights of any one citizen or individual; nor shall I undertake to criticise the private character or private actions of any one individual. I shall speak here, as I believe it my right and duty to do, of the management of one of the boards of our city. In order to be brief, I have made some statements upon paper, and upon them placed a few figures. I desire to say, Mr. President, in the first place, that, fortunately for the poor of our city, the election is over. Fortunately for them those who loll in the laps of luxury and fare sumptuously every day, are not now before the people for reelection. Fortunately for those who deserve the watchful care and kind protection of the city fathers, I see in the immediate future, through the action of an incoming City Council, a measure of relief so much needed, but so persistently and unkindly refused them by one branch of the City Council, not this branch. It was a sad and mournful day for the worthy and unfortunate poor of Boston when by the determined opposition of the Board of Aldermen to affording the measure of relief which had almost unanimously passed this branch of the City Council, they laid it on the table. It is true that there were some true and kind-hearted ones there, but they had not the courage to stand up manfully for the right. But it was a bright and benignant morning, that following the day of the last city election—but a few days since—which broke upon the visions of thousands of anxious men and women and showed them that those who had opposed this measure of humanity had been left at home by the voters, and in their places had been chosen men of heart and good judgment, those who would be ready to respond cheerfully to the exigencies of the times, to the necessities of the people.

Mr. President, on the day following the last meeting of the Board of Aldermen I took up the Transcript and found words which I think it is my right to read to this branch on this very question. And I now read from the official report which is circulated and given to us as the doings of the coordinate branch—the remarks of Alderman Gaffield, to whom I pay my respects. And now I read and quote him literally:

"I meant no reflections when I said it is popular, and I don't reflect upon any gentlemen of this Board, for I don't think that they advocate this matter because it is popular; but I will say that it is a fact that a gentleman in the other branch made a speech on the subject just before election and he wanted copies

of the speech to distribute among his constituents to let them see what he had to say. You may say what you please; you may say 'Oh, pshaw!' or not, just as you please, and you may appeal to the gentleman from Ward 12, but it is a fact."

Now, Mr. President, in my answer to that perhaps I may be allowed to say and to read what I have to say here, because I have prepared it this afternoon, so that there should be no mistake about it. I desire to say and suggest what an awful crime "this fact!" What an awful exposure of high crimes and misdemeanors! Why, sir, the traitorism of Arnold, the apostacy of Andy Johnson, the hutchery of Julius Cæsar, as he sat upon his throne, by Brutus and his followers, was not to be considered for a moment in comparison. Just think of it, Mr. President, in your reading of ancient and modern history, in the records of those great and good men who lived and died in their day and generation, and who have left the impress of their great genius upon the minds of those who come after them and for the benefit of generations yet unborn did you ever find its counterpart? Did you ever conceive of such an ignoble act? And yet, sir, to all these high crimes and misdemeanors I plead guilty. Yes, sir, I did obtain from the honorable Printing Committee and send a few extra copies of my feeble remarks to some of the people who had sent me here as their representative. And I wasn't ashamed to do it, and I have reason to believe, sir, that they felt that their representative had not disgraced his constituency, for they not only elected him again to the Council, but they had only thirty days before elected him as their representative to the Legislature. Now let us see how stands the gentleman who so bravely attempts his sallies of wit, and addresses himself chiefly to his ink-stand, sandbox and blotter, which are his chief audience, and who never made a speech which was considered worthy of being circulated, and if circulated among his constituents would have been sure death to him. Fortunately for them, however, after having worked for weeks to obtain a reelection—this is history—for the second term, he neither received that, nor even the nomination, and died a natural death, so to speak, and has gone "where the woodbine twineth." Figures don't lie. So much, sir, for the honorable Alderman. Now, sir, we will begin to deal in some facts that will, perhaps, be more pertinent to the question under consideration. On Tuesday last (16th inst.) it occurred to me that I would visit the Temporary Home on Chardon street. In company with another member of the Council and a member of the press, I called there about noon and was agreeably received by the parties managing there, and obtained the following memoranda:

October, 1872.	Total number of meals dealt out,	876.
"	"	1269.
Increase October 1873, over October 1872,		45 per cent.
November, 1872.	Total number of meals dealt out,	1650.
"	"	2603.
Increase November 1873, over Nov. 1872,		58 per cent.

I inquired of the parties managing the details of the institution as to what their custom was for furnishing aid to the poor, and they informed me that they gave meals to all who applied, without regard to their residence, domicile or nativity, but made no record of anything but the name of each person, and had done so for at least five years last past; excepting that since the 11th instant, they had recorded the residence against each name, and that this was done by the express orders of the Board of Overseers. While I was there, came in three men, to each of whom I put the question of his residence. One said "Hyde Park," another, "Portland," another, "Milford"; then immediately following, five more, all apparently from outside the city, and yet all were provided for, and it is a proper provision, and we see on page 10, City Document No. 130, as follows:

"The knowledge of a large fund (monstrously large, as we propose \$3500), to be devoted to charitable objects, will, we fear, exert a demoralizing influence upon the community; it will cause a large influx of the improvident of other places to make this city their residence the coming winter and encourage the same class among ourselves to be less frugal with their means and less reliant upon their own resources, looking, as they naturally would, to the public for support."

Now on page eight, same document, what say this same board?

"Boston has a deservedly high reputation outside of its own limits, for its benevolent spirit."

"Consistency, thou art a jewel." I want the members of the Council to read these extracts and see where this high-minded board has lauded in its suggestions to the city.

Mr. President, If anything will appear ridic-

ulous outside or inside of our own limits it is such statements and such resolutions as emanate from City Document No. 130. And the "deservedly" "high reputation of our city for" "benevolence," will be the laughing stock of the civilized world. Why, sir, I should think we had financial matters under consideration as large as are now under the control of the Secretary of the Treasury of the United States. I should think, sir, by the sentiment of that document, that we were legislating for the United States, and had under consideration the financial aspect of the whole country instead of the paltry sum of \$3500 to be appropriated by the City Council for sustaining the lives of our worthy and industrious poor. After leaving the Temporary Home I went to the rooms of the Board of Overseers, and on inquiry there I learned from the parties in attendance that their applications for aid were very largely in advance of last year, that in fact for the present month up to the day I called (the 16th inst.) the amount supplied was more than the whole of last December, being an increase of more than one hundred per cent., and for November a large increase over November, 1872, and about fifty persons had already that day applied and it was then but noon. And yet, sir, what says the resolve of this board, as published in the same document (No. 130)? "Resolved, That as at present advised, there is no unusual exigency existing" requiring aid, etc.

Now, Mr. President, under these circumstances I cannot but conceive it to be my duty and the duty of the Common Council, acting as we do from each ward of the city of Boston, to explode any such proposition as that which comes to us from the Board of Aldermen, and consequently I am in favor of the instructions which the gentleman from Ward 7 proposes to give to that honorable Board of Overseers. Upon pages 10 and 11 the substance of the whole of this document is contained:

"Entertaining these views the board are of the opinion that at this time no official action of the City Government is required to meet the present and future wants."

Now, Mr. President, I think I have called attention to points enough in this matter to show that it is absolutely useless for us to send any discretionary power to the Board of Overseers. That is the point I desire to show—it is an absolutely fatal blow to the whole scheme. No fair-minded man, no unprejudiced member of this Council can look upon it in another light, in my judgment. I desire, Mr. President—I have no pride in the matter whatever, and no pride of opinion—I only desire to maintain the position which I have taken, and that position is that the worthy poor of Boston are in need of aid. Mr. President, there has n't an hour passing over my head during the last week, when some application has n't been made to me by some man, woman or child for aid. I can state instances which have occurred since the last meeting, of pure neglect. But I will say that it is our duty to meet the exigency of the times. When it is argued in other places that the law is against us, I will beg of the people of Boston to put that matter into some competent court, that shall pass upon that question. The Alderman stated that I sent among my constituents some remarks which I had the honor to make in the Council, I thank him for stating it. I am ready to stand by that speech, and by the one which I made at the last meeting. I want nothing but what is fair and what the conscience of every man now within the sound of my voice will dictate to him is right. And it is no political humbug which I bring before this Council. It is n't the first proposition I have argued, nor the first proposition I have carried here, as I believe in heaven it will be carried by this City Government, who I believe will have the honor of doing it, and that we shall not have to leave it to the next Government. I believe there is no man here but will say it is right. I will vote for it, I will stand by it, come what may, Mr. President. I never desired to come back to this Council: I only came here possibly first by accident, but probably because my constituents thought me competent to represent them here. If I have shown that I have been a faithful representative I hope they will remember that they urged me to come here a second time I had the honor two weeks ago to state here that I did n't expect to be here next year. But I have been elected and I shall, if I have the voice to be heard, raise it in favor of such measures as this. I have not confined myself simply to the district which I represent, and as it is now the dying moments of the Council, I may be excused for saying, I find that my remarks have met in this body a hearty response, and I have found, sir, that when I entered into the hearty consideration of any subject,

it has not only met the approval of this body, but of the people. Now, sir, I speak somewhat feelingly about this matter, because it has been told about City Hall that a member from Ward 5 has been making political movements to be reelected. I have never undertaken, Mr. President, to do anything more than any honorable gentleman is bound to do. I have always stood by the people whom I represent. But when I find my course criticised in another branch when I have fairly and honestly laid matters before this body, I think I have the right to raise my voice here in opposition to any such calumny, although I know it is not right in parliamentary law to criticise the acts of the other branch, except when I am attacked. Now I beg pardon for taking so much time. There is only one more subject. I think my course in this Council has been one of honor and integrity. That is my opinion, whether it be the opinion of others or not. I have never invaded the rights of any other member, but when I have been attacked, I have always been prompt to defend myself.

Mr. Pickering of Ward 6—Mr. President, I think we have shown by our vote in this Council that we are tolerably unanimous on this subject, and I don't know that anything has been done to change our minds. I certainly have n't changed my mind. I think we have been long enough on this subject, but I hardly know whether there has been a discussion on the soup question or not. There seems to have been the arraignment of the chairman of one committee, who, it is said, ought to be put under guardianship. It seems to me that, if the gentleman was so feeble-minded, the committee ought to have stood by him. We are told, also, that a member of the other branch was n't sent back because he had n't strength enough to get back, and that he had "gone where the woodbine twineth." Well, sir, there are a great many of us who have been left at home, but I should be sorry to think it had been because we voted against soup or the Overseers of the Poor. I trust we shall come to a vote on this subject. I don't propose to go "where the woodbine twineth." I always supposed that "where the woodbine twineth" is where there is the most spout. I think we have had spouting enough, and I hope we shall come to a vote.

Mr. Shaw of Ward 5—I made no reference to my worthy friend.

Mr. Jones of Ward 14—I move the previous question.

The main question was ordered, the order was passed to a second reading, and the rules were suspended and the order was passed.

HOME FOR THE POOR.

The report and orders authorizing the purchase of the Austin Farm, containing fifty acres, at not exceeding \$75,000, as a site for a Home for the Poor, and for a loan of said sum to be applied therefor, came down passed.

The Council concurred in the passage of the orders, under a suspension of the rules, on motion of Mr. Flynn of Ward 7—yeas 48; nays 0.

A motion to reconsider, by Mr. Jones of Ward 14, was lost.

UNFINISHED BUSINESS.

The following were passed, in concurrence:

Report and ordinance in relation to the Fire-Alarm Telegraph.

Report and order authorizing a loan of \$175,000, to be added to appropriation for Water Works—yeas 47, nays 0.

GIFT TO THE PUBLIC LIBRARY.

The President presented a communication from the Trustees of the Public Library, transmitting the following letter and the acceptance of the donation therein named:

EXECUTIVE DEPARTMENT, CITY HALL, }
BOSTON, Nov. 29, 1873. }

William W. Greenough, Esq., President Trustees of the Public Library: Dear Sir—Desiring to indicate my interest in the continued progress of our library, I ask leave to contribute to its funds the sum of five thousand dollars, herewith inclosed in my check. It is my wish that this sum should be used by the trustees for the purchase of books of a permanent value for the Bates Hall collection, but it is immaterial to me whether it be funded and the interest of the same be annually expended, or whether it be applied either now or at some future time to the acquisition of some special collection either of works relating to the history of this continent or of science or of art. In this way I hope to leave both principal and interest entirely at the disposal of the trustees, to be employed in such manner as may in their judgment most advance the value of our great library. Will you please convey to your board the

assurance of my respect, and with the sincerest regard for you personally, believe me, dear sir,
Yours, truly, etc.,
HENRY L. PIERCE.

Referred to the Committee on Public Library.

PETITION.

Mr. Page of Ward 9 presented the petition of Major Dexter H. Follett, First Battalion Light Artillery, for \$250, for necessary furnishing of armory at 37 Tremont street.

Referred to Committee on Armories.

CLAIMS.

Mr. Blackmar of Ward 11, from the Committee on Claims, to whom were referred the petitions of Charles L. Keys, for compensation for personal injuries from defect in highway; and Dean Dudley, for compensation for buildings blown up during the great fire, submitted reports recommending that the petitioners have leave to withdraw. Severally accepted.

BROADWAY BRIDGE.

Mr. Flynn, from the Joint Committee on Streets, to whom were referred the orders for the repairing of the Broadway Bridge, at an expense not exceeding \$114,000, submitted a report recommending the passage of the orders.

Orders passed—yeas 46, nays 0.

ARMORIES.

Mr. Page of Ward 9, from the Committee on Armories, to whom was referred the petition of Company D, First Battalion of Cavalry, made a report recommending the passage of the accompanying order:

Ordered, That the Committee on Armories be authorized to expend a sum not exceeding \$1200 in repairing the armory occupied by Company D, First Battalion of Cavalry, M. V. M., in Bacon's Building, 1839 Washington street; said sum to be charged to the appropriation for Armories.

The order was read once.

Mr. Perkins of Ward 6, from the Committee on Legislative Matters, submitted a report, representing that the committee having received notice of a petition to the Legislature by inhabitants of Brookline for a change in the boundary line between Boston, Brookline and Brighton, and having given a hearing to said petitioners, would respectfully report that in the opinion of the committee the change desired by said petitioners is also desirable in the interest of the city, as bringing within its limits the main conduits and lines of connection between the reservoir of the Boston Water Works and for other reasons. The committee recommend the passage of the accompanying order:

Ordered, That the Committee on Legislative Matters be instructed to favor in behalf of the city any petition by the inhabitants of Brookline for such a change of boundary as shall bring within the city limits the main conduits and lines of connection between the reservoirs of the Boston Water Works.

Mr. Perkins of Ward 6—The Committee on Legislative Matters, who have already made majority and minority reports on the subject of the annexation of a part of Brookline, now report this as a substitute for the previous orders. I will leave my senior on the committee to state the case.

Mr. Dean of Ward 12—The only suggestion I want to make to my colleague on the committee was to call his attention to the fact that it was n't a substitute to the other one which has been proposed, but rather additional to that which has already been proposed. The annexation of Brighton to the City of Boston left the town of Brookline between the two parts of the city. Thereupon the committee reported—with one exception, my friend making a minority report—in favor of taking just what was essential to give connection between the two parts of the city of Boston and Brighton and no more—as small a territory as would accomplish that connection. Now, then, certain inhabitants of Brookline have been before the committee asking that more territory be annexed, and thereupon the committee decided that there would be no objection to that, and therefore reported that they would be in favor of annexing whatever territory should be desired. The other one asked as a right to take what territory was needed to give us a connection with Brighton, and I don't understand that it is a substitute any further.

Mr. Perkins of Ward 6—Then I should ask of the Council leave to withdraw my minority report, for this would include just what I recommended. This petition to be presented to the next Legislature by inhabitants of Brookline represents a very large majority of the owners of land lying between Longwood avenue and Beacon street. Gentlemen representing those parties were before the committee, and

it was desired that when the Committee on Legislative Matters went up to the State House they should not oppose this petition. All they ask is that it be not opposed by the city. I suppose that no citizens of Boston would wish to oppose the annexation of any part of Brookline.

Mr. Jones of Ward 14—If I understand this matter rightly, this is a substitute for the order offered previously. We merely ask the Committee on Legislative Affairs not to oppose any annexation that citizens of Brookline may ask for. I believe now we ask for nothing more.

Mr. Perkins of Ward 6—I think the wording of the order should be that the committee should favor that which these inhabitants of Brookline ask for.

Mr. Shaw of Ward 5—I am pretty thick headed, perhaps, but I don't understand this matter. If this is in favor of annexing any particular part of that town I am opposed to it. I don't want the city of Boston to pledge itself to support the petition of any one set of inhabitants of Brookline. I don't think we have considered that matter enough to determine any particular line. I am willing to go before the Legislature and say there, as one of the people of Boston, that I would like to see Brookline annexed, but that we should indicate any line I don't believe to be correct. But the matter has n't been discussed. Not a single gentleman here can state what that line should be. I am in favor of annexation, but I am opposed to this division of a town. I don't believe it is good policy for the city of Boston to pledge itself in favor of any particular line.

Mr. Dean of Ward 12—In the first place, Mr. President, it seemed to be advisable that the city should n't be divided into two parts by an entirely separate municipality. Therefore, the committee reported Brighton street with the territory. East of it should be annexed to the city of Boston. That would give us a narrow strip connecting Brighton with Boston. That was asked as a matter of necessity. My colleague asked that the committee should indicate what would be a proper connection. The answer of the committee was that the town of Brookline voted against annexation, and the only thing the city of Boston could ask was that the city should have a connection with Brighton. After that, certain inhabitants of Brookline, covering a portion of the town my colleague had recommended, and some more covering that portion where the water works will run, have expressed a desire to be annexed. They said they thought it would be a good thing to have the water works within the city, and they did n't want any opposition at the Legislature from the city. Thereupon the committee said that after the vote of the city, and inasmuch as it would give us a better way, there would be no opposition to taking more of Brookline—it would be giving us better accommodations, and so the committee informed the gentlemen not only that we would n't oppose it, but we would, on the part of the city, favor any annexation that the inhabitants of Brookline desire. So far as the committee are concerned they will be in favor of all they can get the Legislature to grant. All that we insist upon is a particular connection with the city and Brighton.

Mr. Wells of Ward 3—I can't see any object in petitioning the Legislature except to connect the city with Brighton. It does seem strange that inhabitants of Brookline should come in and petition to annex that portion of Brookline which water works pass through, when we have the right already. It is nothing more in my opinion than an effort to get the water. I don't believe in instructing the Committee on Legislative Matters. While the Committee on Legislative Matters were asleep the town of Natick went to work and took the water; they don't talk like that in this Council, but it is so. And that ought to be put into the report of the Committee on Legislative Matters. I don't believe in proscribing one part of the town to help the other.

Mr. Perkins of Ward 6—The case seems to be that certain inhabitants and a great majority of the land-owners of Brookline are desirous of annexation to Boston. We know very well that the city is desirous of having the whole town. Now the point is that when the citizens of Brookline and the committee from Boston appear before the Legislature, there may be a conflict. They ask that the committee shall favor that petition. We say that not only the great avenues leading out of Boston, but the water works of Boston lying in that territory, the conduit which leads from Chestnut Hill Reservoir runs through that territory, should be annexed. This territory is not liable to have much money expended upon it. The only thing is for those in favor of annexing it to act together. Let us

take what we can get. It seems very plain to me that the Council can instruct the committee in accordance with the report.

Mr. Shaw of Ward 5—I confess I don't understand what is going on. Here we are within two weeks of the death of the City Government, and here is a proposition to instruct a committee of the incoming City Government to go before the Legislature and advocate a petition of certain citizens of Brookline, when that committee has not been appointed. It is to come in with the new City Government. Why are we obliged to advocate this petition? It is against the principle of the thing that I object. It is not good policy for this City Government to dictate to the next City Government. When the new one comes in then we can have such instructions as that City Council sees fit to give it. I don't want to see any one-sided action, especially while this City Government is alive, while it is only to determine the line of conduct of a few individuals. I can see broad land speculation in this scheme to divide the town of Brookline.

Mr. Jones of Ward 14—The gentleman from Ward 5 remarked about two months ago that he could see a land speculation in this matter. The order came up in the other branch for the annexation of so much of the town of Brookline as included Brighton avenue. One of the annexation commissioners called my attention to the fact that it took only a small strip of land. He said if you are going to ask for anything ask for something. One thing that called my attention to it was that in laying the fire alarm telegraph poles to reach the other part of the city, now that there is an engine at Longwood, would make it two miles shorter than by the way of Brighton avenue. I don't think there are any land speculators engaged in this. I have been informed tonight that all the gentlemen owning property there favor this project, and only two oppose it. I think it is entirely competent for this Council to instruct the Committee on Legislative Matters to favor this petition.

Mr. Flynn of Ward 7 moved the report lie on the table. Lost—13 for, 21 against.

Mr. Shaw of Ward 5—I don't undertake to make any statement here that is not correct, but when the statement is made here that only two gentlemen from Longwood oppose this measure I shall take issue with any gentleman who states it. I should like to have the gentleman state his authority. If he knows that only two property owners oppose this measure I shall take his word for it, but I undertake to say there is no truth in it. I don't believe the gentleman can state his authority. I hope the record will be made, and it will not be more than twenty-four hours before a hundred gentlemen will appear against it. I can name scores of them who will oppose it. I know this is true, but I don't say that any gentleman has made a misstatement, by any means. But some gentleman is terribly misled. Therefore I would not have the people nor the Council misunderstand the facts. It is nothing but a carefully drawn plan to divide the town of Brookline in the interest of certain individuals. No Legislature will ever vote to divide Brookline or any other town situated as that town is. With my present feelings I never shall vote for any such proposition. I believe a majority of the Legislature will vote to annex Brookline when there is a vote in favor of it.

Mr. Perkins of Ward 6—I would like to ask the gentleman from Ward 5 whether it is not usual in the Legislature to grant a petition of a large majority of the inhabitants of a particular territory to be set off from one town to another?

Mr. Shaw of Ward 5—I will have to answer that there is no rule. That is frequently decided in one way and in another. I remember instances in the western part of the State where such applications have been refused. It was the case with regard to Abington and several other towns last year, and in 1872 the town of Holbrook was set off from Randolph by such means as they saw fit to use. But it is one of the hardest things I know of to get the Legislature to consent to a division of a town. Here is a proposition to commit the City Government to a certain line of division; tell me why it is necessary to act upon it at this time?

Mr. Jones of Ward 14—The members of this Council, during my two years' service here, know very

well that I never make an assertion here that I never can back up. I think they will know where to find me. I said that I had been informed, on very good authority, that only two persons living at Longwood oppose annexation. That gentleman lives in Longwood; he is acquainted with almost every one there. I understood him to say that only two persons opposed it.

Mr. Wells of Ward 3—I recollect when this matter came up in the Legislature, in 1870, and was defeated there, this piece of flats was worked through at that time, and, if I am not mistaken, the very men who asked for this annexation now opposed it then, and yet they were willing to give the city of Boston those flats, with the understanding that the city would put in a sluiceway. If they had not paid out their money then, Brookline would have been annexed. If those gentlemen are so eager to annex territory on that line of highway, there is no trouble, for the weight of the vote against annexation was brought from their laborers who were paid to do it. If we are to have any of the town of Brookline let us have the whole of it.

Mr. Jones of Ward 14—I wish it to go upon record that I know nothing of real-estate speculations. As I stated before, one of the Annexation Commissioners called my attention to it, and I leave it to the good sense of this Council if this is not a proper thing to do. But no one has been to see me directly or indirectly, and I never had five minutes' talk with anybody except members of the Committee on Legislative Affairs.

Mr. Flynn of Ward 7—The reason why I made the motion to lay this matter on the table was in order that I might obtain information which every member not conversant with the boundary lines should have. I do not know where these lines are, and if I vote tonight I cannot vote intelligently.

Mr. Dean of Ward 12—The majority report was in favor of annexing so much as would give a connection with Brighton. Gentlemen in favor of this petition have stated that nearly all the inhabitants are in favor of it. They ask the City Council to favor any line they may desire. The gentleman from Ward 5 is mistaken in that it does not fix any line. Although there may be legal difficulties in the way of accomplishing the proposition, I hope the Council will pass the order.

On motion of Mr. Perkins, the further consideration of this subject was specially assigned for consideration at half-past eight o'clock, at the next meeting of the Council.

BATHING HOUSES.

On motion of Mr. Flynn of Ward 7, the Council voted to reconsider the vote passing the order in reference to placing the public bath houses in charge of the Board of Health, and on motion of Mr. Flynn the order was laid on the table, Mr. Flynn desiring that Mr. Wells, who offered the order, should explain it at the next meeting.

On motion of Mr. Dacey of Ward 2, it was ordered that when the Council adjourn it be to Friday evening of next week, at 7½ o'clock.

PUBLIC INSTRUCTION.

Mr. Shaw of Ward 5, from the same committee, to whom were referred requests of the School Committee for a primary schoolhouse site at City Point; for a new primary schoolhouse in the Norcross District; and for the abandonment of the Cottage-place school, and the erection of a new nine-room primary schoolhouse on or near Elmwood street, submitted reports recommending that the reports be severally referred to the next City Council.

Severally accepted.

Mr. Shaw of Ward 5, from the same committee, to whom was referred a request from the School Committee, submitted a report recommending the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be authorized to pave the yard of the Vernon-street Primary Schoolhouse, Washington District, the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

The order was read once.

Adjourned to Friday evening, December 27th.

The first part of the book is devoted to a general history of the United States from its discovery by Columbus in 1492 to the present time. It covers the early years of settlement, the struggle for independence, the formation of the Constitution, and the growth of the nation. The author discusses the various political, social, and economic changes that have shaped the country over the centuries.

The second part of the book is a detailed account of the American Revolution, from the outbreak of hostilities in 1775 to the signing of the Treaty of Paris in 1783. It describes the military campaigns, the political maneuvering, and the ultimate triumph of the revolutionary forces.

The third part of the book deals with the period of the early Republic, from the adoption of the Constitution in 1787 to the end of the War of 1812. It examines the development of the federal government, the role of the judiciary, and the expansion of the nation's territory.

The fourth part of the book covers the years from 1815 to 1860, a period of rapid growth and change. It discusses the industrial revolution, the westward expansion, and the growing tensions between the North and the South that led to the Civil War.

The fifth part of the book is a history of the Civil War, from its outbreak in 1861 to its conclusion in 1865. It details the military strategies, the political issues at stake, and the profound impact of the war on the nation.

The sixth part of the book is a history of Reconstruction and the late 19th century, from 1865 to 1890. It explores the challenges of rebuilding the South, the struggle for civil rights, and the rise of industrial capitalism.

The seventh part of the book covers the period from 1890 to 1914, a time of progressivism and reform. It discusses the efforts to improve government efficiency, protect workers' rights, and address social inequalities.

The eighth part of the book is a history of World War I, from its outbreak in 1914 to the end of the war in 1918. It describes the American entry into the war, the military campaigns, and the social and political changes that followed.

The ninth part of the book is a history of the interwar period, from 1918 to 1939. It examines the economic challenges of the Great Depression, the rise of the New Deal, and the growing tensions in Europe.

The tenth part of the book is a history of World War II, from its outbreak in 1939 to the end of the war in 1945. It details the American military efforts in both the Pacific and Europe, the atomic bombing of Hiroshima, and the post-war world.

The final part of the book is a history of the Cold War and the modern era, from 1945 to the present. It discusses the rivalry between the United States and the Soviet Union, the Vietnam War, and the social and political movements of the 1960s and 1970s.

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CITY OF BOSTON.

Proceedings of the Board of Aldermen,
DECEMBER 22, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M. today, Alderman Cutter, Chairman, presiding.

JURORS DRAWN.

Thirty-four traverse jurors were drawn for the Superior Court, first session, January term, 1874, and thirty-two traverse jurors for the second session, January term, of the same court.

EXECUTIVE APPOINTMENTS.

Police officers with all the powers of constables, except serving civil process—W. S. Bond, Michael Griffin, George E. Lawrence, John W. Jackson.

Referred, on motion of Alderman Gibson, to the Committee on Police.

PETITIONS REFERRED.

To the Committee on Health on the Part of the Board. Thomas Rogerson, to occupy wood stable for two horses in rear of Ward street, Ward 15.

Sarah H. Dorr, to occupy brick stable for seventy horses on Harrison avenue, corner of Renfrew street.

Joseph Marshall, to occupy additional stables for twelve horses on Chelsea street, No. 327.

To the Committee on Sewers. John Harney, to be paid for damage done to his estate on Circuit street by construction of a sewer.

To the Joint Committee on Survey and Inspection of Buildings. Washington Snelling, for leave to erect two wooden houses without brick partitions on Eagle street.

To the Committee on Paving. John Kelly, for grade damages on Dorchester avenue.

Charles H. Leach *et al.*, for removal of obstructions from, and for putting sidewalk of Dorchester avenue, near Crescent avenue, in good condition.

P. H. Rogers, to be paid for grade damages on Dorchester avenue, Ward 16.

Charles E. Turner *et al.*, that sidewalks and crossings be laid on Chelsea, Saratoga and Bennington streets.

To the Committee on Legislative Affairs. Notice of proposed petition of Azel Ames *et al.*, for the annexation of Chelsea to Boston.

Notice of proposed petition of J. Warren Merrill and seventy others, for the annexation of Cambridge to Boston.

To the Committee on Public Buildings. Michael F. Lynch, for a new ward room in Ward 16.

To the Committee on Common, etc. William Sohler, that a suitable walk be laid on west side of Tremont street, from Park to Boylston street.

ORDERS OF NOTICE.

The order of notice on petition of Sewall, Day & Co. to erect steam engine on Parker street was considered, and there being no objection to petition, was referred to the Committee on Steam Engines.

On petition of Sturgis & Brigham, architects, to place a stationary engine of six horse power in a building of C. & C. R. Codman, trustees, corner Kilby street and Exchange place, an order of notice was passed for a hearing on Monday, January 12, 1874, at four o'clock P. M.

SEWER ASSESSMENTS.

Schedules of assessments for the construction of common sewers were received from the Superintendent of Sewers as follows: Parker street, total \$666 81, to individuals, \$500 11; New Heath and Centre street, total \$1595 13, to individuals \$1196 35; Bremen street, total \$5017 66, to individuals \$1520. Referred to the Committee on Sewers.

UNFINISHED BUSINESS.

Order to abate the sum of \$17 84 assessed upon Richard Justice for a sewer in Bolton street. Passed.

PAPERS FROM THE COMMON COUNCIL.

The following papers received concurrent action: Petitions were referred.

Report (inexpedient at this time) to provide a new ward room for Ward 10. Accepted.

Communication from Trustees of Public Library, inclosing notice of donation of \$5000 to said library by Henry L. Pierce. Referred to Committee on Public Library.

Reports of Committee on Public Instruction, referring to the next City Council the following requests of the School Committee: 1. For a primary-school site at City Point; 2. For new primary school-house in the Norcross District; 3. For the proposed abandonment of the Cottage-place Schoolhouse, and

erection of a new house in the same district. Severally accepted.

Reports (leave to withdraw) on petition of Dean Dudley, to be paid for damages caused by agents of the city during the great fire of November, 1872; and of Charles L. Keyes, to be paid for personal injuries received in Portland street. Severally accepted.

Report of Joint Committee on Streets in favor of the passage of the orders to rebuild the draw of the Broadway Bridge, at a cost of \$114,000, and for a loan therefor. Accepted, and orders passed—yeas 12, nays 0.

REMOVAL OF TREES FROM THE STREET.

At half-past four the Board took up the special assignment, the hearing of parties interested in the proposed removal of an elm tree from the roadway of St. James street.

William R. Gray appeared to remonstrate against the removal; the tree is some eighty feet high, with girth of eight feet, stands in the centre of the street, and is one of the most beautiful in the city. No accident has occurred on account of it, and it is rather a safety, as the roadway is shelving and teams naturally take one side or the other. The roots have been cut on the southerly side, but have not been affected; they are perfect on the other side. If the tree were to fall it would fall upon his (Mr. G's) house, so that if he thought there were the least danger he would not appear here.

Other trees stand worse in the road than this one, and this tree has not been affected by the wind. All the roots which have been cut are surface roots merely. The tree has been there forty years, and no accidents have happened in that time; there are fifteen feet of roadway on either side, the road is shelving and were it not there the teams might come together. The general sentiment of the residents there is against the removal, and among the remonstrants are several gentlemen who own teams. The petitioners for removal have not offered any proof of a single assertion of theirs, having offered merely the assertions of others. The remonstrants are of the utmost respectability. He valued the tree as a dear object, he had watched it carefully and felt that it is an unusually fine one, and, as a general thing, is in a fair condition and if well taken care of will be long lived. The Alderman from that district, Mr. Gray thought, had consulted only one side. He felt aggrieved that the removal should be pressed with no proof. There must be something at the bottom of it. Several gentlemen had expected to be present, but are detained away by business. There is a street lamp close by which will prevent any one from running into it. Mr. Gray presented a plan of the locality, and an additional remonstrance from twenty-six other residents of the locality against the removal. In reply to questions from Alderman Clark, Mr. Gray stated that the roadway is fifteen feet on each side of the tree, and that as a general rule he should not favor the general putting of trees in the streets of the Highland District. Ex-Mayor Lewis had signed the remonstrance and had since changed his mind; but he did not know that ex-Mayor Gaston and Senator Merrill had also. To Alderman Stebbins Mr. Gray said he would not be willing to sign a bond to indemnify the city for any damages which might occur on account of the tree.

Mr. Reynolds had examined the tree and found all the limbs shooting out from the body sound. There is very little but local travel in the street and the tree is no obstruction. It has the appearance of being healthy. The sure way would be to leave it till spring and if it did n't leave out then it ought to be removed.

Mr. Putnam thought it would be a great sacrifice. His teams had never experienced any difficulty. If the English elms on Tremont street are spared he could n't see why this one should n't be. To questions by Alderman Quincy Mr. Putnam said he did not live on the street, but wished he might.

Rev. Abiel Silver—Reside near there and the church and society would not have the tree removed if they believed it safe, which they do not. The roots are cut off within five feet of the centre of the tree to lay a water pipe, and last summer a sewer was laid which cut most of the roots off in line of the ditch that ran down deep. The roots that run up the street lie upon the rocks, so that there is very little to hold it on the north side and nothing on the south side. The roots run but a small distance, whereas the rule of arboriculture is that the roots should extend as far as the branches. It seems that a very little wind will blow it over. Soon after the sewer was cut through the leaves began to turn and they were all off before the leaves of the other elms were. He did n't think it would live three years. He should value the tree above price if it were healthy, but as it is now he did n't think it safe to stand. In reply to a question

by Alderman Clark, Mr. Silver said he did consider the tree an obstruction to the street.

Mr. Hodges said he had as much reverence for that tree as any man, and had come to the conclusion that it ought to be removed. The roots have been cut off, the tree has seen its glory, and it is now decaying, the time has come when it should be removed, and a majority of citizens there desire it. He thought the tree a great obstruction; the age of the tree and the increasing travel were two good reasons for its removal.

Mr. Carey used to think the tree a great ornament, but he had seen it weakened on all sides, and there is a strong feeling in the street that the tree is unsafe. Hardly any one who intends to remain there desires to have it remain. Mr. Gray has advertised his place for sale, and don't intend to remain there. He thought it wrong for persons living a mile away, and who don't know anything about it, to get up a petition to have the tree remain. He had three trees in front of his house, and would n't take a thousand dollars apiece for them; so it was n't because he did n't love trees. Already there is a claim for damages made against the city on account of the roots of this tree. To Alderman Hulbert Mr. Carey stated in reply to Alderman Stebbins that he had measured the distance from the tree to the curbstone and found it eight and a half feet.

Alderman Hulbert explained his position. He appeared before the committee because the interest of the city required the removal of that tree; it was unsafe to public travel.

Mr. Gray corrected a statement he had made. He did not wish to convey the idea that it was fifteen feet from the tree to the curbstone, but to the side of the street.

Alderman Clark explained the action of the Committee on Common, etc., who were in favor of removing the tree, but they felt bound to consider and give a hearing to so respectable an array of remonstrants, but he had since learned that many of them had changed their minds.

On motion of Alderman Hulbert, the prayer of the petitioners for the removal of the tree was granted.

DUTIES OF THE FIRE COMMISSIONERS.

The report, inexpedient to amend ordinance in relation to Fire Department, so that the Fire Commissioners shall not interfere with engineers while engaged in extinguishing fires, came up from the Council, "referred to the next City Council," together with an ordinance making the amendment proposed.

The question was on concurrence.

Alderman Quincy—I trust, Mr. Chairman, that we shall not bequeath to the next City Government any such legacy as the proposition now before us, and I will endeavor to give my reasons for the view which I take of the matter. Whether such an onslaught as was made in the other branch on the chairman of the Ordinance Committee is worthy of any notice here, is a question which many gentlemen would answer in the negative. My reference to it shall be very brief.

A Councilman from Ward 12 was pleased at the last meeting of the other branch to be not only in his own opinion excessively severe and sarcastic upon a certain report from the Ordinance Committee, but also seemed to regard it as in accordance with good taste and warranted by the facts, to accuse the author of the document of a want of occupation in private life, and in public of a willingness to sacrifice the interests of the city to his own vanity. To personalities I certainly do not propose to reply. As to the report in question, as I regard the time of this Board as too valuable just now to be devoted to an exposure at length of the Councilman's train of probably unconscious fallacy and misrepresentation, I will simply say this: It was written after long consultation with the City Solicitor, whose views of the law it was intended to express. It has since been submitted to that officer, who authorizes me to state to the Board that, after careful perusal, he entirely fails to perceive the contradiction or inconsistency therein which so amuses the gentleman from Ward 12. Therefore, I will only suggest that when my friend from South Boston shall decide to petition the Judge of Probate for the appointment of a guardian to the imbecile chairman of the Ordinance Committee, he may be willing to further benefit the City Government by taking also under the protection of his mighty brain the equally enfeebled intellect of the City Solicitor.

With regard to the proposed ordinance it seems to me that for us to entertain it and send it to the next City Government as worthy of consideration, is hardly less than insulting to the gentlemen who have been or may be appointed to the office of Fire Commissioners. It assumes, as its author tells us in almost so many words, that without it there is danger

that these gentlemen will grossly abuse the powers delegated to them by undertaking to run to fires and contradict the orders of the officers in command, whether given to extinguish the flames or to quell a riot. I hope we shall not indorse such a proposition as worthy of being sent to the next City Government. In view of the fact that such reference is entirely unnecessary, as its author being a member of the next government, can bring it forward whenever he sees fit, I move that the subject be indefinitely postponed.

Alderman Power—I should hope the Alderman would withdraw his motion and let the matter lie on the table for a week, in order that I may examine into the subject.

Alderman Quincy—I would be willing to do anything in courtesy to the Alderman from Ward 12, but I think it is entirely unnecessary. If this subject is to be considered by the next City Government it can be called up by either the Alderman or the Councilman from Ward 2, both of whom are members of the other branch. It would be hardly less an insult to the gentlemen appointed commissioners to withdraw the motion.

The motion to indefinitely postpone prevailed.

Later in the session Alderman Quincy moved to reconsider the vote hoping it would not prevail.

Alderman Power—I had hoped that the Alderman would allow the matter to stand as it is, so that in the twenty-four hours allowed in which to move a reconsideration I could investigate the matter and understand it. If I could do so I think I should very likely think as the gentleman does, and very likely agree to an indefinite postponement.

Alderman Quincy—I moved an indefinite postponement, but that does n't prevent the gentlemen from Ward 12 bringing this matter before the next City Government if they wish. I did not wish to let the matter go to the next City Government as a legacy from this Council, and I think nobody's rights are cut off by the motion.

Alderman Power—Then I shall have to move to lay this motion to reconsider on the table. I don't understand the matter at all, and should like to look into it. I have a paper on my desk which is rather a lengthy document, which purports to set forth the merits of this case, but I don't profess to understand it and I should like time to look into it. If this motion prevails, I don't propose to let it lie longer than this week.

The motion to lay on the table was lost by a rising vote—4 for and 6 against.

Alderman Power—Then I hope the motion to reconsider will prevail. I have no desire to keep this matter open except as stated. I don't know whether this proposal is to take away power from the engineers and give it to the commissioners or not. I wish time to investigate.

Alderman Quincy—We pass upon no question, but simply decline to send it to the next City Government, knowing that it can be taken up by the next Council at any time.

The Board refused to reconsider.

THE SOUP QUESTION.

An order for the Overseers of Poor to furnish soup, from police stations, to the needy poor, at expense of appropriation for Overseers of Poor, came from the Council, passed.

The question was on concurrence.

Alderman Quincy—My reasons for opposition to this measure I have already explained to be twofold. First, the ground taken by the overseers that its tendency is mischievous as aggravating the evil it pretends to alleviate; and, second, that taken by the City Solicitor that it is illegal, and until the law shall be changed a purpose to which we have no right to devote the money of the taxpayer. I will not trespass upon the time of the Board by any repetition of my arguments, but will simply read to the Board two communications which I have received bearing upon each of these grounds, respectively. The first is from a well-known clergyman, the second from the City Solicitor.

ROXBURY, Dec. 17, 1873.

My Dear Mr. Quincy—After I got home from the tea parties I read, with the greatest satisfaction, the account in the paper of your staving off the soup. The first year of the soup distribution I took from the police station the list of all persons who had received it in the first winter for the district around my church. I divided this list among ten intelligent young men who were studying for the ministry, bade them hunt up the people, and find their condition. I am sorry to say that their reports, which were very curious and instructive, are destroyed, but I recollect distinctly that there were but five cases, of all those which they could find among the people who took soup that year, which they considered in any

way tolerable; by far the greater part of the persons named could not be traced at all; we supposed that false names and false addresses had been given from the beginning. The poor people themselves who lived in those neighborhoods declared, as we believed, truly, that there had been no such persons there. In the large number of cases of poverty referred to this church, and relieved by it, since this distribution began, I do not know one person who ever received this soup (so unwilling are persons of any remnant of self-respect to make application for it), except one woman whom I compelled to go myself, because I wanted to learn the method of distribution. If the matter comes up again you may make any use of the statements above that you choose.

Very truly y'rs.,

EDWARD E. HALE.

ALDERMEN'S ROOM, CITY HALL,
BOSTON, Dec. 19, 1873.

Hon. J. P. Healy, City Solicitor: Dear Sir—In view of the recent action of the other branch upon the soup question, I respectfully ask the favor of your opinion upon the following points:

1. Can the City Council legally instruct the Overseers of the Poor to expend, or cause to be expended, any part of their appropriation from the city for the purpose of a general distribution of soup from the police stations?

2. Would such expenditure, in the absence of instructions, be legal?

3. Can the said City Council legally instruct said overseers to make such expenditure from any other private funds at their disposal?

Very respectfully yours,

S. M. QUINCY.

Dear Sir—In my opinion, neither the City Council nor the Overseers of the Poor have the right to appropriate the funds raised for the support of the poor to any persons who have not a legal claim upon the city of Boston for support. I, therefore, answer your first and second questions in the negative. I am not aware that the Overseers of the Poor hold any funds which the City Council can direct the expenditure of in the manner proposed; but I do not know upon what terms and trusts all the funds in the hands of the Overseers of the Poor are holden. The funds which they hold by gift must be disposed of in accordance with the conditions of the respective donors imposed at the time gifts were made and accepted.

Very respectfully,

Your obedient servant,

J. P. HEALY.

Mr. Alderman Quincy.

Dec. 22, 1873.

Now, Mr. Chairman, the claim which the class of deserving poor have, to be assisted by us, their more fortunate fellow men, I trust I do not ignore. If those so unfortunate as to have no settlement cannot legally be assisted from the public treasury, let us endeavor to change the law, and in the meantime let us contribute what we can from our own pockets to the organized private charities which can assist them. The proposed measure would in my opinion be at the same time a transgression of the law and an aggravation of the evil. Gentlemen who honestly believe that the overseers and the Solicitor are both wrong in this matter will conscientiously vote for the measure. Were I to do so, believing as I do that they are right, and assume the exclusive right to be considered the poor man's friend on that account, I should regard myself as masquerading under the sacred mantle of charity at others' expense, and regard whatever popularity I might thereby gain as poor compensation for the loss of self-respect. I move the indefinite postponement of this order.

Alderman Power—I think the order ought to pass as it comes from the Common Council. I don't think there is any question that the dispensation of soup under proper restrictions, from the police stations, will do a great deal of good. It has done a great deal in years past and no one can dispute that fact. With the knowledge that all the policemen have of residents of their localities it seems to me that it can be made to do a great deal more good than it ever has. I think we should risk the little harm that it might do. Notwithstanding the opinion of the City Solicitor, the Overseers of the Poor have, I understand, voted to grant relief to persons who ask for it. I understand that they are pretty evenly divided on the question of dispensing soup. Even if this order is passed I don't think the Overseers will do it if they find it is illegal. I don't believe in the indiscriminate dispensation of this sort of charity, but I can't see any trouble to be anticipated in this dispensation. I hope the order will not be indefinitely postponed.

Alderman Clark called for the yeas and nays and they were ordered, and the motion to indefinitely postpone prevailed—8 yeas, 4 nays—as follows:

Yeas—Aldermen Bigelow, Brown, Cutter, Gaffield, Gibson, Hulbert, Quincy, Sayward—8.

Nays—Aldermen Clark, Emery, Power and Stebbins—4.

REPORTS OF COMMITTEES.

Alderman Gibson, from the Committee on Police, submitted a report recommending the confirmation of the following-named executive appointments of members of the police force: Wilbur Laskey, Jr., Michael W. O'Brien, Samuel D. Chamberlain, John L. Savage, Moody Quimby, George F. Malcolm, George F. Sawyer, A. S. Buswell, James H. Wardon, Charles H. Cheever, John C. Blake, Ira C. Foster, Oliver W. Shapleigh, Charles A. Phillips, John B. Corcoran, William Matthews, William B. Daley, Bernard Armstrong, and Charles Glidden.

Constable—George Phillips.

Report accepted and appointments confirmed.

Alderman Gibson, from the Committee on Survey and Inspection of Buildings, reported "inexpedient" on petition of H. W. Nelson *et al.* for extension of wooden building limits so as to include Wards 7 and 12; and "no action necessary" on petitions of Joseph Marshall for leave to enlarge his wooden building at 327 Chelsea street; "no action necessary" on the subject of changing the building laws so that the floors of buildings shall be made fire proof; and "no action necessary" on the subject of protecting water pipes in buildings from injury by freezing, that being a matter which should be left to the owners. Severally accepted.

Alderman Gibson, from the same committee, reported an order granting a permit to A. D. Williams to erect a building on Fountain street.

The order was read once.

Alderman Gaffield, from the Committee on Public Instruction, to whom were referred various requests of the School Committee, submitted reports recommending the passage of the accompanying orders:

Ordered, That the Committee on Public Buildings be authorized to furnish additional accommodations for the pupils of the Heath-street Primary School, Comins District; the expense thereof to be charged to the appropriation for Schoolhouses, Public Buildings.

Passed.

Ordered, That the Committee on Public Buildings be authorized to make such changes in the Girls' High School buildings as may be required to enable the pupils to study photography; the expense thereof to be charged to the appropriation for Schoolhouses, Public Buildings.

Passed.

Ordered, That the Committee on Public Buildings be authorized to provide temporary accommodations for primary schoolhouses in the Gibson School District, Ward 16; the expense to be charged to the appropriation for Schoolhouses, Public Buildings.

Passed.

On motion of Alderman Power—

Ordered, That notice is hereby given to John G. Lewis and Michael Barrett, contractors, and to Charles G. Crockett, Cornelius O'Hearn and Cassander J. Knight, bondsmen, to finish and complete the construction of the sewer in Kemp street, according to the terms of their contract with the city; and that if said sewer is not completed on or before the first day of February, 1874, the city will proceed to complete the same, at the expense of said contractors. Passed.

Alderman Power, from the Committee on Sewers, reported no action necessary on petition of P. H. Rogers *et al.* for postponement of collection of sewer assessment; and leave to withdraw, on petition of Jacob Symonds for abatement of sewer tax. Severally accepted.

Alderman Power, from the Committee on Sewers, to whom were referred the schedules of assessments for sewers in Clifton, Albion, Hudson, Cottage, Stoughton, Myrtle, Regent, St. James, Akron, Fountain, Wood, Taylor, Franklin, Water, Ericsson and High streets and Neponset avenue, reported that they had been found to be correct, and recommended the passage of the usual orders for collection. The orders were severally passed.

Alderman Quincy, from the Committee on Public Library, to whom was referred the request of the Trustees of the Public Library for an additional appropriation of \$11,650, submitted a report recommending that the same be referred to the Committee on Finance to provide the means. Accepted and reference ordered.

Alderman Quincy, from the Committee on Public Library, to whom was referred a communication from the trustees of the Public Library notifying the City Council that the Hon. Henry L. Pierce had

contributed the sum of \$5000 to the funds of the library, having considered the subject, reported the following orders for passage:

Ordered, That the thanks of the City Council be presented to the Hon. Henry L. Pierce for his generous contribution to the funds of the Public Library.

Ordered, That the action of the Trustees of the Public Library in accepting and investing the donation of \$5000 from the Hon. Henry L. Pierce for the benefit of the Public Library be and the same is hereby approved.

The orders were passed.

Alderman Quincy, from the Committee on Legislative Matters, to whom was referred the petition of citizens of Winthrop to be heard on the subject of annexation, together with the notice of a proposed petition to the General Court for that purpose, would respectfully report that they have given the desired hearing, and are of opinion that to complete the city's control of harbor lines, and for other reasons, such annexation is desirable. They therefore recommend the passage of the accompanying order:

Ordered, That the Committee on Legislative Matters be instructed to favor the petition of the town of Winthrop, or its inhabitants, for annexation to the city of Boston, in preference to the proposed setting off to Middlesex County.

The order was read once.

Alderman Sayward, from the Committee on Health, reported in favor of granting the petitions of D. W. Lewis, S. G. Chase, Erskine & Bennett and Henry Hurd, for leave to occupy stables; H. J. G. Denny, to add three stalls to her stable on Otter street. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the applications of one bootblack and five newsboys for licenses; T. W. Gordon, Nelson Downing, for hack stands; Charles L. Steinkraus, for leave to exhibit game of checkers at 18 Howard street; C. M. Charter, for leave to exhibit a panorama at Wait's Hall one week; George Abbott and twenty-four others, for auctioneer's license; Messenger Brothers, to keep billiard saloon at 55 Bromfield street; J. R. White and others, for transfer of wagon licenses; James A. Riedell & Co., for two hack stands; John C. Fannelly, for wagon license; John Harrison, for pawnbroker's license; Martha P. Beatty, for innholder's license; Adeline Moore, P. A. Garvey, R. H. Yeaton, John Lale, for victualler's license; D. Harris, to give entertainment at Webster Hall, December 31, for the benefit of the poor; and leave to withdraw on application of Lawrence Sbealey for victualler's license. Severally accepted.

On motion of Alderman Gibson—

Ordered, That in addition to the rules and regulations now in force for the government of the Police Department, the following rule be and the same is hereby adopted:

"No officer or member of the Police Department shall be allowed to receive a present from men under his command, and no subscription or contribution shall be made by any officer or member of the department to any present or reward intended for another officer or member of the department, unless specially authorized by the Committee on Police."

Passed.

Alderman Sayward, from the Committee on Faneuil Hall, reported in favor of granting the petition of George V. B. Ladd *et al.* for use of Faneuil Hall for a public ball of January 22, 1874. Accepted.

Alderman Sayward, from the Committee on County Buildings, reported inexpedient on petition of Charles R. Train *et al.*, members of Suffolk Bar, for extension of accommodations in the clerk's office of the Superior Court, Civil Business. Accepted.

On motion of Alderman Clark—

Ordered, That the Chief of Police, under the direction of the Committee on Police, be and he is hereby authorized to remove the flag staff from the corner of Dudley and Putnam streets, to such place as may be deemed expedient, said removal being made necessary by the erection of a fence for the new grammar schoolhouse, Dudley District; the expense to be charged to the appropriation for Police.

Passed.

Alderman Clark, from the Committee on Streets, reported orders to pay for street damages, as follows: Henry A. Thomas, \$250, extension of Bedford street; Harriet Wiswell, \$1982, widening Walnut avenue at Warren street; James and P. H. Power, \$2025, widening Broad street; heirs of Alpheus Bigelow, \$23,000, widening of Kingston street. Severally passed.

Alderman Clark, from the same committee, reported orders to pay for street damages as follows: Barnard Foley and Owen Nason, \$8472 10, for laying out Magazine street to Dudley street; heirs of Solomon Wildes, \$188,248, extension of Washington street to Haymarket square; Mary A. Chase, \$260, laying out

Thornton street; Henry and Jacob Pfaff, \$20,800, widening Congress street; heirs Timothy McCarthy, \$1984, extension of Quincy place to Pearl place; Massachusetts Baptist Convention, \$10,146, widening Washington street; Theodore Harrington \$1800, widening Federal street; Harriet F. Nevins \$900, for land taken in name of G. H. Blakmore, in widening Congress street. Severally read once.

ELECTION RETURNS.

Alderman Stebbins submitted the following:

The committee appointed to examine and count the original ballots cast for ward officers in Ward 19 at the recent election have attended to that duty and report that the result is as follows:

Warden—Joseph S. Duncklee had 279, F. Lyman Winship 278.

Clerk—Webster F. Warren 557.

Inspectors—Charles A. Faxon 428, Michael Coyle, Jr. 318, Asa Burbank 283, George B. Appleton 279, Joseph I. Bates 273, John H. Lee, 270, Charles Currier 269, Michael F. Morley, Michael Moreley 63, Michael Coyle 52, C. E. Coleman 62, Erwin L. Coleman 150, Edwin L. Coleman 59, A. T. Sinclair 34—all others 14.

From which it appears that the following-named persons, having a plurality of votes, have been duly elected to their respective offices, viz.:

Warden—Joseph S. Duncklee; Clerk—Webster F. Warren; Inspectors—Charles A. Faxon, Michael Coyle, Jr., Asa Burbank, George B. Appleton and Joseph I. Bates.

Respectfully submitted,

S. B. STEBBINS,
JAMES POWER,
THOMAS GAFFIELD.

Accepted.

Alderman Stebbins submitted the following:

The undersigned respectfully report that since the adjournment of the Board on the 15th instant they received a request duly signed by ten voters in Ward 2 asking that the ballots cast in that ward for ward officers may be reexamined and counted. The undersigned, a committee already appointed to examine similar ballots in Ward 19, attended to this duty and report the result as follows:

For Warden—Daniel F. Kelly had 697, Joseph Burnett 447, John Kenney 178, Frederic Balch 20, all others 7.

For Clerk—James O'Donnell 689, P. J. McDermott 609, William N. Starrett 37, all others 22.

For Inspectors—Hugh A. Carr 1143, Hugh McElaney 1144, James T. Gallagher 691, James L. Quigley 687, Matthias Conley 687, P. J. Duffey 464, E. Kelley 456, M. F. Mahoney 459, A. O. Brummett 190, C. E. Wiggin, Jr., 185, J. J. McDole 175, J. O'Hare 145, W. G. Hoyt 137, all others 187.

From which it appears that the following-named persons having a plurality of votes have been duly chosen to their respective offices: Warden—Daniel F. Kelley; Clerk—James O'Donnell; Inspectors—Hugh A. Carr, Hugh McElaney, James T. Gallagher, James L. Quigley and Matthias Conley.

S. B. STEBBINS,
JAMES POWER,
THOMAS GAFFIELD.

Accepted.

SUFFOLK-STREET DISTRICT.

Alderman Brown presented the report of the Joint Special Committee on the Suffolk-street District, and on his motion it was laid on the table to be printed:

The committee report its operations during the year. The total amount of the appropriation was \$2,381,248 96; amount unexpended, \$17,492 86; receipts from sales of estates by public auction, \$617,944 53; from sales of old buildings and materials, \$20,419 67; from rents, betterments, filling of land, etc., \$145,162 47; total, \$783,526 62; total amount of lands held by the city, \$483,650 23; a small additional appropriation will be needed to pay damages awarded by the court and the committee, say \$9782 14; the net cost of the improvement has been \$1,607,504 48; the estimate cost was \$2,351,550, by which it appears that the work has been done for \$744,046 less than the estimates.

The Assessors' valuation for the year 1870, the year the improvement was begun, was about \$5,000,000. A comparison of the valuation of that year with that of the present one shows an increase of not less than 124 per cent. It appears, therefore, that the increased income which the city will derive from the property in the shape of taxes will be sufficient to cover the interest on the cost of the improvement, and also to pay the principal in a few years. The committee also reported upon the legislation had in regard to the Northampton-street district, and stated that it is understood that the city is to go forward at the end of six months from the notice and raise the

grade, charging the several owners for their proportionate part of the expense.

Those who are dissatisfied with the assessments may, within twelve months after they are laid, apply for a jury, or they may surrender their estates to the city. The city surveyor is now engaged, under the direction of the committee, in preparing accurate surveys and profiles of the streets and estimates of the cost of filling. These will be completed before the time arrives for beginning operations. In regard to the Swett-street district the committee stated that a large part of the territory is now in the hands of two or three individuals, who are desirous of having streets laid out and the land raised to a suitable grade as early as possible, so they can proceed to erect dwelling houses.

They have expressed a willingness to convey to the city, free of expense, such of their lands as are required for streets, and also to pay for the cost of raising these lands to grade. The committee reported orders to transfer from the Reserved Fund \$10,000 to the appropriation for Suffolk-street District and \$700 to that for Church-street District. The report was laid on the table to be printed.

THE PARK QUESTION.

On motion of Alderman Emery, the orders relative to a public park were taken from the table. The question was on the adoption of the substitute offered by Alderman Emery.

Alderman Emery—Mr. Chairman, when I offered the order under consideration as a substitute for the one from the other branch, I presumed nearly all of the Aldermen were in favor of having a park or parks at the proper time—sometime or other; but on account of the lateness of the season, I thought they might favor the postponement of putting it into the hands of a committee at present, for the reasons which I then stated—that a committee could do nothing more than what is contemplated by this proposed substitute, and by its adoption we should be in position to take advantage of an opportunity, whenever it should occur, both as to the financial condition of the city and the price and availability of lands, to secure desirable locations. Now I can see no objection to being in position, though we should deem it inexpedient now to take any further steps.

The subject has been very ably discussed, pro and con, and I do not propose to review any of the arguments presented, as they are doubtless properly appreciated by the members of the Board as well as by the public generally. I trust the time will come when Boston will have not only a park but several, or a series of parks, some of which may be in each outlying district; so that they may be easily accessible from any part of the city. Have not the late fires and the present depression of business proved the strength of Boston to bear misfortunes? May they not as well show her strength for growth and expansion; which, after providing for her substantial wants, may she not claim and enjoy the privileges and luxuries of other cities? The time is near at hand when we shall look in vain for unimproved acres with which to beautify our city. All of the famous gardens and parks of the noted cities of Europe were obtained when lands were cheap and purchasers few. Parks to a large city become a public necessity. We could no more make Boston Common a private garden, closed to the public, than could George II. the park of St. James, which, when coveted by his queen, was told it would cost "only three crowns," meaning a revolution. We may regret that our predecessors of an early period did not see this necessity for us and provide for it, but inasmuch as they did not, shall we put off all responsibility and leave it to our successors.

To the prosperous and well-conditioned our suburban attractions may be sufficient, with the fine roads, beautiful villas and palatial mansions, in which we have taken great pride. But to the less favored, where and how can they recreate and renew their strength? Must they take to the highways, with no sheltered seats on which to rest? or shall we have parks so contiguous as to be reached and enjoyed by all. Boston would not lose by such an investment, for, adjoining these parks and in the vicinity thereof, the homes of the rich would be found. Here the land would quadruple in value, thus increasing the taxable property fourfold, and which in my judgment would fully warrant such an outlay at a fit time. Now, Mr. Chairman, it is a question whether we shall move so far in the matter as to leave our successors in a position to act when circumstances favor it. The question is not, parks immediately or none at all, but shall we be in readiness for parks when they can be afforded. Boston is not obliged to push in one direction for her homes or her parks, as in the case of her more opulent neighbor, New York, for here we have no natural boundary to our growth

and no boundary to our aggrandizement. The north may be made as beautiful and as desirable as the south, the east or the west, and all throbbing and vitalized from this centre of legislative action, which should be wise and always just and pure.

Alderman Hulbert—I would like the indulgence of this Board to say a few more things in reference to this subject; but I wish to say that what I shall say will not be because of the position I have taken in this Board before, and seek now to maintain, but what I shall say myself is from the deep conviction I have on this subject, and a deeper conviction I have not had on any subject since I have been a member of this Board, and I have not spoken on a subject which has involved so much as this question. I commence where the last speaker left off, that the action contemplated in going to the Legislature is in itself harmless, because I do not believe that that can be so. The ink will not be dry to the governor's signature to the act that shall be passed before there will arise a pressure for the carrying out of the scheme—a pressure that will be felt, and will, doubtless, accomplish the result. Now, at present, this scheme is urged by the public press to a certain extent, and by gentlemen connected with the City Government, by various individuals in the community, and I do not impute any other than the best of motives to these gentlemen. But after these there will be the dissolving views of the showman. There is another class of men, and they will soon appear—that is an array of interested men—interested in the sale of property to the city for this park, and they will come before they are needed. Now, I beg to call the attention of the board to some results which the inauguration and carrying out of the plan, of which this is the beginning and main element. Now, I believe in all that I have said, not because I have taken any one position, but because of my solemn convictions on this subject. As Boston is now circumstanced, I think there will be no one thing more unfortunate for her to inaugurate than to materially increase the rate of taxation. I have looked this over since our debates here. I have looked more carefully into the condition of the city's finances and I have done it ready to be convinced, but I tell you candidly that my convictions before given have only been confirmed and not changed. I alluded in my previous remarks made to the basis on which the appropriations were made for this year. We came together soon after the great fire. The feeling that was seen through this hall was that the appropriations for this year should not exceed those of the previous year, and should be decreased, if possible, and I think that when measures came before this Government, we all have been governed by this idea. But I think that some of the citizens who came here have forgotten that there was a fire. But it is my own opinion, and I think that it must be the opinion of all the gentlemen of the Board that the basis of expenditure which we established at the beginning of the current year will and cannot be maintained for the year to come; that the various departments scarcely without an exception will call for and must have their appropriations increased largely. I will not particularize, but I think that the advance will be materially in excess of the regular appropriations. Then we have to provide for the interest created by the debt of the year, so that there will be a large increase, for the taxation must be provided in the ensuing year. Then there are various schemes relating to the business development of the city which ought not to remain waiting any longer; all these things put together are going to make a basis of taxation far larger than anything we have yet had, in my judgment. We have in this past year been remarkably free from the pressure of individuals for carrying through private schemes—by which I mean those matters in different parts of the city which are urged by parties interested. What we have seen in this hall for the past four or five weeks, indicates that there is something of private scheming, planning and designing. I only hope and trust that the incoming Government will pay no more regard to them than the present one has been. But private enterprises will be pushed hard, not merely from the city, but from the annexed territory. They will have their wants, and will not fail to make them known here. Now, I do not suppose that any gentleman in this Board means to advocate any policy here that he does not believe to be consistent with the best interests of the city. I believe that that is true of every gentleman in this Board. Now, I feel that it is best for the coming year, that the best management only will keep our taxation within reasonable limits, by which I mean such taxation as will not cause serious results. Now I want to say, that the rate of taxation does not begin with not end with the wealthy men in our community. There are those who think that taxes have

to do with the rich only, and they are the only ones who have to suffer. Now whatever may be true of other cities, it is plain to my mind that it is the policy that Boston must not ignore, that the expense of her merchants and business men and all who live here should be kept as economical as possible. It is a vital question to Boston. I have referred to the necessities which are before us, and which we must meet and provide for in the coming year. This shows what must cause a large increase of taxation. I do not see how it can be avoided. Now, suppose, in addition to all these private and public schemes, there is initiated the scheme for a park or a system of parks, at a large expense, it means a park that will compare favorably with those of Chicago, Brooklyn and New York, mainly New York. Therefore it means not only a large expense at the outset but a very large annual expense for its embellishment, and a very large outlay for the current expenses in carrying it on. Now, all that you do in that direction is a burden in addition to those created by the other causes of which I have spoken. Now, I contend that the business interests of this city should not be called upon to bear the burden. I speak with some feeling. I think what I state in that line is important for consideration. Now, there is another thing that I must call the attention of the Board to. It is known that it has been the growing custom of wealthy citizens to have residences in other places than Boston; and from one reason or another, and I do not impute unworthy motives, the number has been increased from year to year, and they have felt that they were not entitled to the sort of criticism which has been made upon them. Now, with all the enterprises that we have in hand for the business development of the city, which any gentleman familiar with the matter must know are very large; if the city shall now inaugurate a system of expense so great as this scheme involves, these wealthy men will see in that expense the results in the future. They will see in it largely increased taxes, and they can reason legitimately and properly. How long will it be before men will say I will not expose myself to consequences of this kind; it partakes of the nature of an expenditure that the condition of the city of Boston does not warrant. Let this thing become popular, and it will become popular when there is a valid reason for it, then you furnish a valid excuse for gentlemen of wealth to say we will not expose our property to the results of such a course of proceeding as that. If any man will take up a valuation of the various wards in this city, it is very easy to see that it is a very easy matter for many millions of property to be removed out of this city. It will go as easily as by fire. Therefore, rich men will take their personal property where taxation is low, and where the personal valuation is low. The country surrounding Boston furnishes every facility for this. Pleasant society is to be found, persons of culture and wealth can obtain good locations. Now, if that is the case, then you are exposed to have this large amount of taxable property leave you just as readily as it did by the fire, and not return. But the wealthy men will have to leave their real estate here, it is said. So they will, but who will pay for it? I mean, who will pay the taxes? The merchants who occupy the stores pay the taxes, and the tenants pay the taxes on the buildings they occupy. Follow this out, and you find that every day laborer pays his share of the taxes, and the masses of the people pay them, while, in many cases, the men who own the property do not. I suppose that nineteen twentieths of the leases in this city, provide that the taxes shall be paid by the lessees. Therefore, the people who want this park will suffer. We have got to borrow every dollar to make it. Then it will enter into our tax bills, and I fear will create a sentiment that will make our richest men go away. They can live in the country, and come here and spend their winters. This whole country around invites them, and there is nothing to prevent it. Let us inaugurate such an expenditure and furnish the excuse, and just as sure as the sun shines you will see the result I foretell. Now, in what, I say, I want to urge a policy, and this whole park question brings up a policy. I urge a policy that is not going to increase the rate of taxation to an undue extent. Boston, today, suffers for a reputation which she always has had as an expensive place of residence. It is one of the most expensive places in this country for persons in moderate circumstances to reside in. Now we need to invite capital here and keep it here—that should be our policy. I know that I am correct in stating that the rapid development in certain trade departments which have assumed great magnitude in a few years is due mainly to the incidental expenses in handling merchandise being less here than in New

York. Gentlemen familiar with business know that all incidental charges in New York have been very large in a few years past. Take the wool trade, for instance. It owes its rise to that idea. Gentlemen, this is well worth your consideration. I may as well refer here to the relative condition of the merchants in New York with Boston. We have read so much of the municipal mismanagement of New York that we imagine it to be a very expensive place to live and do business in. Well, it is an expensive place to live in, but it is a better place for a merchant than Boston. While taxation is two and a half times what it is here the basis of valuation is such that the merchant in New York pays less taxes on his capital in business, by far, than the merchant in Boston does. The reason is that our valuation is high, while the rate is nominally much less. If New York city were under economical management; if New York were managed with the same honesty that has prevailed in Boston, New York city would be the most inviting place for business on this continent, because it would be enabled to make the expense of doing business there, on such a small scale, that it would compel business to come there, because the cost of doing it would be relatively much less. Now this enterprise of a public park seems to be ill-timed, because we are in a transition state by reason of the annexation that has taken place and the annexation that is to come. We do not know where our centres are to be. We do not know where our lines are to be drawn. We do not know the condition that we will be placed in, or what annexation is to do for us. I do not know what impression you have as to the effect upon the city proper by annexation, as to its increase or decrease of the rate of taxation to the main city. Now, there is the old town of Dorchester, a pretty favorable specimen. The town of Dorchester came in and she had done for her, during the first two years, very liberally. In what I may state I let those two years go. I have not taken the pains to inform myself as to that, but for the last two years, in 1871-2, Dorchester paid into the city treasury, not exceeding six-tenths of what was spent for her benefit, and I do not include one dollar of the amount spent there for water. This is from careful investigations. For the last year, Dorchester did not contribute—and her taxation was made upon a high valuation, a valuation that cannot continue, our assessors must reduce the valuation there—Dorchester, I say, for this last year, has paid into the city treasury, not exceeding two-thirds of what has been expended for her benefit, not including water. I have the facts, gentlemen, I know what I am talking about. That is to be true of all territory that we annex—Charlestown, Brighton and West Roxbury will all draw upon this old city and be an actual expense.

I am only stating certain facts concerning annexation. Chelsea, Cambridge, Somerville, Winthrop, Brookline, Revere, Hyde Park, and I do not know how many other places, are proposed to us, and whether they will be annexed or not you can tell better than I; but every one of these places that comes in is an expense to the old city of Boston, in which I include the Highlands. Now, our city is nominally increasing in population by annexation. We are not stronger because we have annexed this territory; it effects nothing, changes nothing at present. Now I want to refer to New York, because I think there have been some ill-considered comparisons made here. The systems of the two cities are unlike, and they cannot be compared at all. New York has its own location, its own wants and facilities, and they are unlike Boston's. We must grow in a different way from that in which New York has grown. We are not situated as she is, and we cannot do as she does. New York has resources and power, and if she had not she would have been crushed by what she has gone through. But she has borne it, and she has not sat down. In the first place, I have alluded to the fact that her merchants pay less taxes than we do. She has a population three times as large as ours. She has her Central Park. Now, how is it with us? We are situated very much as this room is. Boston is situated very much as the Speaker's chair is, and the surrounding country lies around in a circle, and we radiate in circles. New York stands almost like a triangle. When her population increased she had no alternative but to go up. She could increase only by going up north. Now, there have been statements made here and in the public press—I do not wonder at it, for they have been made in official reports—that the effect of Central Park was to create a large increase of value of real estate. It had to do with it, but the park was not the cause of it. The park entered into it, but did not make it altogether. The thing that made the increase in value of land was the population that wanted to occupy it, and would have gone there whether Central

Park had been created or not. Now, look at the facilities of New York; look at the European steamship lines. There is a large number of lines, and each with a large number of steamers. We have but one line of steamers, but we had very good accommodations from that line, and why? We should thank the Boston & Albany Railroad Company for one. It had the enterprise to go and furnish the facilities to export the products of the West to Europe. I know that John P. Squire & Company are on trial for maintaining a nuisance, but the best thing the city of Boston can do will be to join hands with those men and men like them and arrange to have them carry on their business here. But for this man and the Boston & Albany Railroad Company, there would be no line of steamers here.

I am in favor of developing our business resources and facilities in every way possible—just as the Boston & Albany Railroad and J. P. Squire & Co. have done. I want to see skilled industries here, to see business created. You make this vast outlay involved in this scheme, and you throw a wet blanket upon trade; you discourage the very thing you ought to encourage. We want the cheapest and promptest method of handling merchandise. That is the policy of Boston, and she must study it. New York has advantages which we have not, and never shall have. Another thing; newspaper articles and talk of what the great Boston is to be—the great city of the future, our immense growth, etc.—will never produce it in the world, and you and I will never see photographed that you would think of by some of these articles. I believe in Boston's growth. I believe she is growing, but her growth is to be after the Boston style, it is to be slow and steady. We never can talk up a great city. Our sister city of Portland has tried that. Before and after the fire, citizens of Portland displayed an amount of determination and energy that was exceedingly commendable, but if it had been bestowed differently it would have received the success that it deserved. If you will read the articles in the newspapers you will find that they had a large city in prospect; they felt sure they were to realize it, but it did not come. And today Portland is suffering from that very talk and those newspaper articles. They undertook to be what they never could be. What is the result? Portland today has a valuation as high as ours and is paying a tax of \$25 to the thousand. Does that look like inviting business men there. Portland, directly after the fire, built a large number of warehouses and they are not occupied today. Some of them bring not more than three or four per cent. now. Portland is trying to bring within her borders skilled industries. You don't see Portland men talking as they did three or four years ago. As a city we do not require this public park this year, nor the next, nor in the next five years. The masses are better off in Boston than in any other city in this country; they can go into the country; our suburbs are reached easily; they are delightful. Because New York and Brooklyn have parks is no reason why Boston should have one. New York must have a park because her citizens have no place to go to. I have a brother residing in Brooklyn, and he took me to ride one day. It was four or five miles over the pavements before we got out into the open country. Chicago needs a park, too, but Boston does not. A number of citizens have expressed their opinion to me against this scheme, and they are entitled to consideration. They are men who have done a great deal for Boston and are doing it today. They are the pioneers in building, and I have a letter from one gentleman, who is second to no gentleman in this city for his foresightedness and bold action in reference to building warehouses in this city. He stands at the head of his business and has had as much to do as any other man in Boston with bringing about the state of things that exist. He says—

"The people of Boston do not want a park. The pressure comes entirely from persons that will be benefited by the expenditure."

I don't misstate it. The merchants are not in favor of it—no merchant that I have talked with is in favor of it. They don't want to be burdened with it. The burden will be felt more this year than before. The expenses of business have increased immensely. They can't be continued on the present scale. There are not tenants for the stores that are going up today, and the panic isn't the only cause of it. You can't lease buildings within twenty or twenty-five per cent. of what you could have done eight months ago. I speak advisedly on that subject. The argument has been used that this is a good investment. A gentleman told me that this thing originated with him; he told me that it would pay for itself in ten years. I did not discuss it with him, but there is no truth in

it. It is a fallacy. Why, the taxes, at the rate of the present year, levied upon West Roxbury, Dorchester and Brighton would not raise a sum exceeding the interest on the sinking fund for the park expenditure. Suppose your park is dropped in Brookline; just figure up what an amount of increased valuation you must have for the taxes that will come in here to equal the expenditure. If you take your slate and pencil you will find that the increase of valuation by this thing is a perfect fallacy. You will never have any relief for your treasury by reason of that valuation. Not that the lands in the vicinity may not increase in value. You will not have rich men going out there to take up their residences. They have fine residences all about here. You can't have the facilities which they require. Wealthy families like to be in the city in the winter where they can avail themselves of city privileges. I now refer to the rate of valuation. In Boston proper it is as high, if not higher, than any other city in the country and it is where it cannot be kept. The rate of valuation must recede the coming year. The assessors will tell you that. The community is not in a condition to take up such an additional debt. These large town debts are a serious thing. Even the Government of the United States is suffering from the same thing. Our course is to trim the expenses, therefore I will close by saying that the business interests of the city should have our first attention. There are many things necessary to be done. I say, do them first. Then you have a basis for prosperity and growth. Then if it is clearly shown that you must have a park, why, let it be done. Talk about the expense of land—that is a very small part, because the great expense is in the embellishment of the parks—in what you will create upon the land and not in the land itself. But you will find that the cost of the land will be enormous—for when it is known that this thing is to be done, a great deal of cheap land won't be found by the city. Gentlemen, you make no mistake if you indefinitely postpone this whole thing.

It is worth while to bequeath to the Government following us ideas which have reference to a reasonable and moderate rate of taxation. Therefore, I leave the question, and that is all I have to say about it. I am clear in what I have said, and I move to indefinitely postpone the whole subject.

Alderman Clark—Mr. Chairman, this subject has been discussed so very much that I don't propose to say anything but a very few words this evening. This whole argument of the Alderman has been gone over before, and no new ideas have been developed that I can perceive. The order introduced as a substitute is very simple. It asks the right of the Legislature to take land for the purposes of a park whenever the citizens of Boston think fit to do so. It does not contemplate the expenditure of a single dollar for years to come, perhaps. This gloomy view of the tremendous condition of the city is one which I cannot entertain for a single moment. If I believed as he does—that we are going to ruin so rapidly—I would follow the lead of many of these heavy taxpayers and take myself into the country, and spend the remainder of my days there. I am not prepared to believe that the business of the city is retrograding; but I do believe it is rapidly increasing, and will increase solidly, and will do so in years to come. The reason why the taxes in New York are less than in Boston is that New York is a much larger city, and it becomes us to do what we can to increase the business of the city. I for one contend that it is our duty to commence within a very short time to make preparations for laying out a series of parks to accommodate the requirements of the people. The longer we delay it the more it will cost. As a sample of the advance in land in the suburbs by improvements, there is a piece which I was offered three years ago for something like four cents a foot for one hundred and fifty acres; an estimate of the laying out of the streets would make it seven cents a foot. That land is now selling at twenty-five or thirty cents a foot. And that is only a fair sample of what we will have in case a park is laid out. If the city retain a hundred acres of land it will pay for itself in the increase in valuation. The Alderman has alluded to the fact that we are an insignificant city, inasmuch as we have but one line of steamers plying between here and Europe. I regret it as much as he does, and had measures been taken years ago to increase our railroad facilities we should have had steamers coming here every day instead of once a week. I don't believe that the Boston & Albany Railroad Company should have credit for more than they have done. They have done just what they were compelled to do. It has been the fear of the Boston, Hartford & Erie and the boring of Hoosac Mountain that has made them do what they have. They have granted to Boston such facilities as they

could n't help granting. Now we want another elevator. The Lowell Railroad proposes to build it. It will cost a hundred thousand dollars. They are in debt; but is that any reason why they should n't go on and improve their facilities because they owe a larger amount of money than they did forty years ago? In regard to losing those great taxpayers whether or no, have these improvements depreciated the real estate of those who move out of the city to avoid taxation? I think these expenditures have added from ten to twenty per cent. to the value of these gentlemen's real estate. It may be that their personal property has shrunk some during the past year. Their investments in stocks have shrunk, but real estate in Boston has increased by these judicious improvements. I trust that the substitute order authorizing the Mayor to petition the Legislature for authority to take land for a public park will pass, and that we shall also prefer a request to the Legislature to pass an act requiring citizens to pay their taxes where they reside during the greatest number of months in the year. In my opinion the Mayor ought to petition for such a thing this year. There are no doubt a great many people who oppose at the present time the expenditure of any money for a public park. But I think you will find that the greater portion of these remonstrants are persons who live here and pay their taxes out of the city. I have been more fortunate than the Alderman in meeting persons in favor of a park. I have hardly met an enterprising business man who will oppose it, and the majority are in favor of it. The opposition comes principally from persons who own magnificent residences in the neighborhood, and have moved out of the city to avoid paying taxes here, or from some cause that has not been fully explained. I think the business of Boston will compare very favorably with the business of New York. As far as my knowledge extends, the merchants of Boston have done a better business than those of New York. I believe that the credit of the mercantile community—the dry-goods trade, for instance—stands fully as well as the credit of New York merchants, and I believe, from what I know, that there has been more business done here than in New York. The jobbing, dry-goods and other departments of trade stand on a better foundation than in New York. We need to take this step because there is no question but within the next few years real estate within a circuit of five miles of Boston will be double in value. If we obtain this right from the Legislature we shall be prepared whenever the opportunity offers to obtain land at a low rate and at such a price as may be established by a commission appointed for the purpose. I trust we shall not indefinitely postpone this movement but shall take such action as will initiate it. I hope to see a park that will eclipse Central Park, and I hope the order asking for the right to take land will be passed.

Alderman Power—When this question first came before this Government, I did not think it was good policy to launch out into any luxuries while we had so many needed improvements that must be carried out. At that time I thought of the two evils it would be best to choose the least. I thought at that time I might favor the going to the Legislature to get power to take land if we wanted it, but I don't believe any member of this present Government believes that it will be for the interests of the city of Boston to purchase land or take any steps for the laying out of a park in the coming, and therefore I do n't see why we should pass this order to get the power to take land. As the gentleman from the Highland District has remarked, we all know the pressure that will be brought upon us to make a beginning, by persons having large tracts of vacant land to sell. Considering the city's financial condition at present, I do n't think I could vote to put the city's foot into such an expensive luxury at present. Therefore I shall vote for indefinite postponement.

Alderman Stebbins—I desire to state to the Board in a brief manner, the reason why I shall vote in favor of the motion to indefinitely postpone action on the matter of a public park. While I agree entirely with Alderman Clark in his opinion of the certain growth and prosperity of our city, I think the City Council should well examine the present and prospective financial condition of the city before entering upon a project of this magnitude. It will be remembered, Mr. Chairman, that in October last an order was passed, directing the Cochituate Water Board to furnish information to the City Council relating to obtaining a supply of water from Mystic Pond, and also the condition of the present conduit from Lake Cochituate. The Water Board, desiring that the investigation should be most thorough, secured the services of two of the ablest engineers in

this country—Mr. James Kirkwood of Brooklyn, and Mr. James B. Francis of Lowell. The report of these engineers has just been submitted to the Water Board and will soon be laid before the City Council for their action. As chairman of the Committee on Water, it became my duty to carefully read this report, and I must say that the conclusions of the engineers, which correspond almost precisely with those of our own able City Engineer, are startling, and bring before us at once for consideration the important question of a supply of pure water. The results of the examinations made by these eminent engineers are briefly and substantially these: At present there is little or no water to spare from the Mystic Pond; by the building of two storage reservoirs at or near Mystic Pond, requiring two years' time and an estimated expense of one million four hundred and eight thousand five hundred and forty-six dollars (1,408,546), a temporary addition to our water supply could be obtained, but no permanent addition could be secured, as the population of the district now depending upon that pond for water will be likely to increase during the next twenty years so as to require all the water to be had from that source. To remove the objections which have been urged against the purity of Mystic water, the engineers suggest a sewer from the Woburn tanneries to a point below the dam of Mystic Pond, and estimate the cost of the same at \$264,000. With regard to the present condition of the Cochituate conduit, the engineers say that it is overtaxed, and shows signs of weakness and yielding, and the quantity of water forced through it must be reduced, and a portion rebuilt. These, Mr. Chairman, are some of the results arrived at by competent engineers—men like our own engineer, who stand at the head of their profession in this country. The City Council will, I think, unanimously agree, (1) that the Cochituate Water Board shall be authorized to commence work at once all along the line of the new conduit from Sudbury River; (2) to provide the means for vigorously prosecuting the work until its completion. To do this will require an appropriation next year of, say three millions of dollars, and the same amount the following year, and two millions the next, or in 1876, when it is thought the new conduit could be completed.

Now, Mr. Chairman, while I should like to have a public park in the vicinity of our city in which our people would all take pride. I am of the opinion it is our duty first to provide an abundant supply of pure water, which will do more to secure the comfort and happiness of our people and develop the industries of the city than any park, however beautiful.

I agree with Aldermen Hulbert that it is our duty to guard with care the credit of the city, and I thank him for bringing this matter so forcibly to the attention of the City Council and to every citizen interested in the welfare of our municipality.

I cannot vote in favor of the park scheme while so many other large appropriations are necessary to be made to provide for the welfare of our citizens.

Alderman Gibson—I heartily agree with the motion of the gentleman from the Highland District. It is well known that large institutions are to be built by the State, and forty per cent. of the cost must come out of Boston. There is a new Court House needed, which will cost a couple of millions. We have work of necessity to do that should be done first. We have parks enough now. We have steamers running to the seashore, where groves have been laid out for the entertainment of the people. People can go in any direction. These works of necessity demand our attention first, without going into luxurious articles. I shall therefore vote in favor of this motion to indefinitely postpone.

Alderman Clark—I call for the yeas and nays, Mr. Chairman. I hope to have the honor of recording my vote in favor of this important measure. I am very much surprised to see Aldermen who have favored this measure backing down at this point.

Alderman Gaffield—After what the gentleman has said I want to say a few words on this subject, which will take but a few minutes.

Alderman Clark—I made no allusion to the gentleman.

Alderman Gaffield—I hope some time to see a public park or series of parks, with a fine avenue or boulevard connecting them. What have we now? All that nature in its most beautiful aspects, all that art with its skill and taste, all that wealth with its profusion can do to make the landscape charming has been done in the pleasant farms and country seats with which our suburban avenues are lined. These I know cannot always be preserved in their beauty. The growth of the city and the consequent increase in the value of land will interfere with the preservation of these great private gardens, groves and parks which now afford such charming drives in every direction. To preserve some of these in park

reservations is what should some time be done. But let it be at the right time. The right time might have been before the great fire. The right time is not today, because the great fire has entailed on us an increase of debt to the amount of several millions for really necessary improvements in the widening and paving of our streets, and in awakening us to a sense of our need of a more sufficient water supply, to meet which we must spend millions more. A park is not a luxury merely, but with our modern ideas it is a necessity in every great city, and especially in such a city as we expect and desire Boston to be. We wish Boston to be not only preëminent for business facilities, but to shine in all the walks of literature, science and art; to have its preëminent library, its Museum of Art, its schools of science and its Institute of Technology and its parks. But we must not make haste too fast and lose what is of more value than the wealth of the Indies, and all attainments in literature, science or art—I mean our good name and credit throughout the world. We must be progressive, but not rash; radical, and yet conservative; far-reaching and liberal in our views, and yet not reckless in our improvements and expenditures. More men have failed in business from being too fast and too careless than from over-caution and prudence. Just so is it with cities and towns. If we should do all that we are asked to do today, we might spend millions upon millions, and if we had the money, it could be well spent. But cities, like individuals, must wait until their exchequer shall warrant their expenditures before they can gratify all their wishes and accomplish all that they desire. We visit Europe and are charmed with their museums of art, their overflowing libraries, their magnificent parks, and greenhouses filled with the trees, flowers, and the animals of every clime; and we return to America with the thought and resolve that Boston, New York and the other cities of our land must vie with these cities of the Old World—that the young city of the Puritans, two centuries of age, shall shine like the old London founded by the Romans a thousand years or more ago. Sir, I know the enterprise, the pluck, the energy of my native city, never displayed more nobly than in the manner of its rising after our recent calamity. But proud as I am justly of what she has done in the past, let us not lose our position and characteristic integrity, prudence and economy, without which all enterprise and thrift will come to naught. What we need now is to pause and think where we are, what of public improvements we have got to do necessarily, and what can be properly postponed.

Meantime, we have our Fresh Pond, Jamaica Pond, our beautiful reservoirs and the surrounding avenues in Brookline, our rural cemeteries, unsurpassed in beauty, and all the loveliness which clothes the hills and valleys of our suburban towns and cities. In due time we can have our own park or parks, our collections of trees and flowers, of birds, fishes and animals, and all those attractions which give such a charm to Regent's Park in London and the Bois de Boulogne in Paris. But let us wait until we have grown a little older, and have earned the privilege of enjoying the luxury. The prudent husband and man of business does not move into a brown-stone front when he knows he can only afford to live in an humble cottage. He makes the most of his humble home and his plain furniture, his homespun clothing, pays his debts and his notes, and in due time achieves honorable success and independence; while his reckless neighbor, living in his palatial residence, driving his fast span and bedecked in broadcloth and diamonds,—whom some weak men and women think must be rich because he lives so lavishly,—comes down with a crash and is reduced to penury at the first approach of a storm in the financial world. Let Boston not fear to pause for a season, even if it be but for a short one, until this storm is over, before she launches forth into an ocean of debt in whose depths she may founder. She has withstood every storm as yet, and she can weather all that lie before her if she has good men at the helm and wheel. We want men who have the courage to go forward in times of necessity, and spend and be spent in her service. And we want men who shall have the courage—equally as great, and sometimes more needed—to hold back and stop any stream of expenditure which may lead her astray. Such men we have in the present Board, and the voice of one has been heard in tones which will long be remembered here and outside of this hall, and which makes us all regret that the city will not be blessed by his advice and counsel the coming year. We have men and always have had and always shall have men enough who can cry, "Go ahead," and would lead us into untold expenditure and uncounted debts. But we have also had, and God grant we always may have, as we shall always need, men whose motto shall be, "Stop and think," who can put the

brakes on the locomotive energy and sometimes thoughtlessness of our younger and more inexperienced men.

We need young men of action, and we need men of experience and thought, and our citizens and their officers should seek such men, and when such men are sought and solicited to take these places of trust and honor, they should not shirk the responsibility, but should cheerfully do their share of public duty and work. God save the city when it shall be otherwise, and when public officers shall be bought and sold, like sheep in the shambles. And so, Mr. Chairman, may we do our part today in holding back our enthusiastic friends who are pushing this park question at an inopportune time, and ask them to wait till a more convenient season. I am a friend to the plan of having parks, and once thought that the passing of the order before us might do no harm to the city or to the project. But a sober second thought, stimulated by the truthful and refreshing words of the gentleman from the Highlands, has convinced me that any action on the subject at present would injure the good credit of the city, would displease our fellow citizens, and would raise up more enemies than friends to the ultimate success of the project. Let us show prudence today, and tomorrow we shall be in better condition to accomplish our most cherished plans. I understand that such a pause and delay in this matter is interpreted by some as a proof, and made some to fear that Boston is going to stand still in the march of improvement. Mr. Chairman, it is not that we love Cæsar less, but Rome more. It is not that we think less of the park, but more of the good name and fame of our city, that we advocate a postponement of the order before us. No shrewd merchant will think worse of a debtor who comes before him and tells just how he stands, and that he intends for a season to buy only what he actually needs. And so no wise or shrewd foreign banker will think her of Boston for having the courage to tell the world what she owes, and that she does not mean to incur any further debt for the luxury of a park until other and necessary wants are supplied. "Good for wants" is the happy record made in the mercantile agency of many a merchant who could not be trusted if he went into overtrading, speculation and extravagant living.

And so our good old city will at home and abroad always be set down in the books of every banker as "good for wants." But let her inaugurate today—in view of her present liabilities—a new series of expenditures for boulevards and public parks, and you would see a new note in the banker's book, "She has too many irons in the fire."

Let us, then, while we wish success at the proper time to all proper plans for the embellishment of our city and for the happiness and pleasure of our people, wait a little before we start on a project which will add millions to our debt. The path of prudence and economy followed today will surely lead to success and prosperity for generations to come.

Alderman Power—I do not know but what the gentleman referred to me when he talks about backing down. I wish the gentleman opposite to understand that I am not one of the kind that backs down. I have been opposed to this order ever since it came here, and I think almost every gentleman here is opposed to it in the shape that it came here. I am in favor of having all the luxuries that can be had, and I favor Boston having a good park when she can afford to have it, but not till then. When the original order came before this Board, fearing its passage, I intimated that I might favor the substitute. There are various reasons why we should not enter into this plan now. Here are Newton, Cambridge, Hyde Park and Chelsea talking about annexation, and we should wait till that is decided. But whether annexation takes place or not it is not best to go to the Legislature this winter. We all agree that it is not the best policy to undertake the scheme now. I agree that we need a park here, but none who clearly understand the question will say that the reasons are nearly as good as those for New York. The gentleman from the Highland District has truly said the increase of real estate there has been on account of the increase of population. They have got but one direction to go; they must all push Central Park way. But we must have a park sometime, but we should not have it until we need it more and can better afford it.

Alderman Emery—When this subject came from the other branch there seemed to be quite an unanimity of feeling that the committee contemplated in that order ought not to be appointed. I conversed with several gentlemen about the thing, and they thought the same. They thought that this substitute would place it so that if matters were satisfactory we might at some future time enter upon it.

The views of the gentlemen seem to have changed. The arguments presented have been able on both sides of the question, but they have no application to this substitute that I can see, but to the original order they are applicable. The arguments of the gentleman from the Highlands are only a reproduction of what was given us some time ago. They have been merely reiterated. They are all sound, perhaps, but I do not see how they are applicable to the substitute as proposed.

Alderman Gihson—I felt just as the Alderman did. I was afraid of that committee, so I thought it would be best to put off the whole matter; but if we could get clear of it a year at least, that would be something gained.

Alderman Clark—The best argument of the gentleman from Ward 3 is that we must have a park, and have got to have one, and in the face of that assertion he favors putting it off another year, till land doubles in West Roxbury and Brighton, as it has done. If we are prepared to have Boston fenced in, we don't want any steps taken for a park. I know the conscience of the gentleman tells him he is in favor of a park, and a majority of his fellow-citizens are in favor of it. Why is it that we are spending five or six millions of dollars for water? It is because we are growing. This money we spend for water is a good investment, upon which we get a good interest.

Alderman Stebbins—It has got to be paid for.

Alderman Clark—There is no doubt about that, but we will create a fund to pay it. We want the city to grow, so that we can have a larger population to divide these taxes among. I believe I shall vote for as judicious a measure as I have favored since my connection with the City Government, when I vote for the initiation of the measure of a public park.

Alderman Gaffield—The citizens of Boston would like to see a park, but those who go against the measure at this time feel that the first step is one that will lead to a second and a third. I think nothing of a debt of five or six millions, but I do think something of the credit of the city of Boston.

Alderman Stebbins—The Alderman who introduced this substitute says the argument of the gentleman has no application to this matter. I say it does. We all know that it means business. Real estate speculators are at the bottom of this whole thing. I believe in a public park. Perhaps I am one of those who backed down, but I never gave any assurance to the Alderman in regard to the order. I have listened with a great deal of attention to the speeches made by the gentleman from the Highlands. They are worthy of attention. They ought to set every gentleman to thinking where the money is to come from, and I can arrive at no conclusion save that coming from the Alderman—from the Highlands. We must in the next year provide for a water supply and, perhaps, a courthouse, and the city has given notice that it will take possession of the entire Northampton-street District. Then there is the proposed Swett-street extension, to cost two or three hundred thousand dollars. Taking all the improvements that will be made, the expenses that will necessarily be incurred, I say the whole thing should be indefinitely postponed.

The board voted to postpone the whole subject. Yeas 9, nays 3, as follows:

Yeas—Aldermen Bigelow, Brown, Cutter, Gaffield, Gihson, Hulbert, Power, Sayward, Stebbins, 9.

Nays—Aldermen Clark, Emery, Quincy, 3.

THE SOUP QUESTION AGAIN.

Alderman Stebbins—The state of the case on the soup question is about this—everything we have done is declared illegal, and has been indefinitely postponed, and various objections have been made to the City Council appropriating money in any form. I think I have drawn an order which will remove any objections, as it does not authorize any expenditure of the city's money. It is as follows:

Ordered, That the chief-of-police be authorized to invite contributions from the public for the purpose of furnishing from the several station houses soup or other meals to the poor, especially those having no legal claim upon the charities disbursed by the Overseers of the Poor.

I offer this order hoping that it may pass, and that the Chief-of-Police may feel authorized to invite contributions, and that he may provide soup this winter as he did last winter. In this connection, I will simply show what the work of the Police Department has been in this respect. They furnished 8541 meals to the poor at a cost of \$4708, which is five and a third cents for each meal. Certainly it is a very cheap provision for the poor. Now that the City Solicitor tells us it is illegal to appropriate money, it is proper to say to the Chief-of-Police that he may

invite contributions. In looking over the report, I find that every care was taken by the officers to prevent any one receiving soup who was not entitled to it. The only objection which can be offered is, to changing the method of dealing out charity. When this communication came from the Board of Overseers I sympathized with the view taken by his honor the mayor, but so many cases of suffering have come to my notice that I am in favor of some action of this kind.

Alderman Clark—If you apply to the citizens at large for contributions, it seems to me to be the same as saying that the Overseers of the Poor will not attend to their duty, and it has become necessary for the city of Boston to go begging for two or three thousand dollars to furnish soup with which to keep the poor from starving. If the other is a censure upon the Overseers of the Poor, so is this. I have voted for the furnishing of the soup for the poor by the city, and shall vote that way tonight. I don't think it necessary for the city to hang out signs at the corners of the streets for contributions for helping the poor.

Alderman Stebbins—We have tried in every way to have an order of this kind to furnish soup, and tonight, after coming first in one form and then in another, it disappears through a motion to indefinitely postpone, the City-Solicitor having decided that it is illegal.

This order provides that the Chief-of-Police may furnish just the charity needed by such people.

The order was refused a second reading, by a rising vote—2 for, 9 against.

Alderman Stebbins moved to reconsider, that the order might be indefinitely postponed. Carried.

Alderman Gaffield—I move to indefinitely postpone the order, and I do it because we have many charitable societies who will help those poor people who are not helped by the Overseers of the Poor. Those societies help thousands, and if our citizens give money, they should give it for that purpose. The city is districted, and to each district there is a visitor. I have been a visitor myself for twelve years. The whole city is districted by the Boston Provide Society, and every case of want can be investigated by one, two, three or half a dozen individuals. Let citizens help our charitable societies. There is no necessity for this method of distributing charity in Boston. No county or city takes care of its poor so well as we do in Boston. They come from every part of the Commonwealth because we do so much to assist them.

The order was indefinitely postponed.

RELIGIOUS INSTRUCTION IN PUBLIC INSTITUTIONS.

On motion of Alderman Power the report of the directors of public institutions, relative to religious instruction to the inmates of the institutions, was taken from the table.

Alderman Power moved that the report be recommitted to said directors with instructions to furnish their reasons to the City Council on or before the 29th inst. for not permitting the inmates of the institutions to receive religious instruction from teachers in whom they have faith. Carried.

THE SOUP FINALLY POSTPONED.

Alderman Sayward offered the following:

Ordered, That the soup be furnished to the poor of the city of Boston by the Committee on Police, during the months of January and February, at an expense not exceeding \$3000; the same to be charged to the appropriation for Police.

The order was passed to a second reading, 5 for, 4 against.

The question was on passing the order.

Alderman Quincy moved to indefinitely postpone.

Alderman Sayward—I hope it will not be postponed. This seems to be a summary way of disposing of matters. I desire to record my vote for soup. I voted to postpone the order because I would not vote to instruct another party to do an illegal thing, which I would not do myself. I move the question be taken by yeas and nays.

The yeas and nays were ordered.

Alderman Power—I hope that order will pass. It is the order that has passed here for several years, and I presume it would have been passed this year were it not for the shape in which it reached us from the other branch, and for the object for which many suspected it was put in. I presume if it had originated as it always has it would have gone through here just as it always has. As I stated before, the dispensation of soup under proper restrictions at the police stations, has, I know, done a great deal of good, and it can be made to do a great deal more. The evils that some say exist can be done away with.

Alderman Gaffield—The gentleman from Ward 12 says that this has always been done. It has only been done a few years. I have asked the captains at

the police stations, and with hardly an exception they said it was a nuisance; that it is n't a thing to be brought into the police stations. Police work is one thing and the work of charity is another.

Alderman Power—It seems to me that if anything should enter into our police stations it is charity. I pretend to say that gentlemen who oppose this are not as familiar with this subject as I am. My lot has been cast with the poor. I am one of them I was not reared in the lap of luxury, as some gentlemen were, and my close connection with the poor gives me a better knowledge of their wants than the gentlemen who oppose this order. I have the highest respect for Rev. E. E. Hale, but I pretend to say that the gentlemen in the Charity Bureau have not the means of knowing the wants of those people that I have. I am connected with some charitable societies myself and I know that poor people suffer while an investigation of their case is made. This is to meet cases that no one but the police can get at. Many people who are ashamed to make their wants known or go to the Charity Bureau for assistance, have been helped from this source. I hope the order will pass, for it is more needed this year than during any winter when the soup has been dispensed.

Alderman Stebbins—Mr. Chairman, I have thus far voted in favor of every order providing for the distribution of soup to the poor, which had the least semblance of legality or propriety; but we have now come to a point where, to horror an expression from the Alderman from the Highlands, "we cannot afford any nonsense." Mayor Pierce, in a communication to the City Council relating to the propriety of furnishing soup to the poor of the city, stated that Mr. Healy, the City Solicitor, had given as his opinion that the practice heretofore pursued by the city in expending money from the Police appropriation for free soup, was entirely illegal. In the face of this decision of the Solicitor, members of this board urge that we pass this illegal order, when they know that the decision is binding upon the City Treasurer, the Auditor and every member of the Government, from the highest to the lowest. I cannot vote for the order, anxious as I am for the Police Department to aid the poor of the city.

Alderman Clark—This order, I understand, is the same we have passed for the last two or three years. I have voted for it every year since I have been in this Board, and I am ready to vote for it now. I don't believe in technicalities. Gentlemen voted right in the face of the opinion of the City Solicitor for opening the Public Library on Sunday. I say we can do good with the kettles at the police stations, with this soup at three or four cents a quart. It is the best which we can give. No one knows better than the police who are the worthy poor. I hope this Board will pass the order, the opinion of the City Solicitor to the contrary notwithstanding.

Alderman Gaffield—Our forefathers would n't drink tea because they had to pay a small amount of tax. It was principle for which they fought. I say it is a wrong way to distribute charity. Policemen do a great deal of good, but I know they would like to be relieved of this duty. But I speak of it as a matter of principle, as the opinion of experts, as the views of the overseers and visitors of the poor.

Alderman Gibson in the chair.]

Alderman Cutter—I have no doubt the gentleman has done a great deal of charity and is ready to do more; but I venture to say that if you take your position at any court where many poor families live, you wont see any visitor going in there. You will see children who are not clad well enough to go to his house and tell him about their wants. But those children will go down to the station houses and get a quart of soup, and I tell you it does lots of good. Charity given in that way is beneficial. These colporteurs are well dressed and they are very careful to whom they go and to whom they give their charities. I have lived near station houses and have seen how it works. It is n't well for this Board to talk longer about soup, which costs only three and a half cents a quart.

Alderman Gaffield—I make no boast of my charitable doings, sir; not at all. But I will say, sir, that I have visited the cases of all classes, and none are so poor but they can come to my door to make application, and none are too poor to come and have their cases investigated. I was not born with a silver spoon in my mouth. The poor we always have with us. I propose to do my duty by the poor, only I do it in what I consider the best way.

Alderman Power—Almost all the gentlemen in this Board must know that there are many people in Boston who are suffering who are too proud to have all

the secrets of their families exposed to public gaze. Such must be the case before they receive one cent from the charitable organizations of this city. We all know, too, that many people will suffer while an investigation is going on. If there has been any fault the police can be instructed to correct it, so that no unworthy person can obtain it. The police are familiar with the people living in their vicinity. It seems to me that it will not be illegal to give the soup to persons who have a settlement here.

Alderman Hulbert—This is getting into a shape that it should not. The City Solicitor says you can't do it. Now, what am I to do? The question about the method of dispensing charity is irrelevant. I cannot vote for this order because the City Solicitor says I have no right to do so. This discussion of the merits and demerits of a system of charity is wholly uncalled for.

Alderman Sayward—This isn't a time to talk about who is charitable and who is not charitable. The gentleman says we came here to do our duty. It is time this thing were done, and done quickly. I hope we will vote for soup for the poor.

Alderman Hulbert—I have a right to take money from my own pocket and give it to the poor, but the City Solicitor says I cannot vote the money of the people for that purpose.

[Alderman Cutter in the chair.]

Alderman Gibson—This is a thing we have n't anything to do with, and I am surprised to see the chairman of the Board come down here and advocate the voting of money that we have n't any right to vote. This order has no business here. We might just as well undertake to build a private railroad. I am willing to help the poor, but I am not willing to violate my oath to do so.

[Alderman Gaffield in the chair.]

Alderman Cutter—I think if you will turn to the records you will see that this order has been passed for years, and the gentleman from Ward 1 has voted for it for three years. One year he put the order in. In the absence of law, custom is just as good. It has been the custom of this Board to do it, and take it out of the appropriation for Police. Now, if this is illegal, let the City Solicitor, or anybody that sees fit, adjust its legality to it. I have voted for it, and I shall keep voting for it.

Alderman Sayward—I should like to inquire of the gentleman from Ward 1 whether he was n't chairman of the Police Committee in 1871, when he approved the bills of the Police Department.

Alderman Stebbins—The vote in favor of opening the Public Library reading room Sunday afternoon bears no comparison to an affirmative vote in favor of this order. In the case of the library, Solicitor Healy said, substantially, that unless it was a work of charity or necessity the library could not be legally opened on Sundays. The City Council solved the question by saying in effect by their vote, nearly unanimously, that in their opinion, it was both a work of charity and necessity, and Mayor Pierce promptly indorsed his approval on the back of the order. I repeat, the vote of the City Council in favor of the Public Library opening has nothing to do with a vote to take money from the City Treasurer in an illegal manner.

Alderman Cutter—Is n't this a work of charity?

Alderman Stebbins—Yes sir, but the City Solicitor has n't before decided that it is illegal. Now that the City Solicitor has given this opinion the Auditor can't approve the bills.

Alderman Gibson—It is true that I have voted every year for this appropriation, but it is also true that the City Solicitor has n't decided it illegal, so that the point of the Alderman from Ward 6 has n't much strength. We come here and have taken our oath to administer a certain line of policy, and how can we vote to pay out money that is illegal?

Alderman Cutter—I should like to know whether it is n't just as legal to furnish soup to the poor as it is to furnish it to the members of this Board. The gentleman has fully approved of this.

Alderman Gibson—That is entirely different. In this case the city gets value received.

Alderman Quincy moved the previous question.

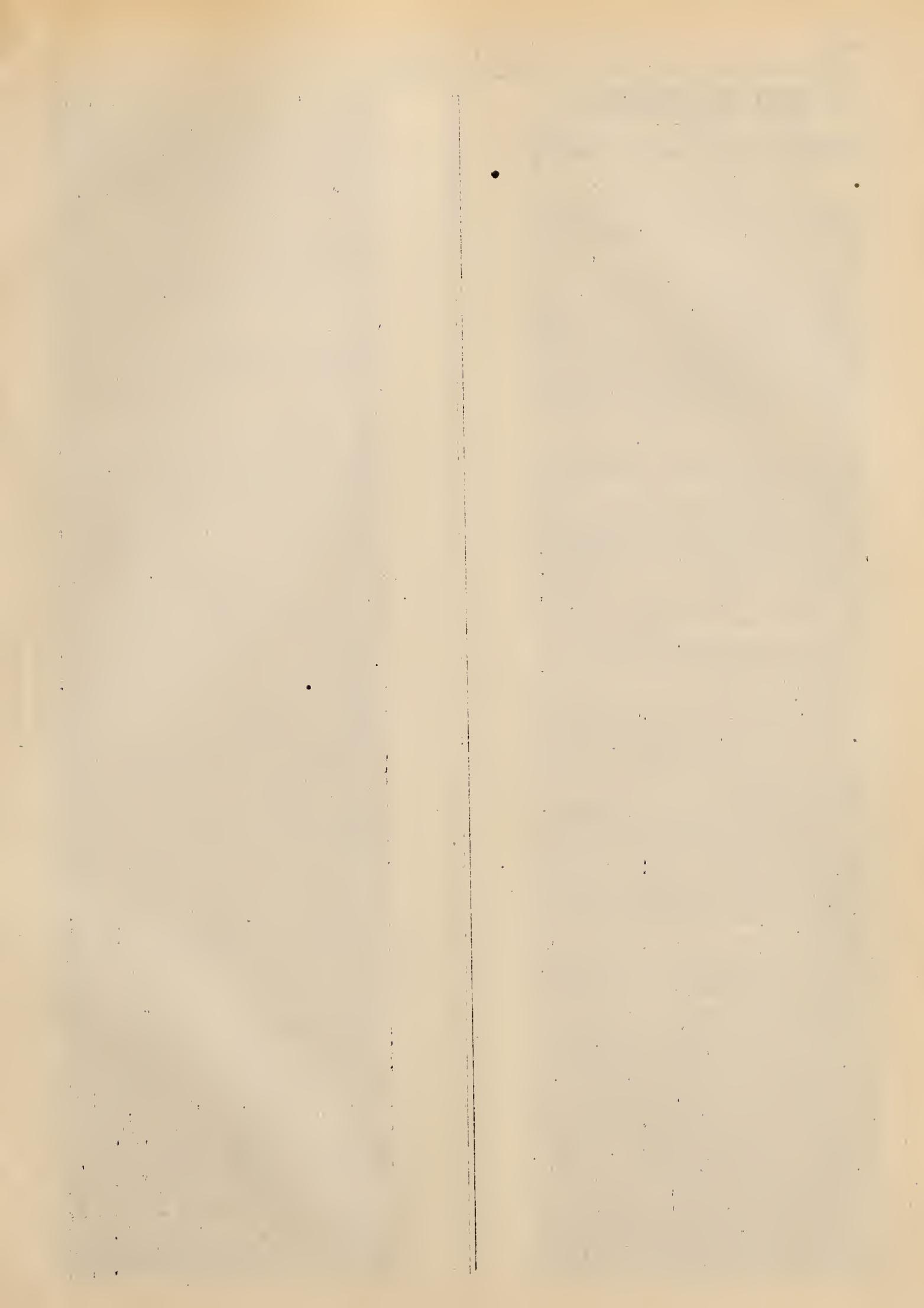
The main question was ordered, and the motion to indefinitely postpone was carried.—Yeas 7, nays 5.

Yeas—Aldermen Bigelow, Brown, Gaffield, Gibson, Hulbert, Quincy, Stebbins—7.

Nays—Aldermen Clark, Cutter, Emery, Power, Sayward.

Alderman Stebbins—I voted for this motion although in favor of giving the poor soup if it can be done legally.

On motion of Alderman Brown the Board adjourned.



CITY OF BOSTON.

Proceedings of the Common Council,

DECEMBER 26, 1873.

The regular weekly meeting of Common Council was held at 7½ o'clock P. M., E. O. Shepard, President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The following papers received concurrent action: Petitions were referred.

Reports from the Committee on the Survey and Inspection of Buildings, inexpedient to take action in relation to amending the Building law to provide for the laying of fire-proof floors; no action necessary on petition of Joseph Marshall for leave to enlarge his wooden building at 327 Chelsea street; not advisable to extend building limits so as to include Wards 7 and 12; no action necessary for taking of measures to so place the water pipes in buildings as to prevent the water from freezing. Severally accepted.

Report in favor of the request of the Trustees of the Public Library for an additional appropriation of \$11,650; and recommending the reference of said request to the Committee on Finance. Report accepted and reference ordered.

Report and orders thanking Hon. Henry L. Pierce for his donation to the Public Library, and approving the action of the Trustees of the Public Library in the matter. Report accepted and orders passed.

Report and order for additional accommodations to be provided for the Heath-street Primary School. Passed, under a suspension of the rules, on motion of Mr. Thacher of Ward 15.

Report and order for temporary accommodations to be provided for the primary scholars in the Gibson School District. Report accepted and order read once.

Report and order authorizing changes to be made in the Girls' High School building, to enable the pupils to study photography. Report accepted and order read once.

RELIGIOUS INSTRUCTION IN PUBLIC INSTITUTIONS.

Order recommitting the report of the Directors for Public Institutions, with instructions to furnish their reasons, on or before the 29th instant, for not permitting the inmates of said institutions to receive religious instruction from teachers in whom they profess to have faith, came down passed. The question was on concurrence.

Mr. Page of Ward 9—This is a very important matter, Mr. President; indeed, it is something which affects the discipline of the institutions very materially. If this order is passed tonight there can't be a meeting of the Board of Directors until next Monday, which will give them only an hour or two in which to prepare their report. A report upon so important a topic should be prepared with care, and I don't know that there is any exigency requiring immediate action. In order that the matter may receive proper care I move that the order be referred to the next City Council.

Mr. Flynn of Ward 7—This matter, Mr. President, has been before the Board of Directors for at least nine months. A petition was sent to that board at least nine months ago, they gave the parties a hearing, and they tell us no reason why they should not grant the petition.

Mr. Page of Ward 9—There was a petition before the Board of Directors, but it was not from this Government, and it was not expected that they would report to this Government their decision on that petition. The directors, individually, are ready to report on this matter, to this Government, at any time; but this is a request for a writ in report, and so important a report requires a great deal of time. The directors have never made a report on the subject. Some Catholic clergymen went before them and petitioned for the privilege of holding services at the institutions at certain times; but no action has been taken upon that petition and none has been called. It would be impossible for the directors to get up a report in the short time allowed in this order. By referring the order to the next City Council the subject can receive the consideration it deserves.

Mr. Flynn of Ward 7—I desire, Mr. President, to ask the gentleman from Ward 9 if the directors did not make a report on this subject, the substance of which was that they were the Directors of Public Institutions, and they gave the Council to understand

that they had the management and charge of the institutions.

Mr. Page of Ward 9—The trouble was there was a mistake made by the Council. If the vote had gone to the directors as it was intended by the committee the report asked for now would have come. The Council did not ask for what it wanted to know. A certain question was asked and the directors gave a specific answer to that question. It was merely asked if it was necessary to change a rule, and the directors merely answered that it was not necessary to make the change. If the gentleman will read the order and the report he will find it so.

Mr. Dean of Ward 12—It seems to me, Mr. President, that the gentleman who represents the board has given very strong reasons why the matter should not be postponed. He admits that the directors are ready and willing to give the information.

Mr. Page of Ward 9—I said they were ready individually.

Mr. Dean—Well, individually they are willing and ready to give the information, and if they are ready to vote upon the question instantly, they can give their reasons. In so plain and simple a matter, Mr. President, as to give their reasons, if there are any; if they have got their minds made up, it will be no difficult thing to state them, — to give the reasons why the inmates of these public institutions should not have teachers of their own religious faith here in Boston, where we can't have a town meeting without passing a resolution that we were the first to establish a form of free government and without its being the standing boast that here every one can worship God according to the dictates of his own conscience. If the members of this Board of Directors are prepared and ready, it will not be difficult for them to give such a report. Now then it seems this subject has been before the Board of Directors for nine months; that Catholic clergymen have appeared before them there, and yet during all these nine months nothing has been done. Now, Mr. President, if this has been before them for nine months, it is time something was done. If the City Council has got the supervision of these institutions, in regard to a matter as important as this, I say it is time something was done, and if nothing is done we should have the reasons for not doing it in a more authentic form—in a more permanent shape—than we can get in the statements of the representative of the board on this floor. They have had time enough to consider it, and if their minds are made up, why should not they give us their reasons, and do it now? Something has been said about the subject coming before the directors in the form of an order asking if it was necessary to change the rules, and they replied that it was not. Did that board understand that the great question of religious toleration was before them? that why these clergymen appeared before them was not the mere consideration of a technical question whether their rules should be changed or not? Did they understand that there was an application seeking to obtain for the inmates of the institutions religious instruction from those in whom they believe? I trust, Mr. President, the order will not be passed over, and that the reasons will be called for.

Mr. Shaw of Ward 5—I shall agree with the gentleman from Ward 12, Mr. President, and go a great deal further. It is entirely wrong for this City Government to ignore this question now under consideration. And what is the question? It is in fact that the inmates of the penal institutions shall be allowed to worship God according to the dictates of their own conscience. That is the whole of it. Now sir, what say this honorable board, who have in charge those institutions? We have here upon page 531, of our reports, a document from the president of that Board of Directors. It is to this effect. [Mr. Shaw read the report of the Board of Directors to the City Council on this subject.] Now sir, they deem it expedient to prohibit one kind of religious instruction; they have done so and they are doing it today, and a large class of citizens demand, as they have the right, that there shall be another order of religious instruction. But we, sir, in the capacity of a City Council, ask this honorable board why they object to it, and they do not give their reasons—hence this order instructing them, as we have the right to do, to give their reasons. And yet my friend from Ward 9 wants to have this matter prolonged and put over to another City Government. I am in favor of acting upon it tonight, and I am in favor of having the religious instruction required by any class, no matter what, who are represented there. But, sir, there is here a persistent effort, as appears upon record, to disallow and prevent that religious instruction. I hope that this matter will be acted upon here tonight; that the discussion will not be prolonged;

that the request of these citizens of Boston shall be allowed and the religious instruction they ask shall be permitted.

Mr. Dacey of Ward 2—This matter, Mr. President, is so important, it seems to me, that it ought to be acted upon here, this evening. It has been said that the subject has been before the directors for nine months. I notice that when the vote was passed in the other branch the chairman of the committee made no objection. If it had been too short a time, the chairman would have given some reasons for delay.

Mr. Brackett of Ward 10—I should be very happy to vote for the order for the Board of Directors to give us their reasons, and I agree with what the gentlemen have said; but it seems to me that the remarks of the gentlemen have not been upon the question before us. They have spoken upon the question of religious toleration, and to that I agree; but the gentleman from Ward 9 rises and asks that they shall have more time. He says that the president of the board cannot inform the members before Monday; that they cannot have a meeting before then. Now the gentleman from Ward 12 says we should have an authentic statement: now to get that we ought to allow them time enough to draw up their report. The gentleman from Ward 12 has asked for more time on subjects for committees on which he has served, and this seems to me a question of courtesy and not of religious toleration. It is whether we shall give the board more time to make their report. They gave us their opinion; now we ask for their reasons. If this order can be amended so as to have them report next week I will vote for it. But to pass the order to instruct them to report next Monday does not give them sufficient time to prepare a proper report.

Mr. Flynn of Ward 7—The gentleman from Ward 9 has already stated that the directors have made up their minds individually. It will be very easy for them to meet tomorrow, and they will have time to prepare it before Monday afternoon.

Mr. Page of Ward 9—The gentleman very well knows that to give the City Government what they want a report must be written. The president of the board will not be notified of this order till tomorrow morning, and a meeting can't be called until Monday. It will take some time to get their ideas into shape and on paper, to have it properly appear before the City Council. They will have but two or three hours at most. I am perfectly willing to have the order read, so that it will require a report to be made here next Thursday. I think the board are willing to give the City Council their views on the question, but all they ask is sufficient time to put them into such shape that they might be printed. I therefore withdraw my motion to refer to the next City Council, and move to amend by striking out the words "the 29th instant," and insert "January 1st."

Mr. Dean of Ward 12—We have no official information. It may be that the Council can get a report in two hours. That is a good deal of time, and a great many reasons can be given in two hours if your minds are already made up. We have got no information that the chairman of the board has not got his reasons stated in writing now, and all he wants is official action for the board to pass upon them. Of course the gentleman from Ward 9 would not say so. If the board knew they would have to comply they would set about complying. What then is the true course to adopt? Take the reasons given by the gentleman from Ward 10. What should be done? Give the board these instructions and if they have not got time they can say so, in an authentic manner, but let us not avoid coming to action upon it. There is no reason why this should be over, or the time be extended. If they can't make the report in that time let them say so; then we can give such further time as may be necessary.

The amendment was adopted, and the order as amended was passed.

UNFINISHED BUSINESS.

Order authorizing the employment of additional clerical assistance in the office of the Survey and Inspection of Buildings, at not exceeding \$450. Passed, in concurrence.

Order to pay the bill of J. A. & W. Bird & Co., of \$90 40, for paint furnished the Fire-Alarm Department. Passed, in concurrence.

Order to pay to Amasa Bird \$505 50, for paints, painting, carting, etc., for said department. Passed, in concurrence.

Resolve and order from the Street Commissioners for widening Pearl, near Milk street, at an adjudged expense of \$66,440. (City Doc. No. 133.) Passed, in concurrence.

Report and order authorizing the paving of the yard of the Vernon-street Primary Schoolhouse, Washington District. Passed.

Report and order authorizing not exceeding \$1200 to be expended in repairing the armory of Company D, First Battalion Cavalry, in Bacon's Building, 1839 Washington street. Passed—yeas 36, nays 0.

Report and order for a transfer from the Reserved Fund of \$25,000 to the appropriation for Public Buildings. Passed—yeas 43, nays 0.

REPORTS OF COMMITTEES.

Mr. Prescott of Ward 9 submitted a report from the Committee on Public Institutions, on so much of the Mayor's address (referred to said committee) as relates to the removal of the House of Correction from South Boston, and the removal of the House of Reformation for Juvenile Offenders from Deer Island. The committee say that although they have not recommended to the City Council any definite action upon the suggestions of the Mayor with regard to these two institutions, they have prepared the way for definite action during the ensuing year, by the selection of a new location for the Home for the Poor. The removal of the paupers from Deer Island to an establishment on the main land, is preliminary to changes in the other institutions, which will follow naturally, and in the order of their necessities. The committee therefore respectfully recommend that the subject be referred to the next City Council.

The report was accepted and the reference ordered.

REPORTS AND ORDERS.

Mr. Pickering of Ward 6, from the Committee on Public Lands, submitted a report on the petition of the Massachusetts Homeopathic Hospital Corporation recommending the passage of the accompanying order:

Ordered, That the Committee on Public Lands be directed to sell to the Massachusetts Homeopathic Hospital Corporation, the lot of land on Concord street, east of Harrison avenue, as applied for by them, and containing 25,624 square feet, at one dollar per foot, upon the following terms of sale: one-half of the purchase money to be paid in cash, the balance in five annual instalments of twenty per cent. each with interest at seven per cent., and also upon condition that all buildings erected on said land are to be used for hospital purposes.

The order was passed.

DIRECTORS OF PUBLIC INSTITUTIONS.

On motion of Mr. Caton of Ward 11, the Council reconsidered the motion referring the resignation of Samuel C Cobb of the position of member of the Board of Directors of Public Institutions, and on motion of Mr. Caton, the subject was referred to the next City Council.

THE SOUP QUESTION.

Mr. Shaw of Ward 5 offered the following:

In view of the fact that destitution among the poor of our city is now prevailing to an unusual extent for the season, and that the efforts of this branch of the City Council to aid in relieving that distress have to this date been of no avail, the other branch having repeatedly defeated the measure, it is hereby

Resolved, That the Common Council adheres to its previous and repeated declarations, as determined by several almost unanimous votes (the last vote being entirely unanimous) in favor of furnishing, in various convenient localities, the ordinary relief for temporary suffering of persons not coming within the letter of the pauper laws, and in such manner as it has been done by the city's authority from 1868 to 1873, inclusive.

Resolved, That the fact that six only of the seventy-six comprising the City Council stand up in opposition to this measure of relief, should assure the good people of Boston that the heart and judgment of their representatives in this City Council is right, and that only a very small number (though legally qualified to do so) have defeated it.

Mr. Shaw of Ward 5—I don't think it is necessary for me to say a word in advocacy of the passage of that resolution, because I think it speaks for itself. However, I desire to call the attention of the Council for a single moment to the fact that the statute law of the Commonwealth is in my judgment entirely misunderstood by the members of the City Government, and to show that that is a fact I will read from the thirty-first page of the manual of the Overseers of the Poor, to this effect:

"The Overseers of the Poor of each place shall also relieve, support and employ all poor persons residing or found therein, having no lawful settlement within this State, until their removal to a State almshouse, and in case of their decease shall decently bury them," etc.

I find also on the thirtieth page—

"Said overseers, in their respective places shall provide for the immediate comfort and relief of all persons residing or found therein having lawful settlements in other places, when they fall into distress

and stand in need of immediate relief, and until they are removed to the places of their lawful settlement," etc.

And in section sixteen, page thirty-two, it says—
"Every city and town shall be held to pay any expense necessarily incurred for the relief of a pauper therein by any person who is not liable by law for his support, after notice and request made," etc.

I want to call the attention of the Council to the fact that by law the Board of Overseers of the Poor of this city are compelled not only to provide for the wants of the people who are not residents, not having a settlement here, but they are compelled by law to give them employment. Now I ask, Mr. President, whether it is done in a single instance in the city of Boston? Here is a statute law printed in the overseers' own manual, and here is hesitation to provide relief for their own citizens contemplated in an order for three or four thousand dollars for the relief of the suffering poor. Now, Mr. President, there is not only no consistency in their acts, but a refusal to comply with the statute law of the Commonwealth. While I speak emphatically on this question, believing that I am right, I have seen fit to offer this resolution, which I offer without disrespect to anybody, and have couched it in such language as will place it on the record of the Council that we stand by the sentiments we have so repeatedly expressed here, that is, that the sentiment of humanity which prevails in our hearts shall be understood by the people. I hope that the resolution which states this fact will not be ignored, and that it shall be received and adopted by unanimous consent. I hope that if any gentleman has anything to say upon the principle which is there enunciated, he will say it in plain and unqualified terms, so that the record will be made here and now, so that if any one makes any objections to the positions of that resolution he will express the sentiment of his heart.

Mr. Denny of Ward 9—As far as we can gather from the meaning of the resolution, we resolve that in our past votes, we have done right, and everybody opposed to us has done wrong. Now, while the gentleman says he means no disrespect for any one, I can see disrespect to ourselves in that resolution. I think it would be beneath my dignity to resolve that the votes I had cast are right, and that all opposed to them were wrong. I can see that it would be in bad taste to pass any such resolution. More than that if it is necessary to take such action upon votes in regard to the distribution of soup for the poor, then resolutions are necessary in many other matters in which we differ with the other branch. If the majority are to pass votes that they are right, we can occupy our time in that way for a week. Let our votes stand, and let the community judge between us.

The President—The Chair feels bound to say that there is something in the resolution which seems to reflect a little upon the action of the other branch, which it is entirely unparliamentary to do. Each branch of the City Council is independent of the other. The two branches are coordinate; each has the right to independent action, and it is unparliamentary for one branch to criticize the action of the other. The Chair does not think fit to rule the resolution out of order, but he thinks there is something in it disrespectful to the other branch.

Mr. Shaw of Ward 5—As I stated, sir, in the outset, I intended no disrespect to anybody. I certainly did not intend any disrespect. I stated the facts as a matter of history, and read them as a matter of record, as it is my right, in my humble opinion, as a member of the City Council, to rise in my place when a question that has been so prominent before the public mind is in any sense of the word under consideration by the representatives of the people, and therefore to state the history of the matter up to the present time. I have carefully drawn that resolution, Mr. President. It is no hurried or hasty action; it is drawn with entire respect to every member of the City Council. It is meant in its terms to be plain and distinct; it is an unqualified statement of fact, gainsay it who may; it is the record made here and for all time. Hence I have seen fit to refer to it in a proper and a parliamentary way. I introduce it, sir, as a resolution, that it may go upon the records of this body. It is not intended to go outside of this room, but it does seem to me, with the little parliamentary experience I have had, to be proper in this place. It is an expression of the sentiment of this body, as unanimously expressed at the last meeting, and it does seem to me as you have well ruled, Mr. President, that it is in order, but at the same time, I shall not cavil at any modification, if any gentleman shall see fit to offer an amendment which is plain and will express the sentiment which I hold, and as I believe a majority here entertain. It is a matter

worthy of consideration. It is a matter for every gentleman here to rise in his place and discuss. It is a matter of principle with me, and I have not a doubt that it is so with the gentlemen who sit around me; and I shall hope if any gentleman see fit to move an amendment or modification, he will do so, that the matter may be considered by the body personally.

Mr. Denny of Ward 9—It seems to me that we have got business of more importance than this to attend to; and furthermore, as I consider that we shall be wanting in self-respect if we pass that resolution, I move its indefinite postponement.

Mr. Dean of Ward 12—Mr. President, I shall vote for the indefinite postponement of this resolution. I agree with the criticisms upon it by the gentleman from Ward 9. I don't see that the resolution adds at all to the strength of the position of this body. I should not deem it necessary for myself to vote that I adhere to my former opinions upon a subject that I thought at that time were right; that I recognize the fact that I was acting conscientiously. I regret very much that the provision for soup for the poor was not passed. I see in every effort that was made to oppose it, a strong reason in its favor. I have not seen, Mr. President, a single argument bearing against the established policy of distributing soup at the police stations. I have seen statements made with great apparent confidence, that were made as if calculated to put the subject forever at rest; and yet those statements, which were made on that side for the purpose of putting the subject forever at rest, so that anybody who afterwards presumed to speak in favor of soup distribution at the police stations would be regarded as foolish, to my mind have been the strongest arguments in favor of it. I noticed a statement in the communication from the Overseers of the Poor, that when a person took the slightest relief from the public that very moment the position of that individual towards society was changed, and that very moment you must consider him as an outlaw. I do not consider that the more fortunate of the community have the right to say that the poor and unfortunate have their positions towards society changed simply because they are poor. So far as my position is concerned, I trust that I shall adhere to that sentiment, and having voted and expressed myself in that direction, I should not consider it parliamentary to vote over and over again that I was right. There was another argument made by Rev. E. E. Hale, in a letter to a gentleman in the other branch, wherein he stated that he had taken special pains, by means of ten students for the ministry, to ascertain the names and residences of the persons who applied for soup, and it could not be found where they stayed or where they lived, and it was utterly impossible to find anybody of the poor of his own parish who would owe to having received any relief from soup, because they considered it disgraceful, and it had never been done except in one instance, when he sent a woman himself to get the soup. Now, while he was undertaking to show that it was unnecessary that soup should be distributed because in his parish everybody was cared for, he discloses one significant fact, which is that there are people in this community—hundreds and I don't know but thousands—who will go where soup is distributed, sneaking into the police stations, giving false names simply and solely for the purpose of getting a meal of four or five or six cents' value, but are actually ashamed of their poverty, ashamed to acknowledge their condition, though they go to the soup house to get soup. That there are cases of destitution which he could not find, that there are people in his society that he could not ferret out, is made distinctly manifest. In other words, the necessity of this relief is made more manifest by this attempt to prove that it is unnecessary than by any argument stated or brought forth on the other side. Therefore, I regret very much that this institution for relief should not be established; but, notwithstanding that, I shall vote for the indefinite postponement of the resolution offered by the gentleman from Ward 5. I wish he would be good enough to withdraw it. He does not add to his position by it; the Council will not add to its position by expressing its opinion over and over again.

Mr. Shaw of Ward 5—I introduced this resolution for two purposes; one of which was to state the fact which I have stated and which has been denied about City Hall, and that is that the Board of Overseers of the Poor are compelled to employ anybody found destitute in the city. I have now made my record upon it, and as my friend from Ward 12 has said that it is unnecessary, and as other gentlemen have expressed opposition to it, and with the understanding of the case, I now withdraw the resolution.

The President—If there is no objection, the resolution is withdrawn.

ORDERS.

On motion of Mr. Denny of Ward 9—

Ordered, That the Committee on Health be and they are hereby authorized to award the contract for removing horse offal from East Boston for the term of three years from January 1, 1874, to the lowest bidder who shall give a sufficient guarantee to the city, said work to be performed to the satisfaction of the Board of Health.

Passed.

On motion of Mr. Page of Ward 9—

Ordered, That the Committee on Printing be authorized to prepare, or cause to be prepared, an index to the proceedings of the City Council during the current year, and have the same printed and bound with the copies of said proceedings furnished to members of the City Council and city officials; the expense to be charged to the Committee on Printing.

Passed.

On motion of Mr. Prescott of Ward 9—

Ordered, That the Board of Directors for Public Institutions be instructed to procure and submit to the next City Council, as early as practicable, plans and estimates for the construction of a Home for the Poor on the Austin farm, recently purchased for that purpose by the city; and the Auditor of Accounts is hereby authorized to transfer from the appropriation heretofore made for building a Home for the Poor at Deer Island, a sufficient sum of money to pay the expense of procuring said plans and estimates.

The rules being suspended, and the order put upon its passage, it was lost—yeas 41, nays 1, two-thirds of the Council not voting in favor. The vote was reconsidered, on motion of Mr. Flynn of Ward 7, and the order laid on the table.

On motion of Mr. Pickering of Ward 6—

Ordered, That the following bills for extra services performed by officers in the employ of the City Government be allowed for payment by the Auditor of Accounts, provided they are approved in the usual manner: John S. Cook, \$25; S. B. Heustis, \$16.

Passed, under a suspension of the rules, on motion of Mr. Pickering.

ANNEXATION OF BROOKLINE.

Mr. Jones of Ward 14 called up the special assignment, being the report and order instructing the Committee on Legislative Matters to favor any petition, by inhabitants of Brookline, for such a change of boundary as shall bring the main conduits and lines of connection between the reservoirs of the Boston Water Works within the city limits; and the report and order for the Mayor to petition the General Court to annex so much of Brookline to Boston as lies north of the southerly line of Brighton avenue, with such other lands as may be necessary or proper to form a suitable connection between Brighton and the old portion of the city.

The question was on giving the first order named a second reading.

Mr. Perkins of Ward 6 called attention to the fact that he had previously withdrawn his minority report. The last report of the committee is supplementary. At the last meeting of the Council there was some doubt expressed by members as to what citizens of Brookline asked for, and to make to make everything plain a map had been brought, showing the proposed line which the petitioners propose to make.

Mr. Shaw of Ward 5—If I understand this matter now under consideration, Mr. President, it is that the report and order instructing the Committee on Legislative Matters to favor any petition of inhabitants of Brookline for such change of boundary as shall bring the main conduits and lines of connection between the reservoirs of the Boston Water Works within the city limits. Now, Mr. President, I have had some experience in legislation, and I must say this is a most extraordinary request, that the City Council shall favor any petition—no matter what it is, who it comes from, and upon what conditions—"any petition" of inhabitants of Brookline for a change of boundary. Now there may be forty different clans and cliques, and to my certain knowledge there are half a dozen now in Brookline, who have different views and ideas in regard to this question of annexation of that territory to Boston. Now, here is a sweeping clause, that we are called upon to pledge ourselves to vote in favor of any petition. Well, suppose there are half a dozen petitions. Suppose there are but two; we place ourselves on record as favoring "any petition," and to be consistent, it seems to me we have got to favor both of them. The report does not advance any particular line or proposition. Now, sir, the proposed line may run directly through Beacon street to the reservoir; it may run

partially through Beacon street and then diverge to the reservoir, as some parties have got it; and, as a map I have seen portraying it, it may diverge from Beacon street toward the south, and then run into Boylston street. Now, I was told that the line which is proposed here is not that line, and I was also told by a member of the Committee on Legislative Matters who heard these petitioners, that he never agreed to any such proposition as that which is now before us. He never signed the report and never agreed to any such proposition. Well, as I said at the last meeting, we are now on the heels of this City Government. One week more and we shall be dead, so far as this City Council is concerned. Now I ask why we should be called upon to instruct our legislative committee of three honorable gentlemen to go before the Legislature—these gentlemen going out of office on the last day of this year—and favor "any petition" of citizens of Brookline for the annexation to Boston of such territory in that town as shall contain certain water pipes. It is unnecessary to repeat what I have said before, and every man of common sense knows that strictly upon this order half a dozen sets of petitions may come before the Legislature, and we will be called upon to favor any of them. That is the language. I say it is—I don't know what to call it—it is one of those things which never was contemplated by any legislative body. It was said we are asked to confine ourselves to one reasonable proposition; we could accept it or vote it down, as we saw fit. But even then it seems to me, to be uncalled for. We are called upon to place upon record a statement and vote that we favor the petition of any citizen of Brookline to do a certain thing, or to do what I shall call voting for an uncertain thing. If the gentleman who got up this order would state the boundary, and through what streets it proceeds, that would give us some light. I find no line defined; I find nothing that we can act upon as intelligent people and I can see no necessity for any action whatever. Therefore, Mr. President, I move that the whole matter be referred to the next City Government.

Mr. Dean of Ward 12—There are two propositions assigned, the one now before us, and the other, which would perhaps have presented the situations of the question before the Council in better shape. As is well known, the city of Boston is now divided into two parts by the town of Brookline. This second order provides for the annexation to Boston of so much of Brookline as lies north of southerly line of Brighton avenue, with such other lands as may be necessary or proper to form a suitable connection between Brighton and the old portion of the city. That is a well-defined order providing for a well-defined way, which is the smallest that will possibly answer. The situation is such that here is a street running along tide water, and the order asks that that street and all between it and tide water be annexed, which is the smallest that the city could make. And even that provides for the annexation of such other lines as might be necessary to give suitable connection between Brighton and the old portion of the city. That is something which the city of Boston, as it seems to me, has a right to claim. This first order is another thing. It is not so important, so essential, so necessary, for us that this order should pass as the one to which I refer, and the majority of the committee didn't consider that it was so essential or necessary. But we did see no reason whatever why it should not pass; we did not see any objection to it, and I can't see any objection. The city of Boston had already, by a large majority, voted in favor of the annexation of Brookline. I was not an annexationist. I would rather each municipality be separate and distinct, having a local government for small matters, and some central board to take care of matters in common, such as sewers and streets. But that has passed, and Brighton being annexed, makes it necessary that a part of Brookline should be annexed. The people residing in that section where the reservoirs and the Boston Water Works are located, have come and asked that that section be annexed. Now, then, it would be a good thing for the City of Boston to have that property, in the present state of the annexation question. The committee are inclined to favor that proposition, and therefore when these citizens came and said this second order would practically shut them out, the committee said it was no part of their intention to narrow the question. Therefore they reported this first order. It proposes to annex that part of Brookline in which the city property is located. The city of Boston don't take the initiative in this. Certainly, I don't understand that this order means that the present Committee on Legislative Matters shall live over through next year, for if it did I should not favor it. The present committee is no longer the

Committee on Legislative Affairs when the Council adjourns, but the city may still continue it by appointment of the proper officers.

Mr. Train of Ward 13—I suppose, Mr. President, we are all anxious to see a connection between the old portion of the city and the part called Brighton, but I can't see any force in the argument to pass this order now. I think it would be best to refer it to the next City Government, and when the petition comes in then it will be time enough to instruct the committee to favor that petition. There seems to be no well defined proposition. There seem to be two or three plans. I think it is eminently proper to refer this matter to the next City Council, and it will be time enough for them to act.

Mr. Pickering of Ward 6—I agree with the remarks of the gentleman from Ward 13 entirely. It is an important matter; we shall soon cease to live as a Council, and it is eminently proper that it shall be passed over to the next City Government.

Mr. Perkins of Ward 6—I think the objection to laying it over to the next City Government is that the next Council won't get to work before it is necessary for this petition to be put into the Legislature. It is perfectly proper to instruct the Mayor to petition for the annexation of this territory, and that is the same as instructing the Committee on Legislative Affairs to favor anything in the General Court. It is the same thing. I should like to know what good reason there is for having it laid over. I don't care if there were a dozen different petitions. Suppose there were a dozen—all that this order commits the next City Government to is to simply favor such a petition as shall bring about the annexation to Boston that part of the territory of Brookline in which the property of Boston lies. If that is n't clear I don't know what is. As it is now there is a petition, very generally signed, to be presented to the next Legislature by inhabitants of Brookline who live on the territory readily indicated on the map, that is to say, those who live between Longwood avenue, Beacon street and Brighton avenue and between the line of Beacon street and the old Brookline Reservoir—the owners of seven hundred of the nine hundred acres—have signed that petition. This thing is perfectly clear before us. Does anybody object to the annexation of the whole of Brookline? If there is any objection why should n't it come out now? Why should n't it be discussed? The gentleman wants it laid over; let him assign a reason. I was in favor originally of taking the line of Beacon street as proposed by the gentleman from Ward 14, but when these petitioners came before us and said, "Don't order your committee to the next Legislature and say the city of Boston is bound to oppose anything outside of a particular line without instructions from the City Council. Now if the city of Boston is in favor of taking in that large part of the town of Brookline inhabited by large taxpayers I don't see any reason why we should n't act."

Mr. Train of Ward 13—I said when I rose that I don't object to the annexation of Brookline, or a part of it; and I am opposed to referring to the next City Council any definite business—anything that we know about. But this business is not definite; the Council don't understand it. I go for annexing the whole of Brookline, and if no the whole a part; when the proper territory is decided upon let us instruct our committee to act upon it. I can't see that anything will be lost to turn matters over to the next City Council.

Mr. Jones of Ward 14—As I remarked at the last meeting, I thought it was perfectly proper for this City Government to act upon this matter; and as the gentleman from Ward 6 has remarked, the next City Council won't be in order to properly present this petition. During the discussion I have n't found any gentleman opposed to the annexation of Brookline to Boston. Now, the line marked out by nine-tenths of the citizens of Boston is the one which it is proposed to take. It is the policy of Boston to include within her territory the property of the city in the town of Brookline. I hope this order will be passed tonight. The residents of Longwood have delineated their preference on the map there, and any one can see it.

Mr. Brackett of Ward 10—It seems to me, Mr. President, this matter is peculiarly the property of the next City Council. The lines are indefinite, as I understand it, and when a committee from this body go to the Legislature, next session, no matter whether they go to the first or last of it, they will be instructed more thoroughly than we can instruct them tonight, for then they will have behind them the vote of the whole city—and a very large vote—to take the whole of Brookline. Boston has placed itself on record; we want the whole of Brookline. The Legislative Committee will consider this subject among the first; they will hear gentlemen from

Brookline and from Boston, and they can better determine what is best. We shall have gentlemen in that body next year—the able gentleman from Ward 6, who advocates this resolution,—to protect the city's interests; we shall have gentlemen there, no doubt, who will represent the idea of Boston to get as much as we can of Brookline. I think it very proper that this matter should go to the next City Council, who can instruct the committee as they please. I hope the motion to postpone will prevail, for I can't see how any vote of ours will affect the Legislature or our committee in the next Legislature. We shall have the able gentleman from Ward 6 and several others from this body to represent the views of the city of Boston in the Legislature. The city of Boston will have its views thoroughly protected there, and I can't see any necessity for taking any action tonight in regard to boundaries with the outlying wards.

Mr. Jones of Ward 14—As we don't object to the annexation of Brookline, I can't see how any one can object to the line proposed. As we all agree that we want Brookline it is easy to go for this thing because there is no line stated.

Mr. Shaw of Ward 5—I would n't rise again, except that I have heard it so many times repeated that it is necessary for the city to control her own property in her own district. Now it is twenty-five years since those pipes were laid in the town of Brookline to conduct the water to the city of Boston, and not a voice has been raised here to the effect that the city should control this property; not a question has ever been raised between the city of Boston or Brookline as to the control of the property under the soil, and the city of Boston controls nothing above the soil. If we vote tonight we shall vote blindly. When a hearing can be had before an honorable committee then it is proper to have the report here which shall cover the main reasons in the case. My friend from Ward 6 gives no reason. That gentleman forgets that his eminent ability is to carry on the Legislature for the next six months; he seems to intimate that, whoever is appointed President the coming year will not appoint the committee before the Legislature adjourns. What is the necessity of hurrying the matter. If it is good it will keep, and if it is n't it won't.

Mr. Perkins of Ward 6—I don't consider, Mr. President, that any long harangues from me will keep the Legislature in session till next June, but I am afraid the gentleman from Ward 5 will.

Mr. Shaw of Ward 5—That is so.

Mr. Perkins of Ward 6—I look upon the gentleman from Ward 5 as my fate. He pursues me. I have listened to him upon soup, and every other subject, and I fully expect to see him telling the Legislature that Boston is opposed to the annexation of Brookline. He will tell the Legislature this proposition was voted down, and I want to cut off such an opportunity for him. I don't want him to say this. I know he is opposed to the annexation of Brookline; he has old ties which are so strong, and he don't wish to see his residence divided, but I don't think that is the sentiment of this Council. If gentlemen here favor annexation why should n't they vote for it.

Mr. Shaw of Ward 5—The gentleman says he wants to cut me off. It is n't the first time,—but the biter got bitten. He wants, he says, to try to prevent me severing my connection with Brookline. I repeat it here that I am in favor of the annexation of Brookline, and if we can't get the whole of it take a part, and I am willing to put myself upon record. If we vote upon it tonight we don't know what we are voting about. I don't question the gentleman's ability to make long speeches, but I sometimes question their substances, as I have a right to do. If I go to the Legislature I shall do what I believe I have the right to do, notwithstanding the gentleman from Ward 6. He may try to cut me off; perhaps he will try to do the same thing that he did at the Parker House last winter, over his fat dinners, when he tried to discourage the members of the Council from voting that my seat should n't be retained. I know the gentleman and his animus. He read all the books, but out of all of them he could n't read enough law to cut me off. I don't mean to be personal or disrespectful to any member here, but when any member attacks me he will get as good as he sends. Now, Mr. President, I say that no member has expressed himself as unqualifiedly as I have. The gentleman does n't state the truth when he rises here and says I am opposed to the annexation of Brookline to Boston. I have said here more than once that I would go much farther in annexation than has been proposed in this City Government. If I had my way I would take in a circle of ten miles. Now that goes upon record, and the gentleman may qualify it if he can. I dislike personalities, but when a gentleman rises here, and makes a statement that is n't true, I shall

deny it. My only opposition to it is that the gentleman from Ward 6 represents a private personal interest in trying to drive through certain matters which are against the public interest. It is patent upon its face. When I am told by a member of an honorable committee that the order brought here don't receive his sanction, then I say that as coming from the committee, I doubt the propriety of accepting that order; much more do I doubt the propriety of accepting it at this time, when, as these gentlemen have stated repeatedly, this Council is soon to go out, and as the gentleman said, his committee has n't expected to act upon it before they do go out. Now what is contemplated? that this committee shall go before the Legislature and approve any petition which citizens of Brookline may present in favor of annexing any portion of that town to Boston? I say again that it is n't within the line of propriety, to say the least, and as a measure of policy it certainly is n't within the interest of the city.

Mr. Perkins of Ward 6—I don't object to the gentleman from Ward 5 boring me to death with his

long speeches, but I do object to his making insinuations that even he does n't believe to be true. When he says I represent any private interest he states what he knows is false. I haven't seen any one except at the hearing for the petitioners from Brookline.

The motion to refer to the next City Government was carried by a rising vote—19 for, 17 against.

On motion of Mr. Perkins of Ward 6—

Ordered, That the Committee on Common and Public Grounds be authorized to expend an additional sum not exceeding four thousand five hundred dollars in providing labor and team work in their department during the remainder of the financial year; said sum to be charged to the appropriation for Common and Public Grounds.

Passed under a suspension of the rules.

On motion of Mr. Perkins of Ward 6, it was ordered that when the Council adjourn, it be to Thursday afternoon, January 1, at three o'clock P. M.

On motion of Mr. Prescott of Ward 9, the Council adjourned.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,
DECEMBER 29, 1873.

The regular weekly meeting of the Board of Aldermen was held at four o'clock P. M., Alderman Cutter, chairman, presiding.

JURORS DRAWN.

Thirty-six traverse and twenty-two grand jurors were drawn for the January term of the Superior Criminal Court.

EXECUTIVE APPOINTMENTS.

Members of the Police Force—John C. Bull, Samuel Frost, Alonzo Burnham, Thomas Carey. Referred, on motion of Alderman Gibson, to the Committee on Police.

Special Police without pay—Charles H. Andrews, for Richmond street and vicinity. Confirmed.

PETITIONS REFERRED.

To the Committee on Health on the Part of the Board. Peck & Hall, for leave to occupy a brick stable for seventy horses on Lancaster street, Nos. 19 and 21.

To the Committee on Paving. Alonzo Bowers, to be paid for grade damages on Marion street.

To the Committee on Licenses. Somers set Club, for leave to maintain a bowling alley on their premises.

To the Committee on Claims. Eben B. Phillips *et al.*, owners of estates on the burnt district, to be paid for delay on part of the city in arranging new lines of streets, etc.

JAIL EXPENSES.

A requisition was received from the sheriff of Suffolk County for \$2057 69, which, being duly audited, was ordered paid.

SIDEWALK ASSESSMENTS.

A schedule of assessments for sidewalks on Tremont street, between Ruggles and Parker streets, amounting to \$2259 75, was received from the Superintendent of Streets and referred to the Committee on Paving.

EASTERN AVENUE.

A resolve and order were received from the Street Commissioners for the laying out of Eastern avenue, in continuation of Congress street, from Broad street to the Harbor Commissioners' line, at an estimated expense of \$99,780. Referred, on motion of Alderman Clark, to the Joint Committee on Streets.

The following orders came up as unfinished business, and were severally passed:

Report and order to allow Aaron D. Williams to erect on Farnham street a wooden building beyond the usual dimensions.

Orders to pay Harriet F. Nevins, \$4900 00, Congress street; Theodore Harrington, \$1800 00, Federal street; Massachusetts Baptist Convention, \$10,146 00, Washington street; Mary A. Chase, \$260 00, Thornton street; Bernard Foley *et al.*, \$8472 10, Magazine street; Henry & Jacob Pfaff, \$20,800 00, Congress street; Timothy McCarthy's heirs, \$1984 00, Quincy place; Solomon Wilde's heirs, \$188,248 00, Washington street.

THE ANNEXATION PROBLEM.

The report and order for Committee on Legislative Affairs to advocate the annexation of Winthrop to Boston came up in the regular order of proceedings as unfinished business, the question being on the passage of the order.

Alderman Quincy—Mr. Chairman, in the report (City Document No. 127) made on the subject of setting off Chelsea to Middlesex County, the committee in closing their report have stated—

"It is somewhat surprising that such an anomalous condition of things should have been suffered to continue so long; and it seems necessary only to call the attention of the Government to the subject in order to have the present arrangement terminated, either by annexation of Chelsea and the two towns to Boston, or to another county. The committee would, therefore, respectfully recommend the passage of the accompanying order:

Ordered, That his Honor the Mayor be requested to petition the General Court, at its next session, for the passage of an act to set off the city of Chelsea and the towns of Revere and Winthrop from the county of Suffolk and annex them to the county of Middlesex."

Since that time, Mr. Chairman, some of the inhabitants of Winthrop have held a large meeting—I believe almost all the inhabitants of the town partici-

pated in it—at which they passed a resolution expressing a preference to be annexed to the city of Boston rather than to be set off to Middlesex County, and rather than be set off to Middlesex County they would prefer to be annexed to Essex County, and if neither of these arrangements could be made they would prefer to contribute their share of the county expenses. The committee was directed to give the petitioners a hearing, and it appeared from the evidence that in some respects it would be best that an annexation should take place. If gentlemen will look at the map they will see that it would be desirable to have the lines of the upper harbor within the city of Boston. The town of Winthrop is interpolated in the territory of the city of Boston, and our voters on Long Island and Deer Island have to go through that town to get to East Boston where they vote.

In view of the fact that the Harbor Commissioners have suggested a sea wall along this line, it seems desirable that the proposed annexation should take place, and also in view of the fact that the town of Winthrop lies in the overland route to our institutions at Deer Island—for these reasons it seemed to be well to instruct the committee not to oppose the annexation of Winthrop to the city of Boston, rather than to favor its setting off to Middlesex County, for which the Mayor has already petitioned.

Alderman Hulbert—Mr. Chairman, I have given this matter a few thoughts since the meeting last week, and I must say that I differ in my opinion from that of the Committee on Legislative Affairs, and I will briefly give my reasons. This is opening up a new chapter; it also seems to me that, as a city, we are embarking upon an unknown sea. This matter of annexation, in my opinion, is going too fast and too far. It is as yet an experiment with the city of Boston, and can be termed nothing less than an experiment, the results of which do not yet appear. To be sure we annexed the old city of Roxbury, but that was a thing by itself. Roxbury was a part of the city proper before; there was only an imaginary line between; it was a city of large population, thoroughly identified with the interests of Boston. But with the union of the town of Dorchester with the city of Boston there began a new species of annexation, if I may use that term. We annexed some thirty-five acres of taxable land. In the remarks I made at the last meeting, I stated that the town of Dorchester does not contribute to the common purse six-tenths of the amount expended for her benefit. Each one of the recently annexed sections—even Charlestown, with its dense population and small area—will cause a direct tax upon the main city. None of those places will pay their own bills for years to come. We are passing through a transition state. Up to within a short time Boston has been herself, but how long she can continue to be herself is an open question in my mind. I wish to call your attention to the city as it now stands. The area of Boston, including Dorchester—the taxable area—is 9583 acres. There will be added by the annexation of Charlestown, West Roxbury and Brighton, 9517 acres, making a total of 19,100 acres. By recent annexation we have doubled our area, and of this new area I don't suppose there is more than one-tenth densely settled—the rest being what is called sparsely settled, not exactly open country, but a great deal of it detached residences. Now Boston, before the last annexation, had—including Dorchester—224 miles of streets to care for; by the last annexation she has added 141 miles of streets already existing; but, as every gentleman knows, that is only a moderate proportion of the streets yet to be created in that area. In speaking of our position, I suppose we may as well admit that the annexation of Brookline will become a fact; then Boston will have a taxable area of 23,100 acres, with a total length of streets of over 400 miles, the expense of which Charlestown, West Roxbury and Brighton, with Dorchester, will pay but one seventh, leaving the old city of Boston and the Highlands to pay six-sevenths. And we all know that the expense of this newly-acquired territory will not be *pro rata*, but far in excess of that, and become a direct tax upon the taxpayers of the main city today. New York has some 14,500 acres in area; while Boston will have, after January 1, 19,100 acres, and if Brookline is added, she will have 23,100. Now, what is contemplated by this order is the entering wedge to the annexation of more territory on the other side of the Charles River. It is a new departure in annexation. I ask, if we, as a city, are in a condition for any such thing. I say we are not. Winthrop is a town of 880 acres, of which 180 acres are marsh and low land, with a population of a few hundred, no sewerage, no conveniences that belong to those territories which have been annexed. They will want everything, Winthrop has ten miles of streets

—I know that there are parties there who have taken up lands, and I have no doubt they will be greatly pleased if Winthrop is taken within the city of Boston, and receives the benefits of schoolhouses and public institutions. It will be a grand arrangement for them. When these places are annexed they will call for and insist upon those conveniences which appertain to a city—streets, sewerage, water supply, Fire Department, police and all those things which cost large amounts. Now, I contend that we cannot think of Winthrop without calling to mind the whole retinue of towns and cities northward of Boston, most of which have given notice of an application to be annexed to Boston. I would like to call your attention to the case as it will stand when those places which have asked for it shall be annexed to Boston. Cambridge, Somerville, Medford, Malden, Everett, Winthrop, Revere, Chelsea and Watertown—I say nothing of Arlington and Belmont—have 327 miles of streets to take care of, and a taxable area of 23,000 acres. When those places are annexed there will be over 725 miles of streets to care for, instead of 224 as now; there will be 46,000 acres of taxable area instead of 9600 as now. And of the total expense pertaining to the carrying on of the city, as it will be then, fully seventy-five per cent. will fall upon the present city of Boston. Should these towns be annexed, there will be an area more than three times that of New York. Bear in mind, also, that all these places have nothing to bring us. They are of no advantage to us. They come to receive, not to give; what they require is a very large matter; to do all they will require will cost far in excess of anything they can contribute to the common purse. They cover an immense area. There is another thing, gentlemen, for we may as well speak out in meeting, first as last. Every one of these towns and cities is a distinct section; they have their own peculiar wants; those wants will need to be urged at City Hall; when you get them all in you have got a vast power all around you, and yet is not in the old city. Now, you know what human nature is—and I suppose it is going to continue for years longer—and I'll venture to say that in a few years this surrounding influence will control this city. Those outlying districts can be made a Hoosac Tunnel; they can combine together and control matters here at the City Hall, and the taxpayers of the present city, while paying seventy-five per cent. of the expense will be powerless to control or direct expenditures. The main city, which has been neglected this year and last year, should be cared for. Here is the main question: These outlying sections will want their pet schemes carried out; there will be an immense pressure to carry them out. There is an element of danger and weakness if all these towns and cities are to be brought in here. With the territory that is annexed we shall on the first of January be fifty per cent. larger than New York city; when Brookline is annexed we shall, of course, be larger still. We have taken in Dorchester, which is but the semblance of the whole territory to be annexed. I contend that we should wait until we see how this thing works, until annexation has been tried and proved, and not go on and get the city into a condition that is irretrievable. If it proves mutually good, and not evil to one, we should ascertain that fact by actual experience; when it is demonstrated will be time enough to decide upon taking in this whole section north of the city. When an annexation proves by experience to be the best policy it is the easiest thing in the world to extend our borders; these places will be none the less anxious to come in when they are wanted. Mr. Chairman, I wish this Board would consider the additional labor, expense and taxation involved in this annexation. It is without precedent. The cities of the Old World do not increase so. It is not simply Winthrop alone; I consider Winthrop merely as one of the series. I have no doubt a great many parties have purchased real estate with the view of this thing coming about at some day. Some of them are my friends, but what is that to do with the case? I believe it will be a sad day for Boston when we enter the wedge for any further annexation. I would like to see the thing stopped where it is, and I believe the interests of the city would be subserved by stopping where it is. Therefore, as I see nothing but an immense expense to follow from the annexation of territory beyond what has been annexed already—gentlemen will understand that I include Brookline; I admit that the annexation of Brookline is best—as I see nothing but an enormous expense far beyond what any of these cities or towns will contribute, thereby leaving a heavy tax upon the main city, I oppose the adoption of this order. We are to pay largely for the conveniences those places

are to have; that is the arithmetic side of it. The day may come when it is best, but today I believe a worse thing cannot be done for the city of Boston. We are not strong enough yet; it will weaken us. What the future may bring I do not pretend to state; but I do think that before we annex another piece of territory, we should wait and see what is the result of what we have done. I know that annexation is "on the brain" and it seems to me it will be a fatal mistake if this thing is allowed to take place. By the way, one of the reasons I see given for annexation of Winthrop is with reference to the harbor lines. I saw one of the Harbor Commissioners and asked him what force there was in that argument, and he said there was none at all; that the city of Boston can have what she wants done to the harbor today.

Alderman Sayward—I rise, Mr. Chairman, not for the purpose of making an argument on this matter; but the gentleman has alluded several times to the expense of Dorchester—how little she pays, and how much she gets, but he avoids saying what proportion Roxbury pays for what benefit she gets. I judge he means that Boston is a great deal worse for having annexed Charlestown, West Roxbury, Brighton and Dorchester—and now this small piece of territory comes with nothing to give, but all to receive. We have been told that it is more blessed to give than to receive; how blessed Boston will be if she gives all that will be asked of her by this little spot.

Alderman Hulbert—Mr. Chairman, I simply stated as a fact that Dorchester does not pay into the treasury what is expended for her. The same will be true of Charlestown, West Roxbury and Brighton. The question is, how long the city proper can go on and take these additional burdens. I advocate waiting, instead of increasing those burdens. I am prepared to prove that this annexation is a great burden upon the city proper. It is on that ground that I stand. I say now is the time to stop. I take notice of the applications already made, and say that in my judgment the thing ought not to go any further until we know what the consequences are.

Alderman Sayward—The gentleman avoids the question. I asked what proportion the Highlands pay for the benefits they get.

Alderman Hulbert—In what I said I made no reflection upon Dorchester at all. It was by a great deal of labor that I gained the statistics in regard to Dorchester, and I gave the facts simply.

Alderman Sayward—The gentleman does not answer the question, but one thing I will say which he will not deny, Roxbury has not paid anything like her proportional part for the benefits she has received.

Alderman Gibson—I heartily indorse most of the argument of the gentleman from the Highlands, but the main subject is not being considered by this Board now. The town of Winthrop is a small spot, and I think the gentleman should confine himself to that. I think he will endorse the statement that the annexation of Winthrop will bring the harbor lines within the control of Boston. It is only a connecting piece; I believe we own two hundred acres of the town now—very fine land, too. The land of that town is very fine, generally, perhaps not excelled by any township in the Commonwealth. Nearly all the residents of Winthrop own the places where they live; the farms are small, ten or twelve acres being quite a good farm. It does not appear to me to be a greatly enhanced expense from the annexation of that town. The water pipes pass through the whole length of the town to get to Deer Island.

Alderman Quincy—This is no pet scheme of the committee, Mr. Chairman. The committee were directed to give the parties a hearing and they made out a pretty good case. If the committee supposed that this was to be an entering wedge to the annexation of other towns north of the city, they might not have recommended this order. It seemed to be a peculiar case, the town being, as it were, inserted between two sections of our territory and our citizens having to go over it. It also seemed to the committee desirable to have all the harbor lines within the city of Boston. So far as the committee are concerned, they do not wish to put any entering wedge into this scheme of annexation. Winthrop wishes to come in, but if the Board do not think it best, the committee are willing that the town of Winthrop should stand upon its own bottom.

Alderman Gibson—That long strip of land is like the limbs of the main body; as the map now is the legs and arms are separated from the body. We have to go over there now to get to our own territory.

Alderman Hulbert—It seems to me that Winthrop can take care of itself, as it is. The moment we undertake to take care of it, we will go to a large expense.

The order was passed with but one dissenting voice, that of Alderman Hulbert.

PAPERS FROM THE COMMON COUNCIL.

Order for Committee on Printing to prepare and print an index to City Council proceedings of 1873. Passed.

Order to allow Committee on Common to expend \$4500 for labor and team work for the remainder of this financial year. Passed.

Report and order to allow the sum of \$1200 for repairs on armory of Company D, First Cavalry, in Bacon's Building, Roxbury. Laid on the table on motion of Alderman Quincy, who said the Committee on Armories wished to ascertain to what uses the armory had been put.

Report of Committee on Institutions, recommending a reference to next City Council of the measures proposing the removal of the House of Correction from South Boston to Deer Island, and the House of Reformation from Deer Island to another locality. Accepted.

Report and order to sell to the Massachusetts Homeopathic Hospital 25,624 feet of land on Concord street, east of Harrison avenue, at \$1 per foot. Passed.

The resignation of Mr. Cobb as a Director for Public Institutions came up referred to the next City Council. The Board concurred.

Order for Committee on Health to contract with the lowest responsible bidder for removal of house offal from East Boston for three years, from January 1, 1874. Passed.

The order recommitting the report of the Directors for Public Institutions, with instructions to furnish their reasons, on or before the 29th inst., for not permitting the inmates of said institutions to receive religious instruction from teachers in whom they profess to have faith, came up with an amendment to extend the time to January 1, 1874. The Board concurred.

The report and order instructing the Committee on Legislative Matters to favor any petition, by inhabitants of Brookline, for such a change of boundary as shall bring the main conduits and lines of connection between the reservoirs of the Boston Water Works, within the city limits, came up referred to the next City Council. The Board concurred.

Order to pave the yard of the Vernon Primary Schoolhouse, Washington District. Passed.

THE CITY POLICE AND THE ENFORCEMENT OF THE PROHIBITORY LAW.

An order to pay John L. Cook \$25 and S. B. Heustis \$16, for extra services, came from the Council passed.

The question was on concurrence.

Alderman Quincy inquired if the persons named in the order are regular members of the police force.

The Chairman replied that they are.

Alderman Quincy—I am glad to find, Mr. Chairman, that when members of our Police Department perform extra services they receive extra pay, for thus only do we remove from them the temptation of seeking to pay themselves for uncompensated labors by making an unauthorized profit out of their official position. I believe in the honesty and integrity as a body of our city police, and it is because I do so believe in it I rejoice in view of the example daily before their eyes, that such honesty and uprightness should be surrounded with all possible safeguards. I regard the rule adopted at our last meeting prohibiting the receipt of presents by officers from men under their command as an excellent one. In this connection, Mr. Chairman, and suggested by the subject of the uprightness and integrity of our Police Department, I should like the indulgence of the Board for a few words on a matter which I consider as directly related thereto. I for one, Mr. Chairman, have never seen cause to regret the vote by which this Board declined to instruct our guardians of peace and order to strike hands with the State Constabulary in what I regard as the tyrannical enforcement of a mischievous and odious law. With all respect for the sincerity of conviction of the petitioners for the measure—with all admiration of the fervid eloquence of its reverend advocates, I am still firm in the belief that its adoption by us would have introduced the most fatal demoralization in the ranks of the men whose honesty and whose bravery now impartially protect our property and our lives. With this belief, the unflattering remarks of certain newspapers, which I presume all of us have received by mail, I am able to support with the greatest equanimity.

We submit, Mr. Chairman, as we ought, to the manner of the enforcement of this law within our city simply for the reason that it was enacted and the instruments of such enforcement created by men sent to the State House by a majority of the voters

of Massachusetts. The great English writer, Mill, in his "Essay on Liberty," instances this very law, then known as the Maine law, as illustrating what he considers as the tyranny of a majority often more oppressive and dangerous than that of a despot. Why, sir, I venture to assert that there is not a monarch in Europe who would dare, unless he wished to see barricades in his streets within a week, to instruct his creatures to execute a law or decree of confiscation of property throughout his capital in the manner in which these appointees of the Governor, this physical arm of the State executive against which I have protested elsewhere, sees fit to enforce the Prohibitory Liquor law in our good city of Boston. When the last Emperor Napoleon was in the zenith of his power, holding to all appearances the neck of the nation under his imperial heel, had any one then suggested to him the advisability of issuing a decree of confiscation against a certain class of merchandise, and authorizing officials of his own to execute the same arbitrarily, here and there, throughout his capital according to no apparent system save that of persecuting and driving into bankruptcy the poor dealers and foreigners, leaving the rich unmolested, save in some exceptional case of political spite or private grudge, it is my belief that the old fox would have shaken his head and replied that the garrison of Paris was hardly strong enough for that. I allude to this law and the manner of its enforcement simply to illustrate our duty, as it seems to me, of surrounding our own police with every safeguard against the temptation of swerving from an impartial discharge of duty alike to rich and poor. Since, however, I have undertaken to give my opinion in the matter, I have no objection to use still more unmistakable language, and to state that I regard this law and the manner of its execution in our city as the great shame and disgrace of the Republican party in Massachusetts, and if this is treason to the organization with which I generally vote, I am willing that they should make the most of it. I thank the Board for their indulgence in listening to this little digression, and will not longer trespass on their time.

The order was passed.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Health, reported in favor of granting the application of heirs of William Brigham to remove brick stable, and leave to withdraw on application of same to occupy wooden stable; in favor of granting petitions of Sarah H. Dyer; and leave to withdraw on petitions of H. Gibliu and A. D. Pattee. Severally accepted.

Alderman Gibson, from the Committee on Police, reported in favor of confirming the executive appointment of W. S. Bond, Michael Griffin, George E. Lawrence and John W. Jackson, as police officers with all the powers of constables except serving and executing civil process. Report accepted and appointments confirmed.

Alderman Clark, from the Committee on Fort Hill, to whom was referred the petition of Peter B. Brigham to be paid for damages to property on Fort Hill, occasioned by the widening of streets, reported that the evidence showed that the estates had been improved more than damaged by the widening, and that petitioner have leave to withdraw; also, on petition of E. B. Phillips & Co., for same, leave to withdraw at request of petitioners. Severally accepted.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the following applications: Buckley's Serenaders, for leave to give a concert at Wait's Hall January 5; Albert Dunton, for license to deal in second-hand articles at corner of Lowland and North streets; E. Stockwell and others, for transfer of wagon licenses; G. J. Fortune, for license for express wagon; John Pender, for wagon stand at 426 Hanover street; John A. Sawyer, for transfer of hack license; Harvey & Pray, Miss A. Baker, Gruni & Stewart, J. G. Pennycuick, Joseph Francis and James Doherty, for victualler's license; E. J. Sullivan, for billiard license; and leave to withdraw on application of Jourdain & Davison, to keep anatomical museum.

Severally accepted.

Alderman Quincy, from the Committee on County Accounts, to whom was referred the request of the Paymaster in the Municipal Court for an increase of salary, having considered the subject, reported that the petitioner is an employé of the City and County Treasurer, and any request for additional compensation should be made to him. It the allowance for clerk hire in the Treasurer's office is not sufficient to meet the requirements, on account of the county business, then, upon the requisition of the Treasurer, an additional sum would doubtless be granted. If the Treasurer is to be held responsible for the acts of

his clerks, and for the funds intrusted to them, he should have full authority as to their appointment, compensation and bonds. The committee recommend the reference of the petition to the Treasurer. Report accepted and reference ordered.

Alderman Quincy, from the Committee on Armories, submitted a report recommending the passage of the following order:

Ordered, That the Committee on Armories be authorized to expend a sum not exceeding \$250 in repairing and furnishing the headquarters of the First Battalion, Light Artillery, M. V. M., 37 Tremont street; said sum to be charged to the appropriation for Armories.

Passed—yeas 12, nays 0.

Alderman Quincy, from the Committee on County Accounts, to whom was referred the memorial of the Judge of Probate in relation to preparing a classified index to the records in the Probate Office, reported that the preparation of such an index is extremely desirable and that the work should be commenced without delay. They recommend the passage of the accompanying order:

Ordered, That the Committee on County Accounts be authorized to contract with some suitable person or persons, upon such terms as they may deem best for the interests of the city, for the preparation of a classified index to the records in the Probate Office for the County of Suffolk; the form of said contract to be satisfactory to the City Solicitor, and the expense incurred under it to be charged to the appropriation for County Accounts. Order passed.

Alderman Quincy, from the Committee on Armories, reported the following order:

Ordered, That, until otherwise ordered, there be allowed and paid for rent of armory of Company A, Ninth Regiment, M. V. M., at the corner of Causeway and Lowell streets, the sum of \$1000 per annum, beginning on the first day of October, 1873; said sum to be charged to the appropriation for Armories.

Order passed—yeas 12, nays 0.

Alderman Power, from the Committee on Paving, reported in favor of granting the petition of David R. Whitney & Co. *et al.*, for sidewalk on Milk street, between the Post Office and Oliver street, and inexpedient to grant the petition of George N. Marsh *et al.* for removal of plank walk on east side of Hawley street.

Severally accepted.

Alderman Power, from the Committee on Paving, to whom was referred the petition of J. E. & N. Brown, *et al.*, reported the following order:

Ordered, That the Board establish the revised grade of Parker street, between Congress and Pearl streets, as shown on a plan and profile drawn by the City Surveyor, dated Nov. 24, 1873, and deposited in the office of said City Surveyor.

Order passed.

Alderman Power, from the Committee on Sewers, to whom were referred the schedules of assessments for sewers in Parker, Bremen, New Heath and Centre streets, reported that they were correct, and recommended the passage of the usual orders for collection. The orders were severally passed.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the application of Sewall, Day & Co. for leave to use steam engine on Parker street. Accepted.

Alderman Clark, from the Committee on Streets, reported orders giving notice to property owners on Broad and Washington streets, to remove obstructions within ten days, from those parts of said streets widened by resolves and orders of the Board of Street Commissioners. The orders were passed.

On motion of Alderman Clark—

Ordered, That the Committee on Streets on the part of this Board be and they are authorized to pay to J. H. Jenkins \$300 for clerical services during the present year, as authorized by the city ordinance.

Read once.

Alderman Clark, from the Committee on Streets, reported orders to pay for street damages as follows: Paul H. Kenducken, \$987 50, Cottage street; George Crowninshield, \$2503 46, Washington street; J. C. Howe and J. J. French, \$13,402, extension of Pearl street to Congress street; J. H. Chadwick, \$2016 91, widening Magazine street; James Leeds, \$6255 75, widening Pearl street; H. L. Hallett, trustee, \$26,506 51, widening Congress street; William Lowry, \$523, widening Dale street; Joseph Moore, \$218 41, widening Dale street; Charles A. Green, \$382 51, widening Dale street. Severally passed.

On motion of Alderman Power—

Ordered, That \$79 19, assessed upon William Gardner for a sewer in Saratoga street, is hereby abated.

Ordered, That \$171 05, assessed upon William H.

Brown for a sewer in Cottage street, be abated and the same amount assessed upon Margaret Carroll. Severally passed.

REPORT OF THE COMMITTEE ON BATHING.

Alderman Power presented the printed report (City Document No. 135) of the Joint Standing Committee on Free Bathing Establishments. The appropriation for the year amounted to \$40,000, and in May orders were passed authorizing the committee to make expenditures. On June 1, the several establishments were opened, under rules and regulations presented by the committee.

The following statements show the expense of maintaining each establishment during the year, and the number of bathers of each class: No. 1—West Boston Bridge, \$905 40; No. 2—Cragie's Bridge, \$1033 37; No. 3—Charles-River Bridge, \$1175 41; No. 4—Warren Bridge (female), \$804 36; No. 5—East Boston, Border street, \$1120 60; No. 6—East Boston, Border street (female), \$1120 59; No. 7—Federal-street Bridge, \$840 07; No. 8—Mt. Washington-avenue Bridge (rebuilt), \$4561 64; No. 9—South Boston, foot of Fifth street (female), \$902 71; No. 10—South Boston, foot of L street, \$1591 34; No. 11—Dover-street Bridge—\$950 07; No. 12—Dover-street Bridge (female), \$950 06; No. 13—Boston Highlands, Cabot street, \$1104 28; No. 14—Boston Highlands, Cabot street (female), \$1104 28; No. 15—Norfolk avenue, \$1395 56; No. 16—Dorchester, Commercial street, \$916 93; No. 17—East Boston, Maverick street, \$764 90. General expenses for the twelve months, \$16,057 86. Total, \$37,299 43.

The following statement shows the number of bathers at each place, etc.:

Total baths at bathhouse No. 1, 78,336; No. 2, 133,965; No. 3, 183,471; No. 4, 12,999; No. 5, 134,674; No. 6, 64,757; No. 7, 89,864; No. 8, 105,453; No. 9, 29,398; No. 10, 192,642; No. 11, 68,309; No. 12, 48,118; No. 13, 110,584; No. 14, 16,339; No. 15, 69,686; No. 16, 4,866; No. 17, 46,465. Total, 1,389,926.

	1873.	1872.
Whole number men bathers.....	324,139	348,778
“ boy bathers.....	894,176	999,742
“ women bathers.....	36,011	41,423
“ girl bathers.....	135,600	129,179

Decrease, 1873.....	1,389,926	1,519,122
		129,196

It should be understood that the expenditures given are for the year beginning January 1, and not for the financial year beginning May 1. The appropriation made for the present financial year was \$40,000, and the expenditure charged to that appropriation to December 3, amounts to \$31,630 36,—leaving a balance of \$8369 64 to meet the expenses for the remainder of the year. Respectfully submitted.

JAMES POWER,
THOMAS GAFFIELD,
NEHEMIAH GIBSON,
DAVID WHISTON,
GEORGE P. KINGSLEY,
JOHN B. MARTIN,
HALSEY J. BOARDMAN,
ALONZO WARREN,
Committee.

The report was accepted and sent down.

SUFFOLK-STREET DISTRICT.

On motion of Alderman Brown the report of Committee on the Condition and Cost of the Suffolk-street, Church-street, Northampton-street, and Swett-street improvements (City Doc. No. 136), was taken from the table, accepted and the following orders appended thereto passed:

Ordered, That the Auditor of Accounts be authorized to transfer from the Reserved Fund a sum not exceeding ten thousand dollars, to be added to the appropriation heretofore made for the improvement of the Suffolk-street District.

Ordered, That the Auditor of Accounts be authorized to transfer from the Reserved Fund a sum not exceeding seven hundred dollars, to be added to the appropriations heretofore made for the improvement of the Church-street District.

Alderman Stebbins explained that since this report was made several complimentary terms had been used in reference to the committee for having carried forward this vast work at less than the estimated expense. The impression seemed to have gone out that the credit was due to the committee of the present year, and he desired to correct that impression, and state that the credit belonged to the committee of last year, Aldermen Pope, Little and Squires and others who had this matter in charge.

On motion of Alderman Stebbins the Board adjourned to Thursday, Jan. 1, at one o'clock P. M.

CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JANUARY 1, 1874.

An adjourned meeting of the Board of Aldermen was held at one o'clock P. M. today, Alderman Cutter, Chairman, presiding.

PETITIONS REFERRED.

To the Committee on Health on the Part of the Board. John McCarty, to occupy a wooden stable for ten horses on Ward street (Ward 15).

J. H. Wigglesworth, to occupy a wooden stable for two horses on Fifth street, near O street.

To the Committee on Common, etc. Charles E. Fuller et al., that the ice on the Public Garden Pond be kept free from snow.

To the Committee on Paving. John V. McElroy, for leave to place a lamp in front of building 1102 Tremont street.

UNFINISHED BUSINESS.

Order to pay J. H. Jenkins \$300 for clerical services to the Committee on Streets, on the part of the Board.

Passed.

ARMORIES.

The Board took up the special assignment, being the order from the Committee on Armories authorizing the expenditure of \$1200 in repairing the armory of Company D, First Battalion of Cavalry, M. V. M., in Bacon's Building, 1839 Washington street. Specially assigned to the next meeting on motion of Alderman Hulbert.

SIDEWALK ASSESSMENTS.

Schedules of assessments for Old Harbor street, sidewalks, \$752 55; F street, edgestones, \$787 36; Prescott street, edgestones, \$447 64; Hampshire street, edgestones, \$1027 63; Dorchester street, edgestones and sidewalks, \$3140 46; East Eighth street, edgestones, \$730 86; White street, edgestones and sidewalks, \$846 80; Trenton street, edgestones, \$1584 02; Gates street, sidewalks, \$57 45; Thomas street, sidewalks, \$386 70; Telegraph street, sidewalks, \$253 35, were received from the Street Commissioner, and the orders for the collection of the same were passed.

The chairman presented a report from the Committee on Finance, to whom was referred the report of the Committee on Public Library covering a request from the trustees of the Public Library for an additional appropriation of \$11,600, recommending the passage of the accompanying order. The committee again take the occasion to urge upon those having charge of the appropriations the great need of confining the work to be undertaken to the means on hand for prosecuting the same, and not to expect to have deficiencies made up by additional appropriations to the liberal ones granted by the City Council for the whole year.

Ordered, The the Auditor of Accounts be, and he hereby is authorized to transfer from the reserved fund to the appropriation for the Public Library, the sum of \$11,650.

Alderman Clark—The censure in regard to exceeding appropriations is drawn very mildly, but there is a slight censure in the order, and in order that the Trustees of the Public Library may stand right before this Board I would state that the bulk of this additional appropriation is for conducting the branch libraries in Charlestown, West Roxbury and Brighton during the remainder of the financial year. About four thousand dollars are for part payment of price of the Barton Library, which was not contemplated at the time the appropriation was made. I make this statement in order that the Trustees may not be misunderstood.

Alderman Hulbert—I wish also to state, as a member of the committee, that the pains taken by the Trustees of that institution are deserving of all praise. The estimates are made with the greatest care; the most full explanations are given for all that is required, and if the expenditures of money in this institution continue to be as carefully made as they have been heretofore, the city will have no occasion for complaint from that source. The request is entirely warranted, and nine-tenths of it are for matters which they could not have contemplated at the beginning of the present year, while one or two items have been thrown upon the appropriation for Public Library that another department should have been required to pay.

The order was passed—yeas 12, nays 0.

Alderman Power, from the Joint Committee on Harbors, who were requested to make inquiries in

regard to the removal of gravel from Long Island made a report recommending that the subject be referred to the next City Council. Accepted.

Alderman Sayward from the Committee on Public Buildings reported, on the petition of Michael F. Lynch for new wardroom in Ward 16, that it is inexpedient to recommend a change at present, as the new division of the wards occurs in 1875. Accepted.

Alderman Sayward from the Committee on County Buildings reported inexpedient on petition of Giles H. Rich et al. for a new Court House for Southern District. Accepted.

Alderman Brown, from the Committee on Assessors' Department, reported the following order:

Ordered, That the Treasurer be directed to refund to Aaron D. Capen \$21 42 on account of taxes erroneously assessed upon him in 1870; also to refund to said Capen \$26 62 erroneously assessed upon him in 1871; said sums to be charged to the receipts for taxes for those years.

Passed.

Alderman Brown, from the same committee, reported leave to withdraw on petition of George H. Davis, for remission of taxes assessed in 1872. Accepted.

Alderman Emery, from the Committee on Public Lands on the part of the Board of Aldermen, to whom was referred the petition of Thomas W. Carter for leave to rebuild and enlarge his kiln on land opposite the City Hospital, on Albany street, reported that the petitioner have leave to withdraw. Accepted.

Alderman Gibson, from the Committee on Survey and Inspection of Buildings, submitted a report recommending the passage of an order authorizing the granting of a permit to Washington Snelling to erect two buildings on Eagle street. The order was passed.

Alderman Gibson, from the Joint Committee on Survey and Inspection of Buildings, to whom was referred the petition of Robert Treat Paine, Jr., for change in the building ordinance, having carefully considered the subject, reported that it appears that the petitioner obtained a permit to build sixteen wooden buildings in two blocks of eight buildings, each block to contain three eight-inch brick walls. After beginning the buildings he changed his plan and proceeded to construct the external walls of brick. The Inspector of Buildings objected to this method of building, on the ground that the buildings should be classed as brick buildings and should have a twelve-inch party wall between each building, as required by the statute. The petitioner claimed that they were wooden buildings, but were built better and safer than required by the ordinance. The Supreme Court, however, sustained the decision of the Inspector. The petitioner thereupon asks that the ordinance be amended so that no person shall be required to build a wall of wood which he is willing to build of brick. In the opinion of the committee the City Council have not the power to enact an ordinance to that effect. They are simply authorized to regulate the construction of wooden buildings. In doing this they have required the construction of brick walls at certain intervals in blocks of wooden buildings, in order to arrest the progress of fire, but a careful reading of the building ordinance will show that these walls are not considered as a part of the buildings which they separate, but are simply to be looked upon in the light of barriers against the extension of fire. If it were otherwise the City Council would have authority to permit a person to erect a building with four brick walls eight inches thick, which would be a violation of the statute which requires that they shall be twelve inches thick. The petitioner stated to the committee that he would have been willing to have constructed all the walls of his buildings of brick, provided that he could have built them eight inches thick, and if it were possible to amend the ordinance to this effect it would undoubtedly meet the views of those who wish to put up a cheap class of building, but the committee are decidedly opposed to any effort which tends to reduce the thickness of walls of dwelling houses, which they believe to be now fixed at the lowest minimum compatible with the public safety. In the opinion of your committee, buildings constructed as proposed by the petitioner would not be much if any safer in case of fire than wooden buildings, for although the exterior is better protected against the communication of fire from an adjoining building, the interior is no better protected, and is exposed to all the dangers which affect wooden buildings. The ordinance as it now stands does not require any one to build a wall of wood which he is willing to build of brick. It regulates the construction of wooden buildings only, and if a builder is desirous of building better than is required by the ordinance, and believes that it is better and safer to construct his walls of brick, your committee are of

the opinion that he will not allow four inches of brick work to deter him from conforming to the statute law. The committee is of the opinion that no action is necessary on the part of the City Council.

The report was accepted.

On motion of Alderman Clark—

Ordered, That there be allowed and paid to Edward F. Robinson the sum of one hundred and fifty dollars, in full compensation for services rendered to the Committee on Streets, of the Board of Aldermen during the present municipal year, said sum to be charged to the appropriation for laying out and widening streets.

ORDER OF NOTICE.

The order of notice on the petition of heirs of William Brigham for leave to locate and use a steam engine at 1043 Washington street, was considered.

Mr. Young appeared for the petitioners, and stated that the application was for a brick building for manufacturing purposes, with a 200-horse-power engine in the basement. The first intention was a riding school, but the Board having given them leave to withdraw on that, they have changed their plans to those covered in the present application.

Mr. Colcord appeared for the remonstrants. He claimed that every attempt made by the Brigham heirs for improvement had been an attempt to make a nuisance, and that this was an attempt to force the people of the neighborhood to take the riding school. The people generally objected to it. He charged that a circular had been sent to the people living in the vicinity stating that the 200-horse-power engine would be a greater nuisance than the riding school, and insinuating that the neighborhood ought not to object to it. Over a hundred remonstrances had been sent to the Committee on Health. He looked upon this application solely as a threat to the neighborhood. Mr. Colcord was questioned as to the details of the plan by Aldermen Hulbert, Power, Sayward, Clark and Quincy.

Mr. Lewis had lived in Medford court for twenty-one years, and there had been a continual nuisance; it is high time that something was done. The water leaks from the stable into his cellar; he had complained to the Board of Health, who sent a man up there, but nothing was done. It has been very bad since last June.

Mr. A. F. Neale, who lived in the vicinity, had been assured when he went there, that the stables were to be moved; but the old buildings had been moved and let for job wagons and stables, and had been a continual nuisance. His wife cannot walk or ride, and he cannot move, and there he must stay, with the noise and stench; he did not know whether the proposed factory would decrease the nuisance.

Mr. Young wished to correct some of the misstatements of the other gentlemen. The lot is larger than they suppose. The plan was originally drawn so that the building might easily be converted into one for light manufacturing purposes, and this they intend to do. The location cannot be used for dwellings, as people would have no escape in case of fire, no frontage on any street, and no chance for light or air. The heirs claim the right of way over Brigg's Place, though there is a controversy about that. The building is to be four stories high, and built approved by the Inspector of Buildings. The neighbors have put every obstacle in the way of improvement.

Mr. Colcord added a few additional words of remonstrance, and the Board voted to recommit the petition to the Committee on Steam Engines.

REPORTS AND ORDERS.

On motion of Alderman Clark—

Ordered, That the Auditor of Accounts be and he hereby is authorized to transfer from the appropriation for incidental expenses to that for contingent expenses of the Board of Aldermen, the sum of five hundred dollars.

Passed—yeas 12, nays 0.

Alderman Gibson presented the semi-annual report (City Doc. No. 137) of the Committee on Inspection of Prisons and Houses of Detention. The report gives a classified statement of the inmates at each institution. In conclusion, referring to the Suffolk-County Jail, the committee say—

"There will soon be a necessity for additional accommodation to receive and keep prisoners; and the sheriff suggests that the most practical and economical method of furnishing them will be either by building an additional tier of cells in the upper part of each wing, thus providing forty-two more new rooms, or by the alteration of the west wing and its use by prisoners."

In this connection the committee would call the attention of Government to the importance of providing accommodations for the female prisoners, sepa-

rate and apart from those furnished to the male prisoners. Under the present arrangements the portion of the building occupied by the females is subject to observation from those passing along the corridors. The committee would recommend that the north wing be partitioned off for exclusive use by the female prisoners, and that they be waited upon by persons of their own sex. The present system of male oversight and attendance is degrading to the females, and should not be longer continued."

The report was accepted.

Alderman Clark, from the Committee on Streets, reported leave to withdraw on petition of Sawyer, Jameson & Cook, for abatement of assessment for betterment. Accepted.

Alderman Clark, from the Committee on Streets, reported orders to pay for street damages as follows: Josiah Bardwell, \$39,626, widening Otis street; James Lawrence, \$34,450, extension of Pearl street; James M. Beebe, \$15,000, extension of Washington street; James Lawrence, \$115,000, widening Milk street; Samuel and William Atherton, \$5790 50, widening Pearl street; William Dehon, trustee, \$44,462 25, widening Broad street; Joseph Kyle, \$152 70, widening Magazine street; Caleb Stetson, \$31,077 75, widening Pearl street; Ellen Stearns, \$56,700, extension of Pearl street to Congress street; Jacob S. Sleeper, \$69,000, widening Milk street; heirs of Samuel Whitwell, \$47,000, extension of Washington street. Severally passed.

On motion of Alderman Quincy—

Ordered, That the Committee on Armories be authorized to expend an additional sum, not exceeding \$383 10, in repairing and furnishing the armory of Company I, Ninth Regiment of Infantry, M. V. M., at 544 Washington street; said sum to be charged to the appropriation for Armories.

Passed—yeas 11, nays 0.

On motion of Alderman Quincy—

Ordered, That the Judge and Register of Probate for the County of Suffolk be authorized to employ such clerical or other assistance at such rates of compensation as they may deem expedient, subject to the approval of the Committee on County Accounts of the Board of Aldermen, for the time being, for the preparation of a classified index to the Probate Records between the years 1638 to 1870 inclusive. The names of the persons employed as aforesaid shall be borne upon a special monthly pay-roll, which when certified to by the Judge and Register of Probate aforesaid, and approved by the Committee on County Accounts for the time being, shall be transmitted to the Auditor of Accounts for payment. The authority conferred by this order upon the Judge and Register aforesaid may be revoked and annulled at any time by the Board of Aldermen, on the recommendation of the Committee on County Accounts for the time being, upon giving said Judge and Register thirty days notice to that effect. The expenses incurred under this order to be charged to the appropriation for County Accounts.

Ordered, That the order passed by this Board, and approved Dec. 30, 1873, authorizing the Committee on County Accounts to contract for the preparation of a classified index to the Probate Records, be and the same is hereby rescinded.

The orders were passed.

Alderman Sayward, from the Committee on Licenses, reported in favor of application of Stephen A. O'Rourke for the transfer of license. Accepted.

On motion of Alderman Sayward—

Ordered, That auctioneers' licenses be granted to George V. Quigley, 1700 Washington street; Nathan M. Hatch, 877 Washington street, and to Luther G. Lambert, 437 Broadway.

Ordered, That billiard licenses be granted to the Rialto Billiard Co., 109 Court street, and to E. J. Sullivan, 221 Eighth street, on the usual conditions.

Severally passed.

On motion of Alderman Quincy, the Board reconsidered the vote previously passed specially assigning the order for the appropriation of \$200 for Company D, First Battalion Cavalry, to the next meeting.

Alderman Hulbert—There are some circumstances to which my attention have been called, and I supposed the chairman of the committee would make some explanation in regard to the order.

Alderman Quincy—It has been said that an advertisement has been published stating that this armory can be used for a ball room, but this was done by the permission of the Adjutant-General. While I deprecate such a state of things, I don't see how we can make any objection when the city does not allow them sufficient to pay the rent of the armory. The committee had found that the armory could not be obtained unless such permission was given.

Alderman Hulbert read the clause of the Militia act forbidding such use of armory except by permis-

sion of the Adjutant-General, and said, This very room is already advertised for various purposes. This armory is in the Highlands, and the captain of the company is one of the most respectable citizens, and I think he certainly would do nothing improper. But as I am aware of these facts, I don't propose to sanction the doing of what is improper. If they come here for an appropriation and we know that they advertise this hall for various purposes, contrary to law, I can't see my way clear to vote in favor of the order.

Alderman Quincy—Our duty is simply to grant them a proper place for an armory. How they use

that armory is a matter between them and the authorities at the State House. The only question was whether we were voting to pay for a ballroom or an armory. I don't see how the City Government can impose any such conditions upon the fitting up of the armory.

Alderman Hulbert—I move that the order lie upon the table till the next meeting of the Board. I simply want to act advisedly.

The motion was carried.

On motion of Alderman Gibson, the Board adjourned till Saturday, 3d inst., at 12 M.

CITY OF BOSTON.

Proceedings of the Common Council,

JANUARY 1, 1874.

The regular weekly meeting of the Common Council was held at three o'clock P. M., E. O. Shepard, President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Petitions were referred.

Reference to Committee on Streets of a communication, resolve and order from the Street Commissioners for laying out Eastern avenue, in continuation of Congress street from Broad street to Harbor Commissioners' line, at an adjudged expense of \$99,780. The Council concurred.

Report of the Committee on Bathing. (City Doc. No. 135.) Accepted.

Report and order authorizing a permit to A. D. Williams to erect a wooden building on Farnham street. Passed.

Report and order to allow and pay \$1000 per annum for rent of armory of Company A, Ninth Regiment, at corner of Causeway and Lowell streets. Passed—yeas 46, nays 0.

Report and order authorizing not exceeding \$250 to be expended in repairing and furnishing headquarters of First Battalion of Light Artillery, 37 Tremont street. Passed—yeas 46, nays 0.

Report and orders authorizing transfers from the Reserved Fund of not exceeding \$10,000, to be added to appropriation for Suffolk-street District; and not exceeding \$700, to be added to appropriation for Church-street District. (City Doc. No. 136.) Passed—Yeas 46, nays 0.

Order to pay J. H. Jenkins \$300 for clerical services to Committee on Streets on the part of the Aldermen. Passed under a suspension of the rules, on motion of Mr. Pease of Ward 1.

Report referring to the next City Council the subject of removing gravel from Boston Harbor. Accepted.

Report, leave to withdraw, on petition of George H. Davis for remission of taxes. Accepted.

Report, inexpedient, on petition of Michael F. Lynch, for new ward room etc., for Ward 16. Accepted.

Report, inexpedient, on petition of Robert Treat Paine, Jr., for change in the building ordinance. Accepted.

Report and order authorizing Washington Suelling to erect two wooden buildings on Eagle street. Order passed.

Order to pay Edward F. Robinson \$150 for services rendered to Committees on Streets. Passed, under a suspension of the rules, on motion of Mr. Burditt of Ward 16.

Report and order to remit taxes assessed erroneously upon Aaron D. Capen in 1870 and 1871. Passed, under a suspension of the rules, on motion of Mr. Burditt of Ward 16.

Order to transfer \$500 from the appropriation for Incidentals to the account for Contingent Expenses of the Board of Aldermen. Passed, under a suspension of the rules, on motion of Mr. Flynn of Ward 7—yeas 52, nays 0.

Order appropriating \$383 additional for repairing and furnishing armory of Company I, Ninth Regiment of Infantry. Passed, under a suspension of the rules, on motion of Mr. Whiston of Ward 8—yeas 49, nays 0.

Report and order instructing the Committee on Legislative Affairs to favor the petition of citizens of Winthrop for annexation to Boston.

Mr. Shaw of Ward 5—I should be glad to have the voice of the Council on this matter. This is an order instructing the Committee on Legislative Matters to favor a petition of certain citizens of the town of Winthrop for the annexation of that town to Boston. Will any gentleman tell me how this Council can instruct a committee to do a certain act which they have no power to do after tomorrow. It seems to me to be entirely out of place. I am in favor of the annexation of Winthrop to Boston, but I am not in favor of instructing the present committee to go before the Legislature and advocate that measure, because that committee is powerless to do so. That is the principle upon which I stand, and I believe it to be right. When the new Council come in, if they see fit to instruct the committee appointed by the President, that will be proper; but for us today to instruct a committee which shall die tomorrow, seems incompetent, improper, and entirely out of place. Therefore I am opposed to this order.

Mr. Dean of Ward 12—The Committee on Legislative Affairs have certainly never taken the view of this order that the gentleman from Ward 5 undertakes to ascribe to it. There are many hundreds of things constantly going on in the city, which go from one City Council to another, and as the committees are chosen they succeed to the duties of their predecessors. If a public building is in process of erection when this Council dies, the next committee proceeds to finish the building. This order does not refer to the present Committee on Legislative Affairs, for if they went before the Legislature they would be met by the answer, "You are not a member of the committee." This order is proposed with reference to the fact that the Committee on Legislative Affairs has become a standing committee of the City Government, and if such a project is to be favored it would be proper enough to provide that the regular body of men having such matters in charge should take charge of it, viz., the Committee on Legislative Affairs for the time being. If a building were ordered erected under the direction of the Committee on Public Buildings, no one would pretend that when this present City Government went out of existence, the present committee would hold over. Still, I should be content that any amendment should be made to avoid technical difficulties. We might instruct the Mayor to do it, but there is a new Mayor coming in, and even if the Mayor comes in again he does it by a new election and not by virtue of any office that he now holds. Therefore there can be no objection to the passage of an order of this kind.

Mr. Shaw of Ward 5—Notwithstanding all that, there is a principle in this thing. We can't instruct a committee of next year. That is the point I take in my exceptions. I am in favor of the annexation of Winthrop, but I want it done upon proper principles. This committee proclaimed, in the first place, that Chelsea, Winthrop and Revere should be separated from Suffolk County and added to the county of Middlesex, and that met with a rebuke from this body, as it ought to have, for it now lies upon the table. Now, they go to work in the face and eyes of this proposition and say, a meeting having been held in Winthrop in favor of annexation to Boston, they will take the back track and go for annexation. If it is a good measure it will keep. Why instruct my excellent friends from Wards 12, 9 and 6 to go before the Legislature and do what they have no right to do unless by authority from the incoming City Government. What I ask is that Brighton, Charlestown and West Roxbury shall have a voice in this matter.

Mr. Dean of Ward 12—I take it that if the order of the gentleman from Ward 5, to furnish soup to the poor at the police stations in January and February had passed, he would not have contended that the present Committee on Police would have any charge of it during those months. It is very clear that the present committee can't take this matter in charge, because if they do they will be told that they are not members of the Committee on Legislative Affairs. He says you can't instruct a committee of next year, but it seems to me we are devolving just such duties upon every committee of the Government. But in order to meet the objections, I am willing to authorize the Mayor to carry out the order, and I will move to strike out the words "the Committee on Legislative Affairs" and insert "His Honor the Mayor."

Mr. Shaw of Ward 5—I am willing to accept a proposition that shall go out as an expression of the Council in favor of the annexation of Winthrop, but I am opposed to instructing any committee of the next City Government. My order for soup was introduced early in December; it made no reference to time; the people were suffering then and are suffering today for want of the soup; it made the Committee on Police a joint special committee, but I was not green enough to suppose that the present Council could instruct a committee of the next City Government. Did you ever hear of the present Legislature instructing the next one? You can't find such a proposition upon the records of time.

Mr. Flynn of Ward 7—I hope the amendment will not prevail, and the order as it came from the committee will pass.

Mr. Perkins of Ward 6—I heartily agree with the gentleman from Ward 7. Since the soup thrown to Cerberus by the gentleman from Ward 12 has not been accepted by that vigilant animal, I hope the amendment will be withdrawn. There is no difference between instructing the committee and instructing the Mayor.

Mr. Dean of Ward 12—I will withdraw the amendment; I offered it only to stop discussion.

The order was passed.

Report and order of Finance Committee authorizing an additional appropriation of \$11,650 for the Public Library—to be transferred from the Reserved Fund.

Mr. West of Ward 16—The Committee on Finance thought that any committee having their expenses so completely under control as the Committee on Public Library have, ought not to make a request for additional appropriation. If unexpected expenses do come up they ought to get rid of some others. The point is for each committee to keep within its appropriation.

Mr. Burditt of Ward 16—As one of the Trustees of the Public Library, I desire to express my thanks to the Committee on Finance for recommending the passage of this order, but I protest that every dollar expended was for things that could not be avoided.

Mr. West of Ward 16—The natural reply is that when a committee finds it necessary to expend an amount not anticipated at the time of the appropriation, it should be mentioned to the City Council.

Mr. Burditt of Ward 16—The greater part of that expense has been caused by the annexation of new territory, and the remainder was for the Boston library, which members of the City Government know of; we should have been obliged to let that library remain unused or expend the money to put it in proper shape.

The order was passed under a suspension of the rules, on motion of Mr. Perkins of Ward 6—yeas 58, nays 0.

UNFINISHED BUSINESS.

Report and order for temporary accommodations to be provided for primary scholars in the Gibson School District. Passed.

Report and order authorizing changes to be made in the Girls' High School Building, to enable the pupils to study photography.

Mr. Denny inquired what would be the probable expense to be incurred.

Mr. Shaw of Ward 5 replied that it would be very trifling, probably not more than three hundred dollars.

The order was passed.

RELIGIOUS INSTRUCTION AT THE PUBLIC INSTITUTIONS.

Mr. Bicknell of Ward 4 presented the following—

OFFICE OF THE BOARD OF DIRECTORS }
FOR PUBLIC INSTITUTIONS, }
BOSTON, Dec. 30, 1873. }

To the Honorable the City Council of Boston: Gentlemen—The Board of Directors for Public Institutions, in compliance with the order of the City Council requesting the board to furnish their reasons to the City Council, on or before the next meeting of the Common Council on the 1st of January next, for not permitting the inmates of those institutions to receive, under suitable regulations, religious instruction from teachers in whom they profess to have faith, respectfully report that the subject of religious instruction has been at various times considered by the board, but more especially since the 21st day of February last, when, upon the petition of the bishop of Boston and several Catholic clergymen and citizens urging the appointment of a Catholic clergyman for the several institutions, the board gave a hearing upon the subject to the petitioners, when the reasons why, in their opinion, such a clergyman should be appointed were fully presented and carefully considered. Immediately after the hearing the following order was submitted:

“Ordered, That from and after the 4th of March, 1873, this Board of Directors grant the privilege of a Catholic clergymen to all the inmates of that faith in the institutions under their charge and control, and that no inmate in any such institution professing the Catholic faith shall be compelled to assist at or take part in any other form of religious worship.”

This order was discussed and laid on the table, in order that some members of the board might have an opportunity to consider the subject in its full bearing upon the discipline and welfare of the institutions.

While the subject was upon the table the board, early in the month of June, in the course of its regular business, made the annual choice of the chaplains of the institutions, when the present incumbents who had for several years occupied these positions, meriting and receiving the confidence of the board, were reelected by a unanimous vote, one member of the board, a prominent member of the Catholic Church, who submitted the order before mentioned, voting for these gentlemen as “chaplains for non-Catholics.” Afterward, in July, the order was taken from the table and again considered, when upon motion of one of the strongest advocates of the measure the subject was referred for consideration to the president of the board and Director Donahoe, with instructions to report to the board early in September.

At the time assigned for the report, the President stated that the committee had been unable to agree upon a report, and for himself reported verbally that

he had consulted with the bishop of the diocese and had a long interview with him, and that he had discovered no reason for changing his convictions, formerly expressed, which were adverse to the appointment of such a clergyman. Director Donahoe submitted an order looking to the immediate establishment of a Catholic service, which order was discussed and laid upon the table. Here the subject rested until the 10th instant, when, at a special meeting of the board called to consider a communication from the City Council requesting an opinion as to the propriety of changing the rules of the board, the subject was again considered. Pending a vote upon the direct question contained in the order of Director Donahoe, the following vote was submitted as a substitute for the order:

“Voted, That in the opinion of this board the inmates of the institutions under the control of the city should be permitted, under such regulations as will not interfere with their proper discipline, to receive religious instruction from teachers in whom they profess to have faith, and that they should not be compelled to listen to religious services which are not in accordance with the dictates of their own conscience.”

This vote, so entirely different from the order then under consideration and opening such a wide field for discussion and investigation, was at that time but briefly considered and then laid upon the table.

The records of the board have been thus briefly reviewed in order that the City Council may be assured that, thus far, no definite action has been taken upon the subject.

Although the subject has for the past ten months been prominently in mind, whenever a definite vote upon it was imminent it has assumed a new phase, calling for more careful and extended inquiry.

To the first communication of the City Council, in relation to the propriety of changing the rules of the institutions, the Directors, conscious that the power of providing for such a service as was contemplated by the petitioners was vested in the board, replied that no such change was necessary. The second inquiry, in relation to the reasons for not permitting the inmates of the institutions to receive religious instruction from teachers in whom they profess to have faith, can be answered by the statement that the Directors have, as yet, taken no definite and final action upon the prayer of the petitioners, but still have the subject under careful consideration.

Respectfully,

J. P. BRADLEE, President.

Mr. Flynn of Ward 7—That is about the kind of a report I expected. As it appears to be a mere transcript of the record of their doings for the last year, I move it be printed and sent up.

The motion was carried.

EASTERN AVENUE.

Mr. Flynn of Ward 7 submitted a report from the Joint Committee on Streets, to whom were referred the resolve and order from the Street Commissioners for laying out Eastern avenue to Harbor Commissioners' line, at an adjudged expense of \$99,780. The committee recommend concurrence in the passage of the order, and submit the following order to cover the expense of carrying out the same:

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of two hundred thousand dollars, to pay the awards for damages on account of laying out Eastern avenue from Broad street, to the Harbor Commissioners' line, and also to begin the construction of the bridge over Fort Point Channel in extension of said avenue, the plans of said bridge to be approved by the Joint Standing Committee on Streets.

Mr. Denny of Ward 9 thought it was too important a matter to be passed upon without further consideration, but after a full explanation by Mr. Perkins of Ward 6 Mr. Denny stated that he had been mistaken in the measure, not having understood it by the reading.

The report was accepted, the resolve and order were passed in concurrence, and the order introduced by the committee passed—yeas 58, nays 0.

On motion of Mr. Pease of Ward 1, the order authorizing the Water Board to take and convey into the city the water of Sudbury River, and to hold by purchase, or otherwise, any water rights and lands connected therewith necessary for the purpose, on the conditions set forth in said order, was taken from the table and referred to the next City Council.

On motion of Mr. Pease of Ward 1—

Ordered, That the Committee on Public Buildings be authorized to provide such additional new carpeting as may be necessary for the Common Council Chamber occasioned by the change of desks; the

expense to be charged to the appropriation for Public Buildings.

Passed.

On motion of Mr. Flynn of Ward 7, the order requesting the Mayor to petition Legislature to change the mode of preparing voting lists, from the Board of Aldermen to competent registrars, was taken from the table.

Mr. Flynn—I understand from the City Clerk that he will be unable, after the large extent of territory annexed, to discharge that duty, and I think the order should pass.

The order was passed.

On motion of Mr. Caton of Ward 11—

Ordered, That the City Messenger cause to be bound enough of the city documents as will furnish each member of the Council with a complete set, and that he be paid for indexing the same the sum of one hundred and fifty dollars.

The order was passed.

On motion of Mr. Perkins of Ward 6, the order for the Committee on Ordinances to consider the expediency of placing the bathing houses in charge of the Board of Health, was taken from the table and indefinitely postponed.

On motion of Mr. Prescott, the motion to reconsider the vote whereby the order for plans and estimates for a Home for the Poor, to be erected on the Austin farm, and for a transfer of a sum sufficient to pay therefor, was lost, was taken from the table.

The vote was reconsidered and the order was passed—yeas 56, nays 0.

On motion of Mr. Blackmar of Ward 11—

Ordered, That there be allowed to the Clerk of the Common Council the sum of \$500 for extra services in preparing for publication the journal of proceedings of the Common Council. Passed.

On motion of Mr. Flynn of Ward 7, the petition of Alpheus Hardy and others, that the subject of a public park be deferred, was taken from the table and placed on file.

On motion of Mr. Flynn of Ward 7 the order that all sums in excess of \$5000 collected by the City Treasurer on certain policies of insurance on William Smith & Co.'s interest, as contractors of the Smallpox Hospital on Swett street, destroyed by fire, be paid to William Smith & McGaragle, contractors aforesaid, was taken from the table and indefinitely postponed.

On motion of Mr. Perkins of Ward 6, the motion to reconsider vote whereby were denied a second reading the orders authorizing the Water Board to contract to supply the town of Brookline with water for ten years, for domestic purposes and the extinguishment of fires, was taken from the table.

Mr. Perkins—As Brookline has voted to take water from Charles River, I hope the motion to reconsider will not prevail.

The motion to reconsider was lost.

Mr. Shaw of Ward 5 asked how the subject was left.

The President—It appears that the order was denied a second reading, and the order was lost. A motion was made to reconsider; that motion was laid upon the table, and now having been lost, the whole is lost.

On motion of Mr. Perkins of Ward 6, the report and order for Mayor to petition Legislature for an act to set off Chelsea, Revere and Winthrop from Suffolk, and annex them to Middlesex County (City Doc. No. 127), was taken from the table.

Mr. Perkins—As the Council has already acted on the matter of annexing Winthrop, it seems to me we had better drop Winthrop from this order, whatever may be done with the rest of it. I move to amend by striking out the words "and Winthrop"

The amendment was carried.

Mr. Shaw of Ward 5—This has got into the shape that I supposed it would. It is perfectly well known that Chelsea and Revere have petitioned to be annexed to Boston. I believe a majority of the people are opposed to being set off to Middlesex County, and that a very large proportion of the residents of Chelsea favor annexation to Boston. Why ask to send them out of the county of Suffolk when within the next two or three months the question will be decided whether they will come within our territory.

Mr. Perkins of Ward 6—I brought up the subject merely to clear the table. I move it be referred to the next City Government.

The motion was carried.

On motion of Mr. Flynn of Ward 7—

Ordered, That all matters of an unfinished nature in the hands of the several joint committees be referred to the next City Council.

Passed.

THANKS TO THE PRESIDENT.

On motion of Mr. Dean of Ward 12—

Resolved, That the thanks of this Council be ten-

dered to our president, Edward O. Shepard, for the uniform courtesy, impartiality and ability which have characterized his administration of the duties of his important office for the year now drawing to a close.

Mr. Pickering of Ward 6 in the chair.

Mr. Dean of Ward 12—Although this resolution is one that is generally offered when bodies of this kind are about to terminate their labors, I am sure the members of this Council will agree with me that it is especially due at this time. I do not desire to call the attention of the Council to the earnest endeavor on the part of our presiding officer, in his selection of committees, to make choice of those who are specially qualified for the duties they have to discharge; nor to the fact that, taking our experience throughout, we have found that in the discharge of so important a duty, he has conducted himself with that impartiality and fairness which has merited the commendation of all the members. But there is another respect in which the Council has been particularly fortunate during the past year. The legal education and training of our President has enabled him to decide very many difficult questions, and although some of us at the time have been inclined to differ with his decisions, yet I think we can all say that careful reflection afterwards has satisfied us that—and I now remember no instance to the contrary—we have found that those decisions have been correct and just. There is another respect in which we have been equally fortunate, and that is in that grace and dignity which has enabled the President, not only in the preservation of his own dignity but in preserving that of the Council, to so discharge his duties that many matters which have been difficult when debate has grown warm—and I take it that during the past year we have had an unusual number of important matters which have given rise to warm and earnest debate on the one side and the other, which is always proper and just—I say we have been fortunate in having had a President who, while, on the one hand, he would construe or administer the rules so as to preserve complete freedom of debate, he at the same time has so administered them as to prevent debate running into excess, or to cause personal differences. Of course there are to be personal differences. The line of demarcation is, many times, very difficult to see, and to preserve that uniform courtesy between the various members, and between the Chair and the members is very difficult, though I think we can all look back upon the past year and say that the most difficult of the duties of a presiding officer have been most admirably conducted by our President. Therefore, Mr. President, I have taken great pleasure in being permitted to present this resolution for the action of the Council.

Mr. Denny of Ward 9—As the gentleman from Ward 12 has stated, complimentary resolutions of this character are very frequently mere matters of form, but I take great pleasure in seconding this resolution. I believe it is especially due to our presiding officer. I should take this body to be a decidedly difficult one to preside over in an impartial manner. Generally a large portion of the members come together without a very large experience in deliberative assemblages; consequently, the rules and regulations may seem at times to hear rather hard upon them. After an experience of three years, I must say for myself that I have never known a presiding officer to discharge the duties of the office with more dignity, more impartiality, and, it seems to me, with more general satisfaction than has our President during the past year. Many of us were strangers to him, yet we have been compelled to acknowledge that he has decided questions against his own personal preferences; indeed, I have myself known several instances when I felt quite sure his personal inclinations have been one way and his decisions another, and I cannot call to mind a time when any one has appealed from his decision. Therefore, Mr. President, I heartily second the resolution of the gentleman from Ward 12.

Mr. Blackmar of Ward 11—I do not like to let this occasion pass without saying a word in seconding the resolution, representing, as I do, that portion of the Common Council about to retire from the City Government. Most of those who have served a term of years here, and are about to leave, are, I doubt not, willing and anxious and pleased, that I should make a statement in their behalf of the manner in which our President has treated us and received our communications, and of the ability he has shown in making up his committees. Coming, as we do, from the various walks of life, he from that material had to make up his committees, and I feel that from mere acquaintance, as most of us met last year, many of us will part with that relation better described by the word friendship. It has not been an idle year, beginning as we did by throwing open the Public Li-

brary on Sunday, following that up by the establishment of a Board of Health, which sent the small-pox scourge away from the city; and following on in that manner, we have organized a Fire Commission and given them power, if not to prevent fires, certainly to take full measures to prevent such terrible disasters in the future. We have been very active during the past year, and in all the various questions that have come before us no party lines have been drawn. It has been almost impossible to tell who was a Democrat and who a Republican this year. I can hardly call to mind a year when party lines have been drawn so little. But I merely rose to second the resolution of thanks, given as they are to an old associate and friend, for I have been with him on other fields, and this occasion is peculiarly pleasant to his old army friends. We vouched for him in the beginning, and we are proud of his record.

Mr. Perkins of Ward 6—Everything has been said that could be said, and if I were to say anything the evidence would be merely cumulative to the worth of the presiding officer. But there is one thing: I believe that on no occasion of a meeting of the Council has the President been absent, and in this he has distinguished himself. Looking back on the three years I have served here, and this being my last, I think I can say that in impartiality and ability as a President, he who now retires from the chair has never been surpassed. I don't think this is entirely an unruly body. It has been a talkative, a disputatious year; as the gentleman says, our labors have been severe, and of course that has increased the labors of the President. I cannot sit down without saying how much I have enjoyed the association, not only with the President, but with the members of the Council. The acquaintances and friendships we make in the Council are worth keeping. As one I shall always remember my associations with the members of the Common Council of 1873.

Mr. Flynn of Ward 7—I perhaps have been here more years, with one exception, than any member present, and I can say that it has been a gratification to me to see the President, whom we elected at the first of the year, presiding over all the meetings, and I can add that it has never been my good fortune to see so faithful a presiding officer of the Common Council.

Mr. Shaw of Ward 5—I want to say a single word. I have been a member of this body at different periods, and have had some experience in other bodies. I don't rise to speak words of flattery or adulation for any gentleman here, but to utter words of truth and soberness. I have had occasion, as much as any one, to criticize the rulings of the President, but I can say that, without a single exception, those decisions have been in accord with my judgment of right. As a fair, impartial and judicious President, I can offer my meed of praise in his favor. I can say, that nowever heated may have been the debate, and however much it may have been out of order, I have never had occasion to complain of any rulings which the Chair has made. I rose merely to add my feeble testimony in favor of the adoption of the resolution offered by the gentleman from Ward 12. I believe it entirely merited, and that the gentleman who has occupied the chair during the past year is entitled to all that may be said here in his favor. I have never to my knowledge criticised any rulings or statements he has made from the chair and I therefore thought it becoming to me as the senior member of the Council to rise and make that statement.

Mr. Brackett of Ward 10—As has been said by others, I don't suppose it is necessary to have any words from me in support of this resolution. I have rarely spoken during the last year except upon subjects on which there was division, and I have advocated the side in which I believed. But upon this question there is no division; and it is n't easy to advocate such a resolution. It was my privilege and pleasure, a year ago, to give my support to the gentleman who has occupied the chair during the present term, and I certainly have had no occasion to regret it. During the year an appeal from the decision of the Chair has been very rare, and in no case has that appeal been sustained. Mr. President, I move that when the question be taken it be by a rising vote.

The motion was carried and the resolution was unanimously adopted by a rising vote.

THE PRESIDENT'S RESPONSE.

The President resumed the chair and spoke as follows:

Gentlemen of the Common Council—I thank you more heartily than I can express by any form of words, for your resolution, and for the very generous sentiments uttered by those who have spoken to it. I accept it all with as much pride and pleasure as I should if like closing ceremonies had never before been enacted. Custom cannot rob them of

their meaning, nor formality shadow their heartiness. They are in exact keeping with the unvarying kindness and courtesy which you have extended to me during the entire year. My thanks, therefore, must cover not only what you have been pleased to say of me today, but also your whole conduct towards me while I have been your presiding officer.

A large share of whatever success may have attended my efforts to discharge the delicate and responsible duties of my office with exact fairness to each of you and fidelity to the trust it devolved upon me is due to your ready support of me under all circumstances, to the respect and courtesy with which all my rulings and suggestions have been accepted, to your careful observance of the rules which you adopted for your own government, to your dignity and decorum in debate, and your commendable devotion to the public business committed to your hands.

I take pleasure in availing myself of this opportunity to acknowledge my own as well as your indebtedness to Mr. Gregg, the experienced clerk of the Common Council, whose civility graces the discharge of all his duties, and whose efficiency has contributed in no small degree to regulate and facilitate our proceedings.

Now that the labors of your municipal year are finished, it is fitting that I should pass in review before you some of your more important works. If time permitted I would present the whole array of them, well knowing that, with hardly an exception, all could be looked upon with proud satisfaction.

The great work of the improvements of the streets and grade in the portion of the city laid waste by the November fire, called the "burnt district" was one of the most important as well as one of the earliest subjects you were called upon to meet and decide. I will not occupy the time even by enumerating the numerous resolves and orders that you were called to pass upon. It is sufficient to say that they embraced the widening and extension of nearly all the streets in that territory. A large part of the work necessarily devolved upon the Committee on Streets, rendering their labors extraordinary. How well this work has been done, and how few mistakes have been made in it can be seen from an inspection of the territory itself, now largely rebuilt upon the new lines and grade. The Street Commissioners and this City Council may proudly abide the public judgment upon the wisdom displayed by them in the rearrangement of the "burnt district." The friends and opponents of the stoutly contested widening of Water and Congress streets for the accommodation of the new Post Office will doubtless watch the future development of that locality with peculiar interest, to learn whose judgment on the question was really the wiser one.

The favorable opportunity for widening Washington and Essex streets within the limits of the second burnt district, created by the disastrous fire of May 30th, you did not suffer to go by unimproved.

In view of the extraordinary expense incurred by these street improvements in the fire districts, amounting to about \$4,500,000, you have wisely postponed all other considerable projects.

The vital importance of placing the Fire Department in the best possible condition pressed itself upon your attention from the earliest moment. Your excellent and able committee were liberal in their recommendations for supplying the acknowledged deficiencies, and they were responded to by you with promptness and equal liberality. Four new steam fire engines and two self-acting fire engines and other apparatus have been purchased or contracted for, and you have authorized the purchase of horse hose carriages for all the engines. Six permanent and three temporary engine and hook and ladder houses have been built or contracted for.

The large fire of the 30th of May, following so closely upon the great November fire, and laying in ashes another wide section of the heart of our city, struck the whole community with terror, and created an increased feeling of insecurity against the devastating power of the fire-fiend which naturally, whether justly or not, resulted in a general feeling of want of confidence in the management and system of the Fire Department. Eight thousand of our strongest and wealthiest citizens came here with their petitions, praying for ampler means of protection to their dwellings and warehouses, and for a sweeping change in the existing system of conducting that department. An able special committee of both branches, after a laborious and exhaustive investigation of the methods and workings of our own department and those of other cities, reported in favor of giving the responsibility and control into the hands of a board of commissioners. The subject received from you the most thorough consideration, and the ordinance reported by the committee, though once rejected, was finally enacted. The three commissioners, who were at once appoint-

ed by his Honor Mayor Pierce, received your approval. It remains for future developments to disclose how far the high expectations of the friends of the new system will be realized. The reestablishment of confidence and a sense of security in the public mind was worth its adoption.

The appropriation of \$500,000 for the purpose of carrying out the plan of taking a supply of pure water from Sudbury River, together with your recent action since the annexation of Charlestown, causing scientific investigation to be made into the supply that could be obtained from the Mystic sources; the appropriation of \$160,000 for the purchase of land and construction of a reservoir upon Parker Hill; the additional appropriation of \$170,000 and the independent appropriation of \$200,000, to meet the liberal expenditures of the Water Board in providing Lowry hydrants, and in extending the water pipes and laying larger mains throughout the city; the purchase of a new ferry boat, and construction of new wings to the ferry houses, together involving an expenditure of \$70,000; the report of the Joint Special Committee of the Suffolk-street District, by which it appears that the work in that territory has been done for \$744,046 less than the estimated cost of the improvements,—are all among your more important acts during the year, and are deserving of a more extended mention than you will care now to stay to hear.

The recommendation for the appointment of a commission to revise the laws and charter of the city, communicated in the inaugural message of the Mayor, received your early attention. The great importance of the subject deserved and received the fullest discussion both in the Committee on Ordinances to which it was sent and in this body, thereby occasioning delay of your final action until the latter part of the year. Your deliberations finally resulted in the passage of an order giving to the Mayor authority to appoint such a commission. The filling of the commission with five distinguished citizens was among the last official acts of his Honor Mayor Pierce. The far more arduous and difficult labor of considering and deciding upon the report that will be submitted by the commissioners will fall to the lot of the next City Council.

I will venture to suggest, without meaning to anticipate any of the reforms that may be effected by the revision of the laws and charter, that harmony between the two coordinate branches of the City Council will be greatly promoted, and good government will be better secured, when each body shall have an equal voice in determining in what manner the public money shall be expended in all departments that are under the direction of the City Council. The subjects of paving, police, sewers, bridges, lamps, and others, all of great magnitude, with which this body has nothing to do after it has concurred in the passage of the annual bill of appropriations, would receive by the change suggested all the advantages that are supposed to be derived from a separate consideration in two independent legislative bodies, each of which is a check upon the action of the other. The wisdom of this system of concurrent legislation has been shown in several instances during the past year, which I need not mention, where unwise measures that had passed through one branch without due consideration were defeated in the other. The fact that some good measures passed with great unanimity by this body have been lost in the other, does not argue against the excellence of the system, but shifts the burden of responsibility.

The recent question of the most advantageous selection of a site for the Home for the Poor, which came to you from the last Council, and upon which your Committee on Public Institutions has labored wisely and disinterestedly, has been finally decided by your purchase of the Ausin farm for the reduced sum of \$75,000. Your immediate action in authorizing the procurement of plans and estimates for suitable buildings upon the site shows that the delay was not from want of interest in this humane project.

The opposition to the opening of the Public Library on Sundays, which, in former years has been strong and determined, both within and outside of the City Council, seemed to have abated in a great degree when the order to authorize the opening came before you this year. The credit of unlocking the doors of one of our city's best institutions and offering its elevating use to the public on the best of days belongs to you. The result has equalled the highest expectations of the friends of the reform, and I am not aware that, as yet, any of the abominable evils that its opponents predicted would follow the "opening wedge" have made their appearance.

Late in the year you took favorable action almost unanimously upon a measure looking to the estab-

lishment of one or more public parks. The other branch, admitting that Boston must sooner or later lay out a park, after much discussion, postponed the subject to a more convenient season. It seems to be expected that a time will come when the growth of our city will so far have ceased that large expenditures for other needed improvements will not confront this project, and it is deemed a wise and far-seeing economy to purchase at some future day the territory now so desirable for the location of a series of parks, even if it shall then be largely built upon, and the present natural advantages of landscape scenery shall have disappeared, and the land shall have doubled or tripled in value. If such is the true principle of municipal economy, then we should praise and no longer censure the City Council of 1845, because in view of the expenditures of their own time they shrunk from the widening of Washington street, and bequeathed the vast outlay for it upon us.

That the pinchings of daily hunger, and loss of health, and of some lives, perhaps, of the poor of our city are not to be warded off to some extent by the meagre charity of soup for distribution at the various Police Stations cannot be laid to the door of this body. Your persistent and almost unanimous action in favor of contributing a trifle out of the public fund, even in face of its questioned legality, toward relieving the increased extreme destitution that it is evident must prevail among the poorest classes during the winter now chilling the naked and homeless, although fruitless in the desired result, will not fail to receive the plaudits of the great majority of your constituents, and without doubt has already been written by the pen of the recording angel among your noblest municipal acts. The \$5000 which the Board of Aldermen appropriated for the balloon ascension upon the Common on the last Fourth of July, but which was saved to the city by the veto of this body, would more than cover the entire expense of this charity.

It is a matter of regret that the city will suffer the loss of some of the most valuable members of the present Council solely on account of the unfortunate rule that prevails in some wards limiting the term of office to two years. This rule has its foundation in the false idea of rotation in office for the sake of accommodating other aspirants. It would be more to the advantage of the wards, as well as the city, to return truly valuable members for a third, or even a fourth year, if they are willing to give so much time to the city's service, and thereby strengthen the Government with the superior knowledge and aptness which are acquired by a longer experience in the conduct of its affairs.

I need not remind you, yet it is proper for me to make mention here of the sad fact that death has made one vacant seat in our chamber, and the clerk, ever since the first of September, has ceased to call the name of the lamented Thomas H. Doherty. He set out with us with as certain prospect of reaching this closing hour as lay before any of our number. He made no attempt to impress himself upon his fellow-members by any brilliant deeds or words, but none could fail to observe enough of true worth in him; a modesty and kindness in his behavior at all times; an honest purpose to discharge his duties here faithfully, which bring to us only agreeable and respectful memories of his life with us, and call from us all sincere regrets over his too early grave.

Again thanking you for the harmony that has prevailed to a remarkable degree in the conduct of our official proceedings, and for the generous and unexceptional goodwill and courteous regard of which you have made me a recipient from the beginning to this day, I invite you to join with me in casting behind us into the grave of the Old Year every word and action in our intercourse together that may not be pleasantly remembered, especially every error of judgment that I may have fallen into in the performance of my office, for I am sure that I have never knowingly or intentionally erred against any of you; and I invite you to bring into the New Year and preserve in memory in the coming years all the pleasant scenes and experiences that we have so agreeably shared together. That our closing session and parting words do not fall into the shadows of one of the last days of the dying year, but instead are set about with the radiance and gladness of New Year's Day, may be regarded as a happy omen of the living power of the friendships that have here been formed, and of the light of public favor which will henceforth always shine upon the records and doings of the members of the Common Council of 1873.

Mr. Shaw of Ward 5—I desire to rise here as a member of the Common Council and thank the President for the charitable and magnanimous sentiments which he has uttered, and to have my thanks go upon record. I claim the privilege, Mr. President,

of asking that the Council by a unanimous vote shall ask that the remarks of the President shall be published for distribution among the members of the City Government.

Mr. Prescott of Ward 9 offered the following:

Ordered, That the President be requested to fur-

nish a copy of his address, that the same may be printed with the city documents.

Passed.

On motion of Mr. Pease of Ward 1, the Council adjourned *sine die*.

MEMORANDUM FOR THE RECORD

DATE: [illegible]

TO: [illegible]

FROM: [illegible]

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CITY OF BOSTON.

Proceedings of the Board of Aldermen,

JANUARY 3, 1874.

An adjourned meeting of the Board of Aldermen was held at noon, today, Alderman Cutter, Chairman, presiding.

PAPERS FROM THE COMMON COUNCIL.

Order allowing \$500 extra compensation to Clerk of Common Council for extra services. Passed in concurrence.

Report and order authorizing the Mayor to petition the Legislature to set off Chelsea, Revere and Winthrop from Suffolk to Middlesex County, came up amended by striking out the word "Winthrop," and the order referred to the next City Council. The Board concurred.

Order authorizing the binding of city documents and journal of the City Council, and to pay the City Messenger \$150 for indexing and preparing the same. Passed in concurrence.

Order authorizing the providing of additional new carpeting for the Council Chamber, occasioned by the change of desks. Passed in concurrence.

Order authorizing the Cochituate Water Board to seize the water in Sudbury River and to take land necessary for the erection of machinery for purifying the same and conducting it into the City of Boston, came up referred to the next City Council. The Board concurred.

Report recommending the passage of an order of the Street Commissioners laying out Eastern avenue to Harbor Commissioners' line and submitting an order authorizing the Treasurer to borrow \$200,000 to pay the land damages occasioned by said laying out. Report accepted and orders severally passed in concurrence—yeas 11, nays 0.

Order for the preparation of plans for a Home for the Poor on the Austin Farm, to be submitted to the next City Council. Passed in concurrence—yeas 11, nays 0.

Report of Directors of Public Institutions on rules for religious instruction for inmates at the public institutions, came from the Council. Ordered to be printed. The Board concurred.

Order referring all unfinished business of joint standing committees to the next City Council. Passed in concurrence.

ASSESSMENTS.

Schedules of assessments for Chelsea-street sewer, \$425 05; Dorchester-avenue edgestones and sidewalks, \$470 15; Appleton-street edgestones, \$482 16; Berkeley-street edgestones, \$1149 80; Bowen-street edgestones and sidewalks, \$326 82; Norfolk-avenue edgestones, \$681 35; Cedar-street sidewalks, \$324 30; Longwood-avenue edgestones, \$1585 06; Guild-street edgestones, \$613 83; Athens-street sidewalk, \$2359 35; Tremont-street sidewalk, \$2259 75, were received from the Superintendent of Streets, and the orders for collection thereof were passed.

ARMORIES.

The Board took up the special assignment, being the order authorizing the expenditure of \$1200 in repairing the armory of Company D, First Battalion of Cavalry, in Bacon's Building, 1839 Washington street. Passed in concurrence—yeas 11, nays 0.

REPORTS OF COMMITTEES.

Alderman Sayward, from the Committee on Health, reported in favor of granting the application of Thomas Rogerson, Peck & Hall, and Joseph Marshal, to occupy stables. Severally accepted.

Alderman Sayward submitted a report from the Committee on Licenses, to whom was referred the petition of the Somerset Club for leave to use the bowling alleys belonging to said club in rear of 42-43 Beacon street, and also the remonstrance of Thomas Gray *et al.* against the same. The committee have heard both the petitioners and remonstrants, the latter of whom claim that their rest is disturbed by the noise of the rolling balls and falling pins. They have also visited the premises of the club and the houses of the remonstrants, and they recommend that a fair trial be given to the experiment proposed in the accompanying order, the passage of which is recommended:

Ordered, That leave be granted the proprietors of the Somerset Club to use the alleys connected with their club house, No. 42-43 Beacon street, with the following limitations: This license to run until the first day of March, 1874, the alleys to be used with

the ventilator and windows tightly closed, and not be used on any day after the hour of nine o'clock P. M.

WILLIAM SAYWARD,
ALANSON BIGELOW,
SOLOMON B. STEBBINS, } Committee.

The order was passed.

Alderman Gibson, from the Committee on Police, submitted a report recommending the confirmation of the following persons appointed special police by the Acting Mayor: John C. Bull, Samuel Frost, Alonzo Burnham, Thomas Carey. The report was accepted and the appointment confirmed.

On motion of Alderman Stebbins—

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.

Passed.

On motion of Alderman Clark—

Ordered, That there be allowed and paid to James Dennie the sum of two thousand dollars in full compensation for services rendered to the city of Boston during the present municipal year; said sum to be charged to the appropriation for Laying out and Widening Streets.

Passed.

Alderman Clark, from the Committee on Streets, reported orders to pay for street damages as follows: James Leeds, \$29,860, Pearl, Congress and Milk street; F. R. Sears, guardian, \$5358, Congress street; Louisa R. Nichols, \$292 50, Dale street; John F. Mills, \$12,000, Lindall street; Charles H. Fiske, \$39,620, for land taken from Josiah Bardwell by the widening of Otis street; also an order rescinding order of January 1, 1874, to pay said Josiah Bardwell said sum of \$39,620, Morse, Denny & Co., \$8636, Congress street, severally read twice and passed.

Alderman Sayward, from the Committee on Licenses, reported in favor of granting the applications of J. H. Eddy and the Dorchester Yacht Club to give entertainments at Lyceum Hall. Severally accepted.

Alderman Power reported leave to withdraw on petitions of John V. McElroy, Daniel B. Pierce and James McAnnaugh. Severally accepted.

Alderman Power, from the Committee on Steam Engines, reported in favor of granting the application of the heirs of William Brigham for leave to locate and use a steam engine.

Alderman Gibson—It doesn't seem to me to be right to locate an engine in that vicinity. It is entirely surrounded by brick houses, and such an establishment there would depreciate the value of land all around it. Besides, the soot and cinders from the chimney would ruin the clothes of people on washing days. You may rely upon it that it will damage the neighborhood for seven hundred feet around, and will make that section of Washington street a miserable place for dwelling houses. We are bound to protect the people of that territory, and I admit that it is a hard thing for the owner of that property.

Alderman Power—The Committee on Steam Engines, after listening to the arguments of the remonstrants, visited the premises, and it did n't take them two seconds to make up their minds that the prayer of the petitioners should be granted. They are unanimous in thinking that there is no better way to improve that territory. I can't imagine why the inhabitants of that vicinity should come here to protest against the erection of a manufacturing establishment to take the place of that miserable stable. I believe it will enhance the value of their land, and if the committee had n't thought so they would n't have reported as they did. We know that the building must be erected to conform to the laws of the city, but nobody knows what sort of business is going to be carried on there. When there is a nuisance there then it will be time enough to act upon it. It was the most unreasonable argument I ever listened to that a man must be prevented from improving his property because some persons imagine it will create a nuisance, and if I had been a member of the Committee on Health I should have voted to permit the location of a riding school there. Those people seem to think that no building should be put there unless it is exactly suitable to them. I can point out places in Boston where land is worth ten or fifteen dollars a foot, on which permission has been given to erect a steam engine—where there are first-class warehouses and where there is more taxable property in one building than there is in a whole acre of that land. This property proposed to be erected will pay more taxes than that of all the people who have remonstrated.

Alderman Stebbins—It may not have taken the committee two seconds to conclude whether or not the petition should be granted, but it will take me much longer than that to concur with them. I agree with the Alderman from Ward 1, that to locate this

large manufactory there will be a nuisance. I am familiar with the locality and I know what effect the establishment of this large manufactory there will have. It will be remembered that the petitioners propose to erect a building within three feet of their line, which will cover nearly the entire ground. I have asked what would be the effect upon the rates of insurance on property there and have been told by the underwriters that the rates would be immediately raised all around there. There is no way to get into the building in case of fire. I don't believe it is a proper location for a large manufactory like that. They should go over on Albany street, where they are grouped together.

Alderman Power—The gentleman says they propose to cover the entire land. Now, they propose to put the building within three feet of their line, and intend to give a space of eighteen feet all around the building. There is a large driveway, and they propose to set the building back and have a way all around it. Besides, they think their rights in Briggs place just as good as anybody else's and they propose to use it. The gentleman says they had better go on Albany street. Now I venture to say that land on Albany street is worth more than it is on Washington street where this house is to be built, and that it has been made so by buildings for manufacturing purposes.

Alderman Gibson—The heirs of Mr. Brigham propose to build entirely round the lot, depending on the other passageways for their light and air. I claim they are bound to furnish their own light and air. Here will be a building six stories high, filled with windows, from which the workmen will be looking, so that every window in the dwelling houses will have to be kept closed. The entire property round there will be depreciated more than a thousand dollars on each piece. In justice to the people living there we are bound to defeat this measure.

Alderman Emery—As one of the committee I visited the location, and I must say that before I went to see the premises I had some scruples about the propriety of allowing such a building to go there. But when I came to look over the land and its surroundings I changed my mind. I could not see how anything better than some manufacturing establishment could be put there. If I lived in any of the adjoining houses I should certainly object to a stable being put there. The building is not to be six stories, as the Alderman says, but four, and such a manufacturing establishment would not be any more detrimental than a certain class of tenement houses which would naturally go there. The houses now there are of the moderate-priced class, perhaps from four to six thousand dollars, and I could think of nothing else that could be put on this lot that would be less detrimental to the neighborhood than this building proposed. The committee were unanimous in their report.

Alderman Gibson—There are four dilapidated buildings on the territory, and it is a miserable, dirty place. When you come to put up a large building there with a tall chimney from which the soot and cinders will be sprinkled over the whole neighborhood, it will be worse than the stable. The people want something put there that won't destroy the surroundings. It seems to me to grant this petition will be a very great injustice to the residents of the vicinity.

Alderman Quincy—It seems to me that the amount of nuisance this proposed manufacturing establishment would be to the neighborhood has been greatly exaggerated, but I can't get over the objection which the Alderman from Ward 8 makes in regard to the effect of fire. According to his statement the opinion of the underwriters is that it would be a great fire trap; that it would be putting a manufacturing establishment right in the middle of a fire trap. We have learned, to our cost, by the fire of May 30th, and others, what is the effect of such a policy—of putting buildings where firemen can't attack them. In view of this opinion I can't vote in favor of the license.

Alderman Hulbert—If there is any one thing this Board should do, it is to secure the proper protection of the property of citizens; and in doing that they have and should have control of the buildings to be erected in different parts of the city, and thereby have control of the business to be carried on in them. If a party should come here and wish to put up a large manufacturing establishment on Beacon or Brimmer streets, for instance, I have no doubt there would be but one decision, simply because of the detriment to the surrounding property. I am as much in favor of the introduction of manufacturing as any member of this board, but I clearly believe it is the duty of this Government to see that no section of the city is injured by the erection of certain kinds of buildings on adjoining property. To a section

mainly occupied by dwelling houses, a large building for manufacturing purposes so near as this, is decidedly objectionable. I think that we, as the guardians of public interest, must look at what the effect upon the surrounding property is to be. Here are parties owning a tract of land difficult to improve. It is a nuisance today. They have tried to change it into a stable. That has been rejected,—probably very wisely. Now they come with another proposition to which the abutters also object, and say that it will be a nuisance to their property. The safeguards which citizens feel they have to prevent their property from being jeopardized, are left with the Board of Aldermen. Now I do not see why these persons should have a permit to erect a building there that will create a nuisance, with the expectation, it is said, of being bought off. This has been done in the Highlands. I know some of this area, though not particularly acquainted with this property. It is and must, for some time, be largely occupied by dwelling houses. As I understand it, the parties who own this lot also own the front on Washington street and if they have an insufficient opening they can make such a one as they need. They can open a court, as is done in many other parts of the city. The power of the Board should be used with great discretion in such cases. This is not the only use that can be made of this property. The owners have allowed it to be a nuisance; it has been a disgrace to them, and it is no excuse for them to come here and say, "Here is a nuisance; we propose to change it." They ought to have been compelled to do so before. For these reasons I am decidedly opposed to granting the prayer of the petitioners.

Alderman Power—It seems to me the question which should govern our action in this case is solely whether it is going to injure this property or benefit it. I have known that property for forty years, and there is no question but the erection of such a building will enhance the value of the land. The Committee on Survey and Inspection of Buildings have granted the privilege of erecting such a building as may be used for mechanical purposes. It is to be four stories high, the opening is sufficient to get into for fire purposes or for any team in Boston to drive into, and they propose to keep a sufficient opening. The dwelling houses in the vicinity are of the class that would be occupied by mechanics, and if this building is erected it will cause a demand for those houses. There are many places in the business part of Boston where permission is granted to run steam engines. Perhaps it would not be good policy to grant permission to put a manufacturing establishment on Beacon street, for it might injure the property there; but where property is of so little value as this, there is no doubt but that a manufacturing establishment would enhance its value. I could quote hundreds of places where land is worth eight or ten dollars a foot which was, in a great measure, made so by just such establishments as the one proposed to be erected here. It is natural to suppose that the owner of any land will want to use it for a business that will pay him, and in this case it is felt that manufacturing will yield the best return for the investment. As for the nuisance, the people are supposing all that. When they propose to put a nuisance in there is time enough to act. Nobody knows what sort of business is to be put there. This acting on the supposition of what might be put there is not taking a proper view of the case.

Alderman Gibson—It does seem to me that the alderman from the Highland District has covered the whole ground. These parties have brought this upon themselves. They put a building on the front lot on Washington street which has shut them off from this lot. It will be a complete nuisance on a business thoroughfare.

Alderman Sayward—The Committee on Health have been alluded to in reference to the stable, and my friend on my left states that he would have granted permission to erect the stable. That is only a difference of opinion, and I am free to say that if I were compelled to have either of these buildings, I think it would be better for a stable. But it is unfit for either a stable or manufacturing establishment. It is not a proper place for a two-hundred horse power engine. It is surrounded by dwellings of a moderate-priced class, inhabited by respectable people, to whom it certainly would be a great annoyance. It will also endanger people's lives, because there is not a proper means of escape in case of fire. The parties now have in that area one brick stable and one wooden one in connection with the building; they were desirous of having the brick stable remain, and also to move one of the wooden buildings for a stable, which, if it had been my property, I would not have requested. The committee refused to grant permission to move the wooden building, but did give a permit to move the other one. Now

they come here and ask this privilege in order to compel the people there to take the stable, which, if I were one of the neighbors, I would rather submit to than to have this proposed building there.

Alderman Quincy—I can't see that anything has been said to weaken the objection of the underwriters. It is perfectly evident that they regard it as corking up a manufacturing establishment so that it cannot be attacked in case of fire. We ought to have learned enough of that by the experience of the May fire.

Alderman Power—The Alderman on my left is entirely mistaken. It can easily be attacked on either side. There are arches running through every dwelling house, through which hose can be carried. The entrance to this building will be a good one, and there are hundreds of places in Boston with worse entrances than this. The insurance rates on manufacturing establishments are always higher than on any other property. Are we going to throw a wet blanket on every man who wishes to start a business like this? It seems to me there has been a persistent effort made every year to prevent this man from improving his property. Gentlemen must know we can't prevent that building from being erected. The Committee on Survey and Inspection of Buildings have already given permission for its erection. The question is simply whether or not you will give permission to use a steam engine on the premises. It will be a great blow to the interests of the city of Boston if you are going to prevent such enterprises from being started. I should be very loth to vote for anything that would injure any citizen of Boston, but I can't help thinking that that land will be much better for manufacturing purposes than for dwellings. This very place has been talked of for a theatre. Which would be the greater nuisance, a theatre or a manufactory? I ask the gentleman from Ward 1 which he would prefer?

Alderman Gibson—I would prefer a theatre; the noise and nuisance would all be inside of the walls. The people who live there require some protection. We have a duty to perform for the poor as well as the rich.

Alderman Power—I also believe in that theory, but you can't give people any better satisfaction than to enhance their property.

Alderman Clark—I have n't visited this location, but I understand it is a nuisance today, and those who own the place admit that fact. First they asked to put up a stable, which I don't believe to be an injury to houses of high or low estate. I know of stables located in the vicinity of houses of large value, and which are not objected to by citizens living in that neighborhood. They first asked for permission to erect a riding school, which would be very convenient for the neighborhood. That was refused them. Now they ask for permission to erect a building for mechanical purposes, and people come here and object to that. Now I believe it is our duty to help people improve property rather than have them put money into bonds and go out into the country to secure exemption from taxation here. The heirs of William Brigham have money, which is now in trust funds; they have kept this real-estate property, and now wish to improve it, and it is our duty to allow them to improve this fourteen thousand feet of land by the erection of a building for mechanical purposes. It can't be used for anything else. Furthermore, the buildings in that neighborhood are changing in character; in a very short time it won't be considered a desirable place for dwelling houses, for many reasons, and if people are allowed to go on and improve their property its taxable value will be greatly increased. No one doubts that Chickering's factory is a great advantage to the city, but the smoke-stack of that factory don't trouble the back yards of Chester square. The chimney to this place will be built so high that all the soot will be blown away. I'd like to know what East Boston would be without its manufactories; and yet the gentleman from East Boston comes here and opposes the erection of a building on property that is now taxed at two or three thousand dollars, which would, by this improvement, be taxed at fifteen thousand. Sometime ago some one came here and asked for permission to erect a large carriage manufactory on Concord street by the successors of Thomas Goddard. No one thought of objecting to it. Now I say that, as a Board of Aldermen, acting for the interest of the city, we have no right to oppose these great public improvements for mechanical as well as mercantile development, and I am surprised at the course of the Alderman from the Highland District, who has spoken so strongly in favor of the enlargement of our industrial interests. The owners have too much respect for this property to put it into

tenement houses. I think if gentlemen will go up there and look at the class of tenement houses in that section of the city, they will come back here and say that in preference to having any more such tenement houses as are in Ottawa place they would give a permit for a stable, or for a steam engine with ten thousand horse-power. I hope the order will pass and that we shall give the owners an opportunity to improve their property.

Alderman Sayward—The gentleman talks about the trust property of the Brigham heirs; well, here are fourteen thousand feet of land in a back lot. He speaks with great respect for stables; well, I have great respect for stables, because they are very necessary. The reason I oppose this is, it is hemmed in on every corner. That place on Concord street is very desirable; it adjoins a burying ground, the occupants of which don't require many carriages, and would not be annoyed by the manufacturing of them. My friend is very earnest for these parties to have a chance to improve their land. So am I, and I would n't deprive anybody of doing so. But we owe a duty to the community. My friend here says there is a good entrance. Well, the entrance is a passage way under an archway, with just room enough for a team to go in. They say they have rights in Briggs place, but I should like to know how they are going to get through there. In case of fire it will be very hard to get people out of there. It is for this reason principally that I oppose this petition. There is plenty of room on Albany street, or on the land of the Water Power Company.

Alderman Clark—I know that William Brigham did leave a large property, and this is a part of the real estate, which his heirs have kept and now wish to improve. Such improvements tend to increase the valuation of the city.

Alderman Gibson—I am not opposed to improving property. In regard to Chickering's factory, was there any house there when it was built? That is a different case. Where parties build around an institution they take their own chances. But to go right into a neighborhood and erect a building that will depreciate property is a different thing.

Alderman Clark—This has nothing to do with the erection of the building. The permit for that has been granted already. Now the Alderman from Ward 8 has gone and helped to build a church right under the shadow of a building with a big engine in it. The Parker Memorial Hall is right under the shadow of the Boston & Albany grain elevator. It don't hurt the church, but the value of property there has been increased by it.

Alderman Power—I would like to know if the gentleman from the Island Ward thinks a multiplicity of establishments of that kind tends to depreciate real estate. Now the question is simply about the steam engine. We can't prevent the erection of the building, so long as it is built according to law. One of the remonstrants who came here wanted it understood that if a building was put up according to his notions, he would n't object. Now it seems to me to be preposterous for them to think of preventing such enterprises. It is proposed to invest about a hundred thousand dollars on this estate, and I say we would make a great mistake if we put a stop to such enterprises.

Alderman Gaffield called for the yeas and nays and the report was rejected by the following vote:

Yeas—Aldermen Clark, Cutter, Emery, Gaffield, Power—5.

Nays—Aldermen Bigelow, Gibson, Hullert, Quincy, Sayward, Stebbins—6.

THANKS TO THE CHAIRMAN.

On motion of Alderman Quincy, Alderman Gibson was called to the chair. Alderman Quincy offered the following:

Resolved, That the thanks of the Board of Aldermen be tendered to the Chairman, Hon. Leonard R. Cutter, for the ability, courtesy, impartiality and industry with which he has discharged the duties and performed the labors of his office during the past year, and for the satisfactory and commendable manner in which he has served as the acting Mayor since the resignation of his Honor Mayor Pierce.

Alderman Quincy—I deem myself fortunate, sir, that the privilege of offering this resolve testifying to our appreciation of the services of our chairman falls to my lot for the reason that while that gentleman and myself have so widely differed in our views of certain measures which have come under discussion, no one can more highly appreciate than I the conscientious zeal, industry and unshaken firmness with which he has supported his own convictions and labored in the interest of the city during the past year. In behalf of those of us whose connection with the City Government is now to terminate, I doubt not that I utter the voice of all in as-

suring the Board of the sincere personal friendship and esteem with which we take leave of those who have been our fellow laborers in this vineyard during the important municipal year which has just closed. Some of us would have willingly continued to contribute our services to the city which we love; others to whom her interests are no less dear, would have found it impossible. But whatever may have been the varying opinions and utterances of approval or criticism elicited among our fellow citizens by our official course, I hope that all will agree that we may at least reply to those to whom we owe the honor of having held these seats in the simple words with which one of the bravest of American soldiers closed his earthly career, "We have endeavored to do our duty."

Alderman Gaffield—In seconding these resolutions, may I be permitted to say that in an experience of five years in our City Government, I can look back upon no one with more pleasant memories than that which is just drawing to its close. A year ago our city was sorely afflicted by the visitation of fire and pestilence. The people, rising in their majesty and power above all local and party ties, selected and elected the members of the present Board. The Board in the same liberal spirit made choice of its chairman. In the same spirit, the chairman has presided, and the members have spoken and acted towards each other. We have had important questions before us throughout the year, and they have been earnestly, fully and heartily discussed. Each member has had his own opinion, and has defended it in a manly and independent way. Each has seemed to vie with his neighbor in honest endeavors to serve the public good. In all our debates there has been a marked courtesy and respect for the opinions of others, and no time has been wasted in disputes upon parliamentary tactics. The year will stand out as a red-letter year in the memory of every member of the Board, and equally so in the annals of the city for the many important measures inaugurated and consummated for that city's welfare.

It would be unbecoming for us to speak of our own acts. If they have been wise and judicious, right and honest, they will in all coming time speak for themselves in the promotion of the best welfare of the community. The consciousness of having done modestly, honestly and to the best of our ability our humble part in the government of the city during a most important and trying year in its history, is the richest reward of any public servant, rising far above the petty triumphs of political victors, and making one oblivious of the petty annoyances of harsh criticism and unjust judgment. Such a consciousness can our chairman enjoy, with the added satisfaction of the hearty approval of all his associates at this Board. I feel assured that I only voice our unanimous sentiment in saying, at this closing hour, that among the choicest memories of our lives will be the recollection of this very busy, but pleasant year, spent in public service, and especially grateful will be the remembrance of the uniform courtesy of our chairman towards the members of the Board, and of their friendly relations with each other.

Alderman Clark—It gives me great pleasure to add my testimony to the faithful and impartial manner in which the chairman has executed the duties of his office during the past year. His close attention to his duties both as chairman and as member of this Board is well worthy the imitation of those who will come after him, and if all who are called to the administration of the affairs of the Government do so with an eye single to the city's welfare, as he has done, it will be well for the interest of the city. I believe that every member of the present City Government thinks that, as chairman and member of this Board, our chairman has exerted his influence solely in the manner which he believed to be for the best interests of the city of Boston. And, Mr. Chairman, I can say that the city is particularly fortunate in that it is not to lose his services during the year 1874. It is fortunate for the city and fortunate for the members of the Board.

Alderman Power—I cannot permit our proceedings to close without indorsing the sentiments which have been expressed by the gentlemen who have spoken in relation to the chairman, and, Mr. Chairman, I would say a word or two in relation to our associates whose terms of office have ended. I regret exceedingly that the ties of friendship and good feeling existing between us all are to be severed, and I regret the retirement of these gentlemen from the Board on the city's account. They have been good and faithful servants, and the city will be fortunate indeed if those who are about to fill their places perform their duties with the same fidelity that I believe these gentlemen have. And I regret exceed-

ingly that the people who have the power to form this Board, could not have had the same opportunity of an intimate acquaintance with those gentlemen that we have had; for if they could have known and seen them as we who have been associated with them, they certainly would have been with us again another year. I wish, Mr. Chairman, before they depart, to thank them all for the exceedingly kind treatment that I have received at the hands of all of them, and to wish them many years of prosperity and happiness.

Alderman Sayward—I did not propose to say a single word on this occasion, but as my friend has alluded to the retiring members, it would seem proper that some one should respond, and I, being his next neighbor, and having fought him as hard as any one, take the opportunity to do it. I can say that all my associations with the members of the City Government have, in most cases, been very pleasant, though it is not to be expected that in four years' experience there should be no clashing. In reference to the resolutions of respect for our chairman, I heartily concur with the sentiments expressed in them. Though differing with him on many questions, and though sometimes overstepping the bounds of courtesy—although my friend on my right says our debates have been courteous—if I have ever offended any one here, publicly or privately, I am willing to be forgiven. There is one quality in our chairman which I have particularly admired; when he makes up his mind that he is right he sticks to it, and that is what I like in any man, even if he differs from me in opinion.

Alderman Hulbert—I don't know that there ever was a chairman of a deliberative body who did not discharge his duties faithfully and with impartiality. I don't believe history furnishes a single instance where it has not been done. I can't second this resolution before this body, however, unless permitted to relieve myself of some mental reservations that I have. I suppose my location in the hall has been an unfavorable one, but I have felt during the year that the eye of the chairman has been upon me most of the time. I have felt as if it had been directed toward me personally. We all know that he has a big eye and a peculiar eye, and as questions of pecuniary importance to the city have come up here I have felt the standing influence of that eye, and if I have been led into the paths of economy in making expenditures it has been due as much to the influence of that eye as anything else. At any rate I go out of the Board without a single monument to which my friends can point and say, "He did it." Sometimes it is much to one's credit to bring forward an enterprise, and ever afterward his name is linked with it as the mover of it. If, for that reason I shall go down into history as a man without a reputation, I question whether it cannot, in part at least, be laid to the eye of our chairman, whom you regard so impartial. That eye has been upon me, and with all sincerity I can say that it has influenced me very much this year. I feel that I owe largely any influence I may have had to the cautious judgment and consideration of the chairman of this Board, in connection with committees of which he and I have been members. His constant courtesy to me has won my uniform esteem and regard, and I wish to say here that I feel that the citizens of Boston are to be congratulated that the services of our retiring chairman are to be retained in this Board during the ensuing year. If there is a man, who, from day to day, studies the interests of the city, it is our chairman, and no member of this Board has the interest of the city more constantly on his mind than he has. His influence is felt in the right direction. We have it here upon minor matters, and from the beginning to the end of the year his influence has been in the right direction in regard to the city's expenditures. In the year to come it will be a source of satisfaction to me to know that Alderman Cutter is present in this Board and taking part in the discussions to come up. I am not without solicitude in regard to the future of this city. All my utterances have been prompted by a fear for the future interests of the city. I can never feel hereafter as I have in the years that are past. The interest of the city of Boston will feel more dear to me than I ever felt them before, and I wonder now how I could have lived so long here and never felt any more interest in the City Government than I have. It is a wonder to me that citizens of wealth can live so regardless of the interest of the city as they do. I wish, also, to say one thing more; there is a wrong impression among the people of Boston in regard to City Hall. There is an impression that things are all going in the wrong direction here, and that everything is controlled by some ring or other. I take pleasure in saying, today, that since I have been here I have seen no ring, nor the shadow of a ring. I feel glad to be able to

say that the members of this Board are as free as any men can be from anything of that kind, and that the impressions which many persons in the community have with reference to things here are erroneous. While I believe in the dangers which exist, I can testify that I have seen nothing like rings since I have been here. In closing, I wish to hear testimony to the courtesy of the members of this Board. I came here without any experience in deliberative bodies, and it has been partly on account of their courtesy that I have been enabled to go along through the year without any very great degree of discomfort. It is a matter of very great regret that I must part with gentlemen for whom I have such strong regard—every one of whom going into the next City Government has my entire confidence. Therefore, Mr. Chairman, having relieved myself of all mental reservations, I am willing to second the resolution.

Alderman Emery—I believe I can freely and conscientiously indorse all that these gentlemen have said with regard to our chairman as to the manner he has presided over our deliberations during the past year. It is with feelings of sadness that I realize that the sessions of this present board are so soon to terminate. The pleasant associations and acquaintances here formed have been to me a source of much pleasure, and will long linger in my memory. Could our present associates have continued in service with us who remain for 1874, my labors, it seems to me, would in anticipation be much lightened. Having commenced my labors here only last January, I have had great help and support from the experience of many of my friends here older in service than myself, and whose support and counsel we so soon shall lose. The superintendents of the departments whom we come in contact with, are left and I think their services are invaluable. Indeed,

we could not get along without their valuable aid. The services of these gentlemen and our City Clerk and Clerk of Committees are all known to be the main wheels and indispensable machinery to the business of the city of Boston.

The resolution was adopted unanimously, by a rising vote.

THE CHAIRMAN'S RESPONSE.

Alderman Cutter resumed the chair and said—

Gentlemen of the Board of Aldermen—The long and fatiguing labors of the year are now brought to a close. Before formally adjourning this Board, I embrace the opportunity to say that I have endeavored, to the utmost of my ability, to discharge faithfully, honestly and impartially the duties which you were pleased to devolve upon me in elevating me to this honorable position. If on any occasion I have wounded, for a moment, any one's feelings, it is the cause of true and heartfelt regret. I beg you, gentlemen, to accept my sincere thanks for the unanimous vote that has just been passed approving of my conduct. I shall endeavor on all occasions, in whatever situation I may be placed, to act in such a manner as to have the approbation of my own conscience and in so doing, I trust of meeting the approbation of generous, just and honorable citizens.

Gentlemen, I thank you for the kindness and courtesy which you have invariably extended to me. I bid you an official farewell, and may the friendships here formed continue during our lives.

Alderman Gaffield offered the following:

Ordered. That the final proceedings of the Board, together with the address of the chairman, be printed for the use of the members of the Government. Passed.

On motion of Alderman Gaffield, the Board adjourned *sine die*.

