

A LAW,

Creating a Street Commissioner's Department, and prescribing the duties of the Street Commissioner, Assistant Street Commissioner, and Superintendent of Wharves and Piers.

I. *Be it ordained by the Mayor, Aldermen and Commonalty of the City of New-York, in Common Council convened,* That there shall be created and organized an Executive Department, which shall be known and distinguished as the Street Commissioner's Department.

II. *And be it further ordained,* That a suitable person shall be appointed by the Common Council, to superintend the Street Commissioner's Department, to be called and known by the name of the Street Commissioner.

III. *And be it further ordained,* That it shall be the duty of the Street Commissioner to advertise for estimates, and to contract for wells and pumps; canals and sewers; paving or repairing streets; in constructing roads; in building wharves and piers; and in all cases where expenditures connected with the Street Commissioner's Department are authorized by the Common Council, except in cases requiring slight repairs; and to report such estimates to the Common Council, previous to finishing contracts; to inquire into the subject matter of all applications to the Common Council for regulating, paving, or otherwise improving of the streets, roads, or wharves: and to report to the Common Council the particular state of the circumstances of each case; and, if necessary, a survey or plan of the improvements thereby intended; to attend to the due execution of all ordinances of the Common Council for the regulating, digging, filling, paving, or repairing streets, roads, wharves,

and common sewers; to report to the Attorney of the Common Council all offenders against the provisions of this ordinance, and particularly of persons guilty of intrusion or encroachment on the public streets or roads; to take the general charge of viewing and determining, from time to time, whether any and what improvements or repairs are necessary, and can be made to any of the streets or roads, and to report the same to the Common Council, together with the best mode of doing the same; to attend to and direct such matters and things as are particularly committed to the Aldermen and Assistants of the respective wards, regarding streets; to direct the repairs of streets and walks; to order the removal of all timber or other things with which any of the streets or wharves may be encumbered, under the like penalties as if directed by the Alderman and Assistant of the ward; and to attend to the surveying of lots about to be built on; to prevent encroachments on the streets or roads; to countersign all bills, which in his opinion are correct, for building or repairing the public wharves or piers, and which are certified by the Superintendent of Wharves and Piers, and to control the expenditure connected with lands and places.

IV. *And be it further ordained,* That it shall be the duty of the Street Commissioner, or his deputy, to inspect the paving of all streets, and to employ competent persons with carts and implements, on daily pay, to repair the paving of the streets, as they may from time to time require; and that any citizen or number of citizens be allowed to pave the street opposite to his or their property, provided the same be done in conformity to the regulations of the Common Council, and where the same shall extend from the intersection of one cross street to the intersection of another.

V. *And be it further ordained,* That it shall be the duty of the Street Commissioner, once in every month, to render to the Comptroller a full statement of the receipts and expenditures of the Street Commissioner's Department, and to suggest to the Common Council, from time to time, such matters as shall be deemed important; to report all delin-

quents connected with the Street Commissioner's Department, and to control the Collectors of Assessments and Street Inspectors, as far as their duties are connected with his office.

VI. *And be it further ordained,* That all the laws and ordinances heretofore enacted by the Mayor, Aldermen and Commonalty of the city of New-York, defining the duties of the Street Commissioner, or in any way relating to the same, which are not inconsistent with the provisions of this ordinance, shall not be construed as repealed, modified, or affected thereby; but shall continue and remain in full force.

VII. *And be it further ordained,* That a suitable person shall be appointed Assistant Street Commissioner, whose duty it shall be to keep a correct copy of all assessments and contracts relating to streets, and to pay the amount due on the same, and for that purpose to make application for the necessary sums to the Comptroller, that warrants may be reported accordingly; he shall also furnish the Comptroller with an abstract of the sums assessed on the Corporation, and the awards, if any there should be, for each and every assessment, together with the total amount of such assessment, including expenses; and whenever an order shall have passed the Common Council for advertising any property for delinquency in the payment of any assessment, he shall furnish the Comptroller with the names of the delinquents, if known, and a description of the property, with the sums assessed on the same respectively; and in case he shall omit to furnish the above information, it shall be the duty of the Comptroller forthwith to report the same to the Common Council; he shall aid and assist the Street Commissioner in the discharge of all the duties appertaining to his office; and, in the event of the said office becoming vacant, or of the sickness or absence of the Street Commissioner, the Assistant Street Commissioner shall be invested with all the powers and shall perform all the duties of the Street Commissioner, during such vacancy, or during such sickness or absence of the said Street Commissioner, and shall assist in all the duties now required from the Street

Commissioner, and which are appertaining to the Street Commissioner's Department.

VIII. *And be it further ordained,* That the Street Commissioner and Assistant Street Commissioner shall be sworn to the faithful performance of the duties of their office, and give bonds with sufficient sureties, to be approved by the Common Council; the Street Commissioner in the penal sum of ten thousand dollars, and the Assistant Street Commissioner in the penal sum of five thousand dollars, for the faithful performance of said duties.

IX. *And be it further ordained,* That a discreet and proper person shall be appointed, to be denominated the Superintendent of Wharves and Piers; whose duty it shall be to personally inspect the condition of the public wharves; to superintend the erection and repairs of the same; to suggest such improvements from time to time as may become necessary, and report the same to the Street Commissioner; to perform such other duties as the Street Commissioner may require; to examine all bills for erecting and repairing the public wharves, and, if correct, to approve of them in writing, and submit the same to the Street Commissioner for his approbation.

X. *And be it further ordained,* That the Superintendent of Wharves and Piers shall be sworn to the faithful performance of his duties, and give bonds, with sufficient surety or sureties, to be approved by the Common Council, in the penal sum of five thousand dollars for the faithful performance of said duties.

XI. *And be it further ordained,* That the Street Commissioner, Assistant Street Commissioner, and Superintendent of Wharves and Piers, be, and they are hereby constituted the legal assessors of the benefits derived in all cases where wells are dug, or water bored for, or pumps erected; and where side walks are laid, and streets are paved, by order of the Common Council, which duties they shall perform free of charge.