

# THE CITY RECORD.

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NUMBER 11061.

## THE CITY RECORD.

OFFICIAL JOURNAL OF THE CITY OF NEW YORK.

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BOARD OF CITY RECORD.

GEORGE B. McCLELLAN, Mayor.

FRANCIS K. PENDLETON, CORPORATION COUNSEL.

HERMAN A. METZ, COMPTROLLER.

PATRICK J. TRACY, SUPERVISOR.

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## PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT.

No. 154 NASSAU STREET, NEW YORK CITY.

### CALENDAR OF HEARINGS.

The following hearings will be held during the remainder of the week commencing Monday, September 20, 1909:

Wednesday, September 22—2:30 p. m.—Room 305.—Case No. 1160.—BRONX GAS AND ELECTRIC COMPANY.—“Application for approval of an issue of \$1,500,000 bonds.”—Commissioner Maltbie.

Thursday, September 23—2:30 p. m.—Room 305.—Case No. 1145.—MATTER OF THIRD AVENUE RAILROAD COMPANY.—“Character, extent, location and value of structures, facilities and properties.”—Commissioner Maltbie.

Friday, September 24—2:30 p. m.—Room 305.—Case No. 1131.—LONG ISLAND RAILROAD COMPANY.—George Cook, Complainant.—“Rehearing as to adequate protection of crossing at Division avenue, Richmond Hill.”—Commissioner Bassett.

Regular meetings of the Commission are held every Tuesday and Friday at 11:30 a. m., in Room 310.

## BOROUGH OF THE BRONX.

### BUREAU OF BUILDINGS.

Herewith is submitted a report of operations of the Bureau of Buildings, Borough of The Bronx, for the week ending September 11, 1909:

Plans filed for new buildings (estimated cost, \$245,900).....	25
Plans filed for alterations (estimated cost, \$12,100).....	10
Unsafe cases filed.....	2
Violation cases filed.....	28
Fire escape case filed.....	1
Unsafe notices issued.....	6
Violation notices issued.....	39
Fire escape notices issued.....	2
Unsafe cases forwarded for prosecution.....	2
Complaints lodged with the Bureau.....	3
Number of pieces of iron and steel inspected.....	378

Respectfully,

PATRICK J. REVILLE, Superintendent.

H. J. Martin, Acting Chief Clerk.

## BOARD OF ESTIMATE AND APPORTIONMENT.

EXTRACT FROM

MINUTES, BOARD OF ESTIMATE AND APPORTIONMENT, CITY OF NEW YORK, SEPTEMBER 17, 1909.

*Staten Island Rapid Transit Railway Company.*

The public hearing on the proposed form of contract for the grant of a franchise to the Staten Island Rapid Transit Railway Company, to construct, maintain and operate (a) two additional tracks under and across South street, St. George; (b) two additional tracks under and across Central avenue, Union avenue, Harbor road and South avenue, and one additional track across Richmond Terrace, near Holland's Hook, Borough of Richmond, was opened.

The hearing was fixed for this day by resolution adopted June 11, 1909.

Affidavits of publication were received from the “Staten Island World,” the “Staten Islander” and “City Record.”

No one appeared in opposition to the proposed grant.

C. A. deGersdorff, of counsel for the company, appeared in favor.

No one else desiring to be heard, the Chair declared the hearing closed.

The following was offered:

Resolved, That the Board of Estimate and Apportionment hereby grants to The Staten Island Rapid Transit Railway Company the franchise or right fully set out and described in the following form of proposed contract for the grant thereof embodying all the terms and conditions including the provisions as to rates, fares and charges upon and subject to the terms and conditions in said proposed form of contract contained, and that the Mayor of The City of New York be and he hereby is authorized to execute and deliver such contract in the name and on behalf of The City of New York, as follows, to wit:

This contract, made this \_\_\_\_\_ day of \_\_\_\_\_, 190\_\_\_\_, by and between The City of New York (hereinafter called the City), party of the first part, by the Mayor of said City, acting for and in the name of said City, under and in pursuance of the authority of the Board of Estimate and Apportionment of said City (hereinafter called the Board), and The Staten Island Rapid Transit Railway Company (hereinafter called the Company), party of the second part, witnesseth:

Whereas, The President of the Borough of Richmond, on October 17, 1907, addressed a communication jointly to the Board of Estimate and Apportionment and the Commissioners of the Sinking Fund, requesting the authorization and approval of the exchange of certain parcels of land in the Borough of Richmond, between the City and the Company, and in connection therewith the granting of the right to the Company to lay additional tracks across and under certain streets and avenues; and

Whereas, This communication was presented to the Board at its meeting held June 12, 1908, and thereupon a resolution was adopted recommending to the Commissioners of the Sinking Fund that they authorize the exchange between the City and the Company of the beforementioned parcels of land situated in the Borough of Richmond, and providing that when such exchange was authorized and made, the Board would, upon proper petition, grant to the Company the right to lay additional tracks across certain streets, as set forth hereinafter in this contract; and

Whereas, The Commissioners of the Sinking Fund, at their meeting held April 5, 1909, did, in accordance with the provisions of section 205a of the Greater New York Charter, as enacted by chapter 302 of the Laws of 1907, adopt a resolution authorizing this exchange, subject however to the approval of the Board; and

Whereas, Such approval was given by the Board at its meeting held April 16, 1909; and

Whereas, The Company, on April 14, 1909, duly submitted two petitions for franchises, which were presented to the Board at its meeting held April 30, 1909; now therefore,

In consideration of the said exchange of properties and of the mutual covenants and agreements herein contained, and in accordance with the resolution of the Board, adopted June 12, 1908, referred to above, the parties hereto do hereby covenant and agree, as follows:

Section 1. The City hereby grants to the Company, subject to the conditions and provisions hereinafter set forth, the right and privilege to construct, maintain and operate

(a) Two additional tracks across and under South street, near Jay street, First Ward, Borough of Richmond, within the lines of said South street as the same is now laid out or may hereafter be widened, said tracks to be constructed immediately to the west of the present two tracks of the Company crossing under South street at this point and constituting the existing right of way of the Company under said South street. All as shown on a map entitled:

“Map showing proposed tracks under and across South street, in the First Ward, Borough of Richmond, City of New York, to accompany petition of the Staten Island Rapid Transit Railway Company to the Board of Estimate and Apportionment. Dated April 14, 1909.”

—signed by George H. Campbell, Vice-President and William B. Redgrave, Division Engineer, attached to this contract and made a part hereof.

(b) Two additional tracks across and upon Central avenue, Union avenue, Harbor road, otherwise known as Summerfield avenue, and South avenue, and one track across and upon Richmond terrace, formerly known as Shore road, at a point 550 feet, more or less, east of the intersection of Western avenue with Richmond terrace, and in a line with the right of way fifteen (15) feet wide acquired by the Company from Edward Milliken and wife, all in the Third Ward of the Borough of Richmond. The said additional tracks across and upon Central avenue, Union avenue, Harbor road and South avenue to be constructed, one on either side of the present tracks of the Company, crossing said streets, all as shown on a map entitled:

“Maps showing proposed tracks across Central avenue, Union avenue, Harbor road, South avenue and Richmond terrace, in the Third Ward, Borough of Richmond, City of New York, to accompany petition of the Staten Island Rapid Transit Railway Company to the Board of Estimate and Apportionment. Dated April 14, 1909.”

—signed by George H. Campbell, Vice-President, and William B. Redgrave, Division Engineer, attached to this contract and made a part hereof.

Sec. 2. The grant of this privilege is subject to the following conditions, which shall be complied with by the Company:

First—The said right to construct, maintain and operate said railroad tracks shall be held and enjoyed by the Company for the term of twenty-five (25) years from the date upon which this contract is signed by the Mayor, with the privilege of renewal of said contract for the further period of twenty-five (25) years, upon a fair revaluation of such right and privilege.

If the Company shall determine to exercise its privilege of renewal it shall make application to the Board, or any authority which shall be authorized by law to act for the City in place of the Board. Such application shall be made at any time not earlier than two (2) years and not later than one (1) year before the expiration of the original term of this contract. The determination of the revaluation shall be sufficient if agreed to in writing by the Company and the Board, but in no case shall the annual rate of compensation to the City be fixed at a less amount than the sum required to be paid during the last year prior to the termination of the original term of this contract.



If the Company and the Board shall not reach such agreement on or before the day one (1) year before the expiration of the original term of this contract, then the annual rate of compensation for such succeeding twenty-five (25) years shall be reasonable, and either the City (by the Board) or the Company shall be bound upon request of the other to enter into a written agreement with each other fixing the rate of such compensation at such amount as shall be reasonable, but in no case shall the annual rate so fixed be less than the sum required to be paid for the last year prior to the termination of the original term of this contract, and if the parties shall not forthwith agree upon what is reasonable, then the parties shall enter into a written agreement fixing such annual rate and at such amount as shall be determined by three disinterested freeholders selected in the following manner:

One disinterested freeholder shall be chosen by the Board; one disinterested freeholder shall be chosen by the Company; these two shall choose a third disinterested freeholder, and the three so chosen shall act as appraisers and shall make the re-valuation aforesaid. Such appraisers shall be chosen at least six (6) months prior to the expiration of this original contract, and their report shall be filed with the Board within three (3) months after they are chosen. They shall act as appraisers and not as arbitrators. They may base their judgment upon their own experience and upon such information as they may obtain by inquiries and investigations, without the presence of either party. They shall have the right to examine any of the books of the Company and its officers under oath. The valuation so ascertained, fixed and determined shall be conclusive upon both parties, but no annual sum shall, in any event, be less than the sum required to be paid for the last year of this original contract. If in any case the annual rate shall not be fixed prior to the termination of the original term of this contract, then the Company shall pay the annual rate theretofore prevailing until the new rate shall be determined, and shall then make up to the City the amount of any excess of the annual rate then determined over the previous annual rate. The compensation and expenses of the said appraisers shall be borne jointly by the City and the Company, each paying one-half thereof.

Second—The Company shall pay to the City for the privilege hereby granted the following sums of money:

(a) During the first term of ten (10) years the annual sum of six hundred dollars (\$600), being the annual sum of one hundred dollars (\$100), for each crossing herein authorized.

(b) During the second term of fifteen (15) years the annual sum of nine hundred dollars (\$900), being the annual sum of one hundred and fifty dollars (\$150) for each crossing herein authorized.

The annual charges shall commence from the date upon which this contract is signed by the Mayor.

All annual charges as above shall be paid into the treasury of the City on November 1 of each year, and shall be for the amount due to September 30 next preceding. Provided that the first annual payment shall be only for that portion of the first annual charge as the time between the date upon which this contract is signed by the Mayor and September 30 following shall bear to the whole of one year.

Any and all payments to be made by the terms of this contract to the City by the Company, shall not be considered in any manner in the nature of a tax, but such payments shall be made in addition to any and all taxes of whatsoever kind or description, now or hereafter required to be paid by any ordinance of the City, or resolution of the Board, or any law of the State of New York.

Third—The annual charges or payments herein provided for shall continue throughout the whole term of this contract (whether original or renewal), notwithstanding any clause in any statute or in the charter of any railroad or railway company providing for payment for railroad or railway rights or franchises at a different rate, and no assignment, lease or sublease of the rights or privileges hereby granted, or of any part thereof, shall be valid or effectual for any purpose unless the said assignment, lease or sublease shall contain a covenant on the part of the assignee or lessee that the same is subject to all the conditions of this contract; and that the assignee or lessee assumes and will be bound by all of said conditions, especially said conditions as to payments, and the removal of the tracks herein authorized, from the surface of the streets crossed by the same, anything in any statute or in the charter of such assignee or lessee to the contrary notwithstanding, and that the said assignee or lessee waives any more favorable conditions created by such statute or its charter, and that it will not claim by reason thereof or otherwise exemption from liability to perform each and all of the conditions of this contract.

Fourth—The consent hereby given shall not be assigned, either in whole or in part, or leased or sublet in any manner, nor shall title, interest or property therein pass to or vest in any other person or corporation whatsoever, either by the acts of the said grantee, its successors or assigns, or by operation of law, without the consent in writing of the City, acting by the Board, or its successors in authority.

Fifth—Upon the termination of this contract, or if the same be renewed, then upon the termination of the said renewal term, or upon the termination of the rights hereby granted for any cause, or upon the dissolution of the Company before such termination, the tracks and equipment of the Company constructed pursuant to this contract within the streets shall become the property of the City without cost, and the same may be used or disposed of by the City for any purpose whatsoever, or the same may be leased to the Company or any other company or individual.

If, however, at the termination of this contract as above, the Board shall so order by resolution, the Company shall, upon thirty (30) days' notice from the Board, remove any and all of its tracks and other equipment constructed pursuant to this contract and the said streets shall be restored to their original condition at the sole cost and expense of the Company.

Sixth—The Company shall commence the construction of the tracks herein authorized under South street, First Ward, within three (3) years, and complete the same within five (5) years from the date upon which this contract is signed by the Mayor, and shall commence and complete the construction of the other tracks herein authorized within two (2) years from such date, otherwise the rights herein granted shall cease and determine as to such tracks not so constructed. In the event of the rights so ceasing, the Company shall not be required to make any further payments for the privilege of constructing and maintaining said tracks under this contract, but shall continue paying to the City the sum fixed by this contract for each crossing which it constructs within the time limit herein fixed.

Seventh—The grantee shall pay the entire cost of the construction and maintenance of the tracks herein authorized to be laid, and where the said tracks are authorized to be laid on the surface of the street, in addition shall pay the following:

(a) The cost of the protection of all surface and subsurface structures which shall be in any way disturbed by the construction of such tracks.

(b) All changes in sewer or other subsurface structures made necessary by the construction of the railroad track, including the laying or relaying of pipes, conduits, sewers or other structures.

(c) The replacing or restoring the pavement in said street which may be disturbed during the construction of the tracks.

(d) The inspection of all work during the construction or removal of the tracks, as herein provided, which may be required by the President of the Borough of Richmond and the Commissioner of Water Supply, Gas and Electricity.

Eighth—Before the construction shall be begun the grantee shall obtain permits to do the work from the President of the Borough of Richmond and from the Commissioner of Water Supply, Gas and Electricity. Said grantee shall perform all the duties which may be imposed upon the grantee by these officials, as conditions of such permits, provided such conditions are not inconsistent with the provisions of this consent. The grantee shall submit to these officials working plans, which shall include and show in detail the method of construction of said railroad tracks and the mode of protection or changes in all subsurface structures required by the construction of such tracks.

Ninth—The said railroad crossings shall, for their entire length between the lines of the streets where they are laid on the surface, be paved between the rails and for a width of two (2) feet outside thereof with asphalt blocks or vitrified brick, laid upon a concrete foundation, or such other material as may be prescribed by the President of the Borough of Richmond, and in a manner acceptable to him. The said crossings shall be constructed, maintained and operated at the expense of the Company, subject to the supervision, control and inspection of the proper authorities of The City of New York who have jurisdiction in such matters under the Charter of The City of New York.

Tenth—Said grantee shall be liable for all damages to persons or property, including the street and subsurface structures therein, by reason of the construction and

operation or maintenance of said railroad tracks, and it is a condition of this consent that The City of New York assumes no liability to either person or property on account of this consent.

Eleventh—Free and uninterrupted access to and passage over said streets where the rails are laid on the surface shall be maintained at all times, both during construction and thereafter, and no cars shall be allowed to stand upon said railroad tracks within the limits of said streets.

Twelfth—This consent is granted on the further and express condition that all laws or ordinances now in force, or which may hereafter be adopted, shall be strictly complied with.

Thirteenth—The Company shall at all times keep the streets upon which the rails authorized by this contract are laid, between the said rails and for a distance of two (2) feet beyond the said rails, on either side thereof, free and clear from ice and snow.

Fourteenth—The Company shall, upon being ordered by the Board so to do, remove the track hereby authorized to be constructed on and across Richmond terrace, from the surface of said street, and construct the same over or under the said street, as directed by the Board, and in such manner as the Board may prescribe, under the supervision of the local authorities of the Borough, at its own expense. And it further agrees that if at any time during the continuance of this contract or any renewal thereof, proceedings shall be taken under the Railroad Law, or any law of the State, looking to the removal of the tracks laid by it on the surface of any street, under authority of this contract, then and in that event the Company shall remove the tracks herein authorized and construct the same across said streets, either over or under the same as directed, at its own cost and expense. Nothing contained herein shall be deemed to affect the rights or liabilities of the Company as to the tracks already laid by it.

Fifteenth—This grant is upon the express condition that the Company, within thirty (30) days after the signing of this contract by the Mayor, and before anything is done in exercise of the rights hereby conferred, shall deposit with the Comptroller of the City the sum of one thousand dollars (\$1,000), either in money or securities, to be approved by him, which fund shall be security for the performance by the Company of all of the terms and conditions of this contract, especially those which relate to the payment of the annual charges for the privileges hereby granted, the repairs of street pavement, and the removal of those tracks laid on the surface of the streets at its own expense as herein provided, and in case of default in the performance by the Company of such terms and conditions the City shall have the right to cause the work to be done and the materials to be furnished for the performance thereof after due notice, and shall collect the reasonable cost thereof from the said fund without legal proceedings; or after default in the payment of the annual charges, shall collect the same, with interest, from the said fund after ten (10) days' notice in writing to the Company; or in case of failure to keep the other terms and conditions of this contract, the Company shall pay a penalty of ten dollars (\$10) per day for each day of violation.

The procedure for the imposition and collection of the penalties in this contract shall be as follows:

The Board, on complaint made, shall give notice to the Company, directing its President or other officer to appear before the Board on a certain day not less than ten (10) days after the date of such notice, to show cause why the Company should not be penalized in accordance with the foregoing provision. If the Company fails to make an appearance, or, after a hearing, appears in the judgment of the Board to be in fault, said Board shall forthwith impose the prescribed penalty, and without legal procedure direct the Comptroller to withdraw the amount of such penalty from the security fund deposited with him. In case of any drafts made upon the security fund the Company shall, upon ten (10) days' notice in writing, pay to the City a sum sufficient to restore said security fund to the original amount of one thousand dollars (\$1,000), and in default thereof this contract shall be annulled at the option of the Board, acting in behalf of the City. No action or proceeding or right under this or any other provision of this contract shall affect any other legal rights, remedies or causes of action belonging to the City.

Sixteenth—In case of any violation, or breach or failure to comply with any of the provisions herein contained, this contract may be forfeited by a suit brought by the Corporation Counsel, on notice of ten (10) days to the Company, or at the option of the Board by resolution of said Board, which said resolution may contain a provision to the effect that the railroad tracks constructed and in use by virtue of this contract shall thereupon become the property of the City without proceedings at law or in equity. Provided, however, that such action by the Board shall not be taken until the Board shall give notice to the Company to appear before it on a certain day not less than ten (10) days after the date of such notice, to show cause why such resolution declaring the contract forfeited should not be adopted. In case the Company fails to appear, action may be taken by the Board forthwith.

Seventeenth—The words "notice" or "direction," wherever used in this contract, shall be deemed to mean a written notice or direction. Every such notice or direction to be served upon the Company shall be delivered at such office in the City as shall have been designated by the Company, or if no such office shall have been designated, or if such designation shall have for any reason become inoperative, shall be mailed in the City, postage prepaid, addressed to the Company at the City. Delivery or mailing of such notice or direction as and when above provided shall be equivalent to direct personal notice or direction, and shall be deemed to have been given at the time of delivery or mailing.

Eighteenth—The word "streets," whenever used herein, shall be deemed to mean such streets, avenues, highways, driveways, concourses, boulevards or public places across or under which the Company is hereby granted the right to lay its tracks.

Sec. 3. The City hereby agrees that it will construct a portal to the proposed new tunnel required for the construction of the tracks herein authorized under South street, in the First Ward of the Borough of Richmond. Said portal is estimated to cost not exceeding four thousand seven hundred dollars (\$4,700) in excess of the cost to the City building a solid retaining wall at this point, as was heretofore proposed. All and every other expense in connection with the rights hereby granted shall be borne and paid for by the Company.

Sec. 4. The City and the Company promise, covenant and agree to conform to and abide by and perform all the terms, conditions and requirements in this contract fixed and contained, to be performed or observed by the respective parties hereto.

In witness whereof, the party of the first part, by its Mayor, thereunto duly authorized by the Board of Estimate and Apportionment of said City has caused the corporate name of said City to be hereunto signed and the corporate seal of said City to be hereunto affixed; and the party of the second part, by its officers, thereunto duly authorized, has caused its corporate name to be hereunto signed and its corporate seal to be hereunto affixed, the day and year first above written.

THE CITY OF NEW YORK,  
By ..... Mayor.

[SEAL]  
Attest: ..... City Clerk.

THE STATEN ISLAND RAPID TRANSIT RAILWAY COMPANY,  
By ..... Vice-President.

Attest: ..... Secretary  
(Here add acknowledgments.)

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen, the Presidents of the Boroughs of Manhattan, Brooklyn and Queens and the President of the Borough of Richmond—15.

Nassau Electric Railroad Company.

A communication, dated July 23, 1909, was received from the Mayor's office returning, duly approved by his Honor the Mayor, resolution adopted by this Board July 2, 1909, fixing this day as the date for public hearing on the petition of the Nassau Electric Railroad Company for a franchise to construct, maintain and operate



a double or single track street surface railway, beginning at the intersection of Liberty and Georgia avenues and extending thence in and upon Georgia avenue to a point near the northerly side of Liberty avenue and there connecting with the tracks of the Brooklyn, Queens County and Suburban Railroad Company in Georgia avenue, Borough of Brooklyn.

Which was ordered filed.

The public hearing on the petition of the Nassau Electric Railroad Company for a franchise to construct, maintain and operate a double or single track street surface railway, beginning at the intersection of Liberty and Georgia avenues and extending thence in and upon Georgia avenue to a point near the northerly side of Liberty avenue and there connecting with the tracks of the Brooklyn, Queens County and Suburban Railroad Company in Georgia avenue, Borough of Brooklyn, was opened.

The hearing was fixed for this day by resolution adopted July 2, 1909.

Affidavits of publication were received from the "Brooklyn Daily Eagle," "Brooklyn Citizen" and the CITY RECORD.

No one appeared in opposition to the proposed grant.

George D. Yeomans, of counsel for the company, appeared in favor.

No one else desiring to be heard, the Chair declared the hearing closed.

The Secretary presented the following:

REPORT No. F-172.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 9, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—Under date of June 15, 1909, the Nassau Electric Railroad Company petitioned the Board for the right to construct, maintain and operate a double or single track street surface railway beginning at the intersection of Liberty and Georgia avenues, extending thence in and upon Georgia avenue to a point near the northerly side of Liberty avenue, and there connecting with the tracks of the Brooklyn, Queens County and Suburban Railroad Company in Georgia avenue.

The petition was presented to the Board on June 25, 1909, and on July 2, 1909, a resolution was adopted fixing September 17, 1909, as the date for the preliminary public hearing.

Upon investigating the application it was found that the franchise under which the tracks in Georgia avenue, to which it is proposed to connect the tracks to be constructed pursuant to the franchise applied for, that is, the tracks of the Brooklyn, Queens County and Suburban Railroad Company, referred to above, gives authority for the construction of the single track railway only with the privilege to lay tracks for the necessary turnouts. A turnout in Georgia avenue has been constructed nearly the entire length of the block between Atlantic avenue and Fulton street, making practically a double track railroad. Connection with these two tracks at the north side of Atlantic avenue by those of the petitioner would complete a double track railway to Fulton street, while apparently only a single track railway is authorized in the block between Atlantic avenue and Fulton street.

The legal question arose whether the Nassau Electric Railroad Company had the right to connect with the single track and the turnout, and operate the same as a part of a double track street surface railroad, and under date of June 21, 1909, a communication was addressed to the Vice-President of the Company in which his attention was called to the franchise right of the Brooklyn, Queens County and Suburban Railroad Company in the portion of Georgia avenue, between Atlantic avenue and Fulton street, and he was asked whether he desired to withdraw the present petition and submit an amended one covering also the portion of Georgia avenue, between Atlantic avenue and Fulton street. Under date of June 22, 1909, he replied by stating that the tracks in Georgia avenue, between Atlantic avenue and Fulton street, were constructed in harmony with the franchise grant, and that the terms of the petition of the Nassau Electric Railroad Company were correct and need no amendment.

Under date of July 1, 1909, this question was presented to the Corporation Counsel for his opinion. To the present time no reply has been received, and in consequence, no proposed form of contract has been prepared to submit to the Board on the date of the preliminary public hearing. As soon as a reply is received from the Corporation Counsel I shall report further upon the petition.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

The matter was then referred to the Chief Engineer and also to a Select Committee consisting of the Comptroller, the President of the Board of Aldermen and the President of the Borough of Brooklyn.

#### Brooklyn City Railroad Company.

A communication, dated July 23, 1909, was received from the Mayor's office returning, duly approved by his Honor the Mayor, resolution adopted by this Board July 2, 1909, fixing this day as the date for public hearing on the petition of the Brooklyn City Railroad Company for a franchise and designating the "Brooklyn Daily Eagle" and the "Brooklyn Citizen" as the daily newspapers in which notice of such hearing shall be published.

Which was ordered filed.

The public hearing on the petition of the Brooklyn City Railroad Company for a franchise to construct, maintain and operate a street surface railway, beginning at the intersection of Avenue J and Flatbush avenue and extending upon and along Avenue J to Utica avenue, Borough of Brooklyn, together with the right to connect with the existing tracks of said company upon Flatbush avenue, was opened.

The hearing was fixed for this day by resolution duly adopted July 2, 1909.

Affidavits of publication were received from the "Brooklyn Daily Eagle," "Brooklyn Citizen" and CITY RECORD.

No one appeared in opposition to the proposed grant.

The following appeared in favor:

Mr. Milner, representing Wood, Harmon & Co.

George D. Yeomans, of counsel for the company.

No one else desiring to be heard, the Chair declared the hearing closed.

The Secretary presented the following:

REPORT No. F-171.

BOARD OF ESTIMATE AND APPORTIONMENT,  
OFFICE OF THE CHIEF ENGINEER,  
September 14, 1909.

Hon. GEORGE B. MCCLELLAN, Mayor, Chairman of the Board of Estimate and Apportionment:

SIR—In accordance with a petition submitted by the Brooklyn City Railroad Company on April 19, 1909, for a franchise to construct and operate a double track or single track railroad upon Avenue J, from Flatbush avenue to Utica avenue, in the Borough of Brooklyn, the Board fixed September 17 as the date for a preliminary hearing. Meanwhile a form of contract was prepared by the Engineer in charge of the Division of Franchises and submitted to the railroad company. This form closely follows that of several grants for similar purposes, but the company has in a communication dated August 5, 1909, taken exception to so many of the provisions of the proposed contract that if it were modified as suggested, it would be radically different from other franchises which have been granted, and the question presenting itself

is whether or not the Board is disposed to insist upon approximately the same terms and conditions in the grant to the Brooklyn City Railroad Company as have been exacted from other companies.

The proposed form of grant, together with a report from the Engineer in charge of the Division of Franchises, is herewith submitted to the Board for its consideration.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 10, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—Under date of April 19, 1909, The Brooklyn City Railroad Company petitioned the Board of Estimate and Apportionment for the right to construct, maintain and operate a double or single track street surface railway upon Avenue J from its intersection with Flatbush avenue to its intersection with Utica avenue.

The petition was presented to the Board on June 25, 1909, and referred to the Chief Engineer.

On July 2, 1909, the Board adopted a resolution fixing September 17 as the date for the preliminary public hearing, and requesting the Mayor to designate two daily newspapers in which notice of the application and such hearing should be published, pursuant to law. "The Brooklyn Eagle" and the "Brooklyn Citizen" have been so designated.

The length of the route is about 3,850 feet, making a total of 7,700 feet or 1.45 miles of single track. The company has furnished a large scale map showing the route of the proposed extension to accompany the petition.

A certificate of extension covering the route applied for was filed by the company in the office of the Secretary of State on June 23, 1909.

The Brooklyn City Railroad Company was organized by filing its articles of association in the office of the Secretary of State December 17, 1853, pursuant to the General Railroad Law. It owns more than 200 miles of single track, all of which property was leased to the Brooklyn Heights Railroad Company on February 14, 1893, for a period of 999 years, and it is now operated by that company.

The extension now proposed by the applicant is designed to connect with the existing railway of The Brooklyn City Railroad Company upon Flatbush avenue at its intersection with Avenue J, and is proposed as an extension to the railway on Flatbush avenue. The portion of the section through which it is to extend between Flatbush avenue and Kouwenhoven place, which intersects Avenue J just east of East Forty-fifth street, is only partly developed. East of Kouwenhoven place, Avenue J has not been constructed and the land bounding on each side thereof consists of farms. This farm land, including the land within the lines of Avenue J, has recently been purchased by the Greater New York Development Company, which, I understand, is a subsidiary company of Wood, Harmon & Co., real estate dealers. It is the intention of this company to improve the section and dispose of the property in small parcels.

The title to the bed of Avenue J between Flatbush avenue and East Forty-fifth street has been ceded to the City and in consequence is legally opened. The portion between East Forty-fifth street and Kouwenhoven place, a distance not exceeding 50 feet, is in use as a street by the public.

In view of the fact that no streets, particularly Avenue J, have been laid out, and that the City has no title to that portion of Avenue J, I communicated with representatives of the Greater New York Development Company, the owner of the property, to ascertain whether or not that company would be willing to cede to the City for street purposes the land within the lines of Avenue J between Kouwenhoven place and Utica avenue.

Under date of June 28, 1909, a communication was received from Mr. James N. Dunlop, representing the Development Company, in which he stated on behalf of the company that it will within thirty days after being called upon by the Board of Estimate and Apportionment cede to the City of New York all lands within the lines of Avenue J between Kouwenhoven place and Utica avenue. There are two or three old buildings within the lines of the avenue. These Mr. Dunlop stated would be removed by the company also.

If this is done the entire portion of Avenue J upon which the applicant petitions to construct a railway will be legally opened with the exception of a small parcel between East Forty-fifth street and Kouwenhoven place, which property is also a public street by reason of its being used as such for some time.

It will be noted from the foregoing that a large portion of the route runs through a section in which there is about to begin a real estate development. The entire section bounding on the route is now without any convenient transportation facilities except the part adjoining the easterly portion of the route, which is within convenient distance from the street surface railway now operated on Flatbush avenue, upon which cars are operated to and from the business section of the Borough of Brooklyn in the vicinity of Fulton street and to and across the New York and Brooklyn Bridge to the Borough of Manhattan. The route proposed would serve a large area and would aid in opening up a section to the public which has hitherto been unavailable because of no transportation facilities.

A draft form of contract has been prepared for the franchise, which is transmitted herewith, containing terms and conditions similar to those which have heretofore been used recently for other street surface railway franchises granted by the Board of Estimate and Apportionment. All of these conditions have been so many times discussed in reports by this Division that any further explanation in regard to the same seems to be unnecessary here.

The main features of the contract are:

(1) That the right is not exclusive, but requires the company to permit other companies to use its track upon payment of an annual sum equal to legal interest on such proportion of the actual cost of the construction, additions and betterments, etc., as the number of cars operated by such other company bears to the number of cars operated by the applicants. In addition to this the company is to pay for its share of the cost of keeping the tracks and electrical equipment in repair, additions and betterments and other obligations which are imposed on the company by the franchise. The legal rate of six per cent. may be increased if the Board finds that that sum is insufficient and that a larger sum is justified.

(2) The company is permitted to use the overhead system of motive power, but the Board reserves the right at any time after the first ten years of the grant, by giving to the company one year's notice, to require the operation of the railway by the underground system of electric power similar to that used by street surface railways in the Borough of Manhattan. The Board reserves the right to order all overhead wires except trolley wires to be placed underground at any time upon six months' notice.

(3) The maximum rate of fare is fixed at five cents for a continuous ride upon the railway or a line or branch operated in connection therewith.

(4) No freight cars are permitted to be operated upon the railway.

(5) The company petitions for the right to operate a double or single track railway. In a communication from Mr. E. W. Winter, dated August 5, 1909, reference to which will be made hereafter, he states that the company wishes to construct at the present time only a single track railway and that the franchise should permit him to do so with the provision that an additional or second track shall be constructed at any time during the term of the contract when required to do so by the Board. The contract was originally drawn requiring the construction of a double track railroad. In view, however, of the undeveloped territory through which the route runs, it is probable that for some time a single track railway will be sufficient to accommodate the passengers upon the railway. In the contract herewith submitted, therefore, this change has been made requiring the company to construct at the present time only a single track railway but reserving to the Board the authority to order the construction and operation of the second track.

(6) Compensation—The Brooklyn City Railroad Company being leased and operated by The Brooklyn Heights Railroad Company does not make separate reports of its earnings to the Public Service Commission except that it reports the amounts received as rental for the property and the disbursements of such sums. Sufficient data are not at hand, therefore, to accurately compute the income from operation per mile of single track per annum upon which to base the minimum annual payments. The only data at hand upon which to compute such sums seem to be the earnings of other street surface railways operating in the Borough of Brooklyn which make annual reports of its receipts and judging from the earnings of such



companies it would appear that the earnings per mile of single track per annum of The Brooklyn City Railroad Company would equal at least \$25,000. This sum has been used as the basis upon which to compute the minimum charges for this privilege. The compensation therefore which I have fixed in the proposed form of contract and which I would recommend is as follows:

Annually during the first five years, three (3) per cent. of the gross receipts, but not less than one thousand one hundred dollars (\$1,100). Annually during the second five years, five (5) per cent. of the gross receipts, but not less than two thousand dollars (\$2,000). Annually during the third five years, five (5) per cent. of the gross receipts, but not less than two thousand two hundred dollars (\$2,200). Annually during the fourth five years, five (5) per cent. of the gross receipts, but not less than two thousand four hundred dollars (\$2,400). Annually during the remaining five years, five (5) per cent. of the gross receipts, but not less than two thousand six hundred and fifty dollars (\$2,650).

The percentage of gross receipts suggested above are the minimums required by the Railroad Law. I would recommend three thousand dollars (\$3,000) as an initial sum to be paid before any rights are exercised under the franchise. For a security deposit to secure the faithful performance of the terms and conditions of the contract five thousand dollars (\$5,000) is suggested.

After preparing a form of contract, I transmitted a proof of the same to the company under date of August 3, 1909, asking that it be inspected and for a reply as to whether or not the terms and conditions of the same are acceptable to the company. The form of contract which was transmitted to the company was the same as that transmitted herewith with two exceptions. The contract, as first drawn, required the construction of a double track railway throughout the entire length of the extension, while the present contract requires the construction of one track within a fixed time and the additional or second track upon six months' notice by the Board to the company, and required the initial payment of five thousand dollars (\$5,000) instead of three thousand dollars (\$3,000) as in the contract transmitted herewith.

The terms and conditions of the form of this contract are, I believe, just and equitable, and are those which should be adopted by the Board for this franchise.

Under date of August 5, 1909, a reply was received to my communication from Mr. E. W. Winter, President of The Brooklyn Heights Railroad Company, in which he objects to many of the provisions contained in the contract. As before stated, this contract contains conditions similar to those which have been used in other franchises which have recently been granted by the Board and the objections made by Mr. Winter seem to prove that it is not the intention of that company to accept any franchise from the City containing conditions which have practically become standard by frequent use. These objections are so numerous that it is plainly evident that there is no intention on the part of the company to endeavor to reach an agreement with the City upon the basis of the policies which have heretofore been adopted by the Board in granting franchises. It appears, therefore, that no agreement can be reached with the Company for this franchise, and the Company is pursuing the same policy which it has heretofore when applying for street surface railway franchises, particularly that of Metropolitan Avenue, when it declined to accept any terms except the minimum provided in the Railroad Law. The question therefore arises whether the street surface railway companies in the Borough of Brooklyn shall be treated differently and more leniently by the terms of their franchises than other street surface railway companies operating in the City.

If it is the intention of the Board that all companies shall be treated proportionately alike in any rights granted to them, then I believe that the Board should pass upon the terms and conditions of this grant and transmit the same to the Company, informing it that it can have the franchise upon such terms should it see fit to take it. The communication of Mr. Winter is herewith transmitted.

Respectfully,

HARRY P. NICHOLS, Engineer in charge.

THE BROOKLYN HEIGHTS RAILROAD COMPANY,  
No. 85 CLINTON STREET,  
BROOKLYN, N. Y., August 5, 1909.

Mr. HARRY P. NICHOLS, Engineer in Charge, Board of Estimate and Apportionment,  
No. 277 Broadway, Borough of Manhattan:

DEAR SIR—Yours of August 3, to Mr. Edward Merritt, President of the Brooklyn City Railroad Company, enclosing galley proof of proposed form of contract between The City of New York and the Brooklyn City Railroad Company, granting a franchise on Avenue J, from Flatbush Avenue to Utica Avenue, has been referred to this company as the lessee company.

Complying with your request, we would advise you of our objections to the conditions stated in the proposed form of contract as follows:

Section 1. The franchise is for a "double-track street surface railway," etc. The application is for a single or double-track railroad.

Under present conditions, and possibly for some time to come, a single-track railroad will be all that the conditions of travel require, but we think we should have authority to construct a double track if conditions should demand, without the necessity of a subsequent application and grant. It will not be necessary, however, to change the language of this section, provided the addition is made to section 2, paragraph 8, as suggested below. In case a single track is constructed immediately, it will be necessary to have a different form of connection at Flatbush Avenue than that shown on the map accompanying our application, and also a turnout at the Utica Avenue terminus, which is also not shown on the map. Inasmuch as the franchise grant refers to the map as filed, I would suggest that reference be made to a supplementary map which we will file, if desired, showing the necessary connections and turnouts in the event that only a single track is constructed.

Section 2, Paragraph 3.—We are unable to accept the proposed provision for a payment of compensation to the City.

Under the special franchise tax law all special franchises are taxed at their full value, and in many cases at more than their full value, and such impositions, we hold, are full compensation for the privileges granted. We are willing to pay the percentage of gross receipts required by the Railroad Law, and in addition an initial payment of \$100, if, as I understand, some such payment is required by the terms of the City Charter. We would suggest, therefore, that in subdivision "a" the words "five thousand dollars (\$5,000)" be changed to "one hundred dollars (\$100)," and that subdivision "b" be changed to read as follows, in conformity with the State Law:

"During each of the first five years after the commencement of operation of the railway herein provided for, three (3) per cent. of its gross receipts for and during the year ending September 30 next preceding, and after the expiration of such five (5) years a like annual payment into the treasury of the city of five (5) per cent. of its gross receipts."

Also in conformity with the statute we would suggest that the language defining the gross annual receipts shall be as follows:

"The gross annual receipts mentioned above shall be that portion of the gross receipts of the company from all sources within the limits of the city as shall bear the same proportion to its whole gross receipts as the length of the extension hereby granted shall bear to the entire length of the railway of the company in operation within the limits of the city."

We also suggest the elimination of the following paragraph, which will be unnecessary if the changes above outlined are made:

"Whenever the percentage required to be paid shall exceed the minimum amount, as above, then such amount over and above such minimum shall be paid on or before November 1 in each year, for the year ending September 30 next preceding."

We also suggest the elimination of the last paragraph of this paragraph 3, namely, that all payments made under the terms of the contract to the City should not be considered in the nature of a tax, but should be in addition to any and all taxes of whatsoever kind or description now or hereafter required to be paid by any ordinance of the City or resolution of the Board, or any law of the State of New York. The principle of the laws now governing the taxation of street railroad corporations is that all the property of such corporations shall be taxed as other property, and in effect the burden borne by such property is greater than that borne generally by other property. The inclusion of the paragraph to which we object, therefore, would mean double taxation, and we are unwilling to accept the franchise with that condition.

Section 2, Paragraph 5.—We think that all of this paragraph should be omitted, with the exception of the first four lines. We see no reason in equity why we should pay for the construction of a franchise extending only for a limited period with the agreement to permit other companies to use such franchise without paying any part of the original cost.

Section 2, Paragraph 6.—We suggest that the limitation herein proposed as to assignment, leasing, etc., be changed so as not to prohibit any assignment, leasing or sub-letting as between companies of the Brooklyn Rapid Transit System.

Section 2, Paragraph 8.—In view of the observations made above as to the construction of a double track we would suggest inserting after the word "construction" in the fifth line, the words "of at least one track" and adding at the bottom of the paragraph the words "an additional or second track may be constructed at such time within the period of this contract as conditions of travel require, and if such conditions do so require at any time in the judgment of the board, the company shall, at the request of the board expressed by its resolution, forthwith construct and operate the same."

Section 2, Paragraph 9.—We would suggest omitting the words "shall cease and determine" in the last line and inserting in place thereof the words "may in the judgment of the Board be forfeited."

Section 2, Paragraph 10.—We would suggest in the last paragraph for the sake of clearness the insertion after the word "railway" in the second line, the words "constructed under this contract."

Section 2, Paragraph 11.—We think that the last paragraph giving to the Board of Estimate the privilege of changing the motive power after ten years is unreasonable and should be omitted.

Section 2, Paragraph 12.—We see no reason why the company should provide conduits for the city's use without compensation, and we object to that portion of the paragraph.

Section 2, Paragraph 13.—The company's rates of fare are now prescribed by statute and franchise, and these might be affected by the acceptance of the provision as worded. We would suggest that the following language be substituted:

"The rate of fare charged for any passenger upon such railroad by any corporation operating thereon shall not exceed the rate legally chargeable by such corporation for any passenger for one continuous ride from any point on its railroad or any railroad, line or branch operated by it or under its control to any other point thereof or of any connecting lines or branch thereof within the limits of the city."

Section 2, Paragraph 14.—This, as worded prohibits the transportation of freight, although the corporation is empowered by its charter and the railroad law to transport freight. We think that all prohibition against the transportation of freight should be omitted, and inasmuch as rates for such transportation are now subject to supervision by the Public Service Commission, we do not think that the Board of Estimate should possess or would like to possess similar jurisdiction.

Section 2, Paragraphs 15, 16, 17 and 18, all cover matters, jurisdiction over which is now vested in the Public Service Commission, and may be safely left to that body. We would suggest their elimination from this contract.

Section 2, Paragraph 19.—The requirement for watering this small stretch of track, including the provision for at least one tank car is unreasonable, is not called for by any conditions attaching to the operation of the railroad, and should be eliminated.

Section 2, Paragraph 25.—The company is now required to furnish to the Public Service Commission voluminous reports each year, and at more frequent intervals relating to its financial operations, and covering substantially all the information called for under this paragraph. We do not think that the additional reports required by this paragraph will serve any additional public purpose, and they would impose unreasonable and unnecessary obligations on the company.

Section 2, Paragraph 27.—We would suggest the elimination of the words "which said resolution may contain a provision to the effect that the railway constructed and in use by virtue of this contract shall thereupon become the property of the city without proceedings at law or in equity." With this omission the paragraph would be substantially the same as that in the Livingston street franchise, recently granted by the Board.

Section 2, Paragraph 28.—We ask that there be inserted in place of this paragraph a provision similar to that in the Livingston street franchise, to wit:

"If the company, its successors or assigns, fail to give efficient public service at the rates herein fixed or to maintain its structures in good condition throughout the whole term of this contract, the Board may give notice to the company, specifying any default on the part of the company and requiring the company to remedy the same within a reasonable time; and upon failure of the company to remedy such default within a reasonable time, the Board shall, after the hearing hereinafter provided for, fix such an amount that said company shall pay as a penalty as shall seem just and fair to said Board, or the Board, in case such structures which may affect the surface of the streets shall not be put in good condition within a reasonable time after notice by the Board, as aforesaid, shall have the right to make all needed repairs at the expense of the company, in which case the company shall pay to the city the amount of the cost of such repairs, with legal interest thereon, all of which sums may be deducted from the fund hereinafter provided."

Section 2, Paragraph 30.—In view of the small amount of track covered by the proposed franchise we think a deposit of \$1,000 in money or securities should be more than sufficient to safeguard any public interest instead of \$5,000 as is proposed. It is also suggested that the remainder of the paragraph be modified so as to correspond with the Livingston street franchise, the substance of which modification will be to eliminate the suggested penalty and leave the amount to the Board of Estimate and Apportionment.

With these modifications the proposed form of contract will be acceptable to us.

Respectfully submitted,

THE BROOKLYN HEIGHTS RAILROAD COMPANY, Lessee of  
THE BROOKLYN CITY RAILROAD COMPANY,

By E. W. WINTER, President.

#### SYNOPSIS OF PROVISIONS OF CONTRACT.

Section 1. Grant, description of route and map referred to.

Sec. 2 Conditions of grant:

First—Consents of property owners.

Second—Term of grant.

Third—Compensation to the City. Compensation not to be considered a tax.

Fourth—Annual charges to be maintained throughout the term of grant.

Fifth—Right not exclusive.

Sixth—Rights not to be assigned.

Seventh—When rights cease, property in streets to become City's.

Eighth—Commencement and completion of construction.

Ninth—Railway to be constructed and operated in the latest approved manner.

Tenth—Construction and operation to be under the control of City authorities. Permission to construct to be obtained.

Eleventh—Motive power.

Twelfth—All wires to be placed in conduits. Company to furnish two conduits for the use of the City.

Thirteenth—Rate of fare.

Fourteenth—No freight cars to be operated.

Fifteenth—Fenders and wheel guards to be provided.

Sixteenth—Cars to be heated.

Seventeenth—Cars to be lighted.

Eighteenth—Headway of cars.

Nineteenth—Streets to be watered.

Twentieth—Snow and ice to be removed.

Twenty-first—Company to pave and keep in repair the surface of the street between tracks.

Twenty-second—Expense of alteration to sewerage or drainage system to be borne by Company.

Twenty-third—Construction and operation not to interfere with any public work.



Twenty-fourth—Company to change railway if lines or grades of streets are changed.

Twenty-fifth—Annual report to the Board.

Twenty-sixth—Company to keep accurate books of account and report to Comptroller.

Twenty-seventh—City may sue for forfeiture.

Twenty-eighth—Fine of \$250 per day for inefficient public service.

Twenty-ninth—Company to assume all liability of damages.

Thirtieth—Security deposit. Procedure for collection of penalties.

Thirty-first—Definition of words "notice" and "direction."

Thirty-second—Definition of words "streets or avenues."

Thirty-third—If authority of Board or other officer is transferred, then such Board or officer shall act for City.

Sec. 3. Contract not to be construed as limiting powers of Public Service Commission.

Sec. 4. Provisions of Railroad Law to be complied with.

Sec. 5. Company agrees to abide by all terms and conditions.

#### PROPOSED FORM OF CONTRACT.

This contract made this       day of       , 19       , by and between the City of New York (hereinafter called the City), party of the first part, by the Mayor of said City, acting for and in the name of said City, under and in pursuance of the authority of the Board of Estimate and Apportionment of said City (hereinafter called the Board), and The Brooklyn City Railroad Company (hereinafter called the Company), party of the second part, witnesseth:

In consideration of the mutual covenants and agreements herein contained, the parties hereto do hereby covenant and agree as follows:

Section 1. The City hereby grants to the Company, subject to the conditions and provisions hereinafter set forth, the right and privilege to construct, maintain and operate a double track street surface railway with the necessary wires and equipment, for the purpose of conveying persons and property in the Borough of Brooklyn, in The City of New York, upon the following route, to wit:

Beginning at and connecting with the existing tracks of the Brooklyn City Railroad Company in Flatbush avenue at Avenue J, extending thence in and upon Avenue J to Utica avenue.

And to cross such other streets and avenues, named and unnamed, as may be encountered in said route.

The said route with turnouts, switches and crossovers hereby authorized is shown upon a map entitled:

"Map showing the proposed extension in the routes of The Brooklyn City R. R. in the Borough of Brooklyn, to accompany petition to the Board of Estimate and Apportionment, dated April 19, 1909," and approved by Edward Merritt, President, and W. S. Menden, Chief Engineer; a copy of which is attached hereto, is to be deemed a part of this contract, is to be construed with the text thereof, and is to be substantially followed, provided that deviations therefrom and additional turnouts, switches and crossovers which are consistent with the foregoing description and the other provisions of this contract may be permitted by resolution of the Board.

Sec. 2. The grant of this privilege is subject to the following conditions, which shall be complied with by the Company:

First—The consent in writing of the owners of half in value of the property bounded on said streets and avenues to the construction and operation of said railway shall be obtained by the Company within six (6) months from the signing of this contract by the Mayor, and a copy of such consent shall be filed with the Board within such time, or in the event that such consents cannot be obtained within such time, the Company shall, within one (1) month thereafter, make application to the Appellate Division of the Supreme Court for the appointment of Commissioners in the manner provided by the Railroad Law to determine if said railway ought to be constructed; otherwise this grant shall cease and determine.

Second—The said right to construct, maintain and operate said railway shall be held and enjoyed by the Company for the term of twenty-five (25) years from the date upon which this contract is signed by the Mayor, with the privilege of renewal of said contract for the further period of twenty-five (25) years, upon a fair revaluation of such right and privilege.

If the Company shall determine to exercise its privilege of renewal it shall make application to the Board, or any authority which shall be authorized by law to act for the City in place of the Board. Such application shall be made at any time not earlier than two (2) years and not later than one (1) year before the expiration of the original term of this contract. The determination of the revaluation shall be sufficient if agreed to in writing by the Company and the Board, but in no case shall the annual rate of compensation to the City be fixed at a less amount than the sum required to be paid during the last year prior to the termination of the original term of this contract.

If the Company and the Board shall not reach such agreement on or before the day one (1) year before the expiration of the original term of this contract, then the annual rate of compensation for such succeeding twenty-five (25) years shall be reasonable, and either the City (by the Board) or the Company shall be bound upon request of the other to enter into a written agreement with each other fixing the rate of such compensation at such amount as shall be reasonable, but in no case shall the annual rate so fixed be less than the sum required to be paid for the last year prior to the termination of the original term of this contract, and if the parties shall not forthwith agree upon what is reasonable, then the parties shall enter into a written agreement fixing such annual rate and at such amount as shall be determined by three disinterested freeholders selected in the following manner:

One disinterested freeholder shall be chosen by the Board; one disinterested freeholder shall be chosen by the Company; these two shall choose a third disinterested freeholder, and the three so chosen shall act as appraisers and shall make the revaluation aforesaid. Such appraisers shall be chosen at least six (6) months prior to the expiration of this original contract, and their report shall be filed with the Board within three (3) months after they are chosen. They shall act as appraisers and not as arbitrators. They may base their judgment upon their own experience and upon such information as they may obtain by inquiries and investigations, without the presence of either party. They shall have the right to examine any of the books of the Company and its officers under oath. The valuations so ascertained, fixed and determined shall be conclusive upon both parties, but no annual sum shall, in any event, be less than the sum required to be paid for the last year of this original contract. If in any case the annual rate shall not be fixed prior to the termination of the original term of this contract, then the Company shall pay the annual rate theretofore prevailing until the new rate shall be determined, and shall then make up to the City the amount of any excess of the annual rate then determined over the previous annual rate. The compensation and expenses of the said appraisers shall be borne jointly by the City and the Company, each paying one-half thereof.

Third—The Company shall pay to the City for the privilege hereby granted the following sums of money:

(a) The sum of three thousand dollars (\$3,000) in cash within three (3) months after the date on which this contract is signed by the Mayor, and before anything is done in exercise of the privilege hereby granted.

(b) During the first term of five (5) years an annual sum which shall in no case be less than one thousand one hundred dollars (\$1,100), and which shall be equal to three (3) per cent. of its gross annual receipts if such percentage shall exceed the sum of one thousand one hundred dollars (\$1,100).

During the second term of five (5) years an annual sum which shall in no case be less than two thousand dollars (\$2,000), and which shall be equal to five (5) per cent. of its gross annual receipts, if such percentage shall exceed the sum of two thousand dollars (\$2,000).

During the third term of five (5) years an annual sum which shall in no case be less than two thousand two hundred dollars (\$2,200) and which shall be equal to five (5) per cent. of its gross annual receipts, if such percentage shall exceed the sum of two thousand two hundred dollars (\$2,200).

During the fourth term of five (5) years an annual sum which shall in no case be less than two thousand four hundred dollars (\$2,400), and which shall be equal to five (5) per cent. of its gross annual receipts, if such percentage shall exceed the sum of two thousand four hundred dollars (\$2,400).

During the remaining term of five (5) years an annual sum which shall in no case be less than two thousand six hundred and fifty dollars (\$2,650), and which shall be equal to five (5) per cent. of its gross annual receipts if such percentage shall exceed the sum of two thousand six hundred and fifty dollars (\$2,650).

The gross annual receipts mentioned above shall be that portion of the gross earnings of the Company from all sources within the limits of the City as shall bear the same proportion to such gross earnings as the length of the extension hereby granted shall bear to the entire length of the railway of the Company in operation within the limits of the City.

The annual charges shall commence from the date upon which this contract is signed by the Mayor.

All annual charges as above shall be paid into the treasury of the City on November 1 of each year and shall be for the amount due to September 30 next preceding. Provided that the first annual payment shall be only for that proportion of the first annual charge as the time between the date upon which this contract is signed by the Mayor and September 30 following shall bear to the whole of one year.

Whenever the percentage required to be paid shall exceed the minimum amount as above, then such sum over and above such minimum shall be paid on or before November 1 in each year for the year ending September 30 next preceding.

The annual charges herein provided are intended to include the percentages of gross receipts now required to be paid by railway companies to the City pursuant to the Railroad Law as amended.

Any and all payments to be made by the terms of this contract to the City by the Company shall not be considered in any manner in the nature of a tax, but such payments shall be made in addition to any and all taxes of whatsoever kind or description, now or hereafter required to be paid by any ordinance of the City, or resolution of the Board, or any law of the State of New York.

Fourth—The annual charges or payments shall continue throughout the whole term of this contract (whether original or renewal), notwithstanding any clause in any statute or in the charter of any other railway or railroad company providing for payment for railway or railroad rights or franchises at a different rate, and no assignment, lease or sublease of the rights or privileges hereby granted (whether original or renewal), or of any part thereof, or of any of the routes mentioned herein, or of any part thereof, shall be valid or effectual for any purpose unless the said assignment, lease or sublease shall contain a covenant on the part of the assignee or lessee that the same is subject to all the conditions of this contract; and that the assignee or lessee assumes and will be bound by all of said conditions, and especially said conditions as to payments, anything in any statute or in the charter of such assignee or lessee to the contrary notwithstanding, and that the said assignee or lessee waives any more favorable conditions created by such statute or its charter, and that it will not claim by reason thereof or otherwise exemption from liability to perform each and all of the conditions of this contract.

Fifth—Nothing in this contract shall be deemed to affect in any way the right of the City to grant to any individual or other corporation a similar right or privilege upon the same or other terms and conditions, over the same streets and avenues, hereinbefore described.

The use of the railway constructed by the Company under this contract, including the tracks, wires and other equipment or any structures used in connection therewith, in streets and avenues hereinbefore described shall be permitted by the Company, to any individual or corporation to which the City may have granted, or may hereafter grant, the right or privilege to use such streets and avenues for street railway purposes, upon payment of an annual sum by such individual or corporation to the Company, which shall equal the legal interest on such proportion of the actual cost of the construction of such railway and structures, and additions and betterments thereto, as the number of cars operated by such individual or corporation shall bear to the number of cars operated by the companies then using the same; and also such proportion of the cost of keeping the tracks and electrical equipment in repair, and the cost of additions and betterments thereto, such proportion of laying and repairing of pavement and removal of snow and ice and all other duties imposed upon the Company by the terms of this contract in connection with the maintenance or the operation of said railway so used, as the number of cars operated by such individual or corporation shall bear to the number of cars operated by the companies then using the same, together with the actual cost of the power necessary for the operation of the cars thereon of such individual or corporation. Provided, however, that if, in the opinion of the Company, the legal rate of interest upon the cost of such railway shall be an insufficient sum to be paid for the use of such tracks, it may appeal to the Board and the Board may fix a percentage upon the cost to be paid to the Company, at a sum in excess of the legal rate of interest, if, in its opinion, such action is justified.

The Company shall not at any time oppose, but shall, upon the request of the Board, consent to the construction or operation of any street surface railway which may necessitate the use of any portion of the railway which shall be constructed by the Company pursuant to this contract.

Sixth—The rights and privileges hereby granted shall not be assigned, either in whole or in part, or leased or sublet in any manner, nor shall the title thereto, or right, interest or property therein, pass to or vest in any other person or corporation whatsoever, either by the act of the Company, or by operation of law, whether under the provisions of the statutes relating to the consolidation or merger of corporations or otherwise, without the consent of the City, acting by the Board, evidenced by an instrument under seal, anything herein contained to the contrary thereof in anywise notwithstanding, and the granting, giving or waiving of any one or more of such consents shall not render unnecessary any subsequent consent or consents.

Seventh—Upon the termination of this original contract, or if the same be renewed, then at the termination of the said renewal term, or upon the termination of the rights hereby granted for any cause, or upon the dissolution of the Company before such termination, the tracks and equipments of the Company constructed pursuant to this contract within the streets and avenues shall become the property of the City without cost, and the same may be used or disposed of by the City for any purpose whatsoever, or the same may be leased to any company or individual.

If, however, at the termination of this contract as above, the Board shall so order by resolution, the Company shall, upon thirty (30) days' notice from the Board, remove any and all of its tracks and other equipment constructed pursuant to this contract and the said streets and avenues shall be restored to their original condition at the sole cost and expense of the Company.

Eighth—The Company shall commence construction of the railway herein authorized within six (6) months from the date upon which the consents of the property owners are obtained, or from the date upon which the decision of the Appellate Division of the Supreme Court that such railway ought to be constructed is rendered in lieu of such consents, and shall complete the construction of at least one track and place the same in full operation within twelve (12) months from the date of obtaining such consents or such decision, otherwise this right shall cease and determine, and all sums paid, or which may be deposited with the Comptroller of the City, as hereinafter provided, shall thereupon be forfeited to the City; provided that such periods may be extended by the Board for a period or periods not exceeding in the aggregate six (6) months each; and provided, further, that when the commencement or completion of said construction shall be prevented by legal proceedings in any court or by works of public improvement, or from other causes not within control of the Company, the time for the commencement or completion of such construction may be extended for the period of such prevention, but no delay shall be allowed for unless the court proceedings shall be diligently prosecuted by the Company, and provided further, that in no case shall such delay be deemed to begin until the Company shall have given written notice to the Board of any such court proceedings or other occasion of delay, and deliver to the Board copies of any injunction or other orders, and the papers upon which the same shall have been granted, and unless upon the request of the Board the Company shall, in writing, consent that the Board either in its own name as a party, or in the name of the City as a party, may intervene in any such proceedings.

If at any time during the term of the contract it is the opinion of the Board that an additional or second track is necessary on account of the conditions of travel, the Company agrees to construct such additional or second track within six months from the date on which notice is served upon the Company that a resolution has been adopted by the Board directing the Company to construct such additional or second track.



Ninth—Said railway shall be constructed and operated in the latest approved manner of street railway construction and operation, and it is hereby agreed that the Board may require the Company to improve or add to the railway equipment, including rolling stock and railway appurtenances, from time to time, as such additions and improvements are necessary, in the opinion of the Board. Upon failure on the part of the Company to comply with the direction of the Board within a reasonable time, the rights hereby granted shall cease and determine.

Tenth—Said railway shall be constructed, maintained and operated subject to the supervision and control of all the authorities of the City who have jurisdiction in such matters, as provided by the Charter of the City.

No construction upon said railway shall be commenced until written permits have been obtained from the proper City officials.

In any permits so issued such officials may also impose such conditions, as a condition of the granting of the same, as are necessary for the purpose of protecting any structures, in the streets and avenues, over which such officials have jurisdiction and the Company shall comply with such conditions.

The electrical equipment to be installed by the Company for the operation of the railway within the limits of the City, whether the same be upon streets and avenues or upon private property, shall be constructed and maintained under the supervision and control of the Commissioner of Water Supply, Gas and Electricity.

Eleventh—Said railway may be operated by overhead electric power substantially similar to the overhead electric system now in use by street surface railways in the Borough of Brooklyn, or by any other motive power, except locomotive steam power or horse power, which may be approved by the Board, and consented to by the abutting property owners, in accordance with the provisions of law, and by the Public Service Commission for the First District of the State of New York.

Provided, however, that the Board, at any time after the first ten (10) years of this contract, upon giving to the Company one (1) year's notice, may require the Company to operate its railway upon the whole or any portion of the route upon which a railway is hereby authorized, and at any time after the first fifteen (15) years of this contract, upon giving to the Company one (1) year's notice, may require the Company to operate its railway upon the whole or any portion of the route hereby authorized by underground electric power, substantially similar to the system now in use on the street surface railways in the Borough of Manhattan, or by any other practical motive power then in use which does not require the use of poles and overhead wires in the streets and avenues, and thereupon to discontinue the use of the overhead trolley system and remove its poles, wires, and other structures used by it for that purpose, from the streets and avenues of the City.

Twelfth—Upon six (6) months' notice by the Board to the Company, all wires for the transmission of power, except trolley wires, for the operation of the railway, upon all or any portion of the route hereby authorized, shall be placed in conduits beneath or alongside of the railway. The Company shall provide in such conduits two (2) ducts not less than three (3) inches in diameter for the exclusive use of the City. Such ducts shall be used only by the Company for the operation of its railway and by the City, as above.

Thirteenth—The rate of fare for any passenger upon said railway shall not exceed five (5) cents, and the Company shall not charge any passenger more than five (5) cents for one continuous ride from any point on said railway, or a line or branch operated in connection therewith, to any point thereof, or of any connecting line or branch thereof, within the limits of the City.

The Company shall carry free upon the railway hereby authorized during the term of this contract all members of the Police and Fire Departments of the City, when such employees are in full uniform.

Fourteenth—No cars shall be operated upon the railway hereby authorized, other than passenger cars, cars for the transportation of express matter and cars necessary for the repair or maintenance of the railway, and no freight cars shall be operated upon the tracks of said railway.

The rate for the carrying of such property over the said railway upon the cars of the Company shall in all cases be reasonable in amount, subject to the control of the Board, and may be fixed by the Board after notice to the Company and a hearing had thereon, and when so fixed such rates shall be binding upon the Company, and no greater sums shall be charged for such services than provided for by it.

Fifteenth—The Company shall attach to each car run over the said railway proper fenders and wheel guards, in conformity with such laws and ordinances as are now in force, or may hereafter, during the term of this contract, be enacted or adopted by the State or City authorities, or as may be required by resolution of the Board.

Sixteenth—All cars which are operated on said railway shall be heated during the cold weather, in conformity with such laws and ordinances as are now in force, or may hereafter, during the term of this contract, be enacted or adopted by the State or City authorities, or as may be required by resolution of the Board.

Seventeenth—All cars operated on said railway shall be well lighted by electricity, or by some lighting system equally efficient, or as may be required by resolution of the Board.

Eighteenth—Cars on the said railway shall run at intervals of not more than thirty (30) minutes both day and night, and as much oftener as reasonable convenience of the public may require, or as may be directed by the Board.

Provided, however, that the Company, during the first five (5) years of this contract, shall not be required to operate its cars between the hours of 1 o'clock a. m. and 5 o'clock a. m., each day, unless the Board shall determine after a hearing had thereon that public convenience requires the operation of cars during said hours.

Nineteenth—The Company, so long as it shall continue to use any of the tracks upon the streets and avenues in which said railway shall be constructed, shall cause to be watered at least three (3) times every twenty-four (24) hours when the temperature is above thirty-five (35) degrees Fahrenheit, the entire width of the streets and avenues, except when the width of such streets and avenues shall exceed sixty (60) feet between curb lines, in which case the Company shall cause to be watered only sixty (60) feet in width of such roadway, and the Company shall provide for such purpose at least one tank car, the capacity of which shall be sufficient to water such streets and avenues in a satisfactory manner.

Twentieth—The Company shall at all times keep the streets and avenues upon which the said railway is constructed, between its tracks, the rails of its tracks and for a distance of two (2) feet beyond the rails, on either side thereof, free and clear from ice and snow; provided, however, that the Company shall, at the option of the Commissioner of Street Cleaning, enter into an agreement for each winter season, or part thereof, to clean an equivalent amount of street surface from house line to house line.

Twenty-first—As long as said railway, or any portion thereof, remains in any street or avenue, the Company shall pave and keep in permanent repair that portion of the surface of the street or avenue in which the said railway is constructed, between its tracks, the rails of its tracks and for a distance of two (2) feet beyond the rails on either side thereof, under the supervision of the local authorities, whenever required by them to do so, and in such manner as they may prescribe. And the City shall have the right to change the material or character of the pavement of any street or avenue, and in that event the Company shall be bound to replace such pavement in the manner directed by the proper City officer, at its own expense, and the provision as to repairs herein contained shall apply to such renewed or altered pavement.

Twenty-second—Any alteration to the sewerage or drainage system, or to any other subsurface or to any surface structures in the streets, required on account of the construction or operation of the railway, shall be made at the sole cost of the Company, and in such manner as the proper City officials may prescribe.

Twenty-third—It is agreed that the right hereby granted to operate a street surface railway shall not be in preference or in hindrance to public work of the City, and should the said railway in any way interfere with the construction of public works in the streets and avenues, whether the same is done by the City directly or by a contractor for the City, the Company shall, at its own expense, protect or move the tracks and appurtenances in the manner directed by the City officials having jurisdiction over such public work.

Twenty-fourth—Should the grades or lines of the streets and avenues in which the railway is hereby authorized be changed at any time after the railway has been constructed and during the term of this contract, the Company shall, at its own expense, change its tracks and appurtenances to conform with such new grades and lines, and during the construction of any public improvement upon said street the

Company shall take care of and protect the tracks and appurtenances at its own expense, all to be done subject to the direction of the City official having jurisdiction over the construction of such change.

Twenty-fifth—The Company shall submit to the Board a report not later than November 1 of each year for the year ending September 30 next preceding, and at any other time, upon request of the Board, which shall state:

1. The amount of stock issued, for cash, for property.
2. The amount paid in as by last report.
3. The total amount of capital stock paid in.
4. The funded debt by last report.
5. The total amount of funded debt.
6. The floating debt as by last report.
7. The total amount of floating debt.
8. The total amount of funded and floating debt.
9. The average rate per annum of interest on funded debt.
10. Statement of dividends paid during the year.
11. The total amount expended for same.
12. The names of the directors elected at the last meeting of the corporation held for such purpose.
13. Location, value and amount paid for real estate owned by the Company as by last report.
14. Location, value and amount paid for real estate now owned by the Company.

15. Number of passengers carried during the year.
16. Total receipts of Company for each class of business.
17. Amounts paid by the Company for damage to persons or property on account of construction and operation.

18. Total expenses for operation, including salaries—and such other information in regard to the business of the Company as may be required by the Board.

Twenty-sixth—The Company shall at all times keep accurate books of account of the gross earnings from all sources within the limits of the City, and shall, on or before November 1 of each year, make a verified report to the Comptroller of the City of the business done by the Company, for the year ending September 30 next preceding, in such form as he may prescribe. Such report shall contain a statement of such gross earnings, the total miles in operation within the limits of the City and the miles of railway constructed and operated under this contract, and such other information as the Comptroller may require. The Comptroller shall have access to all books of the Company for the purpose of ascertaining the correctness of its report, and may examine its officers under oath.

Twenty-seventh—In case of any violation or breach of failure to comply with any of the provisions herein contained, this contract may be forfeited by a suit brought by the Corporation Counsel, on notice of ten (10) days to the Company, or at the option of the Board by resolution of said Board, which said resolution may contain a provision to the effect that the railway constructed and in use by virtue of this contract shall thereupon become the property of the City without proceedings at law or in equity. Provided, however, that such action by the Board shall not be taken until the Board shall give notice to the Company to appear before it on a certain day not less than ten (10) days after the date of such notice, to show cause why such resolution declaring the contract forfeited should not be adopted. In case the Company fails to appear, action may be taken by the Board forthwith.

Twenty-eighth—If the Company shall fail to give efficient public service at the rates herein fixed, or fail to maintain its structures and equipment as herein provided in good condition throughout the whole term of this contract, the Board may give notice to the Company specifying any default on the part of the Company, and requiring the Company to remedy the same within a reasonable time; and upon failure of the Company to remedy such default within a reasonable time, the Company shall, for each day thereafter during which the default or defect remains, pay to the City the sum of two hundred and fifty dollars (\$250) as fixed or liquidated damages, or the Board, in case such structures or equipment which may affect the surface of the streets shall not be put in good condition within a reasonable time after notice by the Board as aforesaid shall have the right to make all needed repairs at the expense of the Company, in which case the Company shall pay to the City the amount of the cost of such repairs, with legal interest thereon, all of which sums may be deducted from the fund hereinafter provided for.

Twenty-ninth—The Company shall assume all liability to persons or property by reason of the construction or operation of the railway authorized by this contract, and it is a condition of this contract that the City shall assume no liability whatsoever to either persons or property on account of the same, and the Company hereby agrees to repay to the City any damage which the City shall be compelled to pay by reason of any acts or default of the Company.

Thirtieth—This grant is upon the express condition that the Company, within thirty (30) days after the signing of this contract by the Mayor, and before anything is done in exercise of the rights conferred hereby, shall deposit with the Comptroller of the City the sum of five thousand dollars (\$5,000), either in money or securities, to be approved by him, which fund shall be security for the performance by the Company of all of the terms and conditions of this contract, especially those which relate to the payment of the annual charges for the privilege hereby granted, the efficiency of the public service rendered, the repairs of the street pavement, the removal of snow and ice and the quality of construction of the railway, and in case of default in the performance by the Company of such terms and conditions the City shall have the right to cause the work to be done and the materials to be furnished for the performance thereof after due notice, and shall collect the reasonable cost thereof from the said fund without legal proceedings; or after default in the payment of the annual charges, shall collect the same, with interest, from the said fund after ten (10) days' notice in writing to the Company; or in case of failure to keep the said terms and conditions of this contract relating to the headway, heating and lighting of cars, fenders, wheel guards and watering of street pavements, the Company shall pay a penalty of fifty dollars (\$50) per day for each day of violation, and the further sum of ten dollars (\$10) per day for each car that shall not be properly heated, lighted or supplied with fenders or wheel guards, in case of the violation of the provisions relating to those matters.

The procedure for the imposition and collection of the penalties in this contract shall be as follows:

The Board, on complaint made, shall give notice to the Company, directing its President or other officer to appear before the Board on a certain day not less than ten (10) days after the date of such notice, to show cause why the Company should not be penalized in accordance with the foregoing provisions. If the Company fails to make an appearance, or, after a hearing appears in the judgment of the Board to be in fault, said Board shall forthwith impose the prescribed penalty, or where the amount of the penalty is not prescribed herein, such amount as appears to the Board to be just, and without legal procedure direct the Comptroller to withdraw the amount of such penalty from the security fund deposited with him. In case of any drafts made upon the security fund the Company shall, upon ten (10) days' notice in writing, pay to the City a sum sufficient to restore said security fund to the original amount of five thousand dollars (\$5,000), and in default thereof this contract shall be cancelled and annulled at the option of the Board, acting in behalf of the City. No action or proceeding or right under the provisions of this contract shall affect any other legal rights, remedies or causes of action belonging to the City.

Thirty-first—The words "notice" or "direction," wherever used in this contract, shall be deemed to mean a written notice or direction. Every such notice or direction to be served upon the Company shall be delivered at such office in the City as shall have been designated by the Company, or if no such office shall have been designated, or if such designation shall have for any reason become inoperative, shall be mailed in the City, postage prepaid addressed to the Company at the City. Delivery or mailing of such notice or direction as and when above provided shall be equivalent to direct personal notice or direction, and shall be deemed to have been given at the time of delivery or mailing.

Thirty-second—The words "streets or avenues" and "streets and avenues" wherever used in this contract shall be deemed to mean "streets, avenues, highways, parkways, driveways, concourses, boulevards, bridges, viaducts, tunnels, public places or any other property to which the City has title" encountered in the route hereinabove described, and upon or in which authority is hereby given to the Company to construct a railway.



Thirty-third—If at any time the powers of the Board or any other of the authorities herein mentioned or intended to be mentioned, shall be transferred by law to any other board, authority, officer or officers, then and in such case such other board, authority, officer or officers shall have all the powers, rights and duties herein reserved to or prescribed for the Board or other authorities, officer or officers.

Sec. 3. Nothing in this contract shall be construed as in any way limiting the present or future jurisdiction of the Public Service Commission under the Laws of the State of New York.

Sec. 4. This grant is also upon the further and express condition that the provisions of the Railroad Law, pertinent hereto, shall be strictly complied with by the Company.

Sec. 5. The Company promises, covenants and agrees on its part and behalf to conform to and abide by and perform all the terms, conditions and requirements in this contract fixed and contained.

In Witness Whereof, the party of the first part, by its Mayor, thereunto duly authorized by the Board of Estimate and Apportionment of said City, has caused the corporate name of said City to be hereunto signed and the corporate seal of said City to be hereunto affixed; and the party of the second part, by its officers, thereunto duly authorized, has caused its corporate name to be hereunto signed and its corporate seal to be hereunto affixed, the day and year first above written.

#### THE CITY OF NEW YORK,

By.....Mayor.

[CORPORATE SEAL.]

Attest:

.....City Clerk.

#### THE BROOKLYN CITY RAILROAD COMPANY,

By.....President.

[SEAL.]

Attest:

.....Secretary.

(Here add acknowledgments.)

The report and form of contract were referred to a Select Committee, consisting of the Comptroller, the President of the Board of Aldermen and the President of the Borough of Brooklyn, to report to the Board as to whether the policy heretofore employed shall be applicable to the pending petition.

#### Queens Lighting Company.

A communication, dated July 23, 1909, was received from the Mayor's office, stating his Honor the Mayor designated the "Flushing Evening Journal" and the "Long Island City Daily Star" as the two daily newspapers in which the notice of hearing and form of contract for the grant of a franchise to the Queens Lighting Company shall be published.

Which was ordered filed.

In the matter of the petition of the Queens Lighting Company for a franchise to construct, maintain and operate pipes, mains and conductors under the streets and avenues in a portion of the Borough of Queens for the purpose of supplying gas to public and private consumers:

By resolution adopted July 2, 1909, the form of contract for the grant of this franchise was entered on the minutes of this Board, ordered advertised in two daily newspapers and in the CITY RECORD, as provided by law, and this day was fixed as the date for final hearing.

An affidavit of publication was received from the CITY RECORD.

The Secretary presented the following:

REPORT NO. F-40.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 10, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—At the meeting of the Board held June 25, 1909, the Comptroller, to whom had been referred the application of the Queens Lighting Company for a franchise to construct, maintain and operate pipes, mains and conductors under the streets and avenues in a portion of the Borough of Queens, for the purpose of supplying gas therein, on October 11, 1907, submitted a report recommending the grant of a franchise to the Company when the form of contract which had been approved by the Board on October 4, 1907, for this purpose was amended in accordance with certain suggestions contained in his report. The matter was then referred to the Chief Engineer to prepare the necessary resolutions.

On July 2 the Chief Engineer presented to the Board a report of this Division dated June 29, together with a resolution rescinding the resolution adopted by the Board at its meeting held October 4, 1907, approving of the form of proposed contract granting a franchise to the Queens Lighting Company, and a resolution fixing the date for a public hearing on the form of contract as amended in accordance with the suggestions of the Comptroller on September 17, 1909. These resolutions were adopted by the Board, and the Mayor later designated the "Long Island City Daily Star" and the "Flushing Evening Journal" for the publication of the advertisement of the public hearing.

Notice to this effect was sent to Mr. J. Maynard Kissam, President of the Company, on August 16, 1909, and on August 17, in answer to this notice, Mr. Kissam addressed the Board, requesting the deferring of action on the matter until he was heard from further, as the committee who had the matter in charge were on their vacation and would not return until September 1. His communication contained a request to notify the papers not to proceed with the printing until further notice. In answer to Mr. Kissam's communication, the Assistant Secretary of the Board on August 18 advised him that as this publication had been ordered by the Board nothing could be done by this office to delay or defer the same.

Nothing further occurred until September 7, when Mr. Kissam called at this office and informed me that the Company's directors were to hold a meeting that afternoon at the Victoria Hotel to determine what further steps they would take in the matter. He stated in the course of the conversation that the Brooklyn Union Gas Company had been laying pipes during the summer through most of the principal streets and side streets covered by the franchise proposed to be granted to the Queens Lighting Company, and that as the Brooklyn Gas Company had under the grants to the Flushing and Jamaica Gas Light Companies a very much better chance than the Queens Lighting Company would have under the proposed limited franchise, that they were at that time undecided as to their future course.

On September 9 Mr. Kissam addressed a communication to this Division, stating that at the meeting called for Tuesday, the 7th of September, they were unable to get a quorum, and that in view of this fact and the limited time he would advise not taking any further action in the matter for the public hearing on the 17th of September.

This Division has lately been informed that the printing of the advertisements of the public hearing in the two daily newspapers designated has been stopped by Mr. Kissam, with the result that no notice has as yet appeared, although the date for the first publication, viz., September 8, has passed.

In view of these circumstances no public hearing of this matter can be held by the Board at its meeting on September 17, and I would, therefore, recommend that the Board lay it over until some definite word be received from the Company as to what is proposed to be done in regard to the franchise.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

Action was deferred pending a definite understanding with the Company, and the Secretary was directed to ascertain its intentions.

#### Long Island Railroad Company.

At the meeting of July 2, 1909, five (5) petitions were presented to this Board by this Company for various rights to construct additional structures across various streets in the Borough of Queens, also for the right to close certain streets, and, by resolution adopted on that date, the petitions were denied and the Company was requested to submit to this Board on or before August 1, 1909, a general plan of its proposed additions and betterments to its main line from the entrance of the Sunnyside Yard at Woodside avenue, through the former Village of Jamaica to the City line, together with a petition for the right, privilege or franchise to construct, maintain and operate such additional facilities.

A communication was received from the Secretary, West End Citizens' League of Queens Borough, requesting this Board to insist, as part of the terms of any franchise, that patrons using the railroad between Jamaica and New York be granted the same privileges as to rates of fare as are granted to patrons between Newark, N. J., and New York.

A communication was received from the Chairman of the Executive Committee, Hollis Improvement Association, stating the Company has no legal right in Hamilton avenue and Farmers avenue, and requesting to be heard before any plans touching this crossing shall be approved.

A communication was received from Frank M. Hardenbrook, attorney, transmitting petition of the Chairman of the Committee on Railroad Nuisance, Hollis Improvement Association, requesting this Board to insist upon obedience to the resolution adopted July 2, 1909, directing the Railroad Company to file a comprehensive plan of all its proposed improvements, and requesting to be heard in favor of depressed railroad tracks through the Hollis district to permit a number of overhead street crossings where at present there is one crossing in a distance of more than two miles.

REPORT NO. F-173.

BOARD OF ESTIMATE AND APPORTIONMENT,  
OFFICE OF THE CHIEF ENGINEER,  
September 14, 1909.

Hon. GEORGE B. McCLELLAN, Mayor, Chairman of the Board of Estimate and Apportionment:

SIR—At the meeting of the Board held on July 2 last, a report was submitted concerning a number of applications of the Long Island Railroad Company for permission to construct a number of bridges across existing streets in order to carry not only its existing tracks but additional tracks across the said streets, and also for the closing of a portion of Hamilton avenue between Fulton and South streets, in the Borough of Queens, where the company had already occupied the surface of this street by laying a large number of additional tracks. At the same time an opinion was submitted by the Corporation Counsel to the effect that the laying of these additional tracks would require the granting of further franchises to the railroad company, and a resolution was adopted requesting the company to submit to the Board a general plan of the proposed additions and betterments to its main line from the Sunnyside Yard through Jamaica to the City line.

In a communication from the President of the Long Island Railroad Company, dated July 14, exception is taken to this demand on the part of the Board, and it is insisted that the company already has the right to increase its facilities by the laying of additional tracks, and it is maintained that the company cannot concede that there is any doubt as to its corporate powers by making application for additional franchises or by the formal filing of plans showing its contemplated betterments.

This communication has already been submitted to the Corporation Counsel, and it is recommended that the Secretary be instructed to request him to advise the Board as to what steps, if any, have been taken and what further action should be taken by the Board.

A report from the Division of Franchises reviewing the situation at some length is herewith submitted.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 11, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—At the meeting of the Board of Estimate and Apportionment held July 2, 1909, a resolution was adopted directing the Long Island Railroad Company to submit to the Board on or before August 1, 1909, "a general plan of its proposed additions and betterments of the main line from the entrance to the Sunnyside Yard at Woodside avenue, through the former Village of Jamaica to the city line, together with a petition for the right, privilege or franchise to construct, maintain and operate such additional facilities."

This action was taken by the Board in accordance with an opinion of the Corporation Counsel, under date of July 1, advising the Board that certain petitions of the Long Island Railroad Company for various rights in the Borough of Queens, were in the nature of franchises for additional rights, which could only be granted by the Board in the manner provided by the Greater New York Charter. The resolution also denied the petitions.

In a communication, dated July 14, 1909, from Mr. Ralph Peters, President of the Long Island Railroad Company, acknowledging receipt of the resolution adopted July 2, and discussing in detail the company's position in regard to the several applications, the conclusion of the Corporation Counsel that the company's charter limits it to a 2-track railroad is disputed. The communication further states:

"While the company is advised that it has the legal right to provide all the street crossings mentioned in its application without further consent from the City, it appreciates, nevertheless, the duty cast upon your Board by the opinion of the Corporation Counsel, and, accordingly, the company will, so long as the completion of its work is not delayed, facilitate to the uttermost any legal test of its corporate powers which your Board or the Corporation Counsel shall desire."

In relation to the several petitions made by the company, President Peters states as follows:

1. Woodside Run-Off—In view of the denial of this application, the company will carry its tracks over Woodside avenue and First street, at its own expense.

2. Trotting Course Lane—The original petition requested permission to extend, at the expense of the company, the existing abutments at this point, in a northerly direction, a sufficient distance to permit of the construction of four additional tracks. It is now the intention of the company to construct, at its own expense, a bridge to carry the additional tracks over a street 100 feet in width.

3. Additional Tracks at Maurice Avenue—It was the original intention of the company to construct four additional tracks at grade across this street. It is now proposed to construct, at this point, a six-track bridge over the existing roadway.

4. Bridge Columns at Metropolitan, Hillside and Jamaica Avenues—These petitions were for the consent of the City to the construction and maintenance of columns, with the necessary foundations within the lines of the above named streets, for the purpose of supporting new bridges to be erected over said streets. In relation to these petitions, the communication of July 14 states: "This application having been denied, the railroad company will proceed to do this work, raising the track grades at these new structures to elevations requested by the City authorities for the betterment of drainage conditions at these several streets."

5. In relation to the application for the closing of Hamilton avenue, between Fulton street and South street, President Peters states that said application has no relation to the general and more serious question presented by the adoption of the resolutions, and that the matter will be again and separately taken up by the company.



It will be seen from Mr. Peter's letter, which is attached, that the Long Island Railroad Company declines to furnish the plans requested by the Board or to apply for additional franchise rights and proposes to continue its improvements and betterments unless stopped by legal proceedings. Copies of this communication were delivered to the Acting Mayor, Corporation Counsel and Chief Engineer, and at the request of the Corporation Counsel, I caused an examination to be made of the main line of the company, between Dunton and the Sunnyside Yard, in order to ascertain what work was being done by the company, which, under the opinion of the Corporation Counsel, was unauthorized and in excess of the rights and privileges which the company had under its charter; the object being, as I was informed, to furnish the Corporation Counsel with sufficient data upon which to bring an action to test the company's rights.

On July 29 I rendered him such a report covering the activities of the company in detail.

Under date of September 8, 1909, the Corporation Counsel was requested to report to the Board regarding the communication of Mr. Peters and advise the Board what action had been taken by him, and if any further action by the Board is necessary in order that the terms of its resolutions of July 2 may be enforced. At the present writing, no reply has been received from the Corporation Counsel.

An action entitled "The People of the State of New York ex rel. George Sibley and others against Lawrence Gresser as President of the Borough of Queens of The City of New York," in which the Corporation Counsel appeared for the President of the Borough, was brought in February, 1909, to cause the removal from the highway known as Hamilton street of certain tracks claimed to have been constructed without lawful authority. An alternative and a peremptory writ of mandamus were respectively issued directing the removal of the tracks and on May 15, 1909, the peremptory writ was dismissed. An appeal has since been taken and the case is now before the Appellate Division of the Supreme Court.

Since the last meeting of the Board, three communications have been received in relation to the Long Island Railroad Company, viz.:

1. Communication, dated July 27, 1909, from the Chairman of the Executive Committee of the Hollis Improvement Association, in relation to Hamilton avenue and its alleged illegal occupation by the railroad company.

2. Communication, dated September 8, 1909, from the Chairman of the Committee on Railroad Nuisance of the Hollis Improvement Association, requesting the Board to insist upon obedience to its resolution of July 2, 1909, directing the Long Island Railroad Company to file a comprehensive plan of all its proposed improvements.

3. Communication from the West End Citizens' League of Queens Borough, transmitting copy of resolutions adopted by that body on July 19, 1909, requesting the Board to insist, as part of the terms of any franchise that may be granted to the Long Island Railroad Company, that "patrons using that road between Jamaica and New York be granted the same privileges as to rates of fare as are granted to its patrons between Newark, N. J., and New York."

I am still strongly of the opinion that the company should submit to the Board complete plans of its proposed improvements, and that a contract or agreement should be entered into between the City and the company for the prosecution of the proposed work.

The course now being pursued by the company in taking up these improvements in small, isolated sections at various times appears to be exceedingly detrimental to the best interests of the City and a cause of delay to contemplated improvements by the City. For example: Until such time as the company makes known its intentions in relation to its lines through Jamaica, it will be impossible for the Queens Borough authorities to finally determine upon the new street system and grades for that section.

Pending a reply from the Corporation Counsel in relation to the subject matter of President Peters' communication, it is recommended that the matter be laid over and that the Secretary of the Board be instructed to request the Corporation Counsel to advise the Board as to what steps, if any, he has taken, and as to how it shall proceed in order to have its mandate of July 2 obeyed.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

THE LONG ISLAND RAILROAD COMPANY,  
OFFICE OF THE PRESIDENT AND GENERAL MANAGER,  
LONG ISLAND CITY, N. Y., July 14, 1909.

To the Honorable the Board of Estimate and Apportionment of The City of New York:

In behalf of the Long Island Railroad Company, I acknowledge receipt of the letter of the Secretary of your Board of the 3d inst., inclosing a copy of the resolutions adopted at your meeting on the 2d inst., denying five applications made by this company to facilitate its work in Queens Borough, and directing that this company submit to your Board, not later than August 1, application for a franchise with detail plans. The first application was to close First street and to construct over Second street a bridge at the expense of the railroad company. The second, third and fourth applications involved the crossings at Trotting Course lane, Maurice avenue and Metropolitan, Hillside and Jamaica avenues. The fifth application, which was denied, involved the situation at Hamilton avenue, in Hollis, and has no relation to the general and more serious question presented to the company by your resolution; and that matter will again and separately be taken up by the company.

The requirement of your Honorable Board that the Long Island Railroad Company shall apply to it for a franchise to lay additional tracks, is, according to your resolutions, based upon the Corporation Counsel's opinion that the charter of the company confines it to a railroad of two tracks only. He assumes the company's intention to six-track its entire railroad. But this is an error. The company is providing six tracks for a distance of only about a mile and a half between Yellowstone avenue and Winfield; and the total new construction work in which your Board is interested, and which includes the six-track distance, is only about five miles in length between Dunton and Winfield. All of this lies west of Jamaica. The improvement is in reality no more than an improvement of the main terminal facilities of the company. The result of the Corporation Counsel's opinion would seem to be a denial of the right of the company to provide additional facilities, although absolutely necessary to the performance of the company's duty in the transportation of passengers and goods—a duty to which any citizen may compel it by mandamus.

Your Board will, I am sure, perceive the impossibility, and, on further consideration, will not desire, that I should for my company, directly or indirectly, acquiesce in the Corporation Counsel's conclusion that the company's charter limits it to two tracks. For very many years the company, in its public, financial and corporate relations, has asserted, assumed and acted upon what until now has been the undoubted character of its power and its duty to lay, between Jamaica and the East River, such tracks, whether along its main line or elsewhere, as shall be necessary to the conduct of the traffic which the development of its business, east, south and north of Jamaica, has made necessary. It is upon this basis that the company has entered into obligations to the public and The City of New York, and among them the recent agreement incidental to the Sunnyside construction made between this company, the Pennsylvania, New York and Long Island Railroad Company and The City of New York, dated June 21, 1907. It is upon this basis that the great scheme of development of this company at the west end of Long Island in Brooklyn and Queens has been thus far and at enormous expense carried out. The company has for upwards of eight years been engaged in the laying of additional tracks on its main line within this short distance which constitutes, as it were, the neck or spout through which pours all the multifarious traffic of the company coming, not only from the Long Island Railroad itself—its main line and its southside line—but from the lines of other railroad companies connecting with or the interests of which have been acquired by the Long Island Railroad.

And the company has undertaken, at very heavy expense, and without cost to the City, to eliminate all existing grade crossings between Dunton and Winfield, and between Woodside and Long Island City, a distance within the City of more than seven miles, while at the same time placing its roadbed upon grade lines which will permit future opening of streets either above or below grade at a minimum of cost. All of this has been done upon consultation with the City, and especially with its Engineering departments and the authorities of Queens Borough; and it has been done so as

to conform, as far as possible, with the plans of the City for its future and ultimate street development throughout Queens Borough.

This technical question over our corporate power is raised only at this very late day, although the specific improvements and enlargements between Jamaica and Long Island City have been under discussion with The City of New York and its officers for fully four years. During that time the plans have been submitted to the members of your Board and have been fully explained to them on the ground itself. The manner of constructing the line, the treatment of the street crossings—whether above or below grade—and the other engineering details have been discussed between the engineers of the City and those of this company on many occasions. Until now no one has suggested a doubt that it was within both the power and the duty of the company to provide these additional facilities. It is my understanding that the engineers of the City completely approve all the plans of the work within this distance as my company has proposed them; the only questions they raise relate to our corporate power and to their possible view that, if we get a further franchise, it ought to be upon condition that as to our whole line within the distance—not only the small part across streets, but the far larger part on our lands in which the City has no right whatever—additional burdens should be placed upon the company.

Now, not only is the imperative and immediate necessity of the work conceded if the company is to handle its traffic and especially to bring into immediate use the new Pennsylvania Railroad facilities in Manhattan and Queens as soon as they are completed, but it is, I think, fully known to Mr. Lewis, the Chief Engineer of your Board, and it must, I think, be also known to Mr. Nichols, the Engineer in charge of your Division of Franchises, that the present is an especially critical time in the performance of this work. Any failure on the part of my company to press the work during the remainder of this season would subject it to severe criticism by the City itself and by the traveling public and others, and such a failure would, in effect, be a violation of corporate obligations resting upon the company. We have repeatedly promised the Mayor and other officers of the City that we would speed our work so as to enable trains from Jamaica to be run through to the new Pennsylvania station in Manhattan Borough before the end of the present year. Suspension of the work at this time, and especially suspension until the conclusion of a lawsuit over the claim now made by the Corporation Counsel, would involve the breaking up of our construction forces, the discharge of a large number of laborers at a time when they are most useful to us and when it would not be easy for them to obtain new employment, the stoppage of contracts and other serious losses to ourselves, and also the retention of the dangers of grade crossings which the company is seeking to eliminate. And most serious of all would be the great loss to the company, the City and its traveling public incident to a delay over 1910 of the proper connection of Queens Borough with the great Pennsylvania improvements in Manhattan and the Sunnyside Yard.

While the company is advised that it has the legal right to provide all the street crossings mentioned in its application without further consent from the City, it appreciates, nevertheless, the duty cast upon your Board by the opinion of the Corporation Counsel; and, accordingly, the company will, so long as the completion of its work is not delayed, facilitate to the uttermost any legal test of its corporate powers which your Board or the Corporation Counsel shall desire. And I have so instructed the attorney and counsel of the company. In case it shall finally be held that the company is without the power to lay tracks along its main line west of Jamaica, sufficient to accommodate the accumulated and congested traffic at that terminal part of its line, the company will make application for franchises, and in that event, with reference to the compensation to the City or otherwise, will consent that such application shall be deemed to have been made as of the present time.

I beg further to point out that, if the Corporation Counsel be right in his view that my company is by its charter limited to a main line of two tracks, there is nothing which the City can do to make up this deficiency in corporate power. Neither your Board nor any officers of the City have any jurisdiction to enlarge the original corporate powers of the company. For that purpose application would have to be made elsewhere, and it would only be after such corporate powers were enlarged that the question would arise whether any additional franchise from the City is necessary. And I beg also to remind your Board that my company itself owns the fee of the land in the streets, the crossings of which were involved in our applications, subject only to the right of the City to use the land for street purposes.

You will, I am sure, agree that it is impossible for me, by making application for franchises as suggested in your resolutions, or in any other way, to concede doubt as to the corporate powers of my company which have been so amply exercised during many years last past, and which have been repeatedly sustained by the courts. Nor can I make the same concession by any formal filing of maps or otherwise, as suggested by the Engineer in charge of your Franchise Division. We have, in the past, cheerfully put before the City Engineers all of our plans, and put at their disposal all information in our possession bearing upon them which they have desired, and that we shall continue to do.

In conclusion, I have to advise your Honorable Board of the intention of the company with respect to the subject matter of four of the applications denied by your Honorable Board:

1. Woodside Run-off—The application was to close First street and to construct over Second street a bridge at the expense of the railroad company. In view of the denial of this application, the railroad company will proceed to carry its tracks over Woodside avenue and First street. We regret that the application should have been denied, although the Engineer in charge of your Franchise Division, in his report, stated that its object was "to make a connection of the main line of the railroad with the tracks of the Pennsylvania and Long Island Railroad in Sunnyside Yard, which are now sixteen feet above said main line," and that "its immediate construction is necessary to permit the company to continue the uninterrupted operation of its trains," and although he advised an agreement for a temporary change of grade in the tracks at this point, and although, further, the Corporation Counsel in his opinion stated that "this connection is one which the company may legally make, and your Board has authority to grant."

2. Trotting Course Lane—The application was to extend the existing abutments for the additional tracks, the City to bear one-half the expense. In view of the denial of that application, the railroad company will construct at its own expense, a bridge to carry the additional tracks over a street deemed widened to 100 feet, the future curb columns to rest entirely upon the property of this company.

3. Additional Tracks at Maurice Avenue—The additional tracks referred to in this application were at grade. But the application having been denied, the company will proceed to construct at its own expense a bridge to carry six tracks over the avenue, with curb columns to support the same clear of the existing roadway.

4. Bridge Columns at Metropolitan, Hillside and Jamaica Avenues—The application was for the City's consent for curb columns to carry two new tracks over those avenues, and on account of the length of structures and angles at which they will cross the streets named, it will be necessary to place column supports also in the centres of Metropolitan and Hillside avenues. Hillside avenue is now 100 feet in width, and Metropolitan and Jamaica avenues each 66 feet in width, but all the proposed new bridges are to span 100 foot streets located in accordance with the detailed plans of The City of New York. This application having been denied, the railroad company will proceed to do this work, raising the track grades at these new structures to elevations requested by the City authorities for the betterment of drainage conditions at these several streets.

Very respectfully,

RALPH PETERS, President.

The matter was laid over pending receipt of opinion of the Corporation Counsel, and the Secretary was directed to request the Corporation Counsel to advise the Board what steps, if any, he has taken and as to how it shall proceed to enforce the provisions of the resolution adopted July 2, 1909.

Treasury Department, United States of America.

In the matter of the franchise granted to the Secretary of the Treasury for and on behalf of the United States of America, to construct, maintain and operate two tubes, eight inches in diameter, for the conveyance of pneumatic carriers, and one tube, four inches in diameter, for the necessary signaling wires in connection therewith, for service between the Appraisers' Warehouse at Greenwich, Christopher, Washington



and Barrow streets, and the new Custom House in Bowling Green, Borough of Manhattan:

This franchise was granted by resolution adopted by this Board June 25, 1909; approved by the Mayor June 29, 1909.

The Secretary presented the following:

TREASURY DEPARTMENT,  
WASHINGTON, July 27, 1909. }

Hon GEORGE B. McCLELLAN, Mayor of the City of New York, and President of the Board of Estimate and Apportionment, New York City, New York:

SIR—This Department is in receipt of a certified copy of a resolution adopted June 25, 1909, by the Board of Estimate and Apportionment of The City of New York, approved by you on the 29th ultimo, granting to the Secretary of the Treasury on behalf of the United States of America, a franchise to construct, maintain and operate a pneumatic tube system between the Appraisers' Warehouse and the new Custom House in said City.

The Department greatly appreciates the co-operation and assistance rendered by the officials of The City of New York in securing authority from the Legislature to permit of the granting to the United States of a franchise for the above purpose, without charge, and also appreciates the fact that in fixing the terms and conditions under which the franchise is intended to become operative, a number of concessions have been made because of the fact that the United States is the grantee.

It is observed that the franchise is not to become operative until the Secretary of the Treasury shall execute an instrument in writing, wherein he shall promise, covenant and agree on behalf of the United States to conform to, abide by and perform all the terms, conditions and requirements fixed and contained in said franchise.

It is found upon submission of the franchise to the Comptroller of the Treasury that the Secretary of the Treasury is without authority to enter into an agreement with respect to certain conditions contained therein.

In his opinion, rendered to this Department under date of the 13th instant, the Comptroller states:

"Section 3 of said proposed contract provides in substance that if the Government shall abandon either the Custom House or Appraisers' Warehouse it shall then cause the tubes to be removed. To remove these tubes and place the surface of the streets in proper condition would evidently require the expenditure of a considerable amount of money. No appropriation being in existence to meet such a contingent liability, I am of opinion that an unqualified promise of the Secretary to assume such obligation would be in violation of section 3679, Revised Statutes. It is suggested that the language be so changed as to show that the Secretary obligates himself to report to Congress such facts on their happening and request an appropriation to accomplish such work, and if such appropriation is made to cause said tubes to be removed, etc.

"I make the same recommendation and suggestion as regards section 16, the same also as to section 17, and for the same reasons.

"As regards section 18, I very much doubt your authority to directly obligate the Government to pay damages during the construction work on these tubes, but this can be accomplished by requiring the contractor to assume such liabilities. I am of the opinion that you are not authorized to unqualifiedly bind the Government to pay damages to persons or property resulting from the operation of said tube after its completion. The Government, in my opinion, is not legally liable to respond in such cases in damages, unless the operation of the tube works to actually appropriate such property so damaged. The Secretary might agree to report to Congress any such damages reported to him and request an appropriation to pay and satisfy the same.

"Demands against the Government are never allowed by the auditors as legal claims unless authorized by existing law or in pursuance to an appropriation which would have been applicable to their payment unless exhausted."

I greatly regret that it is not possible for me, therefore, to accept, on behalf of the United States, the franchise in all respects as granted, and shall hope some time during the coming fall to take up the subject again with the Board of Estimate and Apportionment with a view to securing, if possible, such modification in the terms of the franchise as may be within my power to consent to, while at the same time securing to The City of New York such protection as its interests in the premises may require.

Respectfully,

FRANKLIN MacVEAGH, Secretary.

REPORT No. F-169.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 9, 1909. }

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—On April 5, 1909, Hon. Franklin MacVeagh, Secretary of the United States Treasury, submitted to the Board an application for the grant to the United States of a franchise to construct, maintain and operate two tubes eight inches in diameter for the conveyance of pneumatic carriers and one tube four inches in diameter for the necessary signalling wires in connection therewith for service between the Appraiser's warehouse at Greenwich, Christopher, Washington and Barrow streets and the new Custom House in Bowling Green. This application was made under chapter 251 of the Laws of 1904, and was presented to the Board at its meeting held April 16, 1909, by which it was referred to you.

Shortly after the receipt of the same a communication was addressed to the Corporation Counsel requesting his opinion as to the conditions that might be imposed in the grant, which opinion was rendered by him on May 4, 1909.

Immediately upon the receipt of the opinion, this Division, in conjunction with the Chief Engineer and Superintendent of United States Public Buildings, proceeded to the drawing up of a resolution granting the right requested, and every effort was made to insert therein only provisions which would meet with the approval of the Secretary of the Treasury. It was, however, insisted upon by the Division that the right granted should not place upon the City any liability for any damages which might be caused by the construction or operation, and that the grantee should be under the obligation of replacing the tubes in other portions of the street when found necessary or remove the same from the streets when the necessity for their use no longer existed. That these conditions were proper was acceded by the representatives of the Secretary of the Treasury and every effort was made to draw clauses covering the same which would be acceptable under the circumstances of the case. When the resolution was finally drawn and submitted to the Board on June 25 it was my understanding that the same was entirely acceptable to the Secretary of the Treasury.

Upon the approval of the same by the Mayor on June 29, the resolution, together with a certificate of acceptance as required by chapter 251 of the Laws of 1904, was transmitted to the Secretary of the Treasury.

On August 5 there was referred to this Division a communication addressed to Hon. George B. McClellan, Mayor of The City of New York, signed by Hon. Franklin MacVeagh, Secretary of the Treasury, stating that he is without authority to enter into the agreement required in view of certain conditions contained in the resolution which amount to an unqualified promise to assume certain obligations in violation of the Revised Statutes of the United States. These conditions relate to the assumption of the damages caused by the Government and the removing or replacing of the tubes when necessary.

In reply to this communication this Division, on August 21, addressed a communication to the Secretary of the Treasury requesting to be advised as to what changes could be made in the clauses objected to in order to overcome the difficulty presented in their present form and yet retain the object desired. In reply to this communication I am in receipt of a letter dated September 7, signed by Mr. John W. Parsons, Acting Assistant to the Supervising Architect of the Treasury Department, advising that Assistant Secretary Hilles, who has this matter in charge, is absent from the Department at the present time, but is expected back about the 10th inst., when the matter will be taken up by him.

In view of this, I would suggest that you request the Board to refer the application back to you for further consideration.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

The matter was then referred back to the Chief Engineer.

Bush Terminal Railroad Company.

At the meeting of July 2, 1909, a communication was received from Michael O'Sullivan, protesting against the operation of a street surface railway constructed by the Bush Terminal Railroad Company on Thirty-ninth street, on ferry terminal property, under the jurisdiction of the Department of Docks and Ferries, thence along private property owned by the railroad company and parallel to First avenue, and 250 feet westerly therefrom, to a point opposite Fiftieth street, with connections to an existing street surface railway of the petitioner on Forty-first street, east of First avenue, and on First avenue between Forty-first and Forty-second streets, Borough of Brooklyn, and the matter was referred to the Corporation Counsel to advise this Board if the permit received from the Department of Docks and Ferries for such construction was sufficient.

The Secretary presented the following:

CITY OF NEW YORK, LAW DEPARTMENT,  
OFFICE OF THE CORPORATION COUNSEL,  
July 8, 1909. }

Board of Estimate and Apportionment:

GENTLEMEN—I have received from you the following communication, dated July 2, 1909, signed by Joseph Haag, Secretary:

"I transmit herewith copy of a communication dated June 21, 1909, from Michael O'Sullivan, stating some corporation, presumably the Bush Terminal Railroad Company, has constructed a double track railroad from the Brooklyn entrance to the Thirty-ninth street ferry upon City property bordering the north side of Thirty-ninth street for about 950 feet inland, where it crosses to the south, also that the road is equipped with poles and overhead trolley system, with centre bearing rails, and was constructed under a permit issued by the Department of Docks and Ferries.

"This communication was presented to the Board at its meeting held this day and was referred to the Corporation Counsel to advise this Board if the permit of the Commissioner of the Department of Docks and Ferries is sufficient or if there is any action required by the Board."

The question involved, to wit, whether the Department of Docks and Ferries has the power to authorize the laying and operation of a street surface railway on property under the jurisdiction of such Department, has been passed upon by the courts and, therefore, can be readily answered.

In the case of Vilias vs. Featherston, 94 App. Div., 259, it was held that the Commissioner of Docks had no power to authorize the erection on a marginal street or wharf, under his jurisdiction, of a permanent structure for the sale of flowers, newspapers and tobacco, or for any other purpose not connected with the use of the wharves or piers.

In the case of Central Crosstown Railroad Company vs. Metropolitan Street Railway Company, 16 App. Div., 229, the Court specifically held the Dock Department had no authority to grant a license for a street railway, and stated at page 234:

"The resolution by the dock department was, in express terms, a mere revocable license to construct this piece of road. It did not purport to grant any franchise. That department had no power to do so. It was merely a consent by that department, so far as consent might be necessary, but was wholly inadequate to confer any right or authority upon the defendant to construct or operate the road, certainly as against the rights of the plaintiff. It could not deprive the plaintiff of any rights it had in the street. We conclude, therefore, that the trial court was correct in its second conclusion, that the defendant had no franchise to construct or operate its road over the space in question."

It is, therefore, my opinion, and I so advise you, that the permit issued by the Department of Docks and Ferries, under which the railroad in question was apparently constructed, was insufficient to grant such company any right to operate a railroad, and that unless such company applies for and receives a franchise from your Board in the manner prescribed by the Greater New York Charter, it has no right or power to continue the operation of its railroad.

Yours respectfully,

WILLIAM P. BURR, Acting Corporation Counsel.

REPORT No. F-175.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 10, 1909. }

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—The Bush Terminal Railroad Company has presented a petition to the Board of Estimate and Apportionment dated August 17, 1909, and signed by Irving T. Bush, President, for a franchise to construct, maintain and operate an extension to its existing street surface railway. The proposed extension is planned to run from Thirty-ninth street ferry, in the Borough of Brooklyn, on ferry terminal property under the jurisdiction of the Department of Docks and Ferries, thence along private property owned by the Bush Terminal Company and parallel to First avenue, and 250 feet westerly therefrom, to a point opposite Fiftieth street, with connections to the existing street railway of the petitioner on Forty-first street east of First avenue, and on First avenue between Forty-first and Forty-second streets.

The total length of route of the proposed extension is about 4,300 feet, and the only portions on the property of The City of New York are about 950 feet of double track on the ferry terminal property and about 170 feet of double track on First avenue between Forty-first and Forty-second streets.

The existing street railway of the Bush Terminal Railroad Company runs from Twenty-eighth street, along Second avenue to Forty-first street, thence westerly to First avenue and southerly to Sixty-sixth street. The franchise for this railway was granted by a resolution adopted by the Board of Aldermen on January 31, 1905, and received from the Mayor February 14, 1905, without his approval or disapproval, and as provided in section 40 of the Greater New York Charter the same took effect as if it had been approved. This franchise is for a street railway for the carrying of both persons and property, but since the commencement of its operations it has been wholly used for the movement of freight in the large terminal business maintained by the Bush Terminal Company in this locality. The existing tracks along First avenue from Forty-first street south are about 600 feet from the inshore end of the Bush Terminal Company docks and the tracks along Second avenue at Thirty-ninth street are about 1,400 feet from the ferry. The extension for which this application is presented conveys passengers directly from the ferry to within 300 feet of those piers of the Bush Terminal Company at which, I am informed, passenger carrying vessels are now docking. The petition, however, applies for the right to convey both persons and property.

It appears that all of this extension with the exception of the connections with the applicant's existing railway on Forty-first street and on First avenue was constructed some time in April and May, 1909, the portion on the property under the jurisdiction of the Department of Docks and Ferries having been authorized by said Department in a permit dated April 21, 1909. This permit covered the period from May 1, 1909, to April 30, 1910.

From an examination it would appear that the railroad has been in operation since June 2, 1909, by means of a single standard street surface railway car operating from the ferry to Fiftieth street and returning. The fare charged is two cents, and I am informed that the average traffic is about one hundred and fifty passengers per day.

At the meeting of the Board held July 2, 1909, a communication was received from a property owner calling attention to the existence of these tracks, and requesting their removal, on the plea that they had been laid without the authorization of a franchise. The communication was referred to the Corporation Counsel to advise the Board if the permit as issued by the Department of Docks and Ferries was sufficient authority for the continued maintenance and operation of the tracks in question.

In an opinion dated July 9, 1909, herewith presented to the Board, the Corporation Counsel has held that the permit issued by the Department of Docks and Ferries is insufficient authority for the tracks, and the company should apply to the Board of Estimate and Apportionment for a franchise in the manner prescribed by the Charter.



In consequence of said opinion the Bush Terminal Railroad Company has presented the present petition to the Board. I have been advised that the company has also filed a certificate of extension in the office of the Secretary of State, as required by law.

I would, therefore, suggest that the Board fix October 15, as the date for a preliminary public hearing on the petition of the Bush Terminal Railroad Company, and that his Honor the Mayor be requested to designate two newspapers in which notice of such hearing will be published pursuant to law.

A resolution to this effect is transmitted herewith.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

To the Honorable the Board of Estimate and Apportionment of The City of New York:

The petition of the Bush Terminal Railroad Company respectfully shows:

1. Your petitioner is a street surface railroad corporation, duly organized and existing under the laws of the State of New York, and has duly made and filed, pursuant to section 90 of the Railroad Law, a statement of the names and descriptions of the streets, roads, avenues, highways and private property in or upon which it is proposed to construct, maintain and operate extensions or franchises of its railroad, as herein set forth.

2. Your petitioner desires to obtain from The City of New York, and hereby respectfully applies for its consent to a grant of the franchise or right to use certain streets, roads, avenues, highways or public ground within or belonging to The City of New York, for the construction and operation in and upon the surface thereof of extensions or branches of its street surface railroad, to consist of a double or single track surface railroad, including the necessary poles, wires, conduits, connections, switches, sidings, turnouts, crossovers and suitable stands, equipment or other structures necessary for the occupancy and operation of said railroad by the overhead or other system of electricity, or other motive power which may be lawfully used upon the same for public use and conveyance of persons and property for compensation.

3. The following is a description of the streets, avenues, highways, public grounds and private property upon and along which your petitioner desires to extend its railroad, to wit:

Beginning at a point at the Brooklyn terminus of the Thirty-ninth Street Municipal Ferry, distant ninety-five (95) feet northerly of the southerly line of Thirty-ninth street, if produced, and five hundred eighty (580) feet westerly of the westerly line of First avenue, if produced; running thence with a double track easterly along property of The City of New York and generally parallel with Thirty-ninth street nine hundred thirty (930) feet; thence southerly with double and single track along private property and parallel with First avenue two hundred eighty (280) feet; thence westerly with single track along private property and parallel with Forty-first street six hundred (600) feet, and thence with single and double track in a southerly direction along private property and parallel with First avenue two thousand five hundred eighty (2,580) feet.

Also beginning at a point on the northerly line of Forty-first street, distant two hundred forty (240) feet easterly from the easterly line of First avenue; running thence northerly with single track over private property at right angle to Forty-first street three hundred (300) feet.

Also beginning at a point on the centre line of First avenue, distant one hundred (100) feet northerly from the northerly line of Forty-second street; running thence northerly with single and double track along First avenue one hundred seventy (170) feet, and thence northerly along First avenue, if produced, and over private property two hundred twenty (220) feet.

4. Your petitioner proposes to operate the railroad to be constructed upon said streets and avenues by the overhead trolley system, or by any other motive power, other than steam locomotive power, which may be approved by the Public Service Commission of the First District, and consented to by the owners of the property bounded upon said routes, as provided by law.

5. Your petitioner submits herewith a plan showing the location of said tracks and connection of the same with its present street surface railroad tracks.

Wherefore your petitioner prays that public notice herein of the time and place when and where this application will be first considered be given, as required by the provisions of section 92 of the Railroad Law, and of all other laws applicable thereto, and that the desired consent or grant be embodied in the form of a contract, with all the terms and conditions as to compensation and otherwise, in accordance with the provisions of the Charter of The City of New York and the laws of the State.

Dated at New York City, August 17, 1909.

BUSH TERMINAL RAILROAD COMPANY,

By IRVING T. BUSH, President.

[SEAL.]

Attest:

H. W. GREENE, Secretary.

State of New York, City of New York, County of New York, ss.:

Irving T. Bush, being duly sworn, deposes and says that he is the president of the Bush Terminal Railroad Company, the petitioner named in the foregoing petition; that he has read the foregoing petition and knows the contents thereof; that the same is true of his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true; that the reason why this verification is not made by the petitioner is that it is a corporation, that the petitioner is an officer of said corporation, to wit, its president, and that the grounds of his information in regard to the matters stated in the foregoing petition, so far as the same are in his personal knowledge, are statements made by officers or agents of the corporation to him as president thereof.

IRVING T. BUSH.

Sworn to before me this 17th day of August, 1909.

[SEAL.] CHARLES W. DREW, Notary Public No. 3.

State of New York, City of New York, County of New York, ss.:

On this 17th day of August, in the year nineteen hundred and nine, before me personally came Irving T. Bush, who, being by me duly sworn, did depose and say, that he resided in the Borough of Manhattan, City of New York; that he is the president of the Bush Terminal Railroad Company, the corporation described in and which executed the foregoing instrument; that he knew the seal of said corporation; that the seal affixed to said instrument was such corporate seal, and that it was so affixed by order of the Board of Directors of the said corporation, and that he signed his name thereto by like order.

CHARLES W. DREW, Notary Public, No. 3.

[SEAL.]

The following was offered:

Whereas, The foregoing petition from the Bush Terminal Railroad Company dated August 17, 1909, was presented to the Board of Estimate and Apportionment at a meeting held September 17, 1909; now therefore be it

Resolved, That, in pursuance of law, this Board sets Friday, the 15th day of October, 1909, at 10.30 o'clock in the forenoon, and Room 16, in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered, and a public hearing be had thereon at which citizens shall be entitled to appear and be heard; and be it further

Resolved, That the Secretary is directed to cause such petition and these resolutions to be published for at least fourteen (14) days in two daily newspapers in The City of New York, to be designated by the Mayor, and for at least ten (10)

days in the CITY RECORD immediately prior to such date of public hearing. The expense of such publication to be borne by the petitioner.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen, the Presidents of the Boroughs of Manhattan, Brooklyn and Queens and the President of the Borough of Richmond—15.

The petition was then referred to the Chief Engineer.

Flatbush Gas Company.

In the matter of the petition of the Flatbush Gas Company for a franchise to construct, maintain and operate suitable wires or other conductors and the necessary poles, pipes or other fixtures and branches or connections therefrom, in the Ocean parkway and the territory adjacent thereto, from Foster avenue to the Atlantic Ocean, Borough of Brooklyn.

By resolution adopted June 26, 1908, this company was requested to consult with the Corporation Counsel as to its rights to operate in certain disputed territory, and to submit an amended application, upon which application the date for hearing was fixed as September 18, 1908, and on that date the Corporation Counsel rendered an opinion to the effect that action had been commenced to oust the company from the streets which it was using illegally.

The Secretary presented the following:

REPORT No. F-105.

BOARD OF ESTIMATE AND APPORTIONMENT,  
OFFICE OF THE CHIEF ENGINEER,  
September 14, 1909.

Hon. GEORGE B. McCLELLAN, Mayor, Chairman of the Board of Estimate and Apportionment:

SIR—On April 6, 1908, the Flatbush Gas Company applied to the Board for a franchise to lay wires and other conductors, with necessary poles and pipes for supplying electricity, in Ocean parkway and the adjacent territory between Foster avenue and the Atlantic Ocean, in the Borough of Brooklyn.

The object of this application was to secure for the company the right to operate in a territory which it already occupied, but, it was believed, without proper authority. The question was raised as to whether or not the company under its charter had a right to do business in a certain portion of the territory covered by its application. The matter has been under consideration by the Corporation Counsel for some time, and as a result of conferences held during the past summer an understanding has been reached which will enable the Board to take action upon the company's application. This is outlined in a report from the Engineer in charge of the Division of Franchises, which is herewith submitted, and it is recommended that the Board fix October 15, 1909, as the date for a preliminary hearing on the application of the company. Before that date a proposed form of contract will be submitted to the Corporation Counsel for approval, and a further report will be presented to the Board.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 9, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—The Flatbush Gas Company on April 6, 1908, made application to the Board of Estimate and Apportionment for a franchise to construct, lay, maintain and operate suitable wires or other conductors and the necessary poles, pipes or other fixtures and branches or connections therefrom in the Ocean parkway and the territory adjacent thereto, from Foster avenue to the Atlantic Ocean. This petition was presented to the Board at its meeting held April 24, 1908, and referred to the Chief Engineer.

This application is made for the purpose of authorizing the company to maintain conduits already laid by it, but which the Court of Appeals has held were laid without proper authority, as explained in the report of this Division dated June 17, 1908, presented to the Board at its meeting on June 26, 1908.

Upon entering into correspondence with the President of the Borough of Brooklyn and the Commissioner of Water Supply, Gas and Electricity it was learned that the company was also operating in other territory than that applied for without any claim of right. In this connection an informal agreement was later reached between the attorney for the company and Mr. H. S. Wynkoop, then Electrical Engineer of the Department of Water Supply, Gas and Electricity in the Borough of Brooklyn, under which the company was to submit an amended petition covering such other territory.

The further question arising as to whether the company had the right to operate in that portion of the Ocean parkway between Foster avenue and Prospect Park, which was not included in its application, the Secretary of the Board, on April 9, 1908, transmitted to the Corporation Counsel a request for an opinion in relation thereto.

Nothing having been done in regard to either of these matters on June 17, 1908, this Division made a report to you, enclosing a form of resolution requiring the company to consult with the Corporation Counsel as to its rights and to submit an amended application based on his decision. This resolution also fixed Friday, September 18, 1908, as the date for a public hearing on said amended application.

This report was presented to the Board at its meeting held June 26, 1908, and the resolution was adopted.

No action appears to have been taken by the company during the summer following, and on September 16 the Corporation Counsel, in an opinion to the Board, stated such to be the fact, and advised that he had turned the matter over to his Division of Affirmative Actions with instructions to commence suit to oust the company from the streets it was illegally using, and stated that in his opinion, pending the determination of this action, nothing further should be done by the Board in regard to the application of the company.

In accordance with that opinion, which was presented at the meeting held September 18, 1908, the matter was laid over.

Subsequent to this several conferences were held between the Corporation Counsel and officers and representatives of the Flatbush Gas Company, during the course of which the company declined to amend its application, claiming to have the right to operate in the Ocean parkway between Foster avenue and Prospect Park, and offering to withdraw from the other territory.

After reconsidering the matter in the light of the information obtained at these conferences, the Corporation Counsel, on September 28, rendered a further opinion, from which I quote the following:

"I have referred the matter of the right of this company to operate in the territory mentioned to the Bureau of Affirmative Actions in this Department, and if, after thorough investigation has been made, I deem it advisable, or if so instructed by your Honorable Board, an action will be commenced to determine whether or not the Flatbush Gas Company has proper authority for maintaining conduits and operating in this territory. At the present time I am of the opinion that it would be decidedly unwise to test the question as to the authority of the Town Board to grant franchises of this nature, at this time and in this particular case."

Believing under this that the Division could proceed with the matter as originally presented, several conferences were then arranged for and held between the representatives of the President of the Borough of Brooklyn, the Commissioner of Water Supply, Gas and Electricity, the company and this Division, at which it was agreed that the Flatbush Company should withdraw from that territory in which it was operating without any claim of right, and that, if possible, arrangements should be made whereby the Edison Electric Illuminating Company, which claims a franchise in such territory, should take over the business thus abandoned. With this purpose in view, a communication was addressed to the Edison Electric Illuminating Company on November 27, 1908, and on December 3, in reply thereto, that company stated that it was its policy to take all the business it could obtain along the lines of its conductors or adjacent thereto; that the customers supplied by the



Flatbush Company outside of its franchise territory could be reached by its service, and that in accordance with its policy it would gladly take over its business if it could obtain the same. It was expressly stated, however, that such action on its part was not in any way an endorsement of the application of the Flatbush Company and was not to be deemed to affect the position of the Edison Company with respect to said application.

Upon requesting the Department of Water Supply, Gas and Electricity as to what action, if any, it had taken in regard to this matter, I was informed on January 22, 1909, that no action would be taken by that Department looking to the removal of these wires until the pending application of the company was definitely settled.

Upon the clearing up of these matters I prepared a proposed form of contract covering the franchise applied for by the company and on March 2, 1909, transmitted the same to its attorney for consideration. I was unable, however, to arrange for a conference in regard to the same with the attorney until July 21, but since that date we have come to a practical agreement as to the terms to be imposed and the form of contract is now under consideration by the company's officials.

I would therefore suggest that the Board adopt a resolution fixing Friday, October 15, as the date for a preliminary hearing on the application of the company. In the meanwhile the form of contract will be submitted to the Corporation Counsel for his approval, and I will be prepared on that date to submit the same, together with my report thereon, for the consideration of the Board.

I am transmitting herewith form of resolution fixing Friday, October 15, as the date for a public hearing on the application of the Flatbush Gas Company.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

To the Honorable Board of Estimate and Apportionment of The City of New York:

The petition of the Flatbush Gas Company respectfully shows:

First—Your petitioner is a corporation duly organized under the laws of the State of New York, and has, pursuant to said laws, purchased and acquired the property and franchises of the Knickerbocker Electric Light and Power Company, a corporation duly organized under the Transportation Corporations Law, and which obtained the consent of the local authorities to operate and supply electricity in the former Town of Flatbush.

Second—Your petitioner is, and has been for several years last past, engaged in the business of manufacturing, supplying and distributing gas and electricity for light, heat and power in the former Town of Flatbush.

Third—That your petitioner, in 1896 and 1897, under contracts with the Park Commissioners of the City of Brooklyn, constructed a subway under the said Ocean parkway, between Foster avenue and Concourse drive, and put therein the wires necessary for lighting the said Ocean parkway and for supplying electric current to public and private consumers, and has supplied electricity for light, heat and power to the public authorities and to private consumers.

Wherefore, Your petitioner prays that the assent of your Honorable Board for the Corporation of The City of New York be granted to it for the construction, laying, maintenance and operation of such suitable wires or other conductors, with the necessary poles, pipes or other fixtures, with the necessary branches or connections therefrom, within the following described territory in the Borough of Brooklyn, City of New York, and shown on a map attached hereto and made a part hereof, for the purpose of transmitting and distributing electricity for light, heat and power to public and private consumers, and that the desired consent, grant or franchise be embodied in the form of a contract with proper terms and conditions in accordance with the provisions of the Greater New York Charter.

Beginning at a point at the intersection of the westerly side of Ocean parkway with the northerly side of Foster avenue, running thence westerly along the northerly side of Foster avenue to its intersection with the westerly side of East Fifth street; thence southerly along the westerly side of East Fifth street and on a line therewith through private property to the intersection of the westerly side of East Fifth street with the northerly side of Avenue W; thence westerly along the northerly side of Avenue W to its intersection with the westerly side of East Fourth street; thence southerly along the westerly side of East Fourth street to its intersection with the northerly side of Avenue X; thence westerly along the northerly side of Avenue X to its intersection with the westerly side of East Third street; thence southerly along the westerly side of East Third street to its intersection with the northerly side of Avenue Y; thence westerly along the northerly side of Avenue Y to its intersection with the westerly side of East Second street; thence southerly along the westerly side of East Second street to its intersection with the northerly line of Avenue Z; thence westerly along the northerly line of Avenue Z to its intersection with the westerly side of East First street; thence southerly along the westerly side of East First street to its intersection with the northerly side of Canal avenue; thence westerly along the northerly side of Canal avenue to its intersection with the westerly side of West First street; thence southerly along the westerly side of West First street to its intersection with the northerly side of Sea Breeze avenue; thence westerly along the northerly side of Sea Breeze avenue to its intersection with the westerly side of West Fifth street; thence southerly along the westerly side of West Fifth street to the Atlantic Ocean; thence easterly along the Atlantic Ocean to its intersection with Coney Island avenue, also known as Coney Island road; thence northerly along the westerly line of Coney Island avenue, or Coney Island road, to its intersection with the northerly line of Avenue W; thence westerly along the northerly line of Avenue W to its intersection with the easterly line of East Seventh street; thence northerly along the easterly line of East Seventh street to its intersection with the southerly line of Avenue R; thence easterly along the southerly line of Avenue R to its intersection with the easterly line of East Ninth street; thence northerly along the easterly line of East Ninth street to its intersection with the northerly line of Avenue Q; thence westerly along the northerly line of Avenue Q to its intersection with the easterly line of East Seventh street; thence northerly along the easterly side of East Seventh street to its intersection with the northerly line of Foster avenue; thence westerly along the northerly line of Foster avenue to the point or place of beginning.

Dated New York City, April 6, 1908.

THE FLATBUSH GAS COMPANY,

By W. K. ROSSITER, Vice-President.

State of New York, County of Kings, ss.:

W. K. Rossiter, being duly sworn, deposes and says that he is the Vice-President of the Flatbush Gas Company, the petitioner named in the foregoing petition; that he has read the foregoing petition and knows the contents thereof; that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true; that the reason why this verification is not made by the petitioner is that it is a corporation; that deponent is an officer of said corporation, to wit, Vice-President, and that the grounds of his information in regard to the matters stated in the foregoing petition, so far as the same are not within his personal knowledge, are statements and reports made by officers and employees of the corporation to him as Vice-President thereof.

W. K. ROSSITER.

Sworn to before me this 6th day of April, 1908.

F. R. WOGAN, Notary Public, Kings County.

The following was offered:

Whereas, The foregoing petition from the Flatbush Gas Company, dated April 6, 1908, was presented to the Board of Estimate and Apportionment at a meeting held April 24, 1908.

Resolved, That, in pursuance of law, this Board sets Friday, the 15th day of October, 1909, at 10.30 o'clock in the forenoon, and Room 16 in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered and a public hearing be had thereon, at which citizens shall be entitled to appear and be heard; and be it further

Resolved, That the Secretary is directed to cause such petition and these resolutions to be published for at least two (2) days in two daily newspapers in The City of New York, to be designated by the Mayor, and for at least ten (10) days in the CITY RECORD

immediately prior to such date of public hearing. The expense of such publication to be borne by the petitioner.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen, the Presidents of the Boroughs of Manhattan, Brooklyn and Queens and the President of the Borough of Richmond—15.

New York and North Shore Traction Company.

In the matter of the franchise granted to the New York and North Shore Traction Company to construct, maintain and operate a street surface railway from the intersection of Broadway and the City line, thence upon and along various streets and avenues to the former Villages of Bayside and Flushing, Borough of Queens, by contract dated February 1, 1909.

The Secretary presented the following:

NEW YORK AND NORTH SHORE TRACTION COMPANY. }  
NEW YORK, July 10, 1909. }

HARRY P. NICHOLS, Esq., Division of Franchises, Board of Estimate and Apportionment, New York City:

DEAR SIR—I send herewith, for filing in your office, sworn copies of the consents of the owners of property abutting on the route of the New York and North Shore Traction Company between the City line and Flushing, set forth in the contract of February 1, 1909, between the City and said company. These consents are filed in accordance with section 2, first paragraph, of the contract.

These copies of consents show that the traction company has the requisite number of consents on all the streets of its route except Farrington street in Flushing and Bayside boulevard and Tenth street in Bayside. The consents in Farrington street we expect to obtain within a week. On the Bayside boulevard and Tenth street the company will begin proceedings before the Appellate Division under section 94 of the Railroad Law.

We will file in your office further consents as they are obtained.

Yours respectfully,

JAMES A. MACELHINNY.

The Secretary presented the following:

REPORT NO. F-108.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 9, 1909. }

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—The contract between The City of New York and the New York and North Shore Traction Company for the construction, maintenance and operation of a street surface railway upon Broadway and other streets, in the Borough of Queens, which was executed by the Mayor and City Clerk on behalf of the City on February 1, 1909, and by the President and Secretary of the company on the 22d and 23d days of January, 1909, and bears date of February 1, 1909, provides in Section 2, First, as follows:

"The consent in writing of the owners of half in value of the property bounded on said streets and avenues to the construction and operation of said railway shall be obtained by the Company within six months from the signing of this contract by the Mayor, and a copy of such consents shall be filed with the Board within such time, or in the event that such consents cannot be obtained within such time, the company shall, within one month thereafter, make application to the Appellate Division of the Supreme Court for the appointment of Commissioners in the manner provided by the Railroad Law to determine if said railway ought to be constructed; otherwise this grant shall cease and determine."

Pursuant to this provision, the company, on July 10, 1909, filed with the Board a certified copy of the consents of the abutting property owners along the route of the grant. An examination of such consents reveals the following:

Street.	Fifty Per Cent. of Assessed Valuation.	Consents Obtained.
Broadway, City line to Bell avenue.....	\$339,100 00	\$398,350 00
Tenth street, Broadway to Bayside boulevard.....	39,700 00	32,450 00
Bayside boulevard, Tenth street to Ashburton avenue.....	19,360 00	.....
Ashburton avenue, Bayside boulevard to Chambers street..	80,687 50	105,800 00
Chambers street, Ashburton avenue to Crocheron avenue..	34,842 50	40,230 00
Crocheron avenue, Chambers street to Twenty-third street.	355,691 75	506,423 50
Twenty-third street, Crocheron avenue to State street.....	35,950 00	71,900 00
State street, Twenty-third street to Thirteenth street.....	98,900 00	152,500 00
Thirteenth street, State street to Chestnut street.....	8,800 00	17,600 00
Chestnut street, Thirteenth street to Whitestone avenue....	106,475 00	159,650 00
Whitestone avenue, Chestnut street to State street.....	43,650 00	55,600 00
State street, Whitestone avenue to Prince street.....	107,950 00	151,000 00
Prince street, State street to Broadway.....	27,700 00	30,300 00
Broadway, Prince street to Farrington street.....	123,550 00	146,600 00
Farrington street, Broadway to State street.....	30,100 00	20,000 00

From the foregoing it would appear that the necessary consents of the owners of the abutting property have been obtained on all of the route, with the exception of Tenth street, Bayside boulevard and Farrington street.

I am informed by the Secretary of the company that a motion for the appointment of Commissioners to determine whether said railway ought to be constructed on these streets, will be made before the Appellate Division of the Supreme Court on October 18, 1909.

Pursuant to the provisions of the contract, the time for making application to the Appellate Division expired September 1, 1909, but, as the court was not then in session, October 18 appears to be the earliest available date when such motion can be made.

Section 2, Tenth, of the contract provides that construction shall be commenced within six months from the date upon which the consents of the property owners are obtained, or from the date upon which the decision of the Appellate Division of the Supreme Court that such railway ought to be constructed is rendered in lieu of such consents, and that the road shall be completed and in full operation within eighteen months from the date of obtaining such consents and such decision. The consents as filed were obtained at various times between April 20, 1908, and May 29, 1909, and were recorded in the office of the Clerk of Queens County on February 23, April 27, May 21, and June 7, 1909.

It would seem that a fair interpretation of the above quoted clause of the contract would be to require the commencement of construction, on those portions of the route for which the necessary consents have been obtained, within six months from the date of obtaining said consents, and the time for the completion of the road, eighteen months from said date. According to this interpretation, construction should be commenced on or before January 10, 1910, and the road should be completed and in operation on or before January 10, 1911.

The contract further provided for an initial payment of seven thousand dollars (\$7,000) in cash within four months after the date on which the contract was signed by the Mayor, and a security deposit of ten thousand dollars (\$10,000) within the same period. These payments were made on July 1, 1909.

From the foregoing, it would appear that all the preliminary steps have been taken by the company.



It is recommended that the consents be filed and that the Secretary of the Board transmit a copy of this report to the company, directing particular attention to the dates for the commencement and completion of the construction.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

The consents were ordered filed and the Secretary was directed to forward a copy of the report to the Company, calling particular attention to the dates for commencement and completion of construction.

*New York and North Shore Traction Company.*

In the matter of the franchise granted to the New York and North Shore Traction Company to construct, maintain and operate a street surface railway from the intersection of Chestnut street and Murray lane, upon and along various streets and avenues to a point about three hundred feet north of the north side line of the Boulevard in the former Village of Whitestone, by contract dated April 14, 1907.

A communication was received from Arthur H. Elliott, transmitting copy of a petition signed by thirty-nine parents of children attending Public School 23 in the former Village of Flushing, Borough of Queens, protesting against the passage of a railway around two sides of said school, on Whitestone avenue and State street, Flushing, and suggesting that the route be changed by going through Leavitt avenue and Covert place, thence to Chestnut street.

A communication was also received from Alfred L. Gould, Secretary of Whitestone Improvement Association, transmitting copy of resolution adopted by that body, protesting against a change of route, and requesting that the Company be directed to build the road as specified in the franchise.

Which were referred to the Chief Engineer.

*Liquid Carbonic Company.*

The Secretary presented the following:

THE LIQUID CARBONIC COMPANY, }  
CHICAGO, March 8, 1909.

Board of Estimate and Apportionment of The City of New York, No. 277 Broadway, New York City:

DEAR SIR:—We hereby make application and petition for a revocation of a certain franchise granted as per resolution adopted by the Council on May 23, 1899, and the Board of Aldermen May 31, 1899, approved by the Mayor June 7, 1899, allowing the Liquid Carbonic Acid Manufacturing Company to lay pipes across West One Hundred and Seventh street, in the Borough of Manhattan, from its building at No. 110 West One Hundred and Seventh street to the Lion Brewery on the northerly side of said street; and also further petition and request that the tax on said franchise be discontinued as of date August 26, 1908. As a basis for this petition and request we recite the following facts:

First—The Liquid Carbonic Acid Manufacturing Company was a corporation organized and existing under the laws of the State of Illinois, duly authorized to do business in the State of New York.

Second—The name of said corporation was, by resolution passed by a special meeting of the stockholders of said Company, changed to the Liquid Carbonic Company, certificate of said change in name being filed in the office of the Secretary of the State of Illinois on June 17, 1903, and all the proper formalities attended to.

Third—That the identity of the corporation remains the same, the Liquid Carbonic Company having the same officers, owning the same property and owing the same debts as the Liquid Carbonic Acid Manufacturing Company.

Fourth—That the factory of said the Liquid Carbonic Company at No. 110 West One Hundred and Seventh street, in the Borough of Manhattan, was discontinued on August 26, 1908, and on the same date it discontinued entirely the use of the pipe line authorized by said franchise.

Fifth—That said discontinuance of the factory and pipe line is permanent.

Yours truly,

[SEAL.]

THE LIQUID CARBONIC COMPANY,

JACOB BAUR, President.

Attest:

OSCAR BAUR, Assistant Secretary.

The Secretary presented the following:

REPORT No. F-174.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
August 13, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—The Liquid Carbonic Company, as successor to the Liquid Carbonic Acid Manufacturing Company, has presented a petition dated March 8, 1909, to the Board of Estimate and Apportionment for the revocation of a resolution adopted by the Common Council on May 23, 1899, and by the Board of Aldermen on May 31, 1899, and approved by the Mayor on June 7, 1899, granting consent to the Liquid Carbonic Acid Manufacturing Company to lay pipes across West One Hundred and Seventh street, in the Borough of Manhattan, from its building at No. 110 West One Hundred and Seventh street to the Lion Brewery opposite, on the northerly side of said street.

The petition recites that the Liquid Carbonic Acid Manufacturing Company was a corporation organized and existing under the laws of the State of Illinois, duly authorized to do business in the State of New York, that, by resolution adopted by the stockholders of said company, the name was changed to the Liquid Carbonic Company, and that all operations at the factory at No. 110 West One Hundred and Seventh street, including the said pipes, were discontinued on August 26, 1908.

The revocation of the consent is desired in order that the petitioner may be relieved from the payment of the annual charge heretofore paid to the City for the privilege.

Upon the receipt of the petition by this division, for investigation and report, communications were addressed to the President of the Borough of Manhattan and to the Commissioner of Water Supply, Gas and Electricity, in accordance with past procedure in similar cases, advising these officials of the petition, and stating that, upon receipt by the Board of certifications from them that the pipes had been removed and the street restored to its original condition, and that there is no reason why the bond filed by the petitioner should not be canceled, a favorable report would be presented.

The petitioner was then advised to proceed with the removal of the pipes under the jurisdiction of said officials.

A communication was also addressed to the Comptroller, requesting certification to the Board as to the date to which payment had been made to the City for the privilege of maintaining these pipes, and if the bond required by a resolution of the Sinking Fund Commissioners, fixing the annual charge for the privilege, was on file in the Department of Finance.

In reply, the Comptroller has certified that the annual charge has been paid up to and including June 29, 1909, and a bond for one thousand dollars (\$1,000) is on file with the Department of Finance.

A communication dated May 4, 1909, has been received from the President of the Borough of Manhattan stating that the pipes have been removed and that the pavement has been properly restored.

It appears that the petitioner failed to properly notify the Department of Water Supply, Gas and Electricity of the commencement of the work of removing the pipes,

and in consequence no Inspector representing that Department was present during such removal. However, the Liquid Carbonic Company has submitted a copy of a communication from the Deputy Commissioner of Water Supply, Gas and Electricity reciting the Department's inability to certify as to the removal of the pipes, but further stating that "no doubt the Inspector who, I understand, has already furnished his certificate that the pavement has been properly relaid can certify that he saw the pipes removed."

In view of the facts and as payment for the privilege has been made to June 29, 1909, while the pipes were removed about May 4, 1909, I would recommend that the resolution hereinabove mentioned, authorizing the construction, maintenance and use of the pipes, be revoked as of June 29, 1909. This revocation, however, should not take effect until the petitioner has executed an instrument in writing, and filed the same with the Board of Estimate and Apportionment, releasing The City of New York from any and all claims held, or alleged to be held, against the City under the terms and conditions of said consent, and surrendering and waiving any right in the City's streets under and by virtue of said consent.

The Comptroller should be authorized to cancel the bond for one thousand dollars (\$1,000) now on file with the Department of Finance.

A resolution for adoption, in accordance with these suggestions, is herewith transmitted.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

The following was offered:

Whereas, By resolution adopted by the Common Council on May 23, 1899, and by the Board of Aldermen on May 31, 1899, and approved by the Mayor on June 7, 1899, the consent of the corporation of The City of New York was given to the Liquid Carbonic Acid Manufacturing Company to install, maintain and use pipes under and across West One Hundred and Seventh street, in the Borough of Manhattan, and it was made a condition of the said resolution that compensation for that privilege should be fixed by the Commissioners of the Sinking Fund; and

Whereas, In accordance with said resolution, the Commissioners of the Sinking Fund, on June 29, 1899, adopted a resolution fixing such compensation at one hundred and twenty dollars (\$120) per annum, and providing that said grantee should file a bond for the faithful performance of the terms and conditions of the consent; and

Whereas, The Liquid Carbonic Acid Manufacturing Company did file a bond of one thousand dollars (\$1,000) with the Department of Finance, and did install pipes in compliance with the terms and conditions of said consent, and has maintained the same since that time; and

Whereas, The Liquid Carbonic Company, as successor to the Liquid Carbonic Acid Manufacturing Company, has presented a petition, dated March 8, 1909, to the Board of Estimate and Apportionment, requesting that the said consent be revoked and that it be relieved from the payment of the annual charge for the privilege; and

Whereas, The office of the President of the Borough of Manhattan has certified under date of May 4, 1909, that the work of removing the pipes has been satisfactorily completed and that the street has been restored to its original condition; and

Whereas, The Liquid Carbonic Company has paid the annual compensation for the aforesaid privilege to June 29, 1909; now therefore be it

Resolved, That the aforesaid resolution be and the same is hereby rescinded as of June 29, 1909; and be it further

Resolved, That this resolution shall not become effective unless and until the Liquid Carbonic Company shall execute an instrument in writing, releasing The City of New York from any and all claims, of any kind, character or description whatsoever, held, or claimed to be held under the terms and conditions of the aforesaid consent, and agreeing to quitclaim, waive and surrender any and all rights and privileges in and upon said West One Hundred and Seventh street, in the Borough of Manhattan, held, or claimed to be held under and by virtue of said consent, and file the same with the Board of Estimate and Apportionment; and be it further

Resolved, That the Comptroller of The City of New York be and he hereby is authorized to cancel the aforesaid bond of one thousand dollars (\$1,000) now on file in his office.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen, the Presidents of the Boroughs of Manhattan, Brooklyn and Queens and the President of the Borough of Richmond—15.

John E. and Joseph Conron.

The Secretary presented the following:

CONRON BROS. COMPANY,  
TENTH AVENUE, THIRTEENTH TO FOURTEENTH STREET,  
NEW YORK, June 7, 1909.

To the Honorable Board of Estimate and Apportionment, City of New York, No. 277 Broadway, City:

DEAR SIR:—We hereby petition your Honorable Board for permission to erect and maintain two (2) separate tunnels under Brook avenue, between Rose and Grove streets, Bronx. One tunnel to be sixteen (16) feet wide and eighty (80) feet long, and one tunnel to be twenty-four (24) feet wide and eighty (80) feet long, as indicated upon the annexed plan and shown between the lines marked on same.

The accompanying plan provides for tunnels under Brook avenue, connecting our premises on the west side thereof with the railroad yards of the New York Central and Hudson River Railroad Company, on the east side thereof.

The said plan shows the location and dimensions of the proposed tunnels, and that the roof thereof will be below the water and gas mains, and that the sewer is not interfered with, being below the grade of the bottom of the proposed passageways, and that the tunnels will directly cross the street and in no other direction beneath the thoroughfare.

Our application as herein made to your Honorable Board is for leave to maintain the tunnels under Brook avenue, as indicated on said plan, and is designed to enable us to facilitate the unloading of merchandise from cars in freight yards of the Port Morris Railroad Company, by passing said merchandise through the tunnels heretofore mentioned directly into the market buildings which are to be erected on the west side of Brook avenue, and thereby avoiding any congestion of traffic, which would be caused by using the street overhead for that purpose.

We have acquired the fee of Brook avenue north of Rose street, as shown, with the intent of using same for delivery purposes and the receiving of all goods from the railroad cars through the proposed tunnels in the manner before mentioned, and as indicated on plan submitted herewith, and for which your permission is herewith requested.

We have secured permission from the New York Central and Hudson River Railroad Company to emerge upon their property abutting the said tunnels, and will be pleased to furnish satisfactory bonds, security, etc., for the proper construction of above described structures.

We remain,

Yours truly,

JOSEPH CONRON,  
JOHN E. CONRON.



REPORT No. F-176

BOARD OF ESTIMATE AND APPORTIONMENT,  
OFFICE OF THE CHIEF ENGINEER,  
September 14, 1909.

Hon. GEORGE B. McCLELLAN, Mayor, Chairman of the Board of Estimate and Apportionment:

SIR—Under date of June 7, 1909, Joseph and John E. Conron have submitted to the Board a petition asking for consent to the construction and use of two tunnels under and across Brook avenue, between Grove and Rose streets, in the Borough of The Bronx.

These tunnels are designed to facilitate the business of the applicants by permitting more direct access to the tracks of the Port Morris Branch of the New York Central and Hudson River Railroad Company, and the plan has already been approved by the Borough authorities and the Department of Water Supply, Gas and Electricity.

It is recommended, therefore, that the right be granted for a period of ten years, provided that a security deposit of \$1,500 be made, together with an annual charge of \$230 in the case of one tunnel and \$320 in the case of the other, making a total of \$550 for the first five years, to be increased to \$580 for the second five years.

A report of the Division of Franchises and the necessary resolution are herewith submitted.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 9, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—Joseph Conron and John E. Conron have presented a petition dated June 7, 1909, to the Board of Estimate and Apportionment for permission to construct, maintain and use two tunnels under and across Brook avenue in the Borough of The Bronx, between Grove street and Rose street. One tunnel is to be 22 feet in width and the other 30 feet 6 inches in width, outside dimensions, and they are designed to be respectively 50 feet and 156 feet south of the southerly line of Grove street.

The petition recites that the property on the westerly side of Brook avenue with which the tunnels connect is owned by the applicants and that the property on the easterly side of Brook avenue is the freight yard of the Port Morris Branch of the New York Central and Hudson River Railroad Company. The petitioners are engaged in the wholesale meat business and the tunnels are desired for the purpose of affording a direct means of unloading meat and other merchandise in connection with their business on the westerly side of Brook avenue, thereby avoiding congestion of traffic on the surface.

Communications were addressed to the President of the Borough of The Bronx and to the Commissioner of Water Supply, Gas and Electricity inclosing copies of the application and accompanying plan and requesting that the project be examined by the various bureaus having jurisdiction, with a view to ascertaining if there were any objections or any special conditions which should be incorporated in the form of consent heretofore used for similar privileges.

In reply the President of the Borough of The Bronx has stated that there are no objections to the proposed tunnels, provided it be made a specific condition that the proposed tunnels shall in no way interfere with the arch of Brook avenue sewer and that they shall be so founded as to be entirely clear of such sewer. A report of the Acting Chief Engineer of the Borough of The Bronx also required certain changes to be made in the structural design of the tunnels as shown on the plans originally submitted.

The petitioners were advised of these conditions and desired alterations and the plans have been amended in accordance therewith, and it has been made a condition of the consent that the proposed tunnels shall in no way interfere with the Brook avenue sewer.

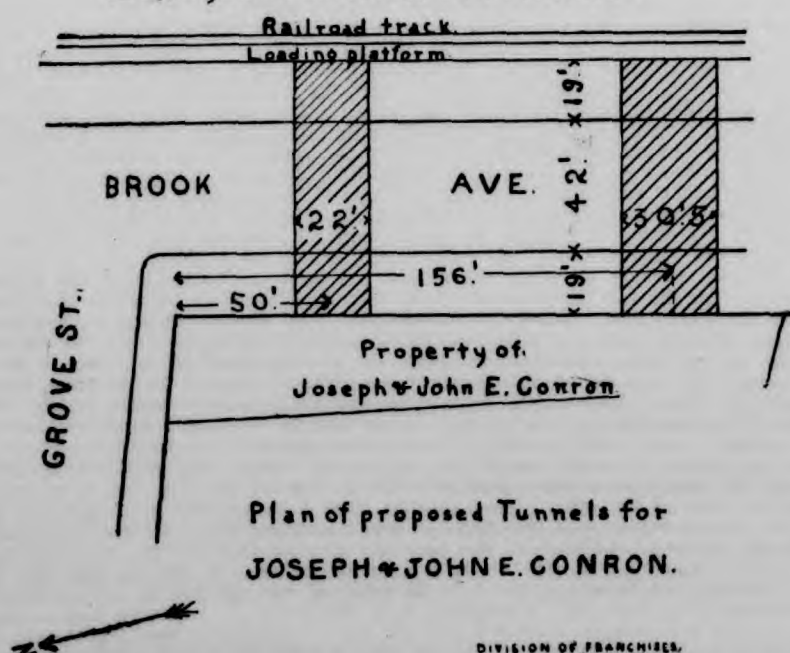
The reply from the Department of Water Supply, Gas and Electricity stated that there were no objections to offer to the proposed tunnel and no special conditions in this case other than those incorporated in the form of consent customarily used by the Board.

On the request of this Division, the petitioners have submitted an agreement entered into on the 25th day of June between the New York Central and Hudson River Railroad Company and the petitioners, wherein the railroad company grants to Conron Brothers permission to connect the proposed tunnels with the freight yard on the easterly side of Brook avenue.

Under date of July 19, 1907, a similar petition was presented to the Board of Estimate and Apportionment by the same applicants, but the plans of the proposed tunnels as then presented did not meet with the approval of the President of the Borough of The Bronx and the Commissioner of Water Supply, Gas and Electricity, and on that account and also on account of the fact that Conron Brothers were unable at that time to purchase certain properties on the westerly side of Brook avenue, the matter was not pressed and finally on October 16, 1908, a report was presented to the Board by this Division and the petition was denied.

As the project as at present designed has met with the approval of the President of the Borough of The Bronx and the Department of Water Supply, Gas and Electricity, I can see no objection to the granting of the requested permission, and I would recommend that the consent be given during the pleasure of the Board of Estimate and Apportionment, but in no case to extend beyond ten (10) years from the date of the approval of the resolution by the Mayor and revocable upon sixty (60) days' notice in writing, and that it be made a condition of the consent that a security deposit in the sum of one thousand five hundred dollars (\$1,500) be required; said deposit to be in the form of either money or securities to be approved by and deposited with the Comptroller for the faithful performance of the terms and conditions of the consent.

Freight yard of the N.Y.C. & H.R.R.R.Co.



The plan area between building lines of the tunnel 50 feet south of Grove street is 1,760 square feet and that of the tunnel 156 feet south of Grove street is 2,440 square feet. The average assessed valuation of the property in the block on the

westerly side of Brook avenue at this point is \$1.64 per square foot. On the basis of compensation heretofore used in similar cases, viz.: 8 per cent. of the assessed valuation of the plan area of the tunnels per annum, the charge for the tunnels would be respectively two hundred and thirty dollars (\$230) and three hundred and twenty dollars (\$320) per annum. With the customary increase of 5 per cent. for the succeeding term of five years the charge for the two tunnels would, therefore, be:

During the first term of five (5) years an annual sum of \$550.

During the second term of five (5) years an annual sum of \$580. This compensation should commence on the date of the approval of the resolution by the Mayor.

After consultation with the petitioners it has been made a condition of the consent that the tunnel shall be completely constructed within nine (9) months from the day of the approval of the resolution by the Mayor.

I transmit herewith a form of resolution for adoption by the Board containing the customary provisions.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

The following was offered:

Whereas, Joseph Conron and John E. Conron have presented a petition dated June 7, 1909, to the Board of Estimate and Apportionment of The City of New York for its consent to the construction, maintenance and use of two tunnels under and across Brook avenue, in the Borough of The Bronx, between Grove street and Rose street; said tunnels to connect the building of the petitioners on the westerly side of Brook avenue with the freight yard of the Port Morris branch of the New York Central and Hudson River Railroad Company on the easterly side of Brook avenue, and to be used to facilitate the transportation of merchandise between the freight yard and the petitioners' building; now therefore be it

Resolved, That the consent of the corporation of The City of New York be and the same is hereby given to Joseph Conron and John E. Conron, the owners of certain properties on the westerly side of Brook avenue, between Grove street and Rose street, in the Borough of The Bronx, City of New York, to construct, maintain and use two tunnels under and across said Brook avenue; one about 50 feet south of the southerly line of Grove street and the other about 156 feet south of the southerly line of Grove street, connecting the properties of the petitioners with the freight yard of the Port Morris branch of the New York Central and Hudson River Railroad Company on the easterly side of Brook avenue; the said tunnels to be used for the transportation of merchandise between the freight yard and the petitioners' building and for no other purpose, all as shown on the plan accompanying the application, entitled:

Plan showing location and construction of two connecting tunnels under Brook avenue, Borough of The Bronx, for Messrs. Joseph and John E. Conron, to accompany application dated June 7, 1909, to the Board of Estimate and Apportionment; and signed Joseph Conron and John E. Conron.

—a copy of which is annexed hereto and made a part hereof upon the following terms and conditions:

1. Said consent shall continue only during the pleasure of the Board of Estimate and Apportionment, or its successors in authority, and shall be revocable upon sixty (60) days' notice in writing to the said grantees, their successors or assigns, but in no case shall it extend beyond a term of ten (10) years from the date of the approval of this consent by the Mayor, and thereupon all rights of the said Joseph Conron and John E. Conron in or under said Brook avenue by virtue of this consent shall cease and determine.

2. The said Joseph Conron and John E. Conron, their successors or assigns, shall pay into the treasury of The City of New York, as compensation for the privilege hereby granted, during the first term of five years the annual sum of five hundred and fifty dollars (\$550) and during the second term of five years the annual sum of five hundred and eighty dollars (\$580). Such payments shall be made in advance on November 1 of each year, provided, however, that the first payment shall be made within thirty (30) days of the approval of this consent by the Mayor, and shall be only such proportion of five hundred and fifty dollars (\$550) as the time between the approval of this consent by the Mayor and November 1 following bears to the whole year. Such payments shall not be considered in any manner in the nature of a tax, but shall be in addition to any and all taxes of whatsoever kind or description now or hereafter required to be paid under any ordinance of The City of New York, or by any law of the State of New York.

3. Upon the removal of the said grantees from the buildings connecting with the tunnels or upon the revocation or termination of this consent, the said grantees, their successors or assigns, shall, at their own cost, cause the tunnels to be removed and all those portions of Brook avenue affected by this permission to be restored to their proper and original condition, if required so to do by The City of New York or its duly authorized representatives. If the tunnels to be constructed by the said grantees under this consent shall not be required to be removed, it is agreed that they shall become the property of The City of New York.

4. The consent hereby given is for the exclusive use of the grantees and shall not be assigned, either in whole or in part, or leased or sublet in any manner, nor shall title thereto or right, interest or property therein pass to or vest in any other person, firm or corporation whatsoever, either by the acts of the said grantees, their successors or assigns, or by operation of law, without the consent in writing of The City of New York, acting by the Board of Estimate and Apportionment or its successors in authority.

5. The said grantees shall pay the entire cost of:

- The construction and maintenance of the tunnels.
- The protection of all surface and subsurface structures which shall in any way be disturbed by the construction of the tunnels.
- All changes in sewers or other subsurface structures made necessary by the construction or removal of the tunnels, including the laying or relaying of pipes, conduits, sewers or other structures.
- The replacing or restoring of the pavement in said street which may be disturbed during the construction or removal of said tunnels.
- Each and every item of the increased cost of any future substructure caused by the presence of said tunnels under this consent.
- The inspection of all work during the construction or removal of the tunnels as herein provided, which may be required by the President of the Borough of The Bronx and the Commissioner of Water Supply, Gas and Electricity.

6. It is made a particular condition of this consent that the tunnels and their foundations shall in no way interfere with the sewer.

Before the construction shall be begun, the grantees shall obtain permits to do the work from the President of the Borough of The Bronx and from the Commissioner of Water Supply, Gas and Electricity. The grantees shall perform all the duties which may be imposed upon them by those officials as conditions of such permits, provided such conditions are not inconsistent with the provisions of this consent. The grantees shall submit to those officials working plans which shall



include and show in detail the method of construction of the tunnels and the mode of protection or changes in all subsurface structures required by the construction of the tunnels.

7. The grantees, their successors or assigns, shall allow to The City of New York a right of way through, under or above any part of the tunnels constructed under the consent hereby granted for any and all subsurface structures which are now or may be hereafter placed by The City of New York in that portion of Brook avenue occupied by said tunnels.

8. The said tunnels and any fixtures laid therein shall be constructed, maintained and operated subject to the supervision and control of the proper authorities of The City of New York. The said tunnels shall be open at all times to the inspection of all the authorities who have jurisdiction in such matters under the Charter of The City of New York.

9. This consent is subject to whatever right, title or interest the owners of abutting property or others may have in and to Brook avenue.

10. Said grantees shall be liable for all damages to persons or property, including the street and subsurface structures therein, by reason of the construction and operation or maintenance of said tunnels, and it is a condition of this consent that The City of New York assumes no liability to either person or property on account of the consent.

11. This consent is granted on the further and express condition that all laws or ordinances now in force, or which may hereafter be adopted, shall be strictly complied with.

12. Said grantees, their successors or assigns, shall commence the construction of said tunnels under this consent and complete the same within nine months from the date of the approval of this consent by the Mayor; otherwise this consent shall be forfeited forthwith, and without any proceeding, either at law or otherwise, for that purpose; provided, however, that such time may be extended by the Board of Estimate and Apportionment for a period not exceeding three months.

13. This consent is upon the express condition that the said grantees within thirty (30) days after the approval of this consent by the Mayor, and before anything is done in exercise of the rights conferred hereby, shall deposit with the Comptroller of The City of New York the sum of one thousand five hundred dollars (\$1,500), either in money or in securities to be approved by him, which fund shall be security for the performance of the terms and conditions of this consent, especially those which relate to the payment of the annual charge, the repairs of the street pavement and the removal of the tunnels. In case of default in the performance by said grantees of any such terms and conditions, The City of New York shall have the right to cause the work to be done and the materials to be furnished for making the necessary changes or repairs, after ten (10) days' notice, and shall collect the reasonable cost thereof from the said fund without legal proceeding, or, in case of default in the payment of the annual charge, shall collect the same with interest from such fund, after ten (10) days' notice in writing to the said grantees.

In case of any drafts so made upon the security fund, the said grantees shall, upon thirty days' notice in writing, pay to the Comptroller of The City of New York a sum of money sufficient to restore the said fund to the original amount of one thousand five hundred dollars (\$1,500), and in default of the payment thereof the consent hereby given may be canceled and annulled, at the option of the Board of Estimate and Apportionment of The City of New York, acting on behalf of said City. No action or proceedings or rights under the provisions of this section shall affect any other legal rights, remedies or causes of action belonging to The City of New York.

14. Said grantees shall give notice to the President of the Borough of The Bronx and the Commissioner of Water Supply, Gas and Electricity, in writing, of their intention to begin construction of the work hereby authorized at least forty-eight hours before such construction commences. The grantees shall also give to the Board of Estimate and Apportionment notice in writing of the date on which the work is commenced, and also the date on which the same is completed, not later than ten (10) days after such dates.

15. This consent shall not become operative until said grantees shall duly execute an instrument in writing wherein said grantees shall promise, covenant and agree on their part to conform to and abide by and perform all the terms and conditions and requirements of this consent fixed and contained, and file the same with the Board of Estimate and Apportionment of The City of New York within thirty days after the approval of this consent by the Mayor.

And said grantees shall promise and agree in said instrument to hold The City of New York harmless from all damages to persons or property which may result from the construction, use, maintenance or operation of the tunnels hereby authorized.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen, the Presidents of the Boroughs of Manhattan, Brooklyn and Queens, and the President of the Borough of Richmond—15.

#### *South Shore Traction Company.*

In the matter of the franchise granted to the South Shore Traction Company, by contract dated May 20, 1909, to construct, maintain and operate a street surface railway from the Manhattan approach to the Queensboro Bridge, upon and along said bridge and its approaches to the Borough of Queens, upon and along Thomson avenue, Hoffman boulevard and through the former Village of Jamaica to the line dividing the counties of Queens and Nassau.

The Secretary presented the following:

SOUTH SHORE TRACTION COMPANY,  
TIMES BUILDING, FORTY-SECOND STREET AND BROADWAY,  
NEW YORK, August 19, 1909.

Board of Estimate and Apportionment of The City of New York, Bureau of Franchises, No. 277 Broadway, New York:

GENTLEMEN—In accordance with the provisions of the franchise heretofore granted the South Shore Traction Company by The City of New York, and dated the 20th day of May, 1909, which requires that the Board of Estimate and Apportionment shall be notified of all legal proceedings which contain restraining orders, or which have the effect of delaying or hindering the company in the performance of any of the conditions called for by the terms of said franchise, we beg to notify you that we were on the 17th day of August last, served with an order in the case of Hendrickson against The City of New York, Herman A. Metz, as Comptroller of said City, and the South Shore Traction Company, restraining the Traction Company from paying over or depositing the money or securities required to be paid over or deposited within three months from the date of the signing of the franchise or contract by the Mayor, and restraining and enjoining the City and the Comptroller from accepting said moneys or securities.

We have been in conference with the Corporation Counsel's office regarding this matter, and copies of these papers are in the hands of the Law Department.

This, I assume, will be regarded by your Honorable Board as a sufficient compliance with the provision of the franchise, which requires that copies of all papers in any legal proceeding of this character shall be delivered to your Board. In case, however, you desire to have copies of these papers prepared, we will see that the same is done.

Very truly yours,

SOUTH SHORE TRACTION COMPANY.

By ARTHUR CARTER HUME, Secretary.

#### SUPREME COURT, APPELLATE DIVISION.

FIRST DEPARTMENT, JUNE, 1909.

George L. Ingraham, Chester B. McLaughlin, Frank C. Laughlin, John Proctor Clarke, James W. Houghton, JJ.

No. 3760.

The People ex rel. South Shore Traction Company, Relator, vs. William R. Willcox et al., constituting the Public Service Commission for the First District, Respondents.

Certiorari to review the acts of the defendants in denying application of the relator for the permission and approval of the defendants to the construction of a railroad authorized by a contract between the relator and the Board of Estimate and Apportionment of The City of New York.

Clarence Lexow, for the relator.

Francis K. Pendleton, Corporation Counsel, for The City of New York, in support of the relator.

George S. Coleman, for defendants.

Ingraham, J.:

The relator was organized as a street surface railroad company to construct a street surface railroad on Long Island, extending to the city line. Its certificate of incorporation was filed on the 27th of February, 1903, and it complied with all the conditions and requirements of the laws of this State, and the State Board of Railroad Commissioners granted to the relator a certificate of public convenience and necessity, under section 59 of the Railroad Law (chapter 1, Laws of 1903). On December 24, 1908, the relator duly filed a certificate for the extension of its route from the city line through the Borough of Queens, to and over the Queensboro Bridge, into the Borough of Manhattan in The City of New York, under section 90 of the Railroad Law, and subsequently applied to the Board of Estimate and Apportionment of said city for the consent of the local authorities and for a contract with The City of New York for the construction, operation and maintenance of the extension of the relator's road over the streets of The City of New York and the Queensboro Bridge, and on May 20, 1909, such consent was duly given and a contract duly executed between The City of New York and the relator, under which the relator was authorized to construct, maintain and operate its railroad over its extended route on certain conditions therein specified and on making certain payments to The City of New York for the use of its streets and the Queensboro Bridge. On the 28th day of December, 1908, the relator applied to the defendants for its permission and approval to its extension, which after a hearing was denied, and a final order was subsequently made by the defendants whereby, after reciting the application of the relator "for the permission and approval of the Commission to the construction and exercise of the franchise to operate an extension of its street surface railroad upon the route therein described," the hearing had by the defendants, and that testimony having been taken upon said hearing, "and the Commission having determined that the exercise of the franchise upon the terms and conditions imposed in the franchise contract is not convenient for the public service," it was ordered that the application of the relator be denied; and this proceeding is to review that determination.

The petition upon which the writ of certiorari was granted alleged that the terms and conditions upon which the consent of the City was granted, provided for in the contract between the relator and The City of New York, were the most favorable to the City and stringent upon the relator that had ever been secured in the public interest; that at the hearing before the defendants, the necessity and convenience of the relator's route was conceded, and there was no testimony or evidence of any kind denying or in any manner questioning such convenience or necessity, nor any testimony or evidence objecting to the terms and conditions of such franchise rights or any thereof; that the reasons for the denial of the application of the relator appeared from the opinion of Commissioner Bassett, copy of which is annexed to the petition, from which it appeared that the necessity and convenience for the public service of the construction of the route specified in the consent of the City and contract with the City is absolutely conceded, and that the same is directly decided in the relator's favor, but that some of the terms and conditions prescribed by the local authorities of The City of New York for the protection of the interests of the public do not meet with the approval of a majority of the Commission, and that the application of the relator for permission and approval was, therefore, denied; that such denial was not based upon any testimony, oral or documentary, with respect to the terms or conditions of such consent or contract, but is founded wholly upon the defendants' construction of the terms and conditions thereof and their interpretation and deductions therefrom; that the defendants were without jurisdiction or power to decide upon the terms and conditions established by the local authorities in the public consent or contract; that said denial was based upon and related to terms and conditions in said public consent and contract which were peculiarly within the power and authority of the Board of Estimate and Apportionment, and did not relate to any of those matters which under the law are entrusted to said Commission or with reference to which they are invested with any power or authority whatever.

From the opinion of Commissioner Bassett, which was adopted by a majority of the Commission, the Commission found that the relator's "route is a trunk line admirably adapted to the development of a great territory within easy reach of the myriads who are now crowding Manhattan because they must live where they can have reasonable access to their work;" that the Commission looked with unusual favor upon the proposed route of the relator; that under these circumstances the Commission would not think of withholding its prompt approval for the construction of the proposed railroad and the exercise by the relator of the franchise granted by the local authorities, if it were not compelled to do so by controlling considerations of public policy affecting the future welfare of the Greater City; and these considerations were that under the franchise granted by the local authorities the relator is put in a position of control for street railroad purposes over the only available thoroughfare between Long Island City and Jamaica for a period of fifty years, and no provision is made by which the relator can be compelled to build the extensions necessary for the full development of the territory dependent upon this thoroughfare as its needs may arise. The conditions that the local authorities had inserted in their contract with the relator are then criticised, and the Commission say: "It should not be the aim of such a franchise to obtain the greatest possible payments to the City or impose the greatest possible burdens upon the company. To do these things is usually to prevent the company from rendering proper service to the people. In the case of the franchise now before us, I think that the financial burdens imposed upon the company might well be mitigated and the rendition of good service together with the construction of needed extensions made more readily obtainable." Commissioner McCarroll submitted a memorandum stating as his reasons for dissenting from the determination of the other Commissioners, that it was within the right and power of the City to decide upon the terms on which it would grant a franchise to a street railroad company, and that in this case the consent and contract carefully protect the City's interests. By the return of the defendants, it appears that the report of Commissioner Bassett, annexed to the petition, was adopted by a majority of the Commissioners; that the Commission was unanimous in believing that a railroad constructed and properly operated over the route described in said franchise contract would, under proper conditions, be of great benefit to the community, but that a majority of the Commission believed that, upon the facts and for the reasons set forth in the opinion of Commissioner Bassett, a copy of which was attached to the petition, and for other reasons, the exercise of such franchise under the terms and conditions



contained in said contract is neither necessary nor convenient for the public service, and the approval of the exercise of the said franchise would be against the best interests of the public and would prevent the proper future transit development of the very territory through which the proposed road would run. The testimony taken before the Commission is annexed to the return, but there was nothing to sustain the determination of the Commission.

It therefore appears that the Commission expressly determined that the public interest required the construction and operation of a railroad upon the route over which the relator had acquired its franchise under the General Railroad Law and the consent of and contract with The City of New York; but it refused its "permission and approval" for the construction of the extension of the relator's railroad upon the ground that it considered that the conditions upon which the City had given its consent did not meet the approval of the Commission, thus assuming the position of dictating to the local authorities the terms and conditions which they must impose in giving the consent of the City to the construction and operation of the railroad if there was to be a railroad. By section 18 of article 3 of the Constitution, it is provided that "no law shall authorize the construction or operation of a street railroad except upon the condition that \* \* \* the consent also of the local authorities having the control of that portion of a street or highway upon which it is proposed to construct or operate such railroad be first obtained." By section 90 of the Railroad Law (chapter , Laws of ) it is provided that "any street surface railroad corporation at any time proposing to extend its road or to construct branches thereof, may from time to time make and file \* \* \* a statement of the names and description of the streets, roads, avenues, highways and private property in or upon which it is proposed to construct, maintain or operate such extensions or branches. Upon filing any such statement and upon complying with the conditions set forth in section ninety-one of the railroad law, every such corporation shall have the power and privilege to construct, extend, operate and maintain such road, extensions or branches upon and along the streets, avenues, roads, highways and private property named and described in its certificate of incorporation or in such statement." And subdivision 3, section 91, of the Railroad Law requires the consent of the local authorities having control of the streets or highways before the street surface railroad or extensions or branches thereof shall be constructed.

The franchise to construct and operate a street railroad is granted by the Railroad Law, and comes into existence when the provision of that law is complied with. The provision of section 18 of article 3 of the Constitution limits the power of the Legislature in granting such a franchise, so that the law which grants it must require as a condition of the grant that the local authorities having control of the streets and highways upon which it is proposed to construct the railroad shall consent to its construction. It is obvious that the Legislature would have no power to dictate to the local authorities the conditions upon which such a consent should be given. That question must be determined by the local authorities, and the condition that they impose must be complied with before the right to construct or operate the road comes into existence. The conditions under which a franchise shall be granted are to be determined by the Legislature. It only can grant the franchise, but it cannot grant a franchise for a street railroad except upon the condition that the consent of the local authorities shall "be first obtained." The Legislature is not bound to grant a franchise because the local authorities want it or have consented to it, and it can impose other conditions upon the grant of a franchise or upon its operation after it is granted. The consent of the local authorities, however, is required before a street railroad can be constructed or operated. As was said in *Kittinger vs. Buffalo Traction Co.* (160 N. Y., 377): "The municipal authorities granting this consent derived their powers directly from the Constitution \* \* \*. In the exercise of this power the local municipal authorities are by the Constitution and the statute clothed with sovereignty and, therefore, beyond the direction and control of the Courts, and we may add, of the Legislators." (See also *Adamson vs. Nassau Electric R.R. Co.*, 89 Hun, 261.)

We have now to consider the effect of the Public Service Commissions Law (Chap. , Laws of ), and the powers of the Public Service Commissioners over the granting of a franchise for a street railroad. This Act abolished the Board of Railroad Commissioners and other commissions and transferred all the powers and duties of such Board and Commissions upon the Commissioners appointed under the provisions of that act. Such Commissioners were State officers, and the act was a general one (*Gubner vs. McClellan*, 130 App. Div., 721). By section 53 of the act it is provided that "without first having obtained the permission and approval of the proper commission, no railroad corporation, street railroad corporation or common carrier shall begin the construction of a railroad or street railroad, or any extension thereof \* \* \*; nor, except as above provided in this section, shall any such corporation or common carrier exercise any franchise or right under any provision of the railroad law, or of any other law, not heretofore lawfully exercised, without first having obtained the permission and approval of the proper commission. The commission within whose district such construction is to be made, or within whose district such franchise or right is to be exercised, shall have power to grant the permission and approval herein specified whenever it shall after due hearing determine that such construction or such exercise of the franchise or privilege is necessary or convenient for the public service."

It is quite clear that the Legislature did not intend to, as it could not, substitute the Public Service Commission for the local authorities. The consent of the local authorities was still necessary before the grant of a franchise could be complete. They had power to impose such conditions as the interest of the municipality required. With such conditions for the exercise of the franchise the Public Service Commission had no concern. It could not demand that the local authorities add to or take from the conditions upon which they were willing to consent. The State, however, had the power to say that no franchise should be acquired or exercised unless it became necessary or convenient for the public service; and so it imposed upon a corporation or individual, before such a franchise could be acquired or exercised, the obligation of satisfying the "proper commission" that the construction of the proposed railroad or the exercise of the franchise or privilege was necessary or convenient for the public service. The power to grant the "approval and permission" authorized by the section was given to the Commission "whenever it shall after due hearing determine that such construction or such exercise of the franchise or privilege is necessary or convenient for the public service."

There was thus presented to the Public Service Commission that single question. It was all they were authorized to determine, and upon the determination of that question depended the "grant" of the "permission and approval." It was a determination after a hearing, and was in its nature judicial. The Public Service Commission had no right to arbitrarily reject an application because of the action of the local authorities in granting or refusing their consent. It was not constituted a court to hear an appeal from the determination of the local authorities as to conditions which it should impose on giving its consent to the construction or operation of the proposed road. If the Public Service Commission determined that the construction of the railroad or the exercise of the franchise or privilege was necessary or convenient for the public service, it was then the duty of the Commission to grant their permission and approval.

As I understand the opinion of the majority of the Commissioners and the return to the writ, the Public Service Commission did determine that the construction and operation of this proposed railroad was both necessary and convenient for the public service. In the return it says that "they (the Commissioners) were unanimous in believing that a railroad properly constructed and properly operated over the route described in the said franchise contract would under proper conditions be of great benefit to the community." Having come to that determination, it was, as I look at it, their duty to grant the application. The fact that the Commission did not concede that the exercise of the franchise granted by the municipal authorities, upon the terms granted, was for the public interest was of no consequence. The commission was not responsible for such terms. If a railroad over the proposed route was required by the public—was "necessary or convenient for the public service"—then I think it was the duty of the defendants to grant the application, and as I understand from the return that they have determined that the proposed railroad was required, the denial of the application was error.

It follows that the determination of the Commission must be reversed and the proceedings be remitted to the Commission, with direction to grant the application, with \$50 costs and disbursements to the relator.

McLaughlin, Laughlin and Clarke, J.J., concur.

## SUPREME COURT, APPELLATE DIVISION,

FIRST DEPARTMENT, JUNE, 1909.

George L. Ingraham, Chester B. McLaughlin, Frank C. Laughlin, John Proctor Clarke, James W. Houghton, JJ.

No. 3760.

The People ex rel. South Shore Traction Company, Relator, vs. William R. Willcox et al., constituting the Public Service Commission for the First District, Respondents.

Houghton, J. (Concurring):

I concur in reversing the determination of the Commission in the present case, with directions to grant the application of the relator; but I think the Public Service Commission has a broader power to withhold its permission and approval to the exercise of a franchise than is stated by Mr. Justice Ingraham in his opinion.

I do not think the Commission is absolutely bound to grant a certificate of approval and permission to build and to operate a street railway in all cases where the public authorities have granted permission. Ability to serve the public by furnishing proper transportation is an element which the Commission is required to take into consideration, as well as necessity for the construction of a railway. A transportation corporation which faces certain bankruptcy the moment it starts cannot properly serve the public. Reasonable prosperity is necessary to reasonable service. Such a corporation only cumbers the ground and prevents another corporation from occupying the same field and giving proper service. In its eagerness to build, a transportation corporation might agree to pay such a high price for the franchise, and stipulate to carry passengers at such a low fare, that it would be perfectly manifest that it could never operate at a profit.

REPORT No. F-95.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 9, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—Under date of August 19, 1909, the South Shore Traction Company, by its Secretary, addressed a communication to the Board, in which it is stated that the company, on August 17, was served with a court order in the case of *Hendrickson vs. The City of New York*, Herman A. Metz, as Comptroller of said City, and the South Shore Traction Company, restraining the company from paying over and depositing moneys and securities required by the terms of a franchise granted to it by the City, and which moneys were to be deposited with the City on or before August 20, 1909; and restraining the City and the Comptroller from accepting such moneys and securities.

This order was also served upon the City on August 17, and the papers in the case are in the hands of the Corporation Counsel, from which it will be seen that the company is estopped from complying with section 2, first, of the contract.

It might be well to state that there is now pending other legal proceedings to prevent the company from exercising its right under the franchise in question.

The franchise, which was granted by the Board of Estimate and Apportionment by contract bearing date May 20, 1909, was submitted by the company to the Public Service Commission for the First District, for permission and approval of that Commission to the construction and operation of the railway, pursuant to section 53 of the Public Service Commissions Law. The application was denied by the Commission on June 8, 1909, upon the grounds that the terms and conditions of the franchise did not meet with the approval of the Commission. A rehearing was applied for, was held June 16, and the former decision of the Commission was confirmed. The company applied for a writ of certiorari and the City was permitted to intervene. The case was argued before the Appellate Division and, on July 13, a decision was handed down in which it was held that the Commission had no authority to deny the application of the company upon the grounds stated.

Attached hereto will be found a full copy of the decision.

The Public Service Commission appealed from this decision on August 24, 1909, and I am informed that the case will be heard at the October term of the Court, and, in view of its urgency, a decision may be shortly thereafter expected.

It would appear, therefore, that there are now two legal proceedings in progress, which effectively prevent the South Shore Traction Company from exercising any right under its franchise. In order that there may be no delay on account of the injunction suit, should the Court of Appeals confirm the decision of the lower court in the certiorari proceedings, I would suggest that the Corporation Counsel be directed to secure an early hearing in the case of *Hendrickson vs. the City*, and to immediately notify the Board of any decision in such case.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

Subsequent to the writing of the report the following communication was received:

ARTHUR CARTER HUME, ATTORNEY AT LAW,  
TIMES BUILDING, FORTY-SECOND STREET AND BROADWAY,  
NEW YORK, N. Y., September 16, 1909.

Board of Estimate and Apportionment, No. 277 Broadway, New York:

GENTLEMEN—I notice upon the calendar for the meeting of your Board on September 17, 1909, an item relating to the action of *Hendrickson* against The City of New York and the South Shore Traction Company, the purpose of which is, as I understand it, to secure the passage of a resolution directing the Corporation Counsel to secure an early hearing in this case, and to notify the Board of any decision rendered therein.

While appreciating that this resolution was doubtless passed for the purpose of facilitating the work of construction by the South Shore Traction Company and for the purpose of clearing the way of this company of legal obstacles, I desire to say that under existing conditions I believe such a resolution is unnecessary, since the Corporation Counsel and myself, as attorney for the South Shore Traction Company, have succeeded in securing from the attorneys for the plaintiff in this action a stipulation whereby in case a decision is rendered by the Court of Appeals in the certiorari proceeding favorable to the City and to the South Shore Traction Company, the restraining order in this action may be immediately dissolved and the suit discontinued. This, I believe at this time, is the most favorable disposition that can be made of this case, and I would respectfully suggest that the proposed resolution, in view of this existing stipulation, is unnecessary.

Very truly yours,

ARTHUR CARTER HUME.

The papers were thereupon ordered filed.

New York Centadrink Company.

In the matter of the consent granted to the New York Centadrink Company to install drinking water fountains under the stairs of the stations of the several elevated railways within the Boroughs of Manhattan, Brooklyn and The Bronx, by resolution adopted by this Board April 16, 1909, approved by the Mayor April 19, 1909.

The Secretary presented the following:

REPORT No. F-115.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 13, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—On April 16, 1909, the Board of Estimate and Apportionment adopted a resolution which was approved by the Mayor, April 19, 1909, granting permission to the



New York Centadrink Company to install automatic fountains for the sale of carbonated water under the stairways of the elevated railway stations in the Boroughs of Manhattan, Brooklyn and The Bronx.

In accordance with the provisions of the consent the company has installed five fountains at various points in the Borough of Manhattan, as follows:

Location.	Certificate Dated.	Filed.
1. Northeast corner of Sixth avenue and Twenty-third street.....	Aug. 4, 1909	Sept. 10, 1909
2. Northwest corner of Park place and Church street .....	Aug. 4, 1909	Aug. 13, 1909
3. Southeast corner of Sixth avenue and Twenty-third street.....	Aug. 4, 1909	Aug. 23, 1909
4. Northeast corner of Sixth avenue and Eighteenth street.....	Aug. 4, 1909	Aug. 16, 1909
5. Northeast corner of Cortlandt street and Greenwich street.....	Aug. 24, 1909	Sept. 7, 1909

The company has filed with the Board copies of the location designations issued by the Borough President in each case, pursuant to the provisions of section 6 of the consent.

I have caused an examination to be made of each of the said fountains and find that their installation is in conformity with the terms and conditions of the consent.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

Which was ordered filed.

*Long Island Railroad Company.*

In the matter of the consent granted to the Long Island Railroad Company, by resolution adopted by this Board December 18, 1908, approved by the Mayor December 21, 1908, to construct, maintain and operate a temporary sidetrack or switch in, upon or along Range avenue, Borough of Queens, from its tracks and right of way to the property of the State of New York, known as the State Hospital grounds.

The Secretary presented the following:

REPORT No. F-138.

BOARD OF ESTIMATE AND APPORTIONMENT,  
OFFICE OF THE CHIEF ENGINEER,  
September 14, 1909.

Hon. GEORGE B. McCLELLAN, Mayor, Chairman of the Board of Estimate and Apportionment:

SIR—On November 16, 1908, the Long Island Railroad Company applied for permission to lay a temporary track, or switch, along a road known as Range avenue, in the Borough of Queens, in order to reach the property of the New York State Hospital at Creedmoor, the distance covered by this contract, being about 900 feet. The Board adopted a resolution granting such permission on December 18 following, it being understood that the conditions named in the resolution were satisfactory to the company, but on December 31 the grant was returned with a communication stating that the company would not accept it under the terms imposed. Several conferences were subsequently held, and it was said that the State Lunacy Commission would probably abandon the Creedmoor site and secure another outside the City limits. Meanwhile the company laid tracks along Range avenue and Bullet street, and these tracks are still in position, although it has been stated that the company will not use them without the consent of the Board.

Inasmuch as the company applied for a grant and declined to accept the one which was made by the Board, but subsequently laid the tracks, it is quite evident that the occupation of this street is without authority, and there is submitted herewith, together with the report of the Engineer in charge of the Division of Franchises, a resolution calling upon the Long Island Railroad Company to pay to the Comptroller of The City of New York the sum of \$100, which was named in the proposed grant, and to apply to the Board for the necessary authority to use and maintain this track before any trains are run over it.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 10, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—The Long Island Railroad Company, by an application dated November 16, 1908, presented to the Board at its meeting held November 20, 1908, requested permission to construct, maintain and operate a temporary side track or switch in, upon and along Range avenue, so-called, in the Borough of Queens, from its tracks and right of way as at present located in a northerly and easterly direction to the property of the State of New York, known as the State Hospital grounds, a distance of approximately nine hundred feet.

This application was made on behalf of the Long Island State Hospital, which contemplated the construction of buildings on the State Hospital grounds, and required the side track for the purpose of conveying material to the same. A resolution making this grant was prepared and presented to the Board at its meeting held December 18, 1908, on which date it was adopted and the same was approved by the Mayor December 21, 1908. It was the understanding of this Division at the time that the provisions contained in the resolution were satisfactory to the grantee, but upon transmitting the same to the company it was returned to the Board on December 31 with a communication which stated that the company declined to accept it under the terms imposed.

Subsequently a conference was held in this office with Hon. J. Edward Swannstrom, of the Long Island State Hospital, at which a form of resolution which was thought would probably be satisfactory to the railroad company was agreed upon, and the same was transmitted to Gen. George W. Wingate, the general solicitor of the company, on January 25, 1909.

Nothing further was done by the company or this Division until it was learned that the Long Island State Hospital had obtained the passage of an act, being chapter 77 of the Laws of 1909, authorizing the sale or exchange of the State Hospital lands at Creedmoor for any other lands located on Long Island. A communication was thereupon addressed to General Wingate requesting to be advised as to the course which the company desired to pursue, in answer to which, on March 30, he stated that the Long Island State Hospital and the State Lunacy Board were undecided as to what they were to do, and he requested in his communication that the matter be allowed to stand until further information be obtained, stating that if it was proposed to build anything at Creedmoor which would require the use of the track, the proceedings for the consent of the Board would be pushed to a conclusion by the company.

It appears, however, that in the meantime the company had constructed the track, but as it stated in a communication to the Chief Engineer, under date of March 29, no use of the same would be made without the consent of the Board.

On Friday, July 16, a member of this Division made an examination of Range avenue and found the track still in the street. A further communication was thereupon addressed to Gen. George W. Wingate requesting to be advised as to what was proposed to be done by the company, in answer to which, on July 21, he stated that the best information which he could get from the representatives of the Lunacy Commission is that they will abandon Creedmoor if they can secure some other site,

but that they had been unable to accomplish anything in this particular, and may have to use the Creedmoor site after all. With this communication he transmitted a copy of a letter of the Chief Engineer, dated April 2, 1909, which he said he considered to be a stipulation between the railroad company and the City that if the track was required, the railroad company would not use it until it obtained the consent of the Board of Estimate and Apportionment.

In order to ascertain if there had been any decision reached in this matter, a request was made to General Wingate in regard thereto on September 8, in answer to which, on September 9, he stated that the matter is still undecided.

In drawing up the resolution authorizing the construction of this track consideration was given to the fact that the object to be attained was the convenience of a State institution, and with this in view, the consideration suggested was the minimum charged by the City for revocable privileges, viz., \$100. Notwithstanding the fact that the company refused to accept the grant, as drawn and adopted by the Board, it has, as already stated, gone ahead and constructed the track, without lawful authority therefor, and in consequence the same is, under the decisions of the Courts in other cases, an encroachment in the street and a public nuisance.

In fairness to other companies and individuals who have obtained revocable consents for structures in the streets, and who have under those consents been required to pay for the same, I believe that the Long Island Railroad Company, which has constructed this track in a public street without authority, should be required to pay for the use and occupation of such street at least the minimum sum paid by others for revocable privileges, and I would, therefore, recommend the adoption by the Board of a resolution requiring the company to pay to the Comptroller on or before October 1, 1909, the sum of one hundred dollars (\$100) for use and occupation of Range avenue, Creedmoor, and also directing the company to apply for proper authority before any use is made of the track.

I am transmitting herewith communications of General Wingate, dated July 21 and September 9, before referred to, and a form of resolution carrying out the recommendations above set forth.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

The following was offered:

Whereas, The Long Island Railroad Company did in the early spring of this year construct and lay down a sidetrack or switch in, upon and along Bullet street and Range avenue, Creedmoor, Borough of Queens; and

Whereas, The said sidetrack or switch has been laid without proper authority of this Board; now therefore be it

Resolved, That the said Long Island Railroad Company shall pay to the Comptroller of The City of New York, on or before Friday, October 1, 1909, the sum of one hundred dollars (\$100) for the use and occupation of such street and avenue by said sidetrack or switch; and be it further

Resolved, That before the said sidetrack or switch shall be used for the purpose of drawing trains over the same, or for any other purpose, that the Long Island Railroad Company shall apply to this Board for and shall obtain proper authority to use and maintain the same.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen, the Presidents of the Boroughs of Manhattan, Brooklyn and Queens and the President of the Borough of Richmond—15.

*New York Central and Hudson River Railroad Company.*

In the matter of the resolution adopted by this Board May 1, 1908, approved by the Mayor May 8, 1908, requiring the New York Central and Hudson River Railroad Company to construct a foot bridge over its tracks at Park avenue and One Hundredth street, Borough of Manhattan.

By resolution adopted July 2, 1909, the Corporation Counsel was directed to take such steps as might be necessary in the premises to enforce the action of this Board should the construction of such bridge not be completed on or before July 24, 1909.

The Secretary presented the following:

CITY OF NEW YORK, LAW DEPARTMENT,  
OFFICE OF THE CORPORATION COUNSEL,  
NEW YORK, September 10, 1909.

Board of Estimate and Apportionment:

SIRS—I have received a communication from your Board dated July 27, 1909, transmitting certified copy of a resolution adopted by the Board July 2, 1909, directing the Corporation Counsel to take such steps as might be necessary to enforce the action of the Board, requiring the New York and Harlem Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to construct a foot bridge over the tracks of said company at Park avenue and One Hundredth street, Borough of Manhattan, should the construction of said bridge not be completed on or before July 24, 1909.

Upon receipt of such communication I wrote the said railroad company asking them to advise me what were their intentions in the matter, and under date of August 9, 1909, I received the following reply:

"Your letter of August 5, addressed to this Company, in the matter of the erection of a foot bridge at Park avenue and One Hundredth street, has been referred to me, and in reply I beg to advise that it was the intention of this Company to complete the erection of this bridge in accordance with the resolution of the Board of Estimate and Apportionment, which required such construction to be completed by July 24, 1909. The foundations were completed some time ago and are ready for the superstructure. The steel work for this bridge was ordered several months ago, but owing to the extraordinary rush of orders, the Steel Company has been unable to make delivery of the steel, although I understand that such delivery will be made during the current month, and that the bridge will be wholly completed and ready for use on or before September 15 next.

"I regret extremely the delay, which has been caused by conditions wholly beyond the control of this Company, and I assure you that everything has been done which could have been done to hasten the construction.

"Trusting this explanation will be satisfactory, I am,

"Very truly yours,

(Signed) "ALEX. S. LYMAN, General Attorney."

Under date of September 7, 1909, I have received a further communication from your Board asking to be informed before the first meeting in the fall as to the status of the above matter. Replying thereto I beg to state that the explanation given by the New York Central and Hudson River Railroad Company apparently shows that the company was proceeding in good faith to carry out the wishes of the Board, and that the causes of the delay were beyond its powers to overcome at the time.

I respectfully submit these facts to your Board, and if, in your opinion, they do not constitute a sufficient reason for non-compliance with the directions of your Board, if so directed by you, I will proceed against the company for its failure to construct the bridge in question within the time stipulated.

Respectfully yours,

GEORGE L. STERLING, Acting Corporation Counsel.

Which was referred to the Chief Engineer.

*Pelham Park Railroad Company; City Island Railroad Company.*

In the matter of the consents granted to the Pelham Park Railroad Company and City Island Railroad Company, permitting a change of motive power, from horsepower to the monorail system.



The Secretary presented the following:

No. 626 CITY ISLAND AVENUE, CITY ISLAND, }  
August 12, 1909. }

Hon. PATRICK F. MCGOWAN, Acting Mayor of The City of New York:

DEAR SIR—This day I received letter from Hon. Joseph I. Berry, Commissioner of Parks of the Borough of The Bronx, which is as follows:

"Permit me to acknowledge receipt of your complaint against the stages used by the Pelham Park and City Island Railroad Company, and to say that the Board of Estimate and Apportionment in granting a franchise to said railroad to establish a monorail system on their road, also granted the privilege of using stages pending the construction of said system."

The resolution to which the Commissioner of Parks refers, reads as follows:

"During the construction of the proposed monorail road, and until such time as the same shall be placed in operation, the Company shall at its own cost and expense, maintain and continue the operation of the existing narrow gauge street surface railway in a manner satisfactory to the Board of Estimate and Apportionment, or, in lieu thereof, shall continue to give service by stages or other satisfactory method."

Up to the present time, no attempt has been made by the railroad company to install a monorail system. Not one thing has been done by the railroad company to show to the public or to the taxpayers of this City that they ever intend to install and operate a monorail system. Common rumor has it that the company has not sufficient funds to install a monorail system, and for that reason they do not intend to change their power for the present. Then why should the railroad, in violation of the Corporation Transportation Law of the State, and in violation of the Park Ordinances and the Ordinances of The City of New York, be permitted to operate two gasoline machines on and along through Pelham Bay Park on Saturdays and Sundays of each week in direct violation of all law?

Surely it cannot be contended that they are entitled to that privilege in accordance with the resolution heretofore quoted. No doubt it was the intention of the Board of Estimate and Apportionment when the resolution had been granted to the said railroad company that the railroad company would within a reasonable time begin work for the construction of the monorail road. It was never intended by the said authorities that the said road should be permitted to operate gasoline machines through the parks of The City of New York until such time as some portion of the narrow gauge from Bartow to City Island was unable to carry passengers by reason of the change of power.

I trust that you, as Chief Executive of the City, will use such authority as you deem wise and prudent to bring this continued violation of the Transportation Law in The City of New York, and the violation of the Ordinances of the City and Park Departments of The City of New York to an end.

Respectfully yours,

CHARLES STRINGHAM.

REPORT NO. F-154.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 10, 1909. }

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—Under date of August 16, 1909, the Acting Mayor transmitted to the Secretary of the Board of Estimate and Apportionment a communication dated August 12, 1909, and signed by Charles Stringham, No. 628 City Island avenue, City Island, in relation to the operation of automobile stages by the Pelham Park and City Island Railroad Companies, and the matter was referred to this Division.

The communication of Mr. Stringham recites that he is in receipt of a letter from the Commissioner of Parks for the Borough of The Bronx, acknowledging the receipt of a complaint against the above referred to stages, and further stating that the consent of the Board permitted the use of such stages pending the construction of the proposed monorail road.

Mr. Stringham further states that, at the date of his communication, no attempt has been made by the company to install its monorail system, and that the use of the stages is a violation of the Park Ordinances and the Ordinances of The City of New York.

Upon receipt of his communication, this Division advised Mr. Stringham that a representative of the railroad companies had stated that the operation of the stages complained of was only temporary, and that the companies expected to commence construction of their new road during the coming fall.

By resolutions adopted by the Board of Estimate and Apportionment on April 30, 1909, and approved by the Mayor, May 4, 1909, the consent of the City was given to the Pelham Park Railroad Company and the City Island Railroad Company for a change of motive power from horse power to electricity, to be operated by a monorail system on the existing narrow-gauge street surface railways of these companies, between Bartow Station, in Pelham Bay Park, and Belden Point, City Island, and the further consent of the City to such change of motive power as the owner of property abutting on the routes of said companies.

The resolutions granting the consent of the City to the change of motive power further provided that the companies should commence the construction of the monorail railway for which the consents were given within six (6) months from the date of approval of the resolutions by the Mayor and complete the construction and place the same in full operation within one year from the date of such approval.

Under this provision the date for the commencement of construction is November 4, 1909, and for completion of the work and the commencement of operation, May 4, 1910.

It was also provided in these consents that within ninety (90) days from their approval, each of the companies should deposit with the Comptroller the sum of two thousand five hundred dollars (\$2,500) as security for the performance of the terms and conditions of the consents. Such security deposit was made on August 4, 1909.

It would therefore appear that all the provisions of the consents effective at this time have been complied with by the companies.

In relation to the stages complained of, I am informed that they were operated in addition to the horse cars on Saturdays and Sundays during the months of July and August in order to more efficiently handle the increased amount of traffic between Bartow Station and points on City Island on those days, and that they were last used on Sunday, August 29, 1909.

It is recommended that the communication be filed and the Secretary of the Board directed to forward a copy of this report to the complainant.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

Which was ordered filed and the Secretary directed to forward copy of the report to the complainant.

Harrison Street Cold Storage Company.

The Secretary presented the following:

REPORT NO. F-159.

BOARD OF ESTIMATE AND APPORTIONMENT,  
DIVISION OF FRANCHISES, ROOM 801, No. 277 BROADWAY,  
September 8, 1909. }

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—Under date of May 21, 1909, the Comptroller addressed a communication to this Board containing the information that the Harrison Street Cold Storage Company was operating a refrigerating plant at No. 7 Harrison street, Borough of Manhattan, from which refrigeration was being distributed to warehouses in the neighborhood by means of pipes laid in the streets, and asking to be advised as to the rights of the company to maintain these pipes.

An examination of the records in this office failed to disclose any authority under which the pipes could be maintained, as was stated to the Board in a report presented at the meeting of May 28, 1909, on which date a resolution was adopted requesting the company to furnish the Board with a statement as to its organization and a map

showing the location of the pipes, its authority for laying same, or if same were laid without authority, to present a proper application for the right. The President of the Borough of Manhattan was also directed to furnish copies of any permits issued to the company.

At the meeting of June 11, 1909, the reply of the President of the Borough of Manhattan was presented to the effect that no record of any permits was to be found in his office, and at the meeting of June 25, 1909, a petition was presented from the company praying for a franchise to construct, maintain and operate pipes for refrigeration purposes within the district bounded by North Moore street, Duane street, West Broadway and West street.

This application is now under consideration, and I would suggest that Friday, October 15, 1909, be fixed as the date for a public hearing, on which date this Division will be prepared to submit a full report in regard to the matter.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

To the Board of Estimate and Apportionment of The City of New York, No. 277 Broadway, New York City:

GENTLEMEN—The petition of the Harrison Street Cold Storage Company respectfully shows that it is a corporation duly incorporated under the Business Corporations Law of the State of New York; that its principal place of business is No. 7 Harrison street, Manhattan Borough, New York City; that it desires to secure from The City of New York the right, privilege, or franchise to construct, maintain and operate pipes in the streets of the said City within the area bounded northerly by North Moore street, southerly by Duane street, easterly by West Broadway and westerly by West street, for the purpose of supplying brine for refrigerating purposes to warehouses within said area.

Dated New York, June 11, 1909.

HARRISON STREET COLD STORAGE COMPANY,

By WM. FELLOWES MORGAN, President.

State of New York, County of New York, ss.:

William Fellowes Morgan, being duly sworn, says that he is the President of the Harrison Street Cold Storage Company, the petitioner named in the foregoing petition, and that he is acquainted with the facts stated therein and that the same are true to the knowledge of deponent.

WM. FELLOWES MORGAN.

Sworn to before me, this 11th day of June, 1909.

[SEAL.] ALEXANDER MOIR, Notary Public, New York County, N. Y.

The following was offered:

Whereas, The foregoing petition from the Harrison Street Cold Storage Company dated June 11, 1909, was presented to the Board of Estimate and Apportionment at a meeting held June 25, 1909.

Resolved, That in pursuance of law this Board sets Friday, the 15th day of October, 1909, at 10.30 o'clock in the forenoon, and Room 16 in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered, and a public hearing be had thereon, at which citizens shall be entitled to appear and be heard; and be it further

Resolved, That the Secretary is directed to cause such petition and these resolutions to be published for at least two (2) days in two daily newspapers in The City of New York, to be designated by the Mayor, and for at last ten (10) days in the CITY RECORD immediately prior to such date of public hearing. The expense of such publication to be borne by the petitioner.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen, the Presidents of the Boroughs of Manhattan, Brooklyn and Queens and the President of the Borough of Richmond—15.

New York Post-Graduate Medical School and Hospital.

A communication was received from the Superintendent, New York Post-Graduate Medical School and Hospital, stating the construction of the steam pipe under and across East Twentieth street, Borough of Manhattan, connecting the Hospital Building and the Nurses' Home, was commenced July 6, 1909, and completed July 27, 1909.

This consent was granted by resolution adopted by this Board May 28, 1909, approved by the Mayor June 4, 1909, and the notice is given in conformity with section 13 of the consent.

The communication was ordered filed.

New York, New Haven and Hartford Railroad Company.

A communication was received from the Assistant Engineer, New York, New Haven and Hartford Railroad Company, stating the construction of the duct under and across Bungay street, Borough of The Bronx, was commenced July 12, 1909, and completed August 27, 1909.

This consent was granted by resolution adopted by this Board May 28, 1909, approved by the Mayor June 4, 1909, and the notice is given in conformity with section 14 of the consent.

The communication was ordered filed.

Bristol-Myers Company.

A communication was received from Bristol-Myers Company, stating the construction of the tunnel under and across Clifton place, between Grand and Classon avenues, Borough of Brooklyn, was commenced August 31, 1909.

This consent was granted by resolution adopted by this Board September 18, 1908, approved by the Mayor September 22, 1908, and the notice is given in conformity with section 14 of the consent.

The communication was ordered filed.

Seventieth Street Hygeia Ice Company.

A communication was received from the Seventieth Street Hygeia Ice Company, stating the construction of the pipe under and along East Seventieth street and across Exterior street, Borough of Manhattan, was commenced March 15, 1909, and completed June 21, 1909.

This consent was granted by resolution adopted by this Board February 5, 1909, approved by the Mayor February 8, 1909, and the notice is given in conformity with section 14 of the consent.

The communication was ordered filed.

New York City Interborough Railway Company.

Communications were received from the Mayor's office, as follows:

(a) Returning, duly approved by the Acting Mayor, July 14, 1909, resolution adopted by this Board July 2, 1909, authorizing the execution and delivery of a certain



agreement by and between the New York City Interborough Railway Company and The City of New York, wherein the railway company agrees to indemnify the members of the Board for releasing the company from certain payments required by an ordinance approved by the Mayor March 31, 1903, as amended by resolution adopted by this Board July 2, 1909.

(b) Returning, duly approved by the Acting Mayor, July 14, 1909, resolution adopted by this Board July 2, 1909, modifying the terms and conditions of the ordinance approved by the Mayor March 31, 1903, granting a franchise to the New York City Interborough Railway Company.

(c) Returning, duly executed by his Honor the Mayor and the President of the New York City Interborough Railway Company, on July 22, 1909, and June 28, 1909, respectively, agreement, bearing the latter date, authorized to be entered into by resolution adopted by this Board July 2, 1909, approved by the Acting Mayor July 14, 1909.

(d) Returning, duly executed by his Honor the Mayor and the City Clerk, on July 27, 1909, and by the President and Secretary of the New York City Interborough Railway Company, July 16 and July 22, 1909, contract, dated July 27, 1909, authorized to be entered into with the New York City Interborough Railway Company by resolution adopted by this Board July 2, 1909, approved by the Acting Mayor July 14, 1909. Which were ordered filed.

New York and Queens County Railway Company; Third Avenue Railroad Company  
The Secretary presented the following:

COMMITTEE OF FORTY OF THE CITY OF NEW YORK,  
NEW YORK, August 26, 1909.

Hon. Board of Estimate and Apportionment, City of New York:

GENTLEMEN—I am directed by the Committee of Forty to request that your Honorable Board will grant a franchise to the New York and Queens County Railway to run cars across the Queensboro Bridge upon the terms that company has offered. I am further directed to request that your Honorable Board will grant a franchise to the Third Avenue Railway Company to run cars across the Queensboro Bridge.

Very respectfully yours,

JOHN ANDREWS, Corresponding Secretary, Committee of Forty, No. 134 Eighth Street, Long Island City.

Which was referred to the Select Committee consisting of the President of the Board of Aldermen, the Comptroller and the Presidents of the Boroughs of Manhattan and Queens, to which, on November 13, 1908, was referred the question as to the grant of a franchise over the Queensboro Bridge as applied for by the Third Avenue Railroad Company.

FREDERICK LOESER & CO.

An application was received from Frederick Loeser & Co. for permission to maintain and operate a tunnel constructed under Livingston street, between Elm place and Bond street, Borough of Brooklyn, located under a tunnel across Livingston street, between the streets aforesaid, the construction of which was authorized by resolution adopted by this Board October 12, 1906, approved by the Mayor October 20, 1906.

Which was referred to the Chief Engineer.

UNAUTHORIZED STRUCTURES, VARIOUS STREETS.

The Secretary presented the following:

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
Nos. 13 to 21 PARK ROW,  
August 30, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—I have been informed that the Jacob Ruppert Brewing Company is maintaining a 10 foot by 6 foot tunnel across East Ninety-first and Ninety-second streets, between Second and Third avenues.

At Ninety-first street the tunnel is reported to contain one 2-inch and one 1-inch ammonia pipe, one 3-inch steam pipe, one 2½-inch beer pipe and a lead covered electric light.

Across Ninety-second street four electric light wires, two lead-covered electric light cables, one 8-inch steam pipe, two 3-inch and one 5-inch ammonia pipes, three 3-inch steam pipes, one 5-inch salt water pipe, four 2-inch drip pipes.

It would appear from a search of the records that this construction is unauthorized, and I therefore call the matter to your attention for such action as you may choose to take.

Respectfully,

JOHN H. O'BRIEN, Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
Nos. 13 to 21 PARK ROW,  
August 30, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—I have been informed that a tunnel exists under Thames street and Broadway, running parallel to the westerly curb of Broadway and connecting Nos. 111 and 115 Broadway.

According to the best information so far obtainable, this tunnel was constructed at the time of the erection of the buildings which it connects, and subsequently the City refused to authorize its continuance, whereupon it was walled up at either end. At present it seems to serve solely as a subway for the various electric service companies whose wires have been drawn through it.

The matter is brought to your attention for such action as you may choose to take.

Respectfully,

JOHN H. O'BRIEN, Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
Nos. 13 to 21 PARK ROW,  
September 4, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—I have been informed that the following underground constructions are being maintained across Pearl street, from No. 21 State street (Battery Park Building), feeding No. 19 State street (Chesborough Building):

One 10-inch iron pipe containing electrical conductors, one 5-inch iron steam pipe.

A consultation of our records fails to show any authorization for this construction. I am therefore bringing the matter to your attention for such action as you may choose to take.

Respectfully,

JOHN H. O'BRIEN, Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
BUREAU OF ELECTRICAL INSPECTION, Nos. 13 to 21 PARK ROW,  
July 27, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—I have been informed that the Central Railroad of New Jersey is maintaining two 3-inch iron pipes crossing beneath West street from the Central Building at No. 143 Liberty street to Pier 11.

A consultation of our records and those of your Division of Franchises fails to show any authorization for this construction, which contains two cables for electric light and power purposes.

The engineer in charge of the private plant in the Central Building is quoted as stating that these pipes were laid about fifteen years ago.

The matter is brought to your attention for such action as you may choose to take.

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
BUREAU OF ELECTRICAL INSPECTION, Nos. 13 to 21 PARK ROW,  
July 27, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—I have been informed that the United States Express Company is maintaining a 4-inch iron pipe containing six wires across Rector street, from No. 2 to No. 3.

A consultation of our records and those of your Division of Franchises fails to show any authorization for this construction, and I am bringing the matter to your attention for such action as you may choose to take.

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
BUREAU OF ELECTRICAL INSPECTION, Nos. 13 to 21 PARK ROW,  
July 27, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—I have been informed that McKesson & Robbins are maintaining the following subsurface constructions, crossing Ann street from No. 79 to No. 80:

One 12-inch iron pipe inclosing two 4-inch pipes, one 1-inch iron pipe containing private telephone wires, one 6-inch iron pipe for steam, one 3-inch iron pipe for water, five 3-inch iron pipes unused, one 6-inch iron pipe containing three electric light wires and two electric power wires.

After consulting our own records and those of your Division of Franchises I am unable to find any authorization for the above mentioned construction.

The matter is, therefore, brought to your attention for such action as you may choose to take.

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
COMMISSIONER'S OFFICE, Nos. 13 to 21 PARK ROW,  
NEW YORK, August 20, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—I have been informed that the owners of the DeCourcy Building are maintaining electric wires and pipes across West Broadway, from Nos. 570-576 to Nos. 567-573.

A consultation of our records and those of your Division of Franchises shows that in 1887 a steam pipe was authorized at this location, but we are credibly informed that this pipe has since been removed by the Borough President.

Although the electric wires and pipes are cut dead at both ends, and, consequently, not in service, I am bringing the matter to your attention for such action as you may choose to take.

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
BUREAU OF ELECTRICAL INSPECTION, Nos. 13 to 21 PARK ROW,  
August 23, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—As a partial response to Engineer Nichols' communication of August 4, I beg to advise you that the United Dressed Beef Company is maintaining a large tunnel, containing, among other things, electric wires, across East Forty-fourth street, from No. 414 to No. 413.

It would appear from a search of the records that this construction is unauthorized, and I therefore call the matter to your attention for such action as you may choose to take.

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
BUREAU OF ELECTRICAL INSPECTION, Nos. 13 to 21 PARK ROW,  
August 23, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—As a partial response to Engineer Nichols' communication of August 4, I beg to advise you that Schwarzschild & Sulzberger are maintaining a large tunnel, containing, among other things, electric wires, on East Forty-sixth street, from No. 412 to No. 413.

It would appear from a search of the records that this construction is unauthorized, and I therefore call the matter to your attention for such action as you may choose to take.

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
COMMISSIONER'S OFFICE, Nos. 13 to 21 PARK ROW,  
NEW YORK, August 20, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—I have been informed that the New York Life Insurance Company is maintaining the following underground constructions across Elm street, from No. 346 Broadway to No. 49 Elm street:

One 12-inch and one 10-inch iron pipe for air, one 2-inch iron pipe for fire alarm, two 10-inch iron pipes for elevator pressure and discharge, one 2-inch iron pipe for telephone, one 12-inch, one 5½-inch, one 4½-inch iron steam pipes, one 6-inch, three 4-inch and one 12-inch pipes, unused, one 2-inch iron pipe containing two electrical conductors.

A consultation of our records and those of your Division of Franchises fails to show any specific authorization for any of these pipes, other than those for steam and water only.

I am, therefore, bringing the matter to your attention for such action as you may choose to take.

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
COMMISSIONER'S OFFICE, Nos. 13 to 21 PARK ROW,  
NEW YORK, August 20, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—I have been informed that George Ehret is maintaining a 2-inch iron pipe, containing electrical conductors, along East Ninety-third street, from a brewery between Second and Third avenues to Lexington avenue; through Lexington avenue, from Ninety-third to Ninety-fourth street; through Ninety-fourth street to Park avenue.

A consultation of our records and those of your Division of Franchises fails to show any specific authorization for this construction, although other privileges held in



this vicinity by George Ehret may, upon close investigation, be found to cover this pipe.

I am, therefore, bringing the matter to your attention for such action as you may choose to take.

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
COMMISSIONER'S OFFICE, NOS. 13 TO 21 PARK ROW,  
NEW YORK, August 20, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—I have been informed that Conron Bros. are maintaining a 2-inch pipe containing electrical conductors, between the Hudson River Railroad and the rear of buildings fronting on Twelfth avenue; from Armour's & Swift's establishments south of Manhattan street to premises on Twelfth avenue north of One Hundred and Thirty-second street.

A consultation of our records and those of your Division of Franchises fails to show any specific authorization for the placing of this construction on Manhattan street, One Hundred and Thirty-first or One Hundred and Thirty-second streets, although other privileges held in this vicinity by Conron Bros. may, upon close investigation, be found to cover this pipe.

I am, therefore, bringing the matter to your attention for such action as you may choose to take.

The pipe in question, together with a refrigerating pipe, is inclosed in a wooden box.

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
BUREAU OF ELECTRICAL INSPECTION, NOS. 13 TO 21 PARK ROW,  
August 23, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—As a partial response to Engineer Nichols' communication of August 4, I beg to advise you that the New York Butchers' Dressed Meat Company is maintaining a 4-inch steam pipe and a 5-inch pipe containing electrical conductors (three circuits) across West Thirty-ninth street, from No. 603 to No. 606.

It would appear from a search of the records that this construction is unauthorized, and I, therefore, call the matter to your attention for such action as you may choose to take.

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
BUREAU OF ELECTRICAL INSPECTION, NOS. 13 TO 21 PARK ROW,  
August 23, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—As a partial response to Engineer Nichols' communication of August 4, I beg to advise you that Schwarzschild & Sulzberger are maintaining a small tunnel containing, among others things, electric wires on East Forty-fifth street, from No. 416 to No. 415.

It would appear from a search of the records that this construction is unauthorized, and I, therefore, call the matter to your attention for such action as you may choose to take.

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
COMMISSIONER'S OFFICE, NOS. 13 TO 21 PARK ROW,  
NEW YORK, August 20, 1909.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—I have been informed that the Tremont Mills Company is maintaining across Ittner place and Park avenue one large iron pipe containing two smaller pipes. The larger of the inclosed pipes carries two electric power cables and the smaller one also two cables.

A consultation of our records and those of your Division of Franchises shows that in 1905 permission was granted for one pipe only. The peculiarity of the construction, which seems to have been designed to secure literal compliance with the permission granted, arouses a suspicion that possibly the work is more extensive than was contemplated at the time of its authorization.

I am, therefore, bringing the matter to your attention for such action as you may choose to take.

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

Which were referred to the Chief Engineer.

#### *New York and Queens County Railway Company.*

In the matter of the petition of the New York and Queens County Railway Company for a franchise to construct, maintain and operate a street surface railway, as an extension to its existing system, upon the Queensboro Bridge and its approaches, between the Boroughs of Manhattan and Queens.

At the meeting of June 12, 1908, a report and proposed form of contract were presented, containing terms and conditions to govern the grant, and the matter was referred to a Select Committee, consisting of the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan and Queens.

The Secretary presented the following:

REPORT NO. F-93.

THE CITY OF NEW YORK,  
BOARD OF ESTIMATE AND APPORTIONMENT,  
September 14, 1909.

To the Board of Estimate and Apportionment:

GENTLEMEN—Your Committee to which was referred on June 12, 1908, the petition of the New York and Queens County Railway Company for a franchise to operate cars upon the Queensboro Bridge as an extension to its existing lines in the Borough of Queens, begs leave to submit the following report:

At a meeting of the Committee held this day there were present all of the members of the Committee, except the President of the Board of Aldermen, Mr. W. O. Wood, President of the applicant company and a large number of citizens residing along the lines of the company in the Borough of Queens.

The Committee was asked by these citizens to modify the terms of the proposed contract in order to induce the company to accept the franchise, it having declined to accept the terms of the provisional contract.

After hearing Mr. Wood on behalf of the company, the Committee recommends the following amendments to the proposed contract, as contained in the report of the Division of Franchises dated June 6, 1908:

Initial sum of \$2,500, instead of \$5,000.

Annual payments of three per cent. of gross receipts for the first five years, instead of five per cent. of same, with the minimum payment per annum of \$1,200 instead of \$2,000; five per cent. of the gross receipts for the remainder of the term of the contract, with minimum payments of \$2,200, \$2,400, \$2,675 and \$2,900 for each succeeding five-year periods, instead of five per cent. and six per cent. of the gross receipts.

For the use of the bridge structure, five (5) cents per car per round trip.

For use of the tracks, four per cent. on a valuation of \$30,000 per mile of the 3.1 miles of single track, and four per cent. upon the cost of tracks, special work and overhead construction in the terminals estimated at \$27,000, making a total of about \$120,000 upon which the company is to pay an annual amount equal to four per cent. thereof, provided, that if the tracks upon the bridge and the tracks and overhead equipment in the terminals are to be used by any other company, then the applicant shall only pay that proportion of four per cent. upon such amount as the use of such tracks and overhead equipment by the company shall bear to the use of the same by all companies.

The tax clause to be amended by providing that all payments shall not be considered in the nature of a tax, except the payment of three per cent. and five per cent. of the gross receipts required by the Railroad Law.

The furnishing of current by the company to light the tracks to be eliminated.

The right to run local cars to be eliminated.

It is recommended that if the Board shall approve of these changes, it should direct the Chief Engineer to prepare the necessary contracts for presentation to the Board.

Respectfully,

H. A. METZ, Comptroller;

JOHN F. AHEARN, President, Borough of Manhattan;

LAWRENCE GRESSER, President, Borough of Queens.

THE CITY OF NEW YORK,  
BOARD OF ESTIMATE AND APPORTIONMENT,  
September 14, 1909.

To the Board of Estimate and Apportionment:

GENTLEMEN—As a member of the Select Committee to which was referred the application of the New York and Queens County Railway Company for rights to cross the Queensboro Bridge, I most emphatically decline to sign the report as prepared by the other members of that committee. My reasons for such action are, first, that the good faith of the Board was pledged to the South Shore Traction Company when it accepted certain terms and conditions for a franchise to cross the said bridge that it would not exact less from any rival company for similar privileges.

Pending therefore the determination by the Court of Appeals of the certiorari proceedings as brought by the South Shore Traction Company to determine whether or not the Public Service Commission has the right to prescribe terms and conditions for the grant of franchises in lieu of the City authorities, upon which a decision may be confidently expected probably in October, and no doubt at the latest, early in November, and also in view of the fact that the Commissioner of Bridges has made full arrangements to install a local service upon the bridge commencing on Saturday next, I decline at this time to pass favorably upon any application of the New York and Queens County Railway Company in which the conditions are more lenient than those prescribed for all other companies.

The attitude of the New York and Queens County Railway Company since its application was first presented to the Board has been one of extreme vacillation. It has on a number of occasions agreed with representatives of the Board to do certain things, none of which have ever been accomplished. It has not prosecuted its applications with diligence and its representatives have repeatedly stated that it would take franchises from the Board only upon the minimum terms provided by the Railroad Law.

Again the report of the other members of the committee deals with one fundamental principle which has been rigidly adhered to in all previous franchises granted by this Board, to wit: that the compensation shall not be considered as a tax.

It is now proposed to set a new precedent and permit the deduction of the minimums provided by the Railroad Law to be paid to the City from the amount of the franchise tax. If this is permitted the amount of percentages and minimum sums which may be fixed in the contract are a nullity and any controversy over such sums is a mere waste of time. It is only recently that the City officials have been most seriously arraigned in the public press for the granting of franchises without proper compensation, it having been proven that in one instance a company paying a nominal sum to the City was making eighty per cent. per annum profits upon bridge operation, and now, by the clamor of a very small number compared to the population of this City who are more or less affected by all franchises, the City officials are being forced into a contract which does not provide for proper compensation and the deficit from which will have to be borne by the taxpayers, not alone those of the Borough of Queens who have been most insistent for reduced terms, but by the taxpayers of all the other Boroughs who have equally loaned their credit for the construction of this bridge.

I therefore recommend that the Board decline to recede from any of the terms proposed for a grant to the New York and Queens County Railway Company except such as are commensurate with those granted to the South Shore Traction Company.

Respectfully,

P. F. McGOWAN, President, Board of Aldermen.

Mr. W. O. Wood, President and General Manager of the New York and Queens County Railway Company, appeared before the Board, and in reply to a question stated that his company was prepared to accept a franchise upon the terms recommended by the Select Committee. Thereafter the President of the Board of Aldermen withdrew his objections to the report as presented by a majority of the Select Committee.

The following was offered:

Resolved, That this Board hereby approves of the amendments recommended in the report this day received and signed by the majority of the Select Committee and the Chief Engineer be and he is hereby directed to prepare the necessary contract for presentation to this Board.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, Brooklyn, The Bronx, Queens and Richmond—16.

#### *Havemeyers & Elder, Unauthorized Tracks.*

In the matter of the operation and maintenance of certain tracks in the district bounded by North Fourth, North Sixth and North Ninth streets, Kent and Wythe avenues and the East River, Borough of Brooklyn.

At the meeting of January 8, 1909, Havemeyers & Elder, Brooklyn Eastern District Terminal Railroad Company, East River Terminal Railroad, and others, were directed to present applications to this Board on or before February 1, 1909, for the maintenance and operation of said tracks. Subsequently, the time for the submission of these applications was extended until February 19, 1909, on which date a memorandum was submitted by Messrs. Havemeyers & Elder, discussing the tracks laid in detail, and claiming the right to maintain said trackage free from molestation or interference from The City of New York or any of its Departments.

The Secretary presented the following:

CITY OF NEW YORK, LAW DEPARTMENT,  
OFFICE OF THE CORPORATION COUNSEL,  
NEW YORK, May 4, 1909.

Board of Estimate and Apportionment, No. 277 Broadway, New York City:

DEAR SIR—I have received from you the following communication, dated March 10, 1909, signed by Joseph Haag, Secretary:

"Sir—I transmit report of the Engineer in Charge of the Division of Franchises to the Chief Engineer in relation to certain railroad tracks within the streets of the Borough of Brooklyn, which it has been claimed are operated without authority.



"The report recites the history of the tracks, and you are requested to advise the Board in answer to four questions more particularly set forth in said report.

"Respectfully,  
"JOSEPH HAAG, Secretary."

It appears that on January 8, 1909, your Board adopted a resolution, directing that the individuals or corporations now operating without authority the tracks within the area bounded by North Fourth street, Wythe avenue, North Sixth street, Kent avenue, North Ninth street and the East River, in the Borough of Brooklyn, be directed to cause a proper application to be made for the operation of such tracks and present the same on or before February 1, 1909.

The firm of Havemeyers & Elder, the owners of such tracks, failed to make any application for the right to operate their railroad in the streets in question, but instead filed an answer in which they claimed the legal right to continue the use of said tracks without further authorization.

From the report of the Division of Franchises and the answer of the said firm, submitted with the above communication from you, it appears the tracks so claimed to be authorized, are of two kinds: 1. Tracks laid pursuant to grants made to individuals by the Board of Aldermen of the former City of Brooklyn. 2. Tracks laid on property claimed to be privately owned.

In the first named class there are certain grants made in 1874, to Havemeyers & Elder, and in 1885, to Lowell M. Palmer, the latter grants in the same year being assigned to Havemeyers & Elder. In the said report of the Division of Franchises, the attorney for Havemeyers and Elder is quoted as saying that the said firm now owns all these tracks, but that the actual operation thereof is conducted by the Brooklyn Eastern District Terminal Company.

Apart from the fact that more tracks are now laid in the streets than were apparently contemplated by the said grants, I am of the opinion no right of any kind exists to-day for the operation of such tracks. It is now no longer open to question that a railroad franchise comes from the State, and that a legislative body of a city has no authority to grant a franchise in the absence of authorization from the State. Such a grant is void in its inception. As stated in the recent case of Phoenix vs. Gannon, 123 App. Div., 93, at page 94, "The use or occupation of the streets for such purpose without the grant or permission of the state through the legislature, constitutes a nuisance which may be restrained by individuals injuriously affected thereby."

Inasmuch as the right to maintain a nuisance in the streets cannot be gained by prescription, the number of years of user is immaterial. Similarly, the grants in question being void, it is not necessary to consider whether a corporation, organized under the provisions of the Transportation Corporations Law for the purpose of carrying on the business of navigation, could operate a railroad.

In the second class of cases, to wit, tracks laid in streets claimed to be privately owned, it is equally clear that no right exists for the maintenance of such tracks. It appears that certain streets between Kent avenue and the East River were never formally condemned, but at various times between 1852 and 1863, the records show assessments for paving and grading were levied. It is admitted the tracks in question were laid at a much later period. These facts, in my opinion, are ample to sustain the conclusion that the said streets became public streets by prescription or by dedication and implied acceptance by user, or by both. (Witte vs. Koerner, 123, App. Div., 824.) The rights of Havemeyers & Elder in the said streets are thus similar to those of abutting property owners generally throughout the former City of Brooklyn, who in almost every instance own the fee of the street in front of their premises to the centre line thereof. In the case of such owners whose lands have been taken or dedicated for the public convenience, nothing remains in the original proprietor but the naked fee (Castle vs. Bell Telephone Company, 23 App. Div., 437). Havemeyers & Elder therefore never had the right to lay tracks in these streets, and, as stated above, cannot gain any such right by prescription.

I am therefore of the opinion Havemeyers & Elder have no right to maintain any of the tracks in question and that application to continue such user should be made in due form to your Board, by a corporation enjoying the franchise power, to receive the consent of the City thereafter. The long and unquestioned use of the streets, however, would seem to create certain moral and ethical rights which might well be considered by the City not only in permitting the continued use of the streets for railroad purposes, pending the filing and granting of such a franchise application but might further be considered in the imposition of terms and conditions in the franchise grant.

Respectfully yours,  
F. K. PENDLETON, Corporation Counsel.

The following was offered:

Whereas, Certain railroad tracks are being maintained and operated in the streets of the district bounded by North Fourth, North Sixth and North Ninth streets, Kent and Wythe avenues and the East River, Borough of Brooklyn; and

Whereas, The Corporation Counsel has advised this Board that such tracks are maintained without authority and that application to continue such user should be made in due form to this Board by a corporation enjoying the franchise power to receive the consent of the City therefor; now therefore be it

Resolved, That Havemeyers & Elder be and they are hereby directed to present to this Board, on or before October 1, 1909, a verified petition in accordance with the opinion of the Corporation Counsel, praying for the right to maintain and operate the aforesaid tracks.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, Brooklyn, The Bronx, Queens and Richmond—16.

The full minutes of the meeting of this day will appear in the CITY RECORD at a later date.

JOSEPH HAAG, Secretary.

## BOARD OF EDUCATION.

### MINUTES OF THE EXECUTIVE COMMITTEE.

Wednesday, July 28, 1909.

A stated meeting of the Executive Committee of the Board of Education was held on Wednesday, July 28, 1909, at 4 o'clock p. m., at the hall of the Board, Park avenue and Fifty-ninth street, Borough of Manhattan.

Present—John Greene, Acting Chairman, and the following members:

Mr. Barrett, Mr. Dresser, Mr. Harrison, Dr. Haupt, Mr. Higgins, Mr. Somers, Mr. C. J. Sullivan, Mr. Vandenhoff, Mr. Wilsey—10.

Absent—Mr. Freifeld, Mr. Hollick, Mr. May, Mr. A. Stern, Mr. Wingate—5.

Contracts were awarded as follows:

Appropriating the sum of five thousand three hundred and seventy-nine dollars (\$5,379) from the following named funds, said sum to be applied in payment of the contracts to be entered into by the Committee on Buildings, for and on behalf of the Board of Education, with the following named contractors, for the purposes mentioned and in the sums specified:

Special School Fund, 1909, Maintenance, Repairs and Replacements by Contract or Open Order, General Repairs:

No. 883, BOROUGH OF MANHATTAN.

For Forming Offices, etc., on the First Story of the Hall of the Board of Education. Thomas McKeown ..... \$1,383 00

No. 885, BOROUGH OF BROOKLYN.

For Alterations, Repairs, etc.

Public School 65, Charles Cochar.....	\$1,320 00	
Public School 76, Charles Cochar.....	1,620 00	
	2,940 00	\$4,323 00

Special School Fund, 1909, Maintenance, Repairs and Replacements by Contract or Open Order, Furniture and Repairs of:

No. 890, BOROUGH OF MANHATTAN.

For Furniture for School for Crippled Children, Henry Street, Borough of Manhattan.		
American Seating Company.....	1,056 00	
		\$5,379 00

—but no part of said appropriation authorized by this resolution to be paid until the Committee on Buildings shall have filed the contracts to be entered into by it, for and on behalf of the Board of Education, with the contractors named; said contracts to be in the form approved by the Corporation Counsel, and with such security for the faithful performance of the same as shall be satisfactory to the Comptroller, the rules of this Board in regard thereto, and as to the payments to be made on account thereof, to be complied with.

The following preambles and resolutions were adopted:

Whereas, On July 26, 1909, the Committee on Buildings granted permission to Duncan Stewart to withdraw his bid for eight hundred and eighteen dollars (\$818) for alterations, repairs, etc., at Public School 11, Borough of Brooklyn, the contract for which was awarded to him by the Board of Education on July 6, 1909; therefore be it

Resolved, That the appropriation of eight hundred and eighteen dollars (\$818) from the item contained within the Special School Fund for 1909 entitled Maintenance, Repairs and Replacements by Contract or Open Order, Borough of Brooklyn, No. 885, set aside for the purpose of entering into a contract with Duncan Stewart for alterations, repairs, etc., at Public School 11, Borough of Brooklyn, be and the same is hereby rescinded.

Whereas, On July 26, 1909, the Committee on Buildings granted permission to Hyman London and Jacob Garlick to withdraw their bid for \$1,650 for alterations, repairs, etc., at Public School 55, Borough of Brooklyn, the contract for which was awarded to them by the Board of Education on June 23, 1909; therefore be it

Resolved, That the appropriation of sixteen hundred and fifty dollars (\$1,650) from the item contained within the Special School Fund for 1909 entitled Maintenance, Repairs and Replacements by Contract or Open Order, Borough of Brooklyn, No. 885, set aside for the purpose of entering into a contract with Hyman London and Jacob Garlick for alterations, repairs, etc., at Public School 55, Borough of Brooklyn, be and the same is hereby rescinded.

Approving and ratifying the action of the Committee on Supplies in appointing, as stated above, the following named persons as first grade Clerks in the Bureau of Supplies, with compensation at the rate of \$300 per annum each, the appointments taking effect on the dates indicated below.

Abraham Garfield, of No. 52 East One Hundred and Sixth street, Manhattan, July 17, 1909; Fred Noulette, of No. 775 Union avenue, The Bronx, July 19, 1909; Frank Cosgrove, of No. 241 East Forty-ninth street, Manhattan, July 16, 1909.

Requesting the Municipal Civil Service Commission to arrange for non-competitive examinations for the persons named in the preceding resolution, in accordance with subdivision 3 of Rule XII. of said Commission.

Approving and ratifying the action of the Committee on Supplies in appointing Miss Evelyn A. Higgins, of No. 1209 Herkimer street, Brooklyn, and Miss Christine A. Taaffe, of No. 38 West One Hundred and Thirty-first street, Manhattan, whose names appear upon an eligible list certified by the Municipal Civil Service Commission, as Stenographers and Typewriters in the Bureau of Supplies, the appointments taking effect July 26, 1909, and to continue for a temporary period not to exceed two months, with compensation at the rate of \$50 per month each.

Approving and ratifying the action of the Committee on Supplies in appointing Ernest R. Busch as an expert Operator on the Elliott-Fisher typewriter, with compensation at the rate of \$100 per month, from July 7 to 17, inclusive, 1909, and requesting the Municipal Civil Service Commission to approve said appointment.

Requesting the Municipal Civil Service Commission to approve the emergency appointment of Miss Frank G. Allen as Stenographer and Typewriter in the Department of Education, in accordance with subdivision 4 of Rule XII. of said Commission, and approving and ratifying the action of the Committee on Supplies in making said appointment, taking effect July 16, 1909, with salary at a rate not exceeding \$750 per annum.

Appropriating the sum of five thousand seven hundred and fifty-nine dollars and ninety cents (\$5,759.90) from the following named funds, said sum to be applied in payment of bills to be incurred by the Committee on Buildings for grate bars, as follows:

Bond issue authorized by the Board of Estimate and Apportionment March 13, 1908, as amended October 30, 1908, and February 5, 1909, premiums derived from the sale of Corporate Stock, School Building Fund, Interior Construction and Equipment:

(Subtitle No. 3, C-DE-56.)

Public School 106, Borough of Manhattan—	
Donegan & Swift.....	\$574 75

(Subtitle No. 3, C-DE-40.)

Public School 75, Borough of Brooklyn—	
The Griscom-Spencer Company.....	466 50

(Subtitle No. 4, C-DE-41.)

Public School 93, Borough of Brooklyn—	
The Griscom-Spencer Company .....	308 25

(Subtitle No. 10, C-DE-47.)

Public School 158, Borough of Brooklyn—	
Donegan & Swift.....	437 45

(Subtitle No. 2, C-DE-67.)

Public School 90, Borough of Queens—	
The Griscom-Spencer Company .....	386 50

\$2,173 45

Bond issue authorized by Board of Estimate and Apportionment March 13, 1908, as amended October 30, 1908, and February 5, 1909, School Building Fund, Interior Construction and Equipment:

(Subtitle No. 4, C-DE-57.)

Public School 114, Borough of Manhattan—	
The Griscom-Spencer Company.....	\$549 75

(Subtitle No. 9, C-DE-46.)

Public School 157, Borough of Brooklyn—	
Donegan & Swift.....	525 00

1,074 75

Bond issue authorized by Board of Estimate and Apportionment March 19 and 26, 1909, School Building Fund, Interior Construction and Equipment:

(Subtitle No. 16, C-DE-65D.)

Public School 101, Borough of Manhattan—	
The Griscom-Spencer Company.....	\$386 50

(Subtitle No. 27, C-DE-53K.)

Public School 84, Borough of Brooklyn—	
The Griscom-Spencer Company.....	733 25

(Subtitle No. 29, C-DE-53M.)

Public School 162, Borough of Brooklyn—	
The Griscom-Spencer Company.....	424 25



(Subtitle No. 30, C-DE-53N.)

Public School 163, Borough of Brooklyn— The Griscom-Spencer Company.....	308 25	
Bond issue authorized by Board of Estimate and Apportionment February 5, 1909, School Building Fund, Interior Construction and Equip- ment:		1,852 25
(Subtitle No. 20, C-DE-53C.)		
Public School 160, Borough of Brooklyn— Donegan & Swift.....	\$319 95	
Proceeds of Corporate Stock, School Building Fund, sections 47 and 169, C-DE-9:		319 95
Public School 128, Borough of Brooklyn— The Griscom-Spencer Company.....	\$339 50	
		339 50
		\$5,759 90

—requisition for said sum being hereby made upon the Comptroller.

The following preambles and resolutions were adopted:

Whereas, The Committee on Buildings is in receipt of estimates from contractors for additional work under their contracts, as follows (said additional work involving no extensions of time):

Estimate of Gillis & Geoghegan, contractors for heating and ventilating apparatus at Public School 17, Borough of Manhattan (for various changes in auditorium heating apparatus, etc.).....	\$660 00	
Estimate of J. M. Knopp, contractor, for alterations, etc., Hall of the Board of Education, Borough of Manhattan (for patching floor, additional sash, etc.).....	27 62	
Estimate of Frank Dobson Company (Inc.), contractors, for heating and ventilating apparatus at Public School 25, Borough of Brooklyn (for increasing the size of steam main and of chimney walls).....	100 00	

—and  
Whereas, The Superintendent of School Buildings reports that these estimates are reasonable and that the work is necessary; therefore be it

Resolved, That the sum of seven hundred and eighty-seven dollars and sixty-two cents (\$787.62) be, and the same is hereby, appropriated from the following named funds, said sum to be applied in full payment for extra cost to the contractors hereinafter mentioned for additional work in connection with their contracts:

Corporate Stock, bond issue authorized by Board of Estimate and Apportionment March 13, 1908, as amended October 30, 1908, and February 5, 1909, School Building Fund, Interior Construction and Equipment:

(Subtitle No. 2, C-DE-55.)

Gillis & Geoghegan, Public School 17, Borough of Manhattan.....	\$660 00	
Special School Fund, 1909, Maintenance, Repairs and Replacements by Contract or Open Order, General Repairs—		

(No. 883, Borough of Manhattan.)

J. M. Knopp, Hall of Board of Education, Borough of Manhattan.....	27 62	
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(No. 885, Borough of Brooklyn.)

Frank Dobson Company (Inc.), Public School 25, Borough of Brooklyn..	100 00	
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—requisition for the sum of six hundred and sixty dollars (\$660) being hereby made upon the Comptroller.

Whereas, The Board of Education on July 6, 1909 (see Journal, pages 1157-58), decided to dispense with the services of the following named Inspectors on the dates mentioned:

Edward J. T. Proud, No. 9 Simonson place, Port Richmond, Staten Island, July 19, 1909.

Michael Henchan, No. 502 Herkimer street, Brooklyn, July 19, 1909.

Thomas J. Duffy, No. 733 East One Hundred and Eighty-first street, The Bronx, July 26, 1909.

Frank C. Erler, No. 338 East One Hundred and Fifty-fourth street, The Bronx, July 24, 1909.

Resolved, That the action of the Committee on Buildings in changing the date of the cessation of service in the cases of Edward J. T. Proud and Michael Henchan to August 2, 1909, in the case of Thomas J. Duffy, to August 9, 1909, and in the case of Frank C. Erler to July 31, 1909, be, and the same is hereby approved and ratified.

Whereas, James G. Campion, Janitor of Public School 3, Borough of Richmond, was transferred to the position of Janitor of Public School 50, Borough of Manhattan, to take effect July 17, 1909; and

Whereas, Said James G. Campion declined to accept the transfer and protested against the same as in violation of his rights as a veteran of the Spanish-American War, and was absent from duty from July 17 to July 25, inclusive; and

Whereas, The Committee on Care of Buildings, after careful consideration, decided to disregard Mr. Campion's protest and directed him to report for duty at Public School 50, Borough of Manhattan, on July 26, 1909; therefore be it

Resolved, That the action of the Committee on Care of Buildings in transferring James G. Campion, Janitor, from Public School 3, Borough of Richmond, to Public School 50, Borough of Manhattan, the transfer taking effect July 26, 1909, be and it is hereby approved and ratified.

Whereas, The death of Mrs. Annie Butterfield, Janitress of Public School 7, Borough of The Bronx, occurred on July 21, 1909; and

Whereas, Mrs. Butterfield had been in the employ of the Department of Education since October, 1880, and rendered satisfactory service in the school buildings to which she was assigned; therefore be it

Resolved, That the Board of Education hereby places on record an expression of its appreciation of Mrs. Butterfield's long and valuable service and of regret at her decease.

Appropriating the sum of five hundred and seven dollars (\$507) from Corporate Stock, Bond issue authorized by the Board of Estimate and Apportionment March 13, 1908, as amended October 30, 1908, and February 5, 1909, premiums derived from the sale of Corporate Stock, School Building Fund, Interior Construction and Equipment, Borough of Brooklyn, subtitle No. 8, C-DE-45, said sum to be applied in payment of a bill to be incurred by the Committee on Buildings with Donegan &amp; Swift for grate bars for Public School 156, Borough of Brooklyn; requisition for said sum being hereby made upon the Comptroller.

Appropriating the sum of three hundred and forty dollars (\$340) from Corporate Stock, Bond Issue authorized by the Board of Estimate and Apportionment March 19 and 26, 1909, School Building Fund, Interior Construction and Equipment, Borough of Queens, subtitle No. 7, C-DE-71A, said sum to be applied in payment of a bill to be incurred by the Committee on Buildings with the Griscom-Spencer Company for grate bars for Public School 87, Borough of Queens; requisition for said sum being hereby made upon the Comptroller.

Appropriating the sum of one hundred and sixteen dollars and fifty cents (\$116.50) from the proceeds of Corporate Stock, to be issued by the Comptroller pursuant to sections 47 and 169 of the revised Charter (Code No. C-DE-9), said sum to be applied in payment of the bills of the Title Guarantee and Trust Company, dated May 24 and June 29, 1909, for recording deed, Outerbridge to City, northwest corner of Lafayette avenue, 100 feet south of Fourth street, Borough of Richmond (\$4), and for examination of title to property, Ridgewood and Lincoln avenues, Borough of Brooklyn (\$112.50); said bills having been incurred by authority of the Comptroller and being incidental to and necessary in the proceedings to acquire the before-mentioned property for school purposes.

Appropriating the sum of one hundred and seventy dollars and fifty cents (\$170.50) from the proceeds of Corporate Stock, to be issued by the Comptroller pursuant to sections 169 and 47, of the revised Charter (Code No. C-DE-9), said sum to be applied in payment of the bills of Henry G. Opdycke, City Surveyor, dated July 14 and July 16, 1909, for survey of school site, Park place, adjoining Brooklyn Training School for Teachers, Borough of Brooklyn (\$67.50), and for survey of proposed school site on Orchard avenue and Elm street, adjoining Public School 56, Richmond Hill, Borough of Queens (\$103); said bills having been incurred by authority of the Committee on Sites and being incidental to and necessary in the proceedings to acquire the before-mentioned property for school purposes.

Appropriating the sum of six thousand five hundred and eighteen dollars and twenty-five cents (\$6,518.25) from Corporate Stock, Bond Issue, authorized by the Board of Estimate and Apportionment March 13, 1908, as amended October 30, 1908, and February 5, 1909, School Building Fund, Interior Construction and Equipment, Borough of Manhattan, subtitle No. 2, C-DE-55; said sum to be applied in payment of a bill to be incurred by the Committee on Buildings with the Superintendent of State Prisons for furniture for Public School 17, Borough of Manhattan, as follows:

1,378 pieces school desks and seats.....	\$5,831 75
52 style "A" chairs, saddle seat, oak.....	91 00
26 style "B" chairs, saddle seat, oak.....	104 00
26 teachers' desks, No. 13.....	338 00
1 roll-top desk, No. 73.....	55 00
1 flat-top desk, No. 15.....	20 00
1 No. 405 table with two drawers.....	23 00
1 No. 406 table with four drawers, 8 feet by 3 feet 6 inches.....	40 00
2 revolving chairs, No. 255½, N. Y. D.....	12 00
1 No. 40 typewriter chair.....	3 50

\$6,518 25

—requisition for said sum being hereby made upon the Comptroller.

Appropriating the sum of one hundred and seven dollars and fifty cents (\$107.50) from the proceeds of Corporate Stock, to be issued by the Comptroller pursuant to sections 47 and 169 of the revised Charter (Code No. C-DE-9), said sum to be applied in payment of the bill of Henry G. Opdycke, City Surveyor, dated July 8, 1909, for surveys, etc., of the proposed school site on One Hundred and Forty-first street, Cypress avenue and Powers avenue, Borough of The Bronx; said bill having been incurred by authority of the Committee on Sites and being incidental to and necessary in the proceeding to acquire the before-mentioned property for school purposes.

Granting, in accordance with a request of the President of the Borough of The Bronx, consent to the transfer of Frank C. Erler, Inspector of Masonry and Carpentry in the Bureau of School Buildings, to a similar position in the office of the President of the Borough of The Bronx.

Approving the plans for iron stairs, repairs, etc., as hereinafter stated:

BOROUGH OF BROOKLYN.

Public Schools 3, 16, 36, 45, 49, 58 and 78—Iron stairs, etc.

Public School 30—New fireproof stairway, removal of curtain walls in basement playground, regrading and paving basement.

Approving the action of the Committee on Buildings in accepting the resignation of F. E. Dey, Jr., Structural Steel Draftsman, taking effect July 21, 1909.

Approving and ratifying the action of the Committee on Buildings in deciding to dispense with the services of the following-named employees after July 31, 1909, for the reason that lack of funds and work renders their positions unnecessary thereafter, and further dispensing with the services of the following-named employees after the close of business on July 31, 1909:

Thomas W. Dick, No. 180 Hawthorne street, Brooklyn, Mechanical Draftsman; appointed July 15, 1907.

George A. Washington, No. 36 Seventh avenue, Brooklyn, Mechanical Draftsman; appointed January 2, 1907.

Granting, in accordance with a request received from the Law Department, the transfer of Miss Etta M. Priest, Telephone Switchboard Operator, from the office of the Secretary to the Law Department.

Granting, in accordance with a request received from the Department of Water Supply, Gas and Electricity, the transfer of Stephen S. Reilly, Clerk, from the Bureau of Supplies to the Department of Water Supply, Gas and Electricity.

Approving and ratifying the action of the Committee on Care of Buildings in appointing Mrs. Winifred K. Lennon as Cleaner in Public School 188, Borough of Manhattan, with compensation at the rate of \$360 per annum, taking effect July 1, 1909, her name having been selected from an eligible list submitted by the Municipal Civil Service Commission.

Approving and ratifying the action of the Committee on Care of Buildings in transferring the following-named persons as indicated below:

Walter Garrigan, Janitor-Engineer, from Public School 88, Manhattan, to Public School 23, Manhattan; annual compensation, \$2,388; taking effect July 15, 1909.

Robert J. Elliott, Janitor, from Public School 23, Manhattan, to Public School 88, Manhattan; annual compensation \$2,472; taking effect July 15, 1909.

Oliver M. Peacock, Janitor-Engineer, from Public School 50, Manhattan, to Public School 29, Manhattan; annual compensation, \$1,968; taking effect July 15, 1909.

Hugh Douglass, Janitor with Knowledge of Steam Heating, from Public School 19, Bronx, to Public School 21, Brooklyn; annual compensation, \$1,236; taking effect July 15, 1909.

Approving and ratifying the action of the Committee on Care of Buildings in assigning the following-named Janitors to the temporary care of public school buildings as indicated below:

John Lawlor, Public School 81, Brooklyn; compensation of the building less rent allowance; taking effect July 1, 1909.

Joseph Donnelly, Public School 86, Queens; compensation, \$100 per month; taking effect July 1, 1909.

Harry C. Annack, Public School 83, Queens; compensation, \$50 per month; taking effect July 1, 1909.

Peter Reilly, Public School 55, Manhattan; compensation, \$80 per month; taking effect July 1, 1909.

John Breen, Public School 5 (old), Brooklyn; compensation, \$50 per month; taking effect July 9, 1909.

Patrick A. McGann, Public School 19, The Bronx; compensation, 50 per month; taking effect July 15, 1909.

George W. Hudson, Public School 3, Richmond; compensation, \$80 per month; taking effect July 15, 1909.

Thomas F. Stapleton, Public School 50, Manhattan; compensation of the building less rent allowance; taking effect July 17, 1909.

William P. Turnure, Public School 7, The Bronx; compensation of the building less rent allowance; taking effect July 22, 1909.

Approving the action of the Committee on Care of Buildings in accepting the resignation of Cornelius Vandever, Cleaner in Public School 34, Borough of Queens, to take effect August 1, 1909.

Approving and ratifying the action of the Committee on Care of Buildings in appointing the following-named persons as indicated below, their names having been selected from eligible lists submitted by the Municipal Civil Service Commission:

Thomas H. McVeigh, Janitor-Engineer, Washington Irving High School (Thirteenth street annex); annual compensation, \$1,656; taking effect August 15, 1909.

James V. Jennings, Janitor-Engineer, Public School 19, The Bronx; annual compensation, \$1,548; taking effect August 1, 1909.

William P. Ryan, Janitor-Engineer, Public School 83, Queens; annual compensation, \$1,080; taking effect August 1, 1909.

Approving and ratifying the action of the Committee on Care of Buildings in transferring James J. Drumm, Janitor-Engineer, from Public School 188, Borough of Manhattan, to Public School 131, Borough of Brooklyn, and in transferring George B. England, Janitor-Engineer, from the office of the Supervisor of Janitors, to which he was assigned on March 1, 1909 (see Journal, page 338), to Public School 188, Borough of Manhattan, taking effect July 26, 1909, with the compensation attached to the position, namely, \$1,800 per annum.

Approving and ratifying the action of the Acting President in suspending from duty, without pay, on July 26, 1909, James J. Egan, Janitor of Public School 60, Borough of Brooklyn, pending the trial of charges.

Approving and ratifying the action of the Chairman of the Committee on Care of Buildings and the Secretary of the Board of Education, on July 20, 1909, in consenting to the transfer of Mrs. Winifred K. Lennon, Cleaner in Public School 188, Borough of Manhattan, to a similar position in the office of the President of the Borough of Manhattan.

On motion, all absent members were excused for non-attendance at this meeting.

On motion, the Board adjourned at 4.55 o'clock p. m.

A. EMERSON PALMER, Secretary.



## BOARD OF EDUCATION.

## MINUTES OF THE EXECUTIVE COMMITTEE.

Wednesday, August 18, 1909.

A special meeting of the Executive Committee of the Board of Education was held on Wednesday, August 18, 1909, at 4 o'clock p. m., at the Hall of the Board, Park avenue and Fifty-ninth street, Borough of Manhattan, in pursuance of the following call:

Department of Education,  
Park Avenue and Fifty-ninth Street,  
New York City, August 14, 1909.

Upon the request of ten members of the Executive Committee of the Board of Education, a special meeting of said Committee will be held at the Hall of the Board of Education, Park avenue and Fifty-ninth street, Borough of Manhattan, on Wednesday, August 18, 1909, at 4 o'clock p. m. You are urgently requested to attend this meeting.

By order of the President.

Respectfully yours,

FRED H. JOHNSON, Assistant Secretary, Board of Education.

Present—Egerton L. Winthrop, Jr., Chairman, and the following members:

Mr. Barrett, Mr. Dresser, Mr. Greene, Mr. Harrison, Dr. Haupt, Mr. Higgins, Mr. May, Mr. Somers, Mr. C. J. Sullivan, Mr. Vandenhoff, Mr. Wilsey—12.  
Absent—Mr. Freifeld, Mr. Hollick, Mr. A. Stern, Mr. Wingate—4.

Contracts were awarded as follows:

Appropriating the sum of eighteen thousand three hundred and thirty-seven dollars (\$18,337) from the following named funds, said sum to be applied in payment of the contracts to be entered into by the Committee on Buildings, for and on behalf of the Board of Education, with the following-named contractors, for the purposes mentioned and in the sums specified:

Premiums derived from the sale of Corporate Stock, issued pursuant to sections 47 and 169 of the revised Charter:

## BOROUGH OF MANHATTAN.

For Furniture for Public School 41.

New Jersey School-Church Furniture Company..... \$1,695 00

Special School Fund, Account 1909, Maintenance, Repairs and Replacements by Contract or Open Order, General Repairs:

## No. 885, BOROUGH OF BROOKLYN.

For Alterations, Repairs, Etc.

P. S. 5 (old, M. T. H. S. an.)—B. Diamond..... \$5,352 00  
P. S. 58—Otto Metz..... 888 00  
P. S. 72—B. Diamond..... 2,482 00  
P. S. 94—Harry Britton..... 638 00  
\$9,360 00

For Alterations, Repairs, Etc.

P. S. 4—B. Diamond..... \$1,427 00  
P. S. 11—P. S. O'Brien..... 1,082 00  
P. S. 55—Joseph Ryan..... 1,900 00  
4,409 00  
\$13,769 00

## No. 887, BOROUGH OF RICHMOND.

For the General Construction, Etc., of Portable Building at Public School 21.

Thomas McKeown..... 2,873 00

Total, general repairs..... 16,642 00

Grand Total..... \$18,337 00

—requisition for the sum of one thousand six hundred and ninety-five dollars (1,695) being hereby made upon the Comptroller.

But no part of said appropriation authorized by this resolution to be paid until the Committee on Buildings shall have filed the contracts to be entered into by it, for and on behalf of the Board of Education, with the contractors named; said contracts to be in the form approved by the Corporation Counsel, and with such security for the faithful performance of the same as shall be satisfactory to the Comptroller; the rules of this Board in regard thereto, and as to the payments to be made on account thereof, to be complied with.

Appropriating the sum of five thousand six hundred and seventy-two dollars (\$5,672) from the following named funds, said sum to be applied in payment of the contracts to be entered into by the Committee on Buildings, for and on behalf of the Board of Education, with the following-named contractors, for the purposes mentioned and in the sums specified:

Bond issue authorized by Board of Estimate and Apportionment March 13, 1908, amended October 30, 1908, and February 5, 1909, School Building Fund, Interior Construction and Equipment, Borough of Manhattan, Subtitle No. 2, C—DE—55:

For Furniture for the Second Section of New Public School 17.

Item 1—Richmond School Furniture Company..... \$1,617 00  
Item 2—Harry Lamberton..... 659 00  
Item 3—American Seating Company..... 2,000 00  
\$4,276 00

Special School Fund, 1909, Maintenance, Repairs and Replacements by Contract or Open Order, General Repairs, No. 886, Borough of Queens:

For Improving the Premises at Public School 16.

Edward M. Allen..... 1,396 00

\$5,672 00

—requisition for the sum of four thousand two hundred and seventy-six dollars (\$4,276) being hereby made upon the Comptroller.

But no part of said appropriation authorized by this resolution to be paid until the Committee on Buildings shall have filed the contracts to be entered into by it, for and on behalf of the Board of Education, with the contractors named; said contracts to be in the form approved by the Corporation Counsel, and with such security for the faithful performance of the same as shall be satisfactory to the Comptroller; the rules of this Board in regard thereto, and as to the payments to be made on account thereof, to be complied with.

Approving and ratifying the action of the Committee on Supplies in appointing the following named persons as Clerks in the Bureau of Audit and Accounts for a temporary period not to exceed three months, the appointments taking effect July 16, 1909, at 1.30 o'clock p. m., and the salary in each case to be at the rate of \$75 per month:

Patrick J. O'Sullivan, No. 1715 Washington avenue, The Bronx.

Roger J. Hogan, No. 117 Avenue A, Manhattan.

Approving and ratifying the action of the Committee on Supplies in appointing Miss Retta A. Pfau, of No. 151 East One Hundred and Forty-ninth street, Borough of The Bronx, whose name appears upon an eligible list certified by the Municipal Civil Service Commission, as Telephone Switchboard Operator at the Hall of the Board of Education, the appointment taking effect August 9, 1909, and the salary to be at the rate of \$480 per annum.

Approving and ratifying the action of the Committee on Supplies in appointing Miss Mary A. Martin, of No. 102 Seventh avenue, Borough of Manhattan, whose name appears upon an eligible list certified by the Municipal Civil Service Commission, as Stenographer and Typewriter in the Bureau of Audit and Accounts, for a temporary period not to exceed three months, the appointment taking effect August 4, 1909, and the salary to be at the rate of \$600 per annum.

Approving and ratifying the action of the Committee on Supplies in awarding contracts for furnishing and delivering to the Department of Education 5,060 gross

tons of anthracite coal, more or less, and 2,000 gross tons of bituminous coal, more or less, for use in the schools of The City of New York, as follows:

## BOROUGH OF BROOKLYN.

To the Bacon Coal Company, for supplying 5,000 gross tons of No. 1 buckwheat coal, at \$3.49 per ton of 2,240 pounds; said coal to be delivered in accordance with the terms of the advertisement, and to be Lehigh Valley Coal Company's Wyoming, Delaware and Hudson Lackawanna, Pennsylvania Coal Company's Pittston, Delaware, Lackawanna and Western Scranton coal.

## BOROUGH OF QUEENS.

To V. H. Youngman & Co., for supplying 2,000 gross tons of bituminous coal, at \$3.75 per ton of 2,240 pounds and 60 gross tons of stove coal at \$6 per ton of 2,240 pounds; said coal to be delivered in accordance with the terms of the contract and to be Briskin coal; but no payments to be made on account of said contracts until the Committee on Supplies shall have filed the contracts to be entered into by it, for and on behalf of the Board of Education, with the contractors named; said contracts to be drawn and approved in the usual manner, in compliance with law and the rules of the Board of Education applicable thereto.

Setting aside the following named sums from the several sums appropriated by the Board of Estimate and Apportionment, for expenditure by the Committee on Buildings in sums not exceeding \$1,000 in any one instance:

Fund.	Manhattan.	The Bronx.	Brooklyn.	Queens.	Richmond.
General Repairs .....	No. 833 \$25,000 00	No. 834 \$10,000 00	No. 885 \$10,000 00	No. 886 \$8,000 00	No. 887 \$8,000 00
Furniture and Repairs of.....	No. 890 12,000 00	No. 891 4,000 00			

Appropriating the sum of nine hundred and sixty-three dollars (\$963) from premiums derived from the sale of Corporate Stock, issued by the Comptroller pursuant to sections 47 and 169 of the revised Charter, C-DE-9; said sum to be applied in payment of a bill to be incurred with Thomas McKeown for removing partitions and fitting up the vocational school to be organized in Public School 100, Borough of Manhattan.

Appropriating the sum of one thousand three hundred and ninety dollars and three cents (\$1,390.03) from the following named funds, said sum to be applied in payment of bills to be incurred by the Committee on Buildings with the Superintendent of State Prisons, for and on behalf of the Board of Education, for the purposes hereinafter indicated:

Corporate Stock, Bond issue authorized by Board of Estimate and Apportionment March 13, 1908, amended October 30, 1908, and February 5, 1909, School Building Fund, Interior Construction and Equipment:

## BOROUGH OF MANHATTAN.

Public School 100.

(Subtitle No. 3 CDE—56.)

19 No. 19 flat top desks..... \$285 00  
1 No. 16 typewriter desk..... 25 00  
120 No. 3 table arm chairs with wood seats..... 300 00  
1 No. 44 typewriter desk chair..... 3 50  
6 dozen style "A" S. S. chairs..... 126 00  
Extra for rubber tips for 40 chairs, at 25 cents each..... 10 00  
1½ dozen chairs, style "B" S. S..... 72 00  
\$821 50

## BOROUGH OF BROOKLYN.

Public School 93.

(Subtitle No. 4, C—DE—41.)

1 set stationary grates, 42 inches by 35½ inches, ¾-inch air space, 10,354 square feet, at \$2.50..... \$25 88  
1 set as above, not installed, 10,354 square feet, at \$2..... 20 71  
46 59

Premiums derived from the sale of Corporate Stock, Bond issue authorized by Board of Estimate and Apportionment March 13, 1908, amended October 30, 1908, and February 5, 1909, School Building Fund, Interior Construction and Equipment:

## BOROUGH OF BROOKLYN.

Public School 155.

(Subtitle No. 7, C—DE—44.)

4 sets Mahony grates, 64 inches by 60 inches, 8,184 pounds, 26¾ square feet, at \$4.50 (part)..... 462 59

Premiums derived from the sale of Corporate Stock issued pursuant to sections 47 and 169 of the Revised Charter:

## BOROUGH OF BROOKLYN.

Public School 155.

(C—DE—9.)

4 sets Mahony grates, 64 inches by 60 inches, 8,184 pounds, 26¾ square feet, at \$4.50 (part)..... \$17 41  
8 tie bars, 200 loose leaves, 932 pounds, at 4½ cents..... 41 94  
59 35

\$1,390 03

—requisition for said sum being hereby made upon the Comptroller.

Approving and ratifying the action of the Committee on Buildings in deciding to dispense with the services of Thomas H. Graham, of No. 20 East Twenty-eighth street, New York City, Inspector of Iron and Steel, in the Bureau of School Buildings, on and after September 1, 1909, for the reason that lack of funds and work renders his position unnecessary thereafter, and further dispensing with the services of Thomas H. Graham, Inspector of Iron and Steel, on and after September 1, 1909.

Approving the action of the Committee on Buildings in accepting the resignations of the following named employees, taking effect on the dates indicated:

Sidney Diamant, Structural Steel Draftsman, August 9, 1909.

P. Levin, Draftsman's Helper, August 14, 1909.

Approving and ratifying the action of the Committee on Buildings, taken in compliance with requests from the Superintendent of Buildings, Borough of Brooklyn, in granting consent to the transfer of the following named Inspectors of Masonry and Carpentry to similar positions in the Bureau of Buildings, Borough of Brooklyn (see Journal, page 1206):

Michael Henahan, Edward J. T. Proud, Thomas J. Duffy.

Approving the plans for a new roadway, coal enclosure, etc., for the New York Parental School, Borough of Queens.

Approving and ratifying the action of the Committee on Buildings in granting the loan of old furniture as hereinafter stated:

St. Anselm's School, No. 673 Tinton avenue, The Bronx; 50 single desks and seats.

Cathedral School, No. 111 East Fiftieth street, Manhattan; 50 double desks and seats, 12 teachers' desks, 100 feet of slate blackboard.

Our Lady of Pity School, No. 278 East One Hundred and Fifty-first street, The Bronx; 250 single desks and seats.

St. Angela's School, One Hundred and Sixty-third street and Morris avenue, The Bronx; 200 single desks and seats.

St. Thomas Aquinas' School, No. 1915 Daly avenue, The Bronx; 43 double desks and seats.

Parochial School, No. 1075 Madison avenue, Manhattan; 200 desks and seats.

Approving and ratifying the action of the Committee on Buildings in accepting the bid, received August 16, 1909, of J. Reeber's Sons Company, in the sum of \$61.50, for the removal of discarded building and material at Public School 177, Manhattan, said bid being the highest of those received.



The following preamble and resolution were adopted:

Whereas, The Board of Education, on July 14, 1909 (see Journal, pages 1185 and 1206), decided to dispense with the services of the following named employees on the dates mentioned:

F. R. Auspland, Inspector of Masonry and Carpentry; August 14, 1909.  
George A. Washington, Mechanical draftsman; July 31, 1909.

Resolved, That the action of the Committee on Buildings in changing the date of cessation of service in the case of F. R. Auspland to August 21, 1909, and in the case of George A. Washington to August 7, 1909, be and the same is hereby approved and ratified.

Concurring in the action of the Committee on Buildings, taken August 16, 1909, in deciding that the work under the contract of McCoy & Wobie for alterations and repairs, etc., at Public School 17, Borough of Brooklyn, is unnecessarily and unreasonably delayed, that said contractors are wilfully violating the conditions and covenants of said contract, and that the work is not being done according to the terms thereof; further declaring voided and forfeited the contract of McCoy & Wobie for alterations, repairs, etc., at Public School 17, Borough of Brooklyn, the Empire State Surety Company, surety, for non-compliance with the terms thereof. Further authorizing the Chairman of the Committee on Buildings to serve formal notice to the foregoing effect upon the said McCoy & Wobie and their surety; and further authorizing the Superintendent of School Buildings to take the necessary measures for the completion of the work under the said above mentioned contract.

Approving and ratifying the action of the Committee on Supplies in assigning James T. Delaney, transferred from the position of Climber and Pruner in the Department of Parks, to duty as Laborer in the Bureau of Supplies, taking effect August 11, 1909, with compensation at the rate of \$600 per annum.

Approving the action of the Committee on Supplies in accepting the resignation of P. J. O'Sullivan, temporary Clerk in the Bureau of Audit and Accounts, taking effect August 12, 1909.

Approving and ratifying the action of the Committee on Special Schools in assigning the following named substitute Teachers to duty in the office of District Superintendent Whitney, to render service from July 1 to September 4, 1909, inclusive, with compensation at the rate specified in each instance:

Mary M. Keough, No. 116 North Eighth street, Brooklyn, \$3 per day.

Anna T. O'Rourke, No. 15 Cliff avenue, Yonkers, N. Y., \$3 per day.

Mary Clarke, No. 144 East Fifty-second street, Manhattan, \$3 per day.

Josephine Hiesel, No. 308 West One Hundred and Fiftieth street, Manhattan, \$1.75 per day.

On motion, all absent members were excused for non-attendance at this meeting.

On motion, the Committee adjourned at 4.50 o'clock p. m.

FRED H. JOHNSON, Assistant Secretary.

## POLICE DEPARTMENT.

September 14, 1909.

The following proceedings were this day directed by Police Commissioner William F. Baker:

Ordered, That all bids received September 7, 1909, for completing the contract executed by the New York Steam Fitting Company February 18, 1905, which was declared abandoned, for furnishing all the labor and erecting all the materials necessary to install the heating and ventilating system, boilers and steam piping in new headquarters building of the Police Department, be and are hereby rejected, and that the Chief Clerk be and is hereby directed to readvertise for same.

Ordered, That the Chief Clerk be and is hereby directed to advertise for proposals for furnishing all the labor and materials necessary to paint and tint the walls and ceilings in new headquarters building of the Police Department.

Ordered to Be Paid.

Contingencies, 1909, \$19.35.

From Pension Fund, sick time, etc., James Dollars and twenty-eight others, \$1,163.21.

Amusement License Granted.

William Figundio, Villa Elena, No. 24 Garfield place, Brooklyn, from August 25, 1909, to November 24, 1909; fee, \$150.

Runner License Granted.

Joseph Zuppo, No. 65 Tillary street, Brooklyn, from September 14, 1909, to September 13, 1910; fee, \$20; bond, \$300.

On File, Send Copy.

Report of Lieutenant in command of Boiler Squad, dated September 14, 1909, relative to engineers' licenses granted. For publication in the CITY RECORD.

Special Order No. 251, issued this day, is hereby made part of the proceedings of the Police Commissioner.

Special Order No. 252, relative to Hudson-Fulton celebration, was this day promulgated by the Police Commissioner.

Special Order No. 251.

The following members of the Force are hereby relieved and dismissed from the Police Force and service and placed on the roll of the Police Pension Fund and are awarded the following pensions, to take effect 12 midnight, September 14, 1909:

On Police Surgeons' Certificate.

Lieutenant Maurice J. Coughlin, Seventeenth Precinct, at \$807 per annum. Appointed July 20, 1893.

Sergeant Henry L. Hawkins, Two Hundred and Eighty-fifth Precinct, at \$750 per annum. Appointed May 29, 1889.

Patrolmen—James Trunk, Twenty-first Precinct, at \$700 per annum; appointed April 14, 1884. August J. Franz, One Hundred and Seventy-third Precinct, at \$350 per annum; appointed September 11, 1903. John J. Tighe, Two Hundred and Eighty-third Precinct, at \$508 per annum; appointed March 15, 1895. Thomas Calligan, Harbor Precinct, at \$700 per annum; appointed December 5, 1888. James H. Mallon, Traffic Precinct B, at \$700 per annum; appointed November 17, 1888.

To take effect 12 midnight, September 13, 1909:

Patrolman John Kennedy, Thirty-fifth Precinct, on his own application, at \$700 per annum. Appointed November 13, 1879.

The following transfers are hereby ordered, to take effect 8 p. m., September 15, 1909:

Mounted Patrolmen—Charles J. McCarthy, from One Hundred and Sixty-seventh Precinct to Sixty-ninth Precinct, without horse and equipments; Edward P. Brennan, from Sixty-ninth Precinct to One Hundred and Sixty-seventh Precinct, without horse and equipments.

Patrolmen—Albert M. Hebrank, from One Hundred and Sixty-fourth Precinct to Thirty-first Precinct; William J. Lynch, from Thirty-first Precinct to One Hundred and Sixty-fourth Precinct; Alexander Nicolay, from Detective Bureau, Manhattan, to Eighth Precinct.

The following temporary assignments are hereby ordered:

Captain George A. Aloncle, Bridge Precinct C, assigned to command Bridge Precinct A, during absence of Captain John J. Murtha at Fourteenth Inspection District, from 8 p. m., September 11, 1909.

Lieutenants—John F. Tinker, Seventy-ninth Precinct, assigned to Twenty-sixth Precinct until working quota of Lieutenants is available in Twenty-sixth Precinct, from 2 p. m., September 13, 1909; Charles G. Lutz, One Hundred and Sixty-eighth Precinct, assigned to command precinct during absence of Captain Charles A. Formosa on vacation, from 12.01 a. m., September 15, 1909.

Sergeant John T. Moran, Tenth Precinct, assigned to Twenty-ninth Precinct until working quota of Sergeants is available in Twenty-ninth Precinct, from 2 p. m., September 13, 1909.

Detective James E. Murphy, Detective Bureau, Manhattan, assigned to District Attorney's office, New York County, from 4.10 p. m., September 13, 1909, to 1 p. m., September 14, 1909.

Patrolmen—Frederick Gerhardt, Twenty-second Precinct, assigned to District Attorney's office, New York County, from 4.10 p. m., September 13, 1909, to 1 p. m., September 14, 1909; William Fraser, Thirty-first Precinct, assigned to Fourth District Court Squad, Manhattan, during absence of Patrolman William Carroll on vacation, from 8 p. m., September 13, 1909; Elmo C. Hoagland, One Hundred and Forty-third Precinct, assigned to clerical duty in precinct during absence of Patrolman Andrew J. Glennon on vacation, from 12.01 a. m., September 13, 1909; Edward C. Wintermute, Two Hundred and Eighty-second Precinct, assigned as Acting Doorman in precinct during absence of Doorman Archibald J. Cairns on vacation, from 12.01 a. m., September 14, 1909; John O'Connor, One Hundred and Fifty-fifth Precinct, assigned to Third District Court Squad, Brooklyn, during absence of Patrolman Nicholas Carroll on vacation, from 12.01 a. m., September 13, 1909.

The following extensions of temporary assignments are hereby ordered:

Patrolmen—James J. McCormack, Nineteenth Precinct, and Albert J. Carr, Thirty-ninth Precinct, to Seventh Inspection District, duty in plain clothes, for five days, from 8 a. m., September 13, 1909; Charles F. Haight, Thirty-sixth Precinct, to Detective Bureau, Manhattan, for thirty days, from 8 a. m., September 12, 1909; Isaac Steier and William Ornstein, Thirteenth Precinct, to Brooklyn Borough Headquarters Squad, duty in Borough Inspector's office in plain clothes, for ten days, from 8 p. m., September 14, 1909; John Watson and Charles F. Figge, Thirty-first Precinct, to Brooklyn Borough Headquarters Squad, duty in Borough Inspector's office, in plain clothes, for ten days, from 8 a. m., September 15, 1909; Grover C. Brown, Eighty-first Precinct, to Thirteenth Inspection District, duty in plain clothes for thirty days, from 8 a. m., September 15, 1909.

The following members of the Force are excused for eighteen hours, as indicated:

Captains—John J. Lantry, Twenty-ninth Precinct, from 10 a. m., September 14, 1909; Denis J. Brennan, Sixty-fifth Precinct, from 9 a. m., September 15, 1909; John J. Murtha, Bridge Precinct A, from 8 a. m., September 14, 1909; Bernard Gallagher, One Hundred and Forty-eighth Precinct, from 10 a. m., September 19, 1909; Robert E. Dooley, One Hundred and Sixtieth Precinct, from 2 p. m., September 13, 1909; Francis A. Creamer, One Hundred and Sixty-sixth Precinct, from 9 a. m., September 18, 1909, with permission to leave city.

Acting Captains—Richard E. Enright, One Hundred and Fifty-fifth Precinct, from 8 a. m., September 16, 1909; Dennis F. Gallagher, One Hundred and Fifty-seventh Precinct, from 1 p. m., September 13, 1909, with permission to leave city; George E. Hartington, One Hundred and Seventy-third Precinct, from 12 noon, September 23, 1909.

Lieutenant in Command John W. McCormack, One Hundred and Forty-ninth Precinct, from 3 p. m., September 14, 1909.

The following leaves of absence are hereby granted with full pay:

Captain Frederick W. Martens, Central Office Squad (temporarily assigned to Bridge Precinct D), for one-half day, from 12 noon, September 16, 1909, to be deducted from vacation.

Lieutenant William J. Conneys, One Hundred and Sixty-eighth Precinct, for three days, from 8 a. m., September 12, 1909, with permission to leave city.

Sergeant Joseph Kaiser, One Hundred and Fifty-third Precinct, for three days, from 8 a. m., September 13, 1909.

Patrolmen—Richard Cavanagh, Twenty-eighth Precinct, for three days, from 12.01 a. m., September 11, 1909; Richard Walsh, Two Hundred and Seventy-fifth Precinct, for three days, from 8 a. m., September 10, 1909.

The following leaves of absence are hereby granted without pay:

Patrolmen—William J. Keough, One Hundred and Sixty-seventh Precinct, for one day, from 12.01 a. m., September 15, 1909; George Dukes, Sixteenth Precinct, for one-half day, from 12.01 a. m., September 15, 1909.

The following death is reported:

Patrolman William J. Madden, One Hundred and Fifty-second Precinct, at 7 p. m., September 13, 1909.

The following Special Patrolman is hereby appointed:

John Nunnery, for Pinkerton's National Detective Agency, No. 57 Broadway, Manhattan.

WM. F. BAKER, Police Commissioner.

## POLICE DEPARTMENT.

Sanitary Company (Boiler Squad),  
September 13, 1909.

To the Police Commissioner:

Sir—In compliance with orders relative to engineers' certificates issued by me under section 312 of chapter 410 of the Laws of 1882, as amended, the following report will show the names of the persons to whom licenses were issued, class of license and location for the same, during the twenty-four hours ending 12 midnight, September 11, 1909:

First Class.

Eldrin E. Keesecker, No. 2 East Forty-fifth street; Richard Carter, No. 241 Centre street; John Ronnie, Dry Harbor road and Long Island Railroad, Glendale.

Second Class.

Oswald Vitzthum, One Hundred and Fifty-second street and Tinton avenue; Edward H. Wilson, No. 511 Seventh avenue; Alfred A. Fister, Fort Hamilton avenue and Fifty-eighth street, Brooklyn; Emil Johnson, No. 102 Pilling street, Brooklyn; John Elliott, One Hundred and Seventeenth street and St. Nicholas avenue; Etson L. Freese, No. 5 West Eighty-second street.

Third Class.

Bernard S. Brennan, No. 51 Wall street; James T. Barber, No. 247 Water street, Brooklyn; Robert Baird, No. 188 Eastern parkway, Brooklyn; George Lasher, Aqueduct, L. I.; Henry McCarthy, No. 114 Liberty street; Harry W. Robinson, No. 44 East Twenty-third street; Michael Sullivan, No. 91 Third avenue; Arthur Kine, No. 341 East One Hundred and Sixteenth street; William Griffith, foot of Sixty-sixth street, Brooklyn; Carl Franke, No. 538 West Thirty-seventh street.

Special.

John Whealon, foot of East Ninety-ninth street.

Respectfully,

HENRY BREEN, Lieutenant in Command.

## POLICE DEPARTMENT.

Sanitary Company (Boiler Squad),  
September 14, 1909.

To the Police Commissioner:

Sir—In compliance with orders relative to engineers' certificates issued by me under section 312 of chapter 410 of the Laws of 1882 as amended, the following report will show the names of the persons to whom licenses were issued, class of license and location for the same during the twenty-four hours ending 12 midnight, September 13, 1909:

First Class.

James Mahoney, No. 397 Lexington avenue; Owen B. Williams, No. 15 Waverley place; John J. Cahill, No. 209 West Forty-first street; John Begley, No. 781 Fifth avenue.

Second Class.

Henry Neidhardt, No. 502 Broadway; Joseph Cook, No. 1245 Madison avenue; Patrick Powers, No. 322 East Forty-eighth street; George Underwood, No. 294 Kent avenue, Brooklyn; John Campbell, Mills and Franklin streets, Brooklyn; Henry Kaufmann, No. 36 Forrest street, Brooklyn; John Bain, No. 450 Eighteenth street, Brooklyn; Michael Ganley, No. 537 West Broadway; Thomas Leahy, St. George, S. I.



Third Class.

William J. McKeever, Midland Beach, S. I.; William J. Slow, No. 5511 First avenue; Clarence LePeer, No. 648 St. Anns avenue; Frederick V. Cail, Second street and Gowanus Canal, Brooklyn; Michael Hassett, No. 7 West Forty-third street; Emanuel B. Southard, No. 43 Exchange place; Rudolph Anderson, No. 199 Middleton street, Brooklyn; August A. Miller, No. 1690 Broadway; Frank Cooper, No. 109 West street; Moses J. McGregor, No. 44 Broadway; Peter McGibbon, No. 12 Columbia street, Brooklyn; Frank A. Grosch, No. 57 West Seventy-fifth street; John F. Eustace, Broadway and One Hundred and Thirty-eighth street; Charles E. Doyle, No. 140 Cedar street; William R. Barhyte, One Hundred and Thirty-eighth street and Rider avenue; Eric Foenskor, No. 17 Battery place; Sanford B. Chapman, No. 501 East Sixty-second street; Harry Smith, St. Johns Park; Henry C. Beckmann, Eighty-ninth street and Avenue A; John Browne, No. 125 Prince street; George Spoor, No. 101 Cedar street; Patrick Bryant, Perth Amboy, N. J.; John Mahoney, No. 307 Sixth avenue; Joseph Regelman, No. 22 Exchange place; Charles E. Tucker, Jamaica, L. I.; James McGowan, No. 386 Fulton street, Brooklyn; Adolph Brauner, foot of East Eighty-second street.

Special.

John J. Martin, No. 1363 Rogers avenue, Brooklyn.

Respectfully,

HENRY BREEN, Lieutenant in Command.

POLICE DEPARTMENT.

Sanitary Company (Boiler Squad), }  
September 15, 1909. }

To the Police Commissioner:

Sir—In compliance with orders relative to engineers' certificates issued by me under section 312 of chapter 410 of the Laws of 1882 as amended, the following report will show the names of the persons to whom licenses were issued, class of license and location for the same during the twenty-four hours ending 12 midnight, September 14, 1909:

First Class.

John Darrow, No. 326 Henry street, Brooklyn; Henry Timm, No. 946 Franklin avenue, Brooklyn; Edward C. Edwards, No. 477 Broome street; Wilmer T. Meinzer, foot of East Twenty-sixth street.

Second Class.

William L. Coultas, No. 335 Marcy avenue, Brooklyn; John H. Peterson, East Sixteenth street and Locust avenue, Brooklyn; John McArt, Springfield road, Jamaica South; Frederick E. Burgher, No. 525 East Eighteenth street; Frank E. Starr, No. 449 East Forty-fifth street; David Knox, No. 3233 Broadway; Christian Christiansen, No. 277 Greene avenue, Brooklyn.

Third Class.

James McDonnell, No. 109 Broad street (office); John Cotter, foot of West Fortieth street; William Nielson, No. 210 West Fifty-seventh street; George Brenn, No. 636 West Fifty-fifth street; Antoni Allegri, No. 984 Franklin avenue, Brooklyn; Edward Green, No. 2 Rector street; Einar Pederson, No. 809 Broadway; Victor Pelin, No. 529 West Forty-sixth street; William Walsh, No. 1910 Webster avenue; Peter Skiffington, No. 247 Huron street, Brooklyn; Charles Salziger, No. 204 East Fifty-fifth street; Charles Bunge, Second street and Gowanus Canal, Brooklyn; Edward Boyle, No. 139 West Twenty-third street; Michael Gaughan, Maspeth and Gardner avenues, Brooklyn; Charles Erhardt, Jackson avenue and Twelfth street, Woodside, L. I.; Ole A. Stiansen, No. 168 Twenty-fifth street, Brooklyn; Henry W. Dieckman, No. 17 Battery place (office); David Strickland, No. 455 West Broadway; Carl Schmidt, No. 226 Berry street, Brooklyn; Charles Smart, foot of Bay Thirty-second street, Brooklyn; Herman Van Pelt, Howland Park, S. I.; Hugh Doon, No. 481 East One Hundred and Thirty-eighth street; Maximilian Kasl, No. 29 Union square; Michael J. Daly, No. 108 West Thirty-fourth street; Thomas F. A. Lynch, Broadway and Sixty-seventh street; John Dolan, No. 512 Broadway; James Stevenson, Spuyten Duyvil, N. Y.; Henry Peemoller, No. 159 East Eighty-eighth street; Anthony Clemens, No. 182 Front street; Thomas McGrath, No. 346 Second avenue; John Maloney, No. 271 Broadway; William Olsen, No. 282 East One Hundred and Thirty-fifth street; Joseph Goldstein, Pier 38, North River; Eugene Ducoux, No. 63 Bleecker street; John F. Ryan, University Heights Bridge.

Respectfully,

HENRY BREEN, Lieutenant in Command.

POLICE DEPARTMENT.

September 20, 1909.

By direction of the Police Commissioner, I forward herewith for publication in the CITY RECORD the following list of deaths, retirements, etc., from September 13, 1909, to September 18, 1909:

September 14.

Retired—Lieutenant Maurice J. Coughlin, Seventeenth Precinct, at \$807 per annum; Sergeant Henry L. Hawkins, Two Hundred and Eighty-fifth Precinct, at \$750 per annum; Patrolman James Trunk, Twenty-first Precinct, at \$700 per annum; Patrolman August J. Franz, One Hundred and Seventy-third Precinct, at \$350 per annum; Patrolman John J. Tighe, Two Hundred and Eighty-third Precinct, at \$508 per annum; Patrolman Thomas Calligan, Harbor Precinct, at \$700 per annum; Patrolman James H. Mallon, Traffic Precinct B, at \$700 per annum.

To Take Effect September 13—Patrolman John Kennedy, Thirty-fifth Precinct, at \$700 per annum.

Death Reported—Patrolman William J. Madden, at 7 p. m., September 13, 1909.

September 15.

Death Reported—Patrolman William E. Niven, Eighteenth Precinct, at 4.15 p. m., September 14, 1909.

September 16.

Retired—Patrolman Barnabas B. Everett, Two Hundred and Seventy-seventh Precinct, at \$417 per annum; Patrolman John Freer, One Hundred and Sixty-third Precinct, at \$700 per annum.

WM. H. KIPP, Chief Clerk.

## BOROUGH OF MANHATTAN.

### BUREAU OF BUILDINGS.

#### Operations for the Week Ending September 11, 1909.

Plans filed for new buildings (estimated cost, \$659,800)	20
Plans filed for alterations (estimated cost, \$137,820)	53
Buildings reported unsafe	27
Buildings reported for additional means of escape	2
Other violations of law reported	41
Unsafe building notices issued	52
Fire escape notices issued	6
Violation notices issued	75
Violation cases forwarded for prosecution	40
Iron and steel inspections made	4,603

William H. Class, Chief Clerk.

EDW. S. MURPHY, Superintendent.

## BOROUGH OF QUEENS.

### COMMISSIONER OF PUBLIC WORKS.

In accordance with the provisions of section 1546, of chapter 466, of the Laws of 1901, I transmit herewith the following report of the transactions of the office of the Commissioner of Public Works, Borough of Queens, for the week ending July 10, 1909:

Public Moneys Received During the Week.	
For restoring pavement over street openings	\$300 17
For sewer connections	80 00
Total	\$380 17

Requisitions Drawn on Comptroller.	
Bureau of Highways	\$77,176 63
Bureau of Sewers	3,168 73
Bureau of Street Cleaning	7,914 55
Bureau of Public Buildings and Offices	513 80
Bureau of Topographical Surveys	7,201 58
Total	\$95,975 29

Permits Issued.	
To open streets to tap water pipes	43
To open streets to repair water connections	18
To open streets to make sewer connections	18
To open streets to repair sewer connections	2
To place building material on streets	11
To construct street vaults	1
Special permits	46
To cross sidewalks	15
For subways, steam mains and various connections	11
For railway construction and repairs	2
To repair sidewalks	24
For sewer connections	8
For sewer repairs	1
Total	200

Bureau of Highways.	
Paved Streets—	
Square yards of granite pavement repaired	193
Square yards of trap rock pavement repaired	89
Square yards of brick pavement repaired	277
Loads of sand used in repairs	199
Loads of stone hauled	85
Macadamized Streets—	
Square yards of macadam pavement repaired	426
Square yards of macadam pavement cleaned	12,519
Square yards of macadam pavement resanded	32,553
Square yards of macadam road picked up	96
Square yards of broken stone spread on picked up bottom	10,014
Square yards of macadam pavement sanded and screened	12,077
Square yards of macadam pavement finished	150
Square yards of dirt wings honed	31,400
Square yards of dirt wings repaired	240
Square yards of dirt wings cleaned	1,190
Loads of screenings used	51
Loads of screenings hauled	18
Loads of broken stone used	121
Loads of sand used	633
Loads of sand hauled	33
Loads of wornout material hauled away	551
Unpaved Streets—	
Square yards of roadway graded	890
Square yards of roadway cleaned	1,166
Square yards of roadway crowned and repaired	18,139
Square yards of sidewalks graded	20
Square yards of sidewalks filled in	80
Loads of dirt hauled away	1,093
Loads of dirt put on	209
Flagging, Curbing, etc.—	
Square feet of flagstones relaid	9
Gutters—	
Square yards of gutters paved	117
Linear feet of gutters cleaned	53,428
Linear feet of gutters formed	10,160
Viaducts and Bridges—	
Linear feet of planks replaced on bridges	64
Linear feet of bridge or street guard rail repaired	152
Culverts—	
Linear feet of planks used building culverts	192
Linear feet of culverts cleaned and repaired	155
Miscellaneous—	
Square yards of roadway oiled	13,000
Square yards of trench opened	52
Feet of pipe laid	250
Bags of cement used	22
Loads of refuse removed from catch basins	7
Cubic yards of stone foundation rebuilt on sunken culverts	100
Loads of brick hauled	66
Loads of dirt used filling in washouts	151
Loads of stone used	3
Loads of broken stone used filling in washouts	11
Loads of tar and screening used on roadway	434
Loads of gravel used	12
Square yards of granite pavement sanded and broomed	1,500
Cubic yards of trench dug	612
Loads of gravel and loam put on	18
Gallons of water removed from catch basins	3,600

Bureau of Sewers.	
Number of manholes built	14
Linear feet of sewer cleaned	750
Number of basins cleaned	72
Linear feet of sewer examined	2,400
Linear feet of sewer flushed	3,300
Number of basins examined	22
Number of basins flushed	12
Number of manholes flushed	5
Number of manhole covers put on	2
Number of manholes cleaned	14
Open drains cleaned, feet	975
Culvert and stone drains cleaned and repaired, feet	356
Box and pipe drains cleaned and repaired, feet	50
Loads removed from sewers and drains	215
Material Used—2,360 brick, 4 barrels cement.	

Street Sweepings, Garbage, etc., Collected and Disposed of.	
Ashes, loads	1,125 1/4
Sweepings, loads	983
Rubbish, loads	713 1/2
Garbage, loads	1,036 1/2
Miles of street swept	75

Bureau of Topographical Surveys.

Damage Maps—Hopkins avenue, Gosman avenue, Addison place, North Washington place, Clinton place, Andrews street, Charles street, Hull avenue, Fisk avenue, Fresh Pond road, Shaler street, Skillman place, Boulevard, Columbia place, Grand View avenue, Madden street.

Profiles—North Washington place.

Rule Maps—Gosman avenue, Addison place, Perry street, North Washington place, Bragaw street, Hunters Point avenue, Shaler street.

Draft Benefit Maps—Newtown avenue, Ely avenue, Sunswick street.

Final Benefit Maps—Cassel avenue, Ely avenue, Sunswick street, Bridge approach, Hill street, State street.



Final Damage Maps—Cassel avenue, Mount Olivet avenue, Hill street, Ely avenue, State street, Bridge approach.  
Miscellaneous—Copying old maps and records at County Clerk's and Comptroller's offices, and Hall of Records.  
Monumenting—Newtown, Corona, Winfield, Flushing, Long Island City, Rockaways.  
Plane Table Survey—Bayside, Little Neck and Willets Point.  
Traverse and Location Work—College Point, Flushing, Springfield.  
Damage Surveys—Long Island City and Newtown.  
Triangulation.

## Bureau of Highways.

Foremen, Assistant Foremen, Mechanics and Laborers..... 593  
Teams ..... 49  
Horses and carts ..... 125  
Steam rollers ..... 2

## Bureau of Sewers.

Foremen, Assistant Foremen, Drivers, Sounders, Mechanics and Laborers.... 140  
Horses and carts ..... 21

## Bureau of Street Cleaning.

District Superintendent, Foremen, Assistant Foremen, Mechanics, Helpers, Drivers, Laborers and Clerks..... 159  
Teams and trucks..... 34  
Horses and carts..... 80  
Team and sweeper..... 1

## Bureau of Public Buildings and Offices.

Clerks, Foremen, Engineer, Firemen, Stokers, Carpenters, Plumbers, Pipe Fitters, Tinsmith, Helpers, Painters, Laborers, Cleaners, Janitors, Mason, Helpers and Attendant ..... 75

## Bureau of Topographical Surveys.

Engineer in charge, Assistant Engineer, Laborers, Sounders, Rodmen, Drivers, Foremen, Assistant Foremen, Draftsmen, Transmitters, Computers, Riggers, Axemen and Flaggers..... 233  
Horses and wagons..... 3  
Horses and carts..... 2

ALFRED DENTON, Commissioner of Public Works.



## CHANGES IN DEPARTMENTS, ETC.

## DEPARTMENT OF DOCKS AND FERRIES.

September 16—The resignation of Henry W. Seabold, Clerk, to take effect at the close of the day August 18, 1909, has been accepted by the Commissioner.  
Fixed the pay of John J. McGarry, Antonio Volpe, William F. Carroll and Thomas F. Woods, Dock Laborers, at the rate of 31¼ cents per hour, while employed, to take effect September 21, 1909.

## BOARD OF WATER SUPPLY.

September 17—Harry Luse, Automobile Engineer, George W. Seabolt, Jr., Patrolman on Aqueduct, and John O'Neill, Patrolman on Aqueduct, appeared before this Board in response to notice from the Board of charges preferred against them.

They presented their explanation of said charges and after careful consideration of the same they were dismissed, to take effect immediately.

## DEPARTMENT OF PARKS.

## Borough of The Bronx.

September 18—Appointment of Michael W. Joyce, No. 418 Willis avenue, Climber and Pruner, at a compensation at the rate of \$2.50 per diem, to take effect this date.

## DEPARTMENT OF BRIDGES.

September 18—Michael Reilly, No. 140 West One Hundred and Thirty-first street, New York City, is appointed as Inspector of Masonry and his compensation fixed at 61½ cents per hour.

## OFFICIAL DIRECTORY.

## CITY OFFICES.

## MAYOR'S OFFICE.

No. 5 City Hall, 9 a. m. to 4 p. m.; Saturday, 9 a. m. to 12 m.  
Telephone, 8020 Cortlandt.  
GEORGE B. MCCLELLAN, Mayor.  
Frank M. O'Brien, Secretary.  
William A. Willis, Executive Secretary.  
James A. Rierdon, Chief Clerk and Bond and Warrant Clerk.

## BUREAU OF WEIGHTS AND MEASURES.

Room 7, City Hall, 9 a. m. to 4 p. m.; Saturdays 9 a. m. to 12 m.  
Telephone, 8020 Cortlandt.  
Patrick Derry, Chief of Bureau.

## BUREAU OF LICENSES

9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 8020 Cortlandt.  
Francis V. S. Oliver, Jr., Chief of Bureau.  
Principal Office, Room 1, City Hall.  
Branch Office, Room 12, Borough Hall, Brooklyn.  
Branch Office, Richmond Borough Hall, Room 23, New Brighton, S. I.  
Branch Office, Hackett Building, Long Island City, Borough of Queens.

## AQUEDUCT COMMISSIONERS.

Room 207, No. 280 Broadway, 5th floor, 9 a. m. to 4 p. m.  
Telephone 1042 Worth.  
The Mayor, the Comptroller, ex-officio, Commissioners John F. Cowan (President), William H. Ten Eyck, John J. Ryan and John P. Windolph; Harry W. Walker, Secretary; Walter H. Sears, Chief Engineer.

## ARMORY BOARD.

Mayor George B. McClellan, the Comptroller Herman A. Metz, the President of the Board of Aldermen, Patrick F. McGowan, Brigadier-General George Moore Smith, Brigadier-General John G. Eddy, Captain J. W. Miller, the President of the Department of Taxes and Assessments, Lawson Purdy.  
Harrie Davis, Secretary, Room 5, Basement, Hall of Records, Chambers and Centre streets.  
Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 3900 Worth.

## ART COMMISSION.

City Hall, Room 21.  
Telephone call, 1107 Cortlandt.  
Robert W. de Forest, Trustee Metropolitan Museum of Art, President; Frank D. Millet, Painter, Vice-President; John B. Pine, Secretary; A. Augustus Healy, President of the Brooklyn Institute of Arts and Sciences; George B. McClellan, Mayor of the City of New York; John Bigelow, President of New York Public Library; Arnold W. Brunner Architect; Charles Howland Russell, Frederic B. Pratt, Herbert Adams, Sculptor.  
John Quincy Adams, Assistant Secretary.

## BELLEVUE AND ALLIED HOSPITALS.

Office, Bellevue Hospital, Twenty-sixth street and First avenue.  
Telephone, 4400 Madison Square.  
Board of Trustees—Dr. John W. Brannan, President; James K. Paulding, Secretary; James A. Farley, Samuel Sachs, Leopold Stern, John G. O'Keefe, Arden M. Robbins, Robert W. Hebbard, ex-officio.

## BOARD OF ALDERMEN.

No. 11 City Hall, 10 a. m. to 4 p. m.; Saturdays 10 a. m. to 12 m.  
Telephone, 7560 Cortlandt.  
Patrick F. McGowan, President.  
P. J. Scully, City Clerk.

## BOARD OF ASSESSORS.

Office, No. 320 Broadway, 9 a. m. to 4 p. m.; Saturdays, 12 m.  
Antonio Zucca.  
Paul Weimann.  
James H. Kennedy.  
William H. Jasper, Secretary.  
Telephone, 29, 30 and 31 Worth.

## BOARD OF ELECTIONS.

Headquarters General Office, No. 107 West Forty-first Street.  
Commissioners—John T. Dooling (President), Charles B. Page (Secretary), James Kane, John E. Smith.  
Michael T. Daly, Chief Clerk.  
Telephone, 2946 Bryant.

## BOROUGH OFFICES.

## Manhattan.

No. 112 West Forty-second street.  
William C. Baxter, Chief Clerk.

## The Bronx.

One Hundred and Thirty-eighth street and Mott avenue (Solingen Building).  
Cornelius A. Bunner, Chief Clerk.

## Brooklyn.

No. 42 Court street (Temple Bar Building).  
George Russell, Chief Clerk.

## Queens.

No. 46 Jackson avenue, Long Island City.  
Carl Voegel, Chief Clerk.

## Richmond.

Borough Hall, New Brighton, S. I.  
Charles M. Schwalbe, Chief Clerk.  
All offices open from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

## BOARD OF ESTIMATE AND APPORTIONMENT.

The Mayor, Chairman; the Comptroller, President of the Board of Aldermen, President of the Borough of Manhattan, President of the Borough of Brooklyn, President of the Borough of The Bronx, President of the Borough of Queens, President of the Borough of Richmond.

## OFFICE OF THE SECRETARY.

No. 277 Broadway, Room 1406. Telephone, 2280 Worth.  
Joseph Haag, Secretary; William M. Lawrence Assistant Secretary. Charles V. Adey, Clerk to Board.

## OFFICE OF THE CHIEF ENGINEER.

Nelson P. Lewis, Chief Engineer, No. 277 Broadway, Room 1408. Telephone, 2281 Worth.  
Arthur S. Tuttle, Engineer in charge Division of Public Improvements, No. 277 Broadway, Room 1408. Telephone, 2281 Worth.  
Harry P. Nichols, Engineer in charge Division of Franchises, No. 277 Broadway, Room 801. Telephone, 2282 Worth.

## BOARD OF EXAMINERS.

Rooms 6027 and 6028 Metropolitan Building, No. 1 Madison avenue, Borough of Manhattan, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 5840 Gramercy.  
Warren A. Conover, Charles Buck, Lewis Harding, Charles G. Smith, Edward F. Croker, William A. Boring and George A. Just, Chairman.  
Edward V. Barton, Clerk.  
Board meeting every Tuesday at 2 p. m.

## BOARD OF PAROLE OF THE NEW YORK CITY REFORMATORY OF MISDEMEANANTS.

Office, No. 148 East Twentieth street.  
John J. Barry, Commissioner of Correction, President.  
Wm. E. Wyatt, Judge, Special Sessions, First Division.  
Robert J. Wilkin, Judge, Special Sessions, Second Division.  
Frederick B. House, City Magistrate, First Division.  
Edward J. Dooley, City Magistrate, Second Division.  
Samuel B. Hamburger, John C. Heintz, Dominick Di Dario, James F. Boyle.  
Thomas R. Minnick, Secretary.

## BOARD OF REVISION OF ASSESSMENTS.

Herman A. Metz, Comptroller.  
Francis K. Pendleton, Corporation Counsel.  
Lawson Purdy, President of the Department of Taxes and Assessments.  
Henry J. Storrs, Chief Clerk, Finance Department, No. 280 Broadway.  
Telephone, 1200 Worth.

## BOARD OF WATER SUPPLY.

Office, No. 299 Broadway.  
John A. Bensel, Charles N. Chadwick, Charles A. Shaw, Commissioners.  
Thomas Hassett, Secretary.  
J. Waldo Smith, Chief Engineer.

## COMMISSIONERS OF ACCOUNTS.

Rooms 114 and 115 Stewart Building, No. 280 Broadway, 9 a. m. to 4 p. m.  
Telephone, 4315 Worth.  
John Purroy Mitchel, Henry C. Buncke, Commissioners.

## CHANGE OF GRADE DAMAGE COMMISSION.

TWENTY-THIRD AND TWENTY-FOURTH WARDS.  
Office of the Commission, Room 219, No. 280 Broadway (Stewart Building), Borough of Manhattan, New York City.  
Commissioners—William E. Stillings, George C. Norton, Lewis A. Abrams.  
Lamont McLoughlin, Clerk.  
Regular advertised meetings on Monday, Wednesday and Friday of each week at 2 o'clock p. m.

## CITY CLERK AND CLERK OF THE BOARD OF ALDERMEN.

City Hall, Rooms 11, 12; 10 a. m. to 4 p. m.; Saturdays, 10 a. m. to 12 m.  
Telephone, 7560 Cortlandt.  
P. J. Scully, City Clerk and Clerk of the Board of Aldermen.  
Joseph F. Prendergast, First Deputy.  
John T. Oakley, Chief Clerk of the Board of Aldermen.  
Joseph V. Sculley, Clerk, Borough of Brooklyn.  
Thomas J. McCabe, Deputy City Clerk, Borough of The Bronx.  
William R. Zimmerman, Deputy City Clerk, Borough of Queens.  
Joseph F. O'Grady, Deputy City Clerk, Borough of Richmond.

## CITY RECORD OFFICE.

## BUREAU OF PRINTING, STATIONERY AND BLANK BOOKS.

Supervisor's Office, Park Row Building, No. 21 Park Row. Entrance, Room 807, 9 a. m. to 4 p. m. Saturdays, 9 a. m. to 12 m.  
Telephone, 1505 and 1506 Cortlandt. Supply Room, No. 2, City Hall.  
Patrick J. Tracy, Supervisor; Henry McMillen Deputy Supervisor. C. McKemie, Secretary.

## COMMISSIONER OF LICENSES.

Office, No. 277 Broadway.  
John N. Bogart, Commissioner.  
James P. Archibald, Deputy Commissioner.  
John J. Caldwell, Secretary.  
Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 2828 Worth.

## COMMISSIONERS OF SINKING FUND.

George B. McClellan, Mayor, Chairman; Herman A. Metz, Comptroller; James J. Martin, Chamberlain; Patrick F. McGowan, President of the Board of Aldermen, and Timothy P. Sullivan, Chairman Finance Committee, Board of Aldermen, Members N. Taylor Phillips, Deputy Comptroller, Secretary Office of Secretary, Room 12, Stewart Building.  
Telephone, 1200 Worth.

## DEPARTMENT OF BRIDGES.

Nos. 13-21 Park Row.  
James W. Stevenson, Commissioner.  
John H. Little, Deputy Commissioner.  
Edgar E. Schiff, Secretary.  
Office hours, 9 a. m. to 4 p. m.  
Saturdays, 9 a. m. to 12 m.  
Telephone, 6080 Cortlandt.

## DEPARTMENT OF CORRECTION.

## CENTRAL OFFICE.

No. 148 East Twentieth Street. Office hours from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 1047 Gramercy.  
John J. Barry, Commissioner.  
George W. Meyer, Deputy Commissioner.  
John B. Fitzgerald, Secretary.

## DEPARTMENT OF DOCKS AND FERRIES.

Pier "A," N. R., Battery place.  
Telephone, 300 Rector.  
Allen N. Spooner, Commissioner.  
Denis A. Judge, Deputy Commissioner.  
Joseph W. Savage, Secretary.  
Office hours, 9 a. m. to 4 p. m.; Saturdays, 12 m.

## DEPARTMENT OF EDUCATION.

## BOARD OF EDUCATION.

Park avenue and Fifty-ninth street, Borough of Manhattan, 9 a. m. to 5 p. m. (in the month of August, 9 a. m. to 4 p. m.); Saturdays, 9 a. m. to 12 m.  
Telephone, 5580 Plaza.

Stated meetings of the Board are held at 4 p. m. on the first Monday in February, the second Wednesday in July, and the second and fourth Wednesday in every month, except July and August.

Richard B. Aldcroft, Jr.; Nicholas J. Barrett, Charles E. Bruce, M. D.; Joseph E. Cosgrove, Frederic R. Coudert, Francis W. Crowninshield, Francis P. Cunnion, Thomas M. De Laney, Horace E. Dresser, Alexander Ferris, Joseph Nicola Francolini, George Freifeld, George J. Gillespie, John Greene, Lewis Haase, Robert L. Harrison, Louis Haupt, M. D.; Thomas J. Higgins, James P. Holland, Arthur Hollick, Hugo Kanzler, Max Katzenberg, Edward Lazansky, Alrick H. Man, Clement March, Mitchell May, Robert E. McCafferty, Dennis J. McDonald, M. D.; Ralph McKee, Frank W. Meyer, Thomas J. O'Donohue, Henry H. Sherman, Arthur S. Somers, Abraham Stern, M. Samuel Stern, Cornelius J. Sullivan, James E. Sullivan, Michael J. Sullivan, Bernard Suydam, Rupert B. Thomas, John R. Thompson, George A. Vandenhoff, Frank D. Wiley, George W. Wingate, Egerton L. Winthrop, Jr., members of the Board. (One vacancy)

Egerton L. Winthrop, Jr., President.  
John Greene, Vice-President.  
A. Emerson Palmer, Secretary.  
Fred H. Johnson, Assistant Secretary.  
C. B. J. Snyder, Superintendent of School Buildings.  
Patrick Jones, Superintendent of School Supplies.  
Henry R. M. Cook, Auditor.  
Thomas A. Dillon, Chief Clerk.  
Henry M. Leipziger, Supervisor of Lectures.  
Claude G. Leland, Superintendent of Libraries.  
A. J. Maguire, Supervisor of Janitors.

## BOARD OF SUPERINTENDENTS.

William H. Maxwell, City Superintendent of Schools, and Andrew W. Edson, John H. Haaren, Clarence E. Meleney, Thomas S. O'Brien, Edward B. Shallow, Edward L. Stevens, Gustave Straubmuller, John H. Walsh, Associate City Superintendents.

## DISTRICT SUPERINTENDENTS.

Darwin L. Bardwell, William A. Campbell, John J. Chickering, John W. Davis, John Dwyer, James M. Edsall, Matthew J. Elgas, Cornelius D. Franklin, John Griffin, M. D.; John L. N. Hunt, Henry W. Jameson, James Lee, Charles W. Lyon, James J. McCabe, William J. O'Shea, Julia Richmond, Alfred T. Schaffner, Albert Shiels, Edgar Dubs Shimer, Seth T. Stewart, Edward W. Stitt, Grace C. Strachan, Joseph S. Taylor, Joseph H. Wade, Evangeline E. Whitney. (One vacancy.)

## BOARD OF EXAMINERS.

William H. Maxwell, City Superintendent of Schools, and James C. Byrnes, Walter L. Hervey, Jerome A. O'Connell, George J. Smith, Examiners.

## DEPARTMENT OF FINANCE.

Stewart Building, Chambers street and Broadway, 9 a. m. to 5 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 1200 Worth.  
Herman A. Metz, Comptroller.  
John H. McCooley and N. Taylor Phillips, Deputy Comptrollers.  
Hubert L. Smith, Assistant Deputy Comptroller.  
Paul Loeser, Secretary to Comptroller.

## MAIN DIVISION.

H. J. Storrs, Chief Clerk, Room 11.

## BOOKKEEPING DIVISION.

Frank W. Smith, Chief Accountant and Bookkeeper, Room 8.

## AWARDS DIVISION.

Joseph R. Kenny Bookkeeper in Charge, Room 1.

## CONTRACT DIVISION.

John H. Andrews, Clerk in Charge, Room 86.

## STOCK AND BOND DIVISION.

James J. Sullivan, Chief Stock and Bond Clerk, Room 85.

## BUREAU OF AUDIT—MAIN DIVISION.

P. H. Quinn, Chief Auditor of Accounts, Room 27.

## LAW AND ADJUSTMENT DIVISION.

Jeremiah T. Mahoney, Auditor of Accounts, Room 185.

## BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS.

Charles S. Hervey, Supervising Statistician and Examiner, Room 180.

## CHARITABLE INSTITUTIONS DIVISION.

Daniel C. Potter, Chief Examiner of Accounts of Institutions, Room 38.

## OFFICE OF THE CITY PAYMASTER.

No. 83 Chambers street and No. 65 Reade street.  
John H. Timmerman, City Paymaster.

## ENGINEERING DIVISION.

Stewart Building, Chambers street and Broadway.  
Chandler Withington, Chief Engineer, Room 55.

## DIVISION OF INSPECTION.

William M. Hoge, Auditor of Accounts in Charge, Room 39.

## DIVISION OF REAL ESTATE.

Mortimer J. Brown, Appraiser of Real Estate, Rooms 101, 103 and 105.

## BUREAU FOR THE COLLECTION OF TAXES.

Borough of Manhattan—Stewart Building, Room O.  
David E. Austen, Receiver of Taxes.  
John J. McDonough and William H. Loughran, Deputy Receivers of Taxes.  
Borough of The Bronx—Municipal Building, Third and Tremont avenues.  
John B. Underhill and Stephen A. Nugent, Deputy Receivers of Taxes.



Borough of Brooklyn—Municipal Building, Rooms 2-8.  
 Thomas J. Drennan and William Gallagher, Deputy Receivers of Taxes.  
 Borough of Queens—Hackett Building, Jackson avenue and Fifth street, Long Island City.  
 George H. Creed and Mason O. Smedley, Deputy Receivers of Taxes.  
 Borough of Richmond—Borough Hall, St. George New Brighton.  
 John De Morgan and F. Wilsey Owen, Deputy Receivers of Taxes.

#### BUREAU FOR THE COLLECTION OF ASSESSMENT AND ARREARS.

Borough of Manhattan, Stewart Building, Room 1.  
 Daniel Moynahan, Collector of Assessments and Arrears.  
 Richard E. Weldon, Deputy Collector of Assessments and Arrears.  
 Borough of The Bronx—Municipal Building, Rooms 1-3.  
 James J. Donovan, Jr., Deputy Collector of Assessments and Arrears.  
 Borough of Brooklyn—Mechanics' Bank Building, corner Court and Montague streets.  
 John M. Gray, Deputy Collector of Assessments and Arrears.  
 Borough of Queens—Hackett Building, Jackson avenue and Fifth street, Long Island City.  
 Thomas A. Healy, Deputy Collector of Assessments and Arrears.  
 Borough of Richmond—St. George, New Brighton.  
 John J. McGann, Deputy Collector of Assessments and Arrears.

#### BUREAU FOR THE COLLECTION OF CITY REVENUE AND OF MARKETS.

Stewart Building, Chambers street and Broadway, Room 141.  
 Peter Aitken, Collector of City Revenue and Superintendent of Markets.  
 David O'Brien, Deputy Collector of City Revenue.

#### BUREAU FOR THE EXAMINATION OF CLAIMS.

Frank J. Prial, Chief Examiner. Room 181.

#### BUREAU OF THE CITY CHAMBERLAIN.

Stewart Building, Chambers street and Broadway, Rooms 63 to 67.  
 James J. Martin, City Chamberlain.  
 Henry J. Walsh, Deputy Chamberlain.  
 Telephone, 4270 Worth.

#### DEPARTMENT OF HEALTH.

Southwest corner of Fifty-fifth street and Sixth avenue, Borough of Manhattan, 9 a. m. to 4 p. m.  
 Burial Permit and Contagious Disease offices always open.  
 Telephone, 4900 Columbus.  
 Thomas Darlington, M. D., Commissioner of Health and President.  
 Alvah H. Doty, M. D.; William F. Baker, Commissioners.  
 Walter Bessel, M. D., Sanitary Superintendent.  
 Eugene W. Scheffer, Secretary.  
 Herman M. Biggs, M. D., General Medical Officer.  
 James McC. Miller, Chief Clerk.  
 William H. Guilfoyle, M. D., Registrar of Records.

#### Borough of Manhattan.

Traverse R. Maxfield, M. D., Assistant Sanitary Superintendent; George A. Roberts, Assistant Chief Clerk.  
 Charles J. Burke, M. D., Assistant Registrar of Records.

#### Borough of The Bronx, No. 3731 Third avenue.

Alonzo Blauvelt, M. D., Acting Assistant Sanitary Superintendent; Ambrose Lee, Jr., Assistant Chief Clerk; Arthur J. O'Leary, M. D., Assistant Registrar of Records.

Borough of Brooklyn, Nos. 38 and 40 Clinton street.  
 Alonzo Blauvelt, M. D., Assistant Sanitary Superintendent; Alfred T. Metcalfe, Assistant Chief Clerk; S. J. Byrne, M. D., Assistant Registrar of Records.

Borough of Queens, Nos. 372 and 374 Fulton street Jamaica.

John H. Barry, M. D., Assistant Sanitary Superintendent; George R. Crowley, Assistant Chief Clerk; Robert Campbell, M. D., Assistant Registrar of Records.

Borough of Richmond, Nos. 54 and 56 Water street Stapleton, Staten Island.

John T. Sprague, M. D., Assistant Sanitary Superintendent; Charles E. Hoyer, Assistant Chief Clerk; I. Walter Wood, M. D., Assistant Registrar of Records.

#### DEPARTMENT OF PARKS.

Henry Smith, Commissioner of Parks for the Boroughs of Manhattan and Richmond, and President Park Board.  
 William J. Fransoli, Secretary.  
 Offices, Arsenal, Central Park.  
 Telephone, 201 Plaza.  
 Michael J. Kennedy, Commissioner of Parks for the Boroughs of Brooklyn and Queens.  
 Offices, Litchfield Mansion, Prospect Park, Brooklyn.  
 Telephone, 2300 South.  
 Joseph I. Berry, Commissioner of Parks for the Borough of The Bronx.  
 Office, Zbrowski Mansion, Claremont Park.  
 Office hours, 9 a. m. to 4 p. m.; Saturdays, 12 m. Telephone, 2640 Tremont.

#### DEPARTMENT OF PUBLIC CHARITIES.

##### PRINCIPAL OFFICE.

Foot of East Twenty-sixth street, 9 a. m. to 4 p. m. Saturdays, 12 m.  
 Telephone, 3350 Madison Square.  
 Robert W. Hebbard, Commissioner.  
 Richard C. Baker, First Deputy Commissioner.  
 Thomas W. Hynes, Second Deputy Commissioner for Brooklyn and Queens, Nos. 327 to 331 Schermerhorn street, Brooklyn. Telephone, 2977 Main.

J. McKee Borden, Secretary.  
 Plans and Specifications, Contracts, Proposals and Estimates for Work and Materials for Building, Repairs and Supplies, Bills and Accounts, 9 a. m. to 4 p. m.; Saturdays, 12 m.

Bureau of Dependent Adults, foot of East Twenty-sixth street. Office hours, 8:30 a. m. to 4 p. m.  
 The Children's Bureau, No. 66 Third avenue. Office hours, 8:30 a. m. to 4 p. m.  
 Jeremiah Connelly, Superintendent for Richmond Borough, Borough Hall, St. George, Staten Island. Telephone, 1000 Tompkinsville.

#### DEPARTMENT OF STREET CLEANING.

Nos. 13 to 21 Park row, 9 a. m. to 4 p. m.  
 Telephone, 3863 Cortlandt.  
 William H. Edwards, Commissioner.  
 James J. Hogan, Deputy Commissioner, Borough of Manhattan.  
 Owen J. Murphy, Deputy Commissioner, Borough of Brooklyn.  
 Julian Scott, Deputy Commissioner, Borough of The Bronx.  
 John J. O'Brien, Chief Clerk.

#### DEPARTMENT OF TAXES AND ASSESSMENTS.

Hall of Records, corner of Chambers and Centre streets. Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
 Commissioners—Lawson Purdy, President; Frank Raymond, James H. Tully, Charles Putzel, Hugh Hastings, Charles J. McCormack, John J. Halleran. Telephone, 3900 Worth.

#### DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.

Nos. 13 to 21 Park Row, 9 a. m. to 4 p. m.  
 Telephones, Manhattan, 8520 Cortlandt; Brooklyn, 380 Main; Queens, 430 Greenpoint; Richmond, 94 Tompkinsville; Bronx, 62 Tremont.  
 John H. O'Brien, Commissioner.  
 M. F. Loughnan, Deputy Commissioner.  
 I. M. de Varona, Chief Engineer.  
 George W. Birdsall, Consulting Hydraulic Engineer.  
 George F. Sever, Consulting Electrical Engineer.  
 Charles F. Lacombe, Chief Engineer of Light and Power.  
 Hubert S. Wynkoop, Electrical Engineer.  
 Michael C. Padden, Water Register, Manhattan.  
 William A. Hawley, Secretary to Commissioner.  
 William C. Cozier, Deputy Commissioner, Borough of Brooklyn, Municipal Building, Brooklyn.  
 Walter E. Spear, Chief Engineer.  
 John W. McKay, Assistant Engineer in Charge, Borough of Richmond.  
 William K. McGuire, Water Register, Brooklyn.  
 Charles C. Marrin, Deputy Commissioner, Borough of The Bronx, Crotona Park Building, One Hundred and Seventy-seventh street and Third avenue.  
 Thomas M. Lynch, Water Register, The Bronx.  
 Charles C. Wissel, Deputy Commissioner, Borough of Queens, Hackett Building, Long Island City.  
 John E. Bowe, Deputy Commissioner, Borough of Richmond, Municipal Building, St. George.

#### EXAMINING BOARD OF PLUMBERS.

Bartholomew F. Donohoe, President; John J. Moore, Secretary; John J. Dunn, Treasurer; ex-officio, Horace Loomis and Matthew E. Healy.  
 Rooms Nos. 14, 15 and 16 Aldrich Building, Nos. 149 and 151 Church street.  
 Office open during business hours every day in the year (except legal holidays). Examinations are held on Monday, Wednesday and Friday after 1 p. m.

#### FIRE DEPARTMENT.

Office hours for all, except where otherwise noted from 9 a. m. to 4 p. m.; Saturdays, 12 m.

##### HEADQUARTERS.

Nos. 157 and 159 East Sixty-seventh street, Manhattan.  
 Telephone, 640 Plaza, Manhattan; 2653 Main, Brooklyn.  
 Nicholas J. Hayes, Commissioner.  
 P. A. Whitney, Deputy Commissioner.  
 Charles C. Wise, Deputy Commissioner, Boroughs of Brooklyn and Queens.  
 William A. Larney, Secretary; Mark Levy, Secretary to the Commissioner; George F. Dobson, Jr., Secretary to the Deputy Commissioner, Boroughs of Brooklyn and Queens.  
 Edward F. Croker, Chief of Department.  
 Thomas Lally, Deputy Chief of Department in charge, Boroughs of Brooklyn and Queens.  
 Joseph L. Burke, Inspector of Combustibles, Nos. 157 and 159 East Sixty-seventh street, Manhattan. Telephone, 640 Plaza.  
 Peter J. Quigley, Secretary of Relief Fund, Nos. 157 and 159 East Sixty-seventh street, Manhattan. Telephone, 640 Plaza.  
 Peter Seery, Fire Marshal, Boroughs of Manhattan, The Bronx and Richmond.  
 William L. Beers, Fire Marshal, Boroughs of Brooklyn and Queens.  
 Andrew P. Martin, Chief Inspector, Fire Alarm Telegraph Bureau, Boroughs of Manhattan, The Bronx and Richmond.  
 Timothy S. Mahoney, in charge Telegraph Bureau, Boroughs of Brooklyn and Queens.  
 William T. Beggin, Chief of Battalion in charge Bureau of Violations and Auxiliary Fire Appliances, Boroughs of Manhattan, The Bronx and Richmond. Nos. 157 and 159 East Sixty-seventh street, Manhattan. Brooklyn and Queens, Nos. 365 and 367 Jay street, Brooklyn.  
 Central office open at all hours.

#### LAW DEPARTMENT.

##### OFFICE OF CORPORATION COUNSEL.

Hall of Records, Chambers and Centre streets, 6th, 7th and 8th floors, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
 Telephone, 3900 Worth.  
 Francis K. Pendleton, Corporation Counsel.  
 Assistants—Theodore Connolly, George L. Sterling, Charles D. Olendorf, William P. Burr, R. Percy Chittenden, David Rumsey, William Beers Crowell, John L. O'Brien, Terence Farley, Edward J. McGoldrick, Cornelius F. Collins, John F. O'Brien, Edward S. Malone, Edwin J. Freedman, Curtis A. Peters, Louis H. Hahlo, Stephen O'Brien, Frank B. Pierce, Charles A. O'Neil, Richard H. Mitchell, John Widdicombe, Joel J. Squier, Arthur Sweeney, William H. King, George F. Nicholson, George Harold Folwell, Harford F. Walker, Alfred W. Booraem, J. Gabriel Britt, Francis J. Byrne, Francis Martin, Charles McIntyre, Clarence L. Barber, Solon Berrick, James F. O'Connor, William H. Jackson, Edward Maxson, Elliott S. Benedict, Isaac Phillips, Edward A. McShane, Eugene Fay, Ricardo M. DeAcosta, Francis X. McQuade, Raymond D. Fosdick, John M. Barrett, I. Townsend Burden, Jr., Secretary to the Corporation Counsel—Edmund Kirby.  
 Chief Clerk—Andrew T. Campbell.

##### BROOKLYN OFFICE.

Borough Hall, 2d floor, 9 a. m. to 4 p. m. Saturdays, 9 a. m. to 12 m.  
 Telephone, 2948 Main.  
 James D. Bell, Assistant in charge.

##### BUREAU OF STREET OPENINGS.

No. 90 West Broadway, 9 a. m. to 4 p. m. Saturdays, 9 a. m. to 12 m.  
 Telephone, 8190 Cortlandt.  
 John P. Dunn, Assistant in charge.

##### BUREAU FOR THE RECOVERY OF PENALTIES.

No. 119 Nassau street, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
 Telephone, 4526 Cortlandt.  
 Herman Stiefel, Assistant in charge.

##### BUREAU FOR THE COLLECTION OF ARREARS OF PERSONAL TAXES.

No. 280 Broadway, 5th floor. Office hours for public, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
 Telephone, 4585 Worth.  
 Geo. O'Reilly, Assistant in charge.

##### TENEMENT HOUSE BUREAU AND BUREAU OF BUILDINGS.

No. 44 East Twenty-third street, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
 Telephone, 1901 Gramercy.  
 John P. O'Brien, Assistant in charge.

#### METROPOLITAN SEWERAGE COMMISSION.

Office, No. 17 Battery place. George A. Soper, Ph. D., President; James H. Fuertes, Secretary; H. de B. Parsons, Charles SooySmith, Linsly R. Williams, M. D.  
 Telephone, 1694 Rector.

#### MUNICIPAL CIVIL SERVICE COMMISSION.

No. 299 Broadway, 9 a. m. to 4 p. m.  
 Frank L. Polk, R. Ross Appleton, Arthur J. O'Keefe.  
 Frank A. Spencer, Secretary.  
 John F. Skelly, Assistant Secretary.

##### Labor Bureau.

Nos. 54-60 Lafayette street.  
 Telephone, 2140 Worth.

#### MUNICIPAL EXPLOSIVES COMMISSION.

Nos. 157 and 159 East Sixty-seventh street, Headquarters Fire Department.  
 Patrick A. Whitney, Deputy Fire Commissioner and Chairman; William Montgomery, John Sherry, C. Andrade, Jr., Abram A. Breneman.  
 Telephone, 640 Plaza.  
 Franz S. Wolf, Secretary, Nos. 365-367 Jay street, Brooklyn.  
 Stated meeting, Friday of each week, at 3 p. m.  
 Telephone, 3320 Main.

#### POLICE DEPARTMENT.

##### CENTRAL OFFICE.

No. 300 Mulberry street, 9 a. m. to 4 p. m.  
 Telephone, 3100 Spring.  
 William F. Baker, Commissioner.  
 Frederick H. Bugher, First Deputy Commissioner.  
 Charles W. Kirby, Second Deputy Commissioner.  
 Josiah A. Stover, Third Deputy Commissioner.  
 Alfred W. Booraem, Fourth Deputy Commissioner.  
 William H. Kipp, Chief Clerk.

#### PUBLIC SERVICE COMMISSION.

The Public Service Commission for the First District, Tribune Building, No. 154 Nassau street, Manhattan.  
 Office hours, 8 a. m. to 11 p. m., every day in the year, including holidays and Sundays.  
 Stated public meetings of the Commission, Tuesdays and Fridays at 11:30 a. m. in the Public Hearing Room of the Commission, third floor of the Tribune Building, unless otherwise ordered.  
 Commissioners—William R. Willcox, Chairman; William McCarroll, Edward M. Bassett, Milo R. Maltbie, John E. Eustis. Counsel, George S. Coleman. Secretary, Travis H. Whitney.  
 Telephone, 4150 Beekman.

#### TENEMENT HOUSE DEPARTMENT.

Manhattan Office, No. 44 East Twenty-third street. Telephone, 5331 Gramercy.  
 Edmond J. Butler, Commissioner.  
 Wm. H. Abbott, Jr., First Deputy Commissioner.  
 Brooklyn Office (Boroughs of Brooklyn, Queens and Richmond), Temple Bar Building, No. 44 Court street.  
 Telephone, 3825 Main.  
 John McKeown, Second Deputy Commissioner.  
 Bronx Office, Nos. 2804, 2806 and 2808 Third Avenue.  
 Telephone, 967 Melrose.  
 William B. Calvert, Superintendent.

#### BOROUGH OFFICES.

##### BOROUGH OF THE BRONX.

Office of the President, corner Third avenue and One Hundred and Seventy-seventh street; 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
 John F. Murray, President.  
 Henry A. Gumbleton, Secretary.  
 John A. Hawkins, Assistant Commissioner of Public Works.  
 Josiah A. Briggs, Chief Engineer.  
 Frederick Greifenberg, Principal Assistant Topographical Engineer.  
 Charles H. Graham, Engineer of Sewers.  
 Thomas H. O'Neil, Superintendent of Sewers.  
 Samuel C. Thompson, Engineer of Highways.  
 Patrick J. Reville, Superintendent of Buildings.  
 John A. Mason, Assistant Superintendent of Buildings.  
 Peter J. Stumpf, Superintendent of Highways.  
 Albert H. Liebenau, Superintendent of Public Buildings and Offices.  
 Telephone, 2680 Tremont.

##### BOROUGH OF BROOKLYN.

President's Office, Nos. 15 and 16 Borough Hall, 9 a. m. to 5 p. m.; Saturdays, 9 a. m. to 12 m.  
 Bird S. Coler, President.  
 Charles Frederick Adams, Secretary.  
 John A. Heffernan, Private Secretary.  
 Thomas R. Farrell, Commissioner of Public Works.  
 James M. Power, Secretary to Commissioner.  
 Dennis J. Donovan, Superintendent of Buildings.  
 James Dunne, Superintendent of the Bureau of Sewers.  
 Joseph M. Lawrence, Superintendent of the Bureau of Public Buildings and Offices.  
 Patrick F. Lynch, Superintendent of Highways.

##### BOROUGH OF MANHATTAN.

Office of the President, Nos. 14, 15 and 16 City Hall, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
 John F. Ahearn, President.  
 Bernard Downing, Secretary.  
 John Cloughen, Commissioner of Public Works.  
 James J. Hagan, Assistant Commissioner of Public Works.  
 George F. Scannell, Superintendent of Highways.  
 Edward S. Murphy, Superintendent of Buildings.  
 Frank J. Goodwin, Superintendent of Sewers.  
 John R. Voorhis, Superintendent of Buildings and Offices. Telephone, 6725 Cortlandt.

##### BOROUGH OF QUEENS.

President's Office, Borough Hall, Jackson avenue and Fifth street, Long Island City; 9 a. m. to 4 p. m. Saturdays, 9 a. m. to 12 m.  
 Lawrence Gresser, President.  
 John M. Cragen, Secretary.  
 Alfred Denton, Commissioner of Public Works.  
 Harry Sutphin, Assistant Commissioner of Public Works.  
 Patrick E. Leahy, Superintendent of Highways.  
 Carl Berger, Superintendent of Buildings.  
 Cornelius Burke, Superintendent of Sewers.  
 Arrow C. Hankins, Superintendent of Street Cleaning.  
 Edward F. Kelly, Superintendent of Public Buildings and Offices.  
 Telephone 1900 Greenpoint.

#### BOROUGH OF RICHMOND.

President's Office, New Brighton, Staten Island.  
 George Cromwell, President.  
 Maybury Fleming, Secretary.  
 Louis Lincoln Tribus, Consulting Engineer and Acting Commissioner of Public Works.  
 William R. Hillyer, Assistant Commissioner of Public Works, Bureau of Engineering—Topography.  
 Theodore S. Oxholm, Engineer in charge, Bureau of Engineering—Construction.  
 John Seaton, Superintendent of Buildings.  
 H. E. Buel, Superintendent of Highways.  
 John T. Fetherston, Assistant Engineer and Acting Superintendent of Street Cleaning.  
 Ernest H. Seehusen, Superintendent of Sewers.  
 John Timlin, Jr., Superintendent of Public Buildings and Offices.  
 Offices—Borough Hall, New Brighton, N. Y., 9 a. m. to 5 p. m. Saturdays, 9 a. m. to 12 m.  
 Telephone, 1000 Tompkinsville.

#### CORONERS.

Borough of The Bronx—Corner of Third avenue and Tremont avenue—Telephone, 1250 Tremont and 1402 Tremont.  
 Robert F. McDonald, A. F. Schwannecke.  
 William T. Austin, Chief Clerk.  
 Borough of Brooklyn—Office, Rooms 1 and 3 Municipal Building, Telephone, 4004 Main and 4005 Main.  
 Henry J. Brewer, M. D., John F. Kennedy.  
 Joseph McGuinness, Chief Clerk.  
 Open all hours of the day and night.  
 Borough of Manhattan—Office, Criminal Courts Building, Centre and White streets. Open at all times of the day and night.  
 Coroners: Julius Harburger, Peter P. Acritelli, George F. Shady, Jr., Peter Dooley.  
 Julius Harburger, President Board of Coroners.  
 Jacob E. Bausch, Chief Clerk.  
 Telephones, 1094, 5057, 5058 Franklin.  
 Borough of Queens—Office, Borough Hall, Fulton street, Jamaica, L. I.  
 Samuel D. Nutt, Alfred S. Ambler.  
 Martin Mager, Jr., Chief Clerk.  
 Office hours, from 9 a. m. to 10 p. m.  
 Borough of Richmond—No. 44 Second street, New Brighton. Open for the transaction of business all hours of the day and night.  
 Matthew J. Cahill.  
 Telephone, 7 Tompkinsville.

#### COUNTY OFFICES.

##### NEW YORK COUNTY.

##### COMMISSIONER OF JURORS.

Room 127 Stewart Building, Chambers street and Broadway, 9 a. m. to 4 p. m.  
 Thomas Allison, Commissioner.  
 Frederick P. Simpson, Assistant Commissioner.  
 Frederick O'Byrne, Secretary.  
 Telephone, 241 Worth.

##### COMMISSIONER OF RECORDS.

Office, Hall of Records.  
 William S. Andrews, Commissioner.  
 James O. Farrell, Deputy Commissioner.  
 James J. Fleming, Jr., Secretary.  
 Telephone, 3900 Worth.

##### COUNTY CLERK.

Nos. 5, 8, 9, 10 and 11 New County Court-house  
 Office hours from 9 a. m. to 4 p. m.  
 Peter J. Dooling, County Clerk.  
 John F. Curry, Deputy.  
 Joseph J. Glennen, Secretary.  
 Telephone, 870 Cortlandt.

##### DISTRICT ATTORNEY.

Building for Criminal Courts, Franklin and Centre streets.  
 Office hours from 9 a. m. to 5 p. m., Saturdays 9 a. m. to 12 m.  
 Wm. Travers Jerome, District Attorney.  
 John A. Henneberry, Chief Clerk.  
 Telephone, 2304 Franklin.

##### PUBLIC ADMINISTRATOR.

No. 119 Nassau street, 9 a. m. to 4 p. m.  
 William M. Hoes, Public Administrator.  
 Telephone, 6376 Cortlandt.

##### REGISTER.

Hall of Records. Office hours, from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. During the months of July and August the hours are from 9 a. m. to 2 p. m.  
 Frank Gass, Register.  
 William H. Sinnott, Deputy Register.  
 Telephone, 3900 Worth.

##### SHERIFF.

No. 299 Broadway, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Except during July and August, 9 a. m. to 2 p. m.; Saturdays, 9 a. m. to 12 m.  
 Thomas F. Foley, Sheriff.  
 John F. Gilchrist, Under Sheriff.  
 Telephone, 4984 Worth.

##### SURROGATE.

Hall of Records. Court open from 9 a. m. to 4 p. m., except Saturday when it closes at 12 m. During the months of July and August the hours are from 9 a. m. to 2 p. m.  
 Abner C. Thomas and John P. Cohalan, Surrogates; William V. Leary, Chief Clerk.

#### KINGS COUNTY.

##### COMMISSIONER OF JURORS.

County Court-house.  
 Jacob Brenner, Commissioner.  
 Jacob A. Livingston, Deputy Commissioner.  
 Albert B. Waldron, Secretary.  
 Office hours from 9 a. m. to 4 p. m.; Saturdays, from 9 a. m. to 12 m.  
 Office hours during July and August, 9 a. m. to 2 p. m.; Saturdays, 9 a. m. to 12 m.  
 Telephone, 1454 Main.

##### COMMISSIONER OF RECORDS.

Hall of Records.  
 Office hours, 9 a. m. to 4 p. m., excepting months of July and August, then 9 a. m. to 2 p. m., Saturdays 9 a. m. to 12 m.  
 Lewis M. Swasey, Commissioner.  
 D. H. Ralston, Deputy Commissioner.  
 Telephone, 1114 Main.  
 Thomas D. Mossrop, Superintendent.  
 William J. Beattie, Assistant Superintendent.  
 Telephone, 1082 Main.

##### COUNTY CLERK.

Hall of Records, Brooklyn. Office hours, 9 a. m. to 4 p. m.; during months of July and August, 9 a. m. to 2 p. m.; Saturdays, 9 a. m. to 12 m.  
 Frank Ehlers, County Clerk.



Robert A. Sharkey, Deputy County Clerk.  
John Cooper, Assistant Deputy County Clerk.  
Telephone call, 4930 Main.

**COUNTY COURT.**

County Court-house, Brooklyn, Rooms, 10, 17, 18, 22 and 23. Court opens at 10 a. m. daily and sits until business is completed. Part I., Room No. 23; Part II., Room No. 10. Court-house, Clerk's Office, Rooms 17, 18 and 22, open daily from 9 a. m. to 4 p. m.; Saturdays, 12 m.  
Norman S. Dike and Lewis L. Fawcett, County Judges.  
Charles S. Devoy, Chief Clerk.  
Telephone, 4154 and 4155 Main.

**DISTRICT ATTORNEY.**

Office, County Court-house, Borough of Brooklyn.  
Hours, 9 a. m. to 5 p. m.  
John F. Clarke, District Attorney.  
Telephone number, 2955-6-7 Main.

**PUBLIC ADMINISTRATOR.**

No. 44 Court street (Temple Bar), Brooklyn, 9 a. m. to 5 p. m.  
Charles E. Teale, Public Administrator.  
Telephone, 2840 Main.

**REGISTER.**

Hall of Records. Office hours, 9 a. m. to 4 p. m., excepting months of July and August; then from 9 a. m. to 2 p. m., provided for by statute.  
William A. Frendargast, Register.  
Frederick H. E. Elstein, Deputy Register.  
Telephone, 2830 Main.

**SHERIFF.**

County Court-house, Brooklyn, N. Y.  
9 a. m. to 4 p. m.; Saturdays, 12 m.  
Alfred T. Hobbey, Sheriff.  
James P. Connell, Under Sheriff.  
Telephone, 6845, 6846, 6847, Main.

**SURROGATE.**

Hall of Records, Brooklyn, N. Y.  
Herbert T. Ketcham, Surrogate.  
Edward J. Bergen, Chief Clerk and Clerk of the Surrogate's Court.  
Court opens at 10 a. m. Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 3954 Main.

**QUEENS COUNTY.****COMMISSIONER OF JURORS.**

Office hours, 9 a. m. to 4 p. m.; July and August, 9 a. m. to 2 p. m.; Saturdays, 9 a. m. to 12 m. Queens County Court-house, Long Island City.  
John P. Balbert, Commissioner of Jurors.  
Kodman Richardson, Assistant Commissioner.  
Telephone, 455 Greenpoint.

**COUNTY CLERK.**

No. 364 Fulton street, Jamaica, Fourth Ward Borough of Queens, City of New York.  
Office open, 9 a. m. to 4 p. m.; Saturday, 9 a. m. to 12 m.  
John Niederstein, County Clerk.  
Frank C. Klingenberg, Secretary.  
Henry Walter, Jr., Deputy County Clerk.  
Telephone, 151 Jamaica.

**COUNTY COURT.**

Temporary County Court-house, Long Island City. County Court opens at 10 a. m. Trial Terms begin first Monday of each month, except July, August and September. Special Terms each Saturday, except during August and first Saturday of September. County Judge's office always open at No. 336 Fulton street, Jamaica, N. Y.  
Burt J. Humphrey, County Judge.  
Telephone, 286 Jamaica.

**DISTRICT ATTORNEY.**

Office, Queens County Court-house, Long Island City, 9 a. m. to 5 p. m.  
Frederick G. De Witt, District Attorney.  
Telephone, 39 Greenpoint.

**PUBLIC ADMINISTRATOR.**

No. 17 Cook avenue, Elmhurst.  
John T. Robinson, Public Administrator, County of Queens.  
Telephone, 335 Newtown.

**SHERIFF.**

County Court-house, Long Island City, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Herbert S. Harvey, Sheriff.  
John M. Phillips, Under Sheriff.  
Telephone, 43 Greenpoint (office).  
Henry O. Schlett, Warden, Queens County Jail.  
Telephone, 372 Greenpoint.

**SURROGATE.**

Daniel Noble, Surrogate.  
Wm. F. Hendrickson, Clerk.  
Office, No. 364 Fulton street, Jamaica.  
Except on Sundays, holidays and half holidays, the office is open from 9 a. m. to 4 p. m.; Saturdays, from 9 a. m. to 12 m.  
The calendar is called on Tuesday of each week at 10 a. m., except during the month of August.  
Telephone, 397 Jamaica.

**RICHMOND COUNTY.****COMMISSIONER OF JURORS.**

Village Hall, Stapleton.  
Charles J. Kullman, Commissioner.  
John J. McCaughey, Assistant Commissioner.  
Office open from 9 a. m. until 4 p. m.; Saturdays, from 9 a. m. to 12 m.  
Telephone, 81 Tompkinsville.

**COUNTY CLERK.**

County Office Building, Richmond, S. I., 9 a. m. to 4 p. m.  
C. L. Bostwick, County Clerk.  
County Court-house, Richmond, S. I., 9 a. m. to 4 p. m.  
Telephone, 28 New Dorp.

**COUNTY JUDGE AND SURROGATE.**

Terms of Court, Richmond County, 1909.  
County Courts—Stephen D. Stephens, County Judge.  
First Monday of June, Grand and Trial Jury.  
Second Monday of November, Grand and Trial Jury.  
Fourth Wednesday of January, without a Jury.  
Fourth Wednesday of February, without a Jury.  
Fourth Wednesday of March, without a Jury.  
Fourth Wednesday of April, without a Jury.  
Fourth Wednesday of July, without a Jury.  
Fourth Wednesday of September, without a Jury.  
Fourth Wednesday of October, without a Jury.  
Fourth Wednesday of December, without a Jury.

Surrogate's Court—Stephen D. Stephens, Surrogate.  
Mondays, at the Borough Hall, St. George, at 10.30 o'clock a. m.  
Tuesdays, at the Borough Hall, St. George, at 10.30 o'clock a. m.  
Wednesdays, at the Surrogate's Office, Richmond at 10.30 o'clock a. m.

**DISTRICT ATTORNEY.**

Borough Hall, St. George, S. I.  
Samuel H. Evans.  
Telephone, 50 Tompkinsville.

**SHERIFF.**

County Court-house, Richmond, S. I.  
Office hours, 9 a. m. to 4 p. m.  
Joseph J. Barth.

**THE COURTS.****APPELLATE DIVISION OF THE SUPREME COURT.****FIRST JUDICIAL DEPARTMENT.**

Court-house, Madison avenue, corner Twenty-fifth street. Court opens at 1 p. m. (Friday, Motion day at 10.30 a. m.)  
Edward Patterson, Presiding Justice; George L. Ingraham, Chester B. McLaughlin, Frank C. Laughlin, John Proctor Clarke, James W. Houghton, Francis M. Scott, Justices; Alfred Wagstaff, Clerk; William Lamb, Deputy Clerk.  
Clerk's Office opens at 9 a. m.  
Telephone, 3840 Madison Square.

**SUPREME COURT—FIRST DEPARTMENT.**

County Court-house, Chambers street. Court open from 10.15 a. m. to 4 p. m.  
Special Term, Part I. (motions), Room No. 16.  
Special Term, Part II. (ex-parte business), Room No. 13.  
Special Term, Part III., Room No. 19.  
Special Term, Part IV., Room No. 20.  
Special Term, Part V., Room No. 6.  
Special Term, Part VI. (Elevated Railroad cases) Room No. 31.  
Trial Term, Part II., Room No. 34.  
Trial Term, Part III., Room No. 22.  
Trial Term, Part IV., Room No. 21.  
Trial Term, Part V., Room No. 24.  
Trial Term, Part VI., Room No. 18.  
Trial Term, Part VII., Room No. —.  
Trial Term, Part VIII., Room No. 23.  
Trial Term, Part IX., Room No. 35.  
Trial Term, Part X., Room No. 26.  
Trial Term, Part XI., Room No. 27.  
Trial Term, Part XII., Room No. —.  
Trial Term, Part XIII., and Special Term, Part VII., Room No. 36.  
Trial Term, Part XIV., Room No. 28.  
Trial Term, Part XV., Room No. 37.  
Trial Term, Part XVI., Room No. —.  
Trial Term, Part XVII., Room No. 20.  
Trial Term, Part XVIII., Room No. 29.  
Appellate Term, Room No. 29.  
Naturalization Bureau, Room No. 38, third floor.  
Assignment Bureau, room on mezzanine floor northeast.  
Clerks in attendance from 10 a. m. to 4 p. m.  
Clerk's Office, Special Term, Part I. (motions), Room No. 15.  
Clerk's Office, Special Term, Part II. (ex-parte business), ground floor, southeast corner.  
Clerk's Office, Special Term, Calendar, ground floor, south.  
Clerk's Office, Trial Term, Calendar, room northeast corner, second floor, east.  
Clerk's Office, Appellate Term, room southwest corner, third floor.  
Trial Term, Part I. (criminal business).  
Criminal Court-house, Centre street.  
Justices—Charles H. Truax, Charles F. MacLean, Henry Bischoff, Leonard A. Giegerich, P. Henry Dugro, Henry A. Gildersleeve, James Fitzgerald, James A. O'Gorman, James A. Blanchard, Samuel Greenbaum, Edward E. McCall, Edward B. Amend, Vernon M. Davis, Victor J. Dowling, Joseph E. Newburger, John W. Goff, Samuel Seabury, M. Warley Platzek, Peter A. Hendrick, John Ford, Charles W. Dayton, John J. Brady, Mitchell L. Frianger, Charles L. Guy, James W. Gerard, Irving Lehman.  
Peter J. Dooling, Clerk, Supreme Court.  
Telephone, 4580 Cortlandt.

**SUPREME COURT—SECOND DEPARTMENT.**

Kings County Court-house, Borough of Brooklyn, N. Y.  
Court open daily from 10 o'clock a. m. to 5 o'clock p. m. Seven jury trial parts. Special Term for Trials. Special Term for Motions.  
James F. McGee, General Clerk.  
Telephone, 5460 Main.

**CRIMINAL DIVISION—SUPREME COURT.**

Building for Criminal Courts, Centre, Elm, White and Franklin streets.  
Court opens at 10.30 a. m.  
Peter J. Dooling, Clerk; Edward R. Carroll, Special Deputy to the Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.  
Telephone, 6064 Franklin.

**COURT OF GENERAL SESSIONS.**

Held in the Building for Criminal Courts, Centre Elm, White and Franklin streets.  
Court opens at 10.30 a. m.  
Thomas C. T. Crain, Otto A. Rosalsky, Warren W. Foster, Thomas C. O'Sullivan, Edward Swann, Joseph F. Mulqueen, James T. Malone, Judges of the Court of General Sessions, Edward K. Carroll, Clerk. Telephone, 1201 Franklin.  
Clerk's Office open from 9 a. m. to 4 p. m.  
During July and August Clerk's Office will close at 2 p. m., and on Saturdays at 7 a. m.

**CITY COURT OF THE CITY OF NEW YORK.**

No. 32 Chambers street, Brownstone Building, City Hall Park, from 10 a. m. to 4 p. m.  
Part I.  
Part II.  
Part III.  
Part IV.  
Part V.  
Part VI.  
Part VII.  
Part VIII.  
Special Term Chambers will be held from 10 a. m. to 4 p. m.  
Clerk's Office open from 9 a. m. to 4 p. m.  
Edward F. O'Dwyer, Chief Justice; Lewis J. Conlan, Francis B. Delehanty, Joseph I. Green, Alexander Finelstein, Thomas F. Donnelly, John V. McAvoy, Peter Schmuck, Richard T. Lynch, Edward B. La Fetra, Justices. Thomas F. Smith, Clerk.  
Telephone, 6142 Cortlandt.

**COURT OF SPECIAL SESSIONS.**

Building for Criminal Courts, Centre street between Franklin and White streets, Borough of Manhattan.  
Court opens at 10 a. m.  
Justices—First Division—William E. Wyatt, Willard H. Olmsted, Joseph M. Deuel, Lorenz Zeller, John B. Mayo, Franklin Chase Hoyt, William M. Fuller, Acting Clerk.  
City Magistrates to sit in the Court of Special Sessions until November 30, 1909—Charles W. Harris, Joseph F. Moss.  
Clerk's Office open from 9 a. m. to 4 p. m.  
Telephone, 2092 Franklin, Clerk's office.  
Telephone, 601 Franklin, Justices' chambers.

Second Division—Trial Days—No. 171 Atlantic avenue, Brooklyn, Mondays, Thursdays and Fridays at 10 o'clock; Town Hall, Jamaica, Borough of Queens, Tuesday at 10 o'clock; Borough Hall, St. George, Borough of Richmond, Wednesdays at 10 o'clock.

Justices—Howard J. Forker, John Fleming, Morgan M. L. Ryan, Robert J. Wilkin, George J. O'Keefe, James J. McInerney, Joseph L. Kerrigan, Clerk; John J. Dorman, Deputy Clerk.  
Clerk's Office, No. 171 Atlantic avenue, Borough of Brooklyn, open from 9 a. m. to 4 p. m.

**CHILDREN'S COURT.**

First Division—No. 66 Third avenue, Manhattan Ernest K. Coulter, Clerk.  
Telephone, 5351 Stuyvesant.  
Second Division—No. 122 Court street, Brooklyn William F. Delaney, Clerk.  
Telephone, 627 Main.

**CITY MAGISTRATES' COURT.****First Division.**

Court open from 9 a. m. to 4 p. m.  
City Magistrates—Robert C. Cornell, Leroy B. Crane, Peter T. Barlow, Matthew P. Breen, Joseph F. Moss, Henry Steinert, Daniel E. Finn, Frederick B. House, Charles N. Harris, Frederic Kernochan, Arthur C. Butts, Joseph E. Corrigan, Moses Herrman, Paul Krotel, Keyran J. O'Connor, Henry W. Herbert.  
Philip Bloch, Secretary, One Hundred and Twenty-first street and Sylvan place.  
First District—Criminal Court Building.  
Second District—Jefferson Market.  
Third District—No. 69 Essex street.  
Fourth District—No. 151 East Fifty-seventh street.  
Fifth District—One Hundred and Twenty-first street, southeastern corner of Sylvan place.  
Sixth District—One Hundred and Sixty-first street and Brook avenue.  
Seventh District—No. 314 West Fifty-fourth street.  
Eighth District—Main street, Westchester.

**Second Division.****Borough of Brooklyn.**

City Magistrates—Edward J. Dooley, James G. Tighe, John Naumer, E. G. Higginbotham, Frank E. O'Reilly, Henry J. Furlong, A. V. B. Voorhees, Jr., Alexander H. Geismar, John F. Hyland, Howard P. Nash.  
President of the Board, Edward J. Dooley, No. 232 Clermont avenue.  
Secretary to the Board, Charles J. Flanagan, Myrtle and Vanderbilt avenues, and No. 648 Halsey street.

**Courts.**

First District—No. 318 Adams street.  
Second District—Court and Butler streets.  
Third District—Myrtle and Vanderbilt avenues.  
Fourth District—No. 186 Bedford avenue.  
Fifth District—No. 249 Manhattan avenue.  
Sixth District—No. 495 Gates avenue.  
Seventh District—No. 31 Snider avenue (Flatbush).  
Eighth District—West Eighth street (Coney Island).  
Ninth District—Fifth avenue and Twenty-third street.  
Tenth District—No. 133 New Jersey avenue.

**Borough of Queens.**

City Magistrates—Matthew J. Smith, Joseph Fitch, Maurice E. Connolly, Eugene C. Gilroy.

**Courts.**

First District—St. Mary's Lyceum, Long Island City.  
Second District—Town Hall, Flushing, L. I.  
Third District—Central avenue, Far Rockaway, L. I.

**Borough of Richmond.**

City Magistrates—Joseph B. Handy, Nathaniel Marsh.

**Courts.**

First District—Lafayette place, New Brighton, Staten Island.  
Second District—Village Hall, Stapleton, Staten Island.

**MUNICIPAL COURTS.****Borough of Manhattan.**

First District—The First District embraces the territory bounded on the south and west by the southerly and westerly boundaries of the said borough, on the north by the centre line of Fourteenth street and the centre line of Fifth street from the Bowery to Second avenue, on the east by the centre lines of Fourth avenue from Fourteenth street to Fifth street, Second avenue, Chrystie street, Division street and Catharine street.  
Wauhope Lynn, William F. Moore, John Hoyer, Justices.  
Thomas O'Connell, Clerk; Francis Mangin, Deputy Clerk.  
Location of Court—Merchants' Association Building, Nos. 54-60 Lafayette street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.  
Additional Parts are held at southwest corner of Sixth avenue and Tenth street and at No. 128 Prince street.  
Telephone, 6030 Franklin.

Second District—The Second District embraces the territory bounded on the south by the centre line of Fifth street from the Bowery to Second avenue and on the south and east by the southerly and easterly boundaries of the said borough, on the north by the centre line of East Fourteenth street, on the west by the centre lines of Fourth avenue from Fourteenth street to Fifth street, Second avenue, Chrystie street, Division street and Catharine street.  
George F. Roesch, Benjamin Hoffman, Leon Sanders, Thomas F. Dinneen, Justices.  
James J. Devlin, Clerk; Michael H. Looney, Deputy Clerk.  
Location of Court—Nos. 264 and 266 Madison street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.  
Telephone, 2596 Orchard.

Third District—The Third District embraces the territory bounded on the south by the centre line of Fourteenth street, on the east by the centre line of Seventh avenue from Fourteenth street to Fifty-ninth street and by the centre line of Central Park West from Fifty-ninth street to Sixty-fifth street and on the north by the centre line of Fifty-ninth street from Seventh

to Eighth avenue, on the west by the westerly bound ary of the said borough.

Thomas E. Murray, James W. McLaughlin, Justices.  
Michael Skelly, Clerk; Henry Merzbach, Deputy Clerk.

Location of Court—No. 314 West Fifty-fourth street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.  
Telephone number, 5450 Columbus.

Fourth District—The Fourth District embraces the territory bounded on the south by the centre line of East Fourteenth street, on the west by the centre line of Lexington avenue and by the centre line of Irving place, including its projection through Gramercy Park, on the north by the centre line of Fifty-ninth street, on the east by the easterly line of said borough; excluding, however, any portion of Blackwell's Island.  
Michael F. Blake, William J. Bovhan, Justices.  
Abram Bernard, Clerk; James Foley, Deputy Clerk.

Location of Court—Part I. and Part II., No. 151 East Fifty-seventh street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Fifth District—The Fifth District embraces the territory bounded on the south by the centre line of Sixty-fifth street, on the east by the centre line of Central Park West, on the north by the centre line of One Hundred and Tenth street, on the west by the westerly boundary of said borough.  
Alfred P. W. Seaman, William Young, Frederick Spiegelberg, Justices.

Location of Court—Broadway and Ninety-sixth street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.  
Telephone, 4005 Riverside.

Sixth District—The Sixth District embraces the territory bounded on the south by the centre line of Fifty-ninth street and by the centre line of Ninety-sixth street from Lexington avenue to Fifth avenue, on the west by the centre line of Lexington avenue from Fifty-ninth street to Ninety-sixth street and the centre line of Fifth avenue from Ninety-sixth street to One Hundred and Tenth street, on the north by the centre line of One Hundred and Tenth street, on the east by the easterly boundary of said borough, including, however, all of Blackwell's Island and excluding any portion of Ward's Island.  
Herman Joseph, Jacob Marks, Justices.  
Edward A. McQuade, Clerk; Thomas M. Campbell, Deputy Clerk; John J. Dietz, Frederick J. Stroh, Assistant Clerks.

Location of Court—Northwest corner of Third avenue and Eighty-third street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.  
Telephone, 4343 79-St.

Seventh District—The Seventh District embraces the territory bounded on the south by the centre line of One Hundred and Tenth street, on the east by the centre line of Fifth avenue to the northerly terminus thereof, and north of the northerly terminus of Fifth avenue, following in a northerly direction the course of the Harlem river, on a line continuous with the easterly boundary of said borough, on the north and west by the northerly and westerly boundaries of said borough.  
Phillip J. Sinnott, David L. Weil, John R. Davies, Justices.

Heman B. Wilson, Clerk; Robert Andrews, Deputy Clerk.

Location of Court—No. 70 Manhattan street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Eighth District—The Eighth District embraces the territory bounded on the south by the centre line of One Hundred and Tenth street, on the west by the centre line of Fifth avenue, on the north and east by the northerly and easterly boundaries of said borough, including Randall's Island and the whole of Ward's Island.  
Joseph P. Fallon, Leopold Prince, Justices.  
William J. Kennedy, Clerk; Patrick J. Ryan, Deputy Clerk.

Location of Court—Sylvan place and One Hundred and Twenty-first street, near Third avenue. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.  
Telephone, 3950 Harlem.

Ninth District—The Ninth District embraces the territory bounded on the south by the centre line of Fourteenth street and by the centre line of Fifty-ninth street from the centre line of Seventh avenue to the centre line of Lexington avenue and by the centre line of Irving place, including its projection through Gramercy Park, and by the centre line of Fifth avenue from the centre line of Ninety-sixth street to the centre line of One Hundred and Tenth street, on the north by the centre line of Ninety-sixth street from the centre line of Lexington avenue to the centre line of Fifth avenue and by One Hundred and Tenth street from Fifth avenue to Central Park West, on the west by the centre line of Seventh avenue and Central Park West.  
Edgar J. Lauer, Frederick De Witt Wells, Frank D. Sturges, William C. Wilson, Justices.  
William J. Chamberlain, Clerk; Charles Healy, Deputy Clerk.

Location of Court—Southwest corner of Madison avenue and Fifty-ninth street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.  
Telephone, 3873 Plaza.

**Borough of The Bronx.**

First District—All that part of the Twenty-fourth Ward which was lately annexed to the City and County of New York by chapter 934 of the Laws of 1895, comprising all of the late Town of Westchester and part of the Towns of Eastchester and Pelham, including the Villages of Wakefield and Williamsbridge. Court-room, Town Hall, No. 1400 Williamsbridge road, Westchester Village. Court open daily (Sundays and legal holidays excepted), from 9 a. m. to 4 p. m. Trial of causes, Tuesday and Friday of each week.  
Peter A. Sheil, Justice.  
Stephen Collins, Clerk.  
Office hours from 9 a. m. to 4 p. m.; Saturdays closing at 12 m.  
Telephone, 457 Westchester.

Second District—Twenty-third and Twenty-fourth Wards, except the territory described in chapter 934 of the Laws of 1895. Court-room, southeast corner of Washington avenue and One Hundred and Sixty-second street. Office hours, from 9 a. m. to 4 p. m. Court opens at 9 a. m.

John M. Tierney, Justice. Thomas A. Maher, Clerk.  
Telephone, 3043 Melrose.

**Borough of Brooklyn.**

First District—Comprising First, Second, Third, Fourth, Fifth, Sixth, Tenth and Twelfth Wards and that portion of the Eleventh Ward beginning at the intersection of the centre lines of Hudson and Myrtle avenues, thence along the centre line of Myrtle avenue to North Portland avenue, thence along the centre line of North Portland avenue to Flushing avenue, thence along the centre line of Flushing avenue to Navy street, thence along the centre line of Navy street to Johnson street, thence along the centre line of Johnson street to Hudson avenue, and thence along the centre line of Hudson avenue to the point of beginning, of the Borough of



Brooklyn. Court-house, northwest corner State and Court streets. Parts I. and II.  
John J. Walsh, Justice. Edward Moran, Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.

Second District—Seventh Ward and that portion of the Twenty-first and Twenty-third Wards west of the centre line of Stuyvesant avenue and the centre line of Schenectady avenue, also that portion of the Twentieth Ward beginning at the intersection of the centre lines of North Portland and Myrtle avenues, thence along the centre line of Myrtle avenue to Waverly avenue, thence along the centre line of Waverly avenue to Park avenue, thence along the centre line of Park avenue to Washington avenue, thence along the centre line of Washington avenue to Flushing avenue, thence along the centre line of Flushing avenue to North Portland avenue, and thence along the centre line of North Portland avenue to the point of beginning.

Court-room, No. 495 Gates avenue.  
Gerard B. Van Wart and Charles J. Dodd, Justices. Franklin B. Van Wart, Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.

Third District—Embraces the Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth and Nineteenth Wards, and that portion of the Twenty-seventh Ward lying northwest of the centre line of Starr street between the boundary line of Queens County and the centre line of Central avenue, and northwest of the centre line of Suydam street between the centre lines of Central and Bushwick avenues, and northwest of the centre line of Willoughby avenue between the centre lines of Bushwick avenue and Broadway. Court-house, Nos. 6 and 8 Lee avenue, Brooklyn.

Philip D. Meagher and William J. Bogenschutz, Justices. John W. Carpenter, Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.  
Court opens at 9 a. m.  
Telephone 995 Williamsburg.

Fourth District—Embraces the Twenty-fourth and Twenty-fifth Wards, that portion of the Twenty-first and Twenty-third Wards lying east of the centre line of Stuyvesant avenue and east of the centre line of Schenectady avenue, and that portion of the Twenty-seventh Ward lying southeast of the centre line of Starr street between the boundary line of Queens and the centre line of Central avenue, and southeast of the centre line of Suydam street between the centre lines of Central and Bushwick avenues, and southeast of the centre line of Willoughby avenue between the centre lines of Bushwick avenue and Broadway.

Court-room, No. 14 Howard avenue.  
Thomas H. Williams, Justice. G. J. Wiederhold, Clerk. Milton I. Williams, Assistant Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.

Fifth District—Contains the Eighth Thirtieth and Thirty-first Wards, and so much of the Twenty-second Ward as lies south of Prospect avenue. Court-house, northwest corner of Fifty-third street and Third avenue.

Cornelius Furgueson, Justice. Jeremiah J. O'Leary, Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.  
Telephone, 407 Bay Ridge.

Sixth District—The Sixth District embraces the Ninth and Twenty-ninth Wards and that portion of the Twenty-second Ward north of the centre line of Prospect avenue; also that portion of the Eleventh and Twentieth Wards beginning at the intersection of the centre lines of Bridge and Fulton streets; thence along the centre line of Fulton street to Flatbush avenue; thence along the centre line of Flatbush avenue to Atlantic avenue; thence along the centre line of Atlantic avenue to Washington avenue; thence along the centre line of Washington avenue to Park avenue; thence along the centre line of Park avenue to Waverly avenue; thence along the centre line of Waverly avenue to Myrtle avenue; thence along the centre line of Myrtle avenue to Hudson avenue; thence along the centre line of Hudson avenue to Johnson street; thence along the centre line of Johnson street to Bridge street, and thence along the centre line of Bridge street to the point of beginning.

Lucien S. Bayless and George Fielder, Justices. Charles P. Bible, Clerk.  
Court-house, No. 611 Fulton street.

Seventh District—The Seventh District embraces the Twenty-sixth, Twenty-eighth and Thirty-second Wards.

Alexander S. Rosenthal and Edward A. Richards, Justices. Samuel F. Brothers, Clerk.  
Court-house, corner Pennsylvania avenue and Fulton street (No. 31 Pennsylvania avenue).

Clerk's Office open from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Trial days, Tuesdays, Wednesdays, Thursdays and Fridays.  
Jury days, Tuesdays and Fridays.  
Clerk's Telephone, 904 East New York.  
Court Telephone, 905 East New York.

#### Borough of Queens.

First District—First Ward (all of Long Island City formerly composing five wards). Court-room, St. Mary's Lyceum, Nos. 115 and 117 Fifth street, Long Island City.

Clerk's Office open from 9 a. m. to 4 p. m. each day, excepting Saturdays, closing at 12 m. Trial days, Mondays, Wednesdays and Fridays. All other business transacted on Tuesdays and Thursdays.

Thomas C. Kadien, Justice. Thomas F. Kennedy, Clerk.  
Telephone, 2376 Greenpoint.

Second District—Second and Third Wards, which include the territory of the late Towns of Newtown and Flushing. Court-room in Court-house of the late Town of Newtown, corner of Broadway and Court street, Elmhurst, New York. P. O. Address, Elmhurst, Queens County, New York.

William Rasquin, Jr., Justice. Luke J. Connor, Clerk. William Repper, Assistant Clerk. James B. Sneider, Stenographer.  
Trial days, Tuesdays and Thursdays.  
Clerk's Office open from 9 a. m. to 4 p. m.  
Telephone, 87 Newtown.

Third District—Fourth and Fifth Wards, comprising the territory of the former Towns and Villages of Jamaica, Far Rockaway and Rockaway Beach.

James F. McLaughlin, Justice. George W. Damon, Clerk.  
Court-house, Town Hall, Jamaica.  
Telephone, 189 Jamaica.

Clerk's Office open from 9 a. m. to 4 p. m.  
Court held on Mondays, Wednesdays and Fridays at 9 a. m.

#### Borough of Richmond.

First District—First and Third Wards (Towns of Castleton and Northfield). Court-room, former Village Hall, Lafayette avenue and Second street, New Brighton.

Thomas C. Brown, Justice. Anning S. Prall, Clerk.  
Clerk's Office open from 8.45 a. m. to 4 p. m.  
Telephone, 503 Tompkinsville.

Second District—Second, Fourth and Fifth Wards (Towns of Middletown, Southfield and Westfield). Court-room, former Edgewater Village Hall, Stapleton.

George W. Stake, Justice. Peter Tiernan, Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.  
Court opens at 9 a. m. Calendar called at 10 a. m. Court continued until close of business. Trial days, Mondays, Wednesdays and Fridays.  
Telephone, 333 Tompkinsville.

#### BOARD MEETINGS.

The Board of Estimate and Apportionment meets in the Old Council Chamber (Room 16), City Hall, every Friday, at 10.30 o'clock a. m.

JOSEPH HAAG,  
Secretary.

The Commissioners of the Sinking Fund meet in the Old Council Chamber (Room 16), City Hall, at call of the Mayor.

N. TAYLOR PHILLIPS,  
Deputy Comptroller, Secretary.

The Board of Revision of Assessments meets in the Old Council Chamber (Room 16), City Hall, every Thursday at 11 a. m., upon notice of the Chief Clerk.

HENRY J. STORRS,  
Chief Clerk.

The Board of City Record meets in the Old Council Chamber (Room 16), City Hall, at call of the Mayor.

PATRICK J. TRACY,  
Supervisor, Secretary.

#### OFFICIAL BOROUGH PAPERS.

##### BOROUGH OF THE BRONX.

"The Bronx Star," "North Side News," "Bronx Independent."

##### BOROUGH OF RICHMOND.

"Staten Island World," "The Staten Islander."

##### BOROUGH OF QUEENS.

"Long Island Star" (First and Second Wards), "Flushing Evening Journal" (Third Ward), "Long Island Farmer" (Fourth Ward), "Rockaway News" (Fifth Ward).

##### BOROUGH OF BROOKLYN.

"Brooklyn Eagle," "Brooklyn Times," "Brooklyn Citizen," "Brooklyn Standard-Union," "Brooklyn Free Press."

##### BOROUGH OF MANHATTAN.

"Real Estate Record and Guide" (Harlem District), "Manhattan and Bronx Advocate" (Washington Heights, Morningside Heights and Harlem Districts).

Designated by Board of City Record June 19, 1906. Amended June 20, 1906; September 30, 1907; February 24, 1908; March 5 and 16, 1908, and March 16, 1909.

#### DEPARTMENT OF CORRECTION.

DEPARTMENT OF CORRECTION, No. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

##### AUCTION SALE.

THE DEPARTMENT OF CORRECTION will sell at public auction six condemned horses, at the Department Stables, No. 516 East Twentieth street, Borough of Manhattan, on

TUESDAY, SEPTEMBER 28, 1909,

at 11 a. m.:

- Lot No. 1, Horse No. 20.
- Lot No. 2, Horse No. 22.
- Lot No. 3, Horse No. 25.
- Lot No. 4, Horse No. 26.
- Lot No. 5, Horse No. 27.
- Lot No. 6, Horse No. 30.

##### TERMS OF SALE.

The purchase money to be paid in cash or certified check at the time of sale.  
The horses will be required to be removed by the purchasers immediately after sale.

JOHN J. BARRY, Commissioner.  
September 14, 1909.

\$15.28

#### BOROUGH OF MANHATTAN.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF MANHATTAN, CITY HALL, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Manhattan, at the City Hall, Room 16, until 2 o'clock p. m. on

MONDAY, SEPTEMBER 27, 1909.

No. 1. FOR FENCING PROPOSED PLAYGROUND ON PARK AVENUE, FROM THE NORTH SIDE OF ONE HUNDRED AND TWENTIETH STREET TO THE SOUTH SIDE OF ONE HUNDRED AND TWENTY-FOURTH STREET.

Engineer's estimate of the amount of work to be done:  
1,990 linear feet of three-rail iron pipe fence, 4 feet high.

Time allowed for doing and completing the above work will be twenty (20) working days.  
Amount of security required will be Two Hundred and Fifty Dollars (\$250).

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per foot, yard or other unit of measure, or article, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total.

Blank forms and specifications may be had at the office of the Commissioner of Public Works, Nos. 13 to 21 Park row, Bureau of Highways, Room 1607, Borough of Manhattan.

JOHN F. AHEARN, President.  
The City of New York, September 16, 1909.

\$16.27

See General Instructions to Bidders on the last page, last column, of the "City Record."

#### DEPARTMENT OF EDUCATION.

DEPARTMENT OF EDUCATION, CORNER OF PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Superintendent of School Supplies at the above office of the Department of Education until 3 p. m. on

FRIDAY, SEPTEMBER 24, 1909.

FOR FURNISHING AND DELIVERING DIRECT TO EACH SCHOOL, TOOLS, LABORATORY APPARATUS, ELECTRICAL, PRINTING, CABINET-MAKING, PLUMBING, MACHINE SHOP, STEAM, CIVIL AND ELECTRICAL ENGINEERING AND MISCELLANEOUS SUPPLIES FOR THE EVENING HIGH, EVENING TECHNICAL AND TRADE, VOCATIONAL AND EVENING ELEMENTARY SCHOOLS OF THE CITY OF NEW YORK.

The time for the delivering of the articles, materials and supplies and the performance of the contract is by or before December 31, 1909.

The amount of the security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, by which the bids will be tested. Award will be made to the lowest bidder on each item, whose goods are equal to the sample furnished for inspection or referred to by catalogue number.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Superintendent of School Supplies, Board of Education, the Borough of Manhattan, southwest corner of Park avenue and Fifty-ninth street.

PATRICK JONES,

Superintendent of School Supplies.

Dated September 15, 1909.

\$14.24

See General Instructions to Bidders on the last page, last column, of the "City Record."

#### DEPARTMENT OF BRIDGES.

DEPARTMENT OF BRIDGES, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Bridges at the above office until 2 o'clock p. m. on

WEDNESDAY, SEPTEMBER 29, 1909,

FOR THE CONSTRUCTION OF DRIP PANS UNDER THE MANHATTAN APPROACH OF THE WILLIAMSBURGH BRIDGE.

The contractor will be required to begin work within five days of the date of certification of the contract by the Comptroller of the City, and will be required to complete the entire work to the satisfaction of the Commissioner and in accordance with the plans and specifications on or before the expiration of four (4) calendar months from the date of such certification.

The amount of security to guarantee the faithful performance of the work will be Seven Thousand Dollars (\$7,000).

The right is reserved by the Commissioner to reject all the bids should he deem it to the interest of the City so to do.

Blank forms and specifications may be obtained at the office of the Department of Bridges.

J. W. STEVENSON, Commissioner.

Dated September 15, 1909.

\$16.29

See General Instructions to Bidders on the last page, last column, of the "City Record."

#### DEPARTMENT OF HEALTH.

DEPARTMENT OF HEALTH, CORNER OF FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health of the Department of Health until 10 o'clock a. m. on

MONDAY, OCTOBER 4, 1909,

FOR FURNISHING AND DELIVERING, AS REQUIRED, GROCERY SUPPLIES, COAL AND FORAGE TO THE TUBERCULOSIS SANATORIUM AT OTISVILLE, ORANGE COUNTY, NEW YORK, DURING THE YEAR 1909.

The time for the delivery of the supplies and the performance of the contract is during the year 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid.

Bids will be compared and the contract awarded to the lowest bidder for each class as indicated by the specifications.

Blank forms and further information may be obtained and samples may be seen at the office of the Chief Clerk of the Department of Health, southwest corner of Fifty-fifth street and Sixth avenue, Borough of Manhattan.

THOMAS DARLINGTON, M. D.,

President;

ALVAH H. DOTY, M. D.,

WILLIAM F. BAKER,

Board of Health.

September 18, 1909.

\$18.04

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF HEALTH, CORNER OF FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health of the Department of Health until 10 o'clock a. m. on

MONDAY, OCTOBER 4, 1909,

FOR FURNISHING ALL THE NECESSARY LABOR AND MATERIAL REQUIRED FOR INSTALLING STEAM HEATING APPARATUS IN CERTAIN BUILDINGS AT THE TUBERCULOSIS SANATORIUM AT OTISVILLE, ORANGE COUNTY, N. Y., FOR THE DEPARTMENT OF HEALTH, CITY OF NEW YORK.

The time for the completion of the work and the full performance of the contract is forty-five (45) consecutive working days.

The amount of security required is fifty per cent. (50%) of the amount of the bid.

Bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Chief Clerk of the Department of Health, southwest corner of Fifty-fifth street and Sixth avenue, Borough of Manhattan, City of New York, or at the Tymeson House at the Tuberculosis Sanatorium at Otisville, Orange County, N. Y.

THOMAS DARLINGTON, M. D., President;

ALVAH H. DOTY, M. D.,

WILLIAM F. BAKER,

Board of Health.

Dated September 18, 1909.

\$18.04

See General Instructions to Bidders on the last page, last column, of the "City Record."

#### BOROUGH OF RICHMOND.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF RICHMOND, BOROUGH HALL, ST. GEORGE, NEW BRITAIN, NEW YORK CITY.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Richmond at the above office until 12 o'clock p. m. on

TUESDAY, SEPTEMBER 21, 1909.

##### Borough of Richmond.

No. 1. FOR FURNISHING AND DELIVERING BROKEN STONE AT TOMPKINS AVENUE YARD, CLIFTON, S. I.

The Superintendent's estimate of the quantity and quality of the material and the nature and extent, as near as possible, of the material required, is as follows:

1,000 tons of 34-inch broken stone.  
The time for the completion of the work and the full performance of the contract is thirty (30) days.

The amount of security required is Seven Hundred Dollars (\$700).

No. 2. FOR FURNISHING AND DELIVERING BROKEN STONE AT STABLE "B," COLUMBIA STREET, WEST NEW BRIGHTON, S. I.

The Superintendent's estimate of the quantity and quality of the material and the nature and extent, as near as possible, of the material required, is as follows:

1,000 tons of 34-inch broken stone.  
The time for the completion of the work and the full performance of the contract is thirty (30) days.

The amount of security required is Seven Hundred Dollars (\$700).

The contracts must be bid for separately, and the bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Bidders are requested to make their bids or estimates upon the blank form prepared by the President, a copy of which, with the proper envelope in which to inclose the bid, together with a copy of the contract, including the specifications, in the form approved by the Corporation Counsel, can be obtained upon application therefor at the office of the said President.

GEORGE CROMWELL, President.

The City of New York, September 1, 1909.

\$9.21

See General Instructions to Bidders on the last page, last column, of the "City Record."

#### BELLEVUE AND ALLIED HOSPITALS.

BELLEVUE AND ALLIED HOSPITALS, DEPARTMENT OF NEW YORK CITY, TWENTY-SIXTH STREET AND FIRST AVENUE (ENTRANCE, No. 411 EAST TWENTY-SIXTH STREET), BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Board of Trustees in the staff room of Bellevue Hospital until 3 o'clock p. m. on

TUESDAY, OCTOBER 5, 1909,

FOR BLANKETS.

The surety required will be not less than fifty per cent. (50%) of the amount of the bid.

The time for the delivery of the supplies and the full performance of the contract is within forty-five (45) days from the date of the signing of the contract.

The bidder must submit a sample with the bid.

The bids will be read from the total, and will be compared and awarded to the lowest bidder as soon thereafter as practicable, according to law.

Blank forms may be obtained at the office of the Contract Clerk, No. 419 East Twenty-sixth street, Borough of Manhattan.

JOHN G. O'KEEFE,

Acting President of the Board of Trustees,

Bellevue and Allied Hospitals.

Dated September 16, 1909.

\$21.05

See General Instructions to Bidders on the last page, last column, of the "City Record."

BELLEVUE AND ALLIED HOSPITALS, DEPARTMENT OF NEW YORK CITY, TWENTY-SIXTH STREET AND FIRST AVENUE, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Board of Trustees at the above office until 2 p. m. on

TUESDAY, SEPTEMBER 21, 1909.

FOR THE ALTERATIONS AND REPAIRS TO THE HEATING SYSTEM OF THE MAIN AND ADJOINING BUILDINGS AT BELLEVUE HOSPITAL, SITUATED AT TWENTY-SIXTH TO TWENTY-EIGHT STREETS, FIRST AVENUE TO THE EAST RIVER, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

The time allowed for doing and completing all the work included under the contract will be not more than forty-two (42) consecutive working days from date of award of contract.

The surety required will be Five Hundred Dollars (\$500).

The bids will be compared and the contract awarded at a lump or aggregate sum to the lowest bidder as soon thereafter as practicable, according to law.

Blank forms may be obtained at the office of the Contract Clerk, No. 419 East Twenty-sixth street, Borough of Manhattan, where bids and deposits are also delivered.

JNO. G. O'KEEFE, Acting President of the Board of Trustees, Bellevue and Allied Hospitals.

Dated September 2, 1909.

\$4.21

See General Instructions to Bidders on the last page, last column, of the "City Record."

#### DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, ROOM 1536, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Water Supply, Gas and Electricity at the above office until 2 o'clock p. m. on

WEDNESDAY, SEPTEMBER 22, 1909.

Boroughs of Manhattan and The Bronx.

No. 1. FOR FURNISHING, DELIVERING AND ERECTING TWO PUMPING ENGINES WITH FOUNDATIONS, STEAM AND AUXILIARY PIPING, SUCTION AND DISCHARGE PIPING, AND ALL OTHER APPURTENANCES AND APPLIANCES, COMPLETE, IN THE NINETY-EIGHTH STREET PUMP STATION, BOROUGH OF MANHATTAN.



Bidders are requested to make their bids or estimates upon the blank form prepared by the Department, a copy of which, with the proper envelopes in which to enclose the bid, together with a copy of the contract, including the specifications, in the form approved by the Corporation Counsel, and plans which are therein mentioned or contained and made a part of the specifications, may be seen or obtained at the office of the Chief Engineer. Bidders desiring any explanation of the plans or specifications must apply therefor to the Chief Engineer.

Dated New York, September 9, 1909.  
JOHN H. O'BRIEN,  
Commissioner of Water Supply, Gas and Electricity.

See General Instructions to Bidders on the last page, last column, of the "City Record."

### MUNICIPAL CIVIL SERVICE COMMISSION.

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, NEW YORK, September 20, 1909.

**PUBLIC NOTICE IS HEREBY GIVEN** that applications will be received from **TUESDAY, SEPTEMBER 21, UNTIL 4 P. M. TUESDAY, OCTOBER 5, 1909,** for the position of

#### DISINFECTOR.

The examination will be held on Monday, October 25, 1909, at 10 a. m.

The subjects and weights of the examination are as follows:

Duties .....	6
Experience .....	3
Arithmetic .....	1

The percentage required is 70.

Candidates will be expected to be familiar with the provisions of the Sanitary Code relating to disinfection and also with the most approved methods of disinfection.

Vacancies, one.

Salary, \$750, \$900 and \$1,050 per annum.

The minimum age is 21.

(No application received at the office of the Commission, by mail or otherwise, after 4 p. m. on October 5 will be accepted.)

FRANK A. SPENCER, Secretary.

21,05

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, NEW YORK, August 17, 1909.

**PUBLIC NOTICE IS HEREBY GIVEN** that applications will be received from

**MONDAY, AUGUST 23, UNTIL MONDAY, OCTOBER 11, 1909,**

for the position of

**PATROLMAN, POLICE DEPARTMENT.**

(NO APPLICATIONS RECEIVED BY THE COMMISSION, BY MAIL OR OTHERWISE, AFTER 4 P. M. ON OCTOBER 11 WILL BE ACCEPTED.)

The subjects and weights are as follows:

Physical development and strength .....	50
Mental test .....	50

The subjects and weights of the mental test are as follows:

Memory test .....	2
Government .....	5
Localities .....	1
Arithmetic .....	2

Seventy per cent. will be required on the mental examination.

Seventy per cent. will be required on strength.

Seventy per cent. will be required on physical development.

The minimum height for applicants is 5 feet 8 inches; the minimum weight, 140 pounds; the minimum chest measurement, 33½ inches.

Applications will not be received from persons who are less than twenty-three (23) years of age on October 11, 1909, or who are more than thirty (30) years of age.

Applicants will be required to submit with their applications a transcript of the Records of the Bureau of Vital Statistics showing the date of birth of the applicant, or in lieu thereof, a transcript from the record of the church in which he was baptized, signed by the pastor, under seal.

All foreign-born applicants will be required to submit evidence of citizenship; naturalization papers should be attached to application.

Applicants will be notified later of the dates of the physical and mental examinations.

Application blanks can be had at No. 299 Broadway, Room 1119.

F. A. SPENCER, Secretary.

21,011

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, CITY OF NEW YORK.

**PUBLIC NOTICE WILL BE GIVEN OF** all competitive examinations two weeks in advance of the date upon which the receipt of applications for any scheduled examination will close. Applications will be received for only such examinations as are scheduled. No application will be accepted at the office of the Commission, by mail or otherwise, after the closing hour for the receipt of same, set forth in the advertisement.

When an examination is advertised, a person desiring to compete in the same may obtain an application blank upon request made in writing or by personal application at the office of the Commission, Room 1119.

The Commission cannot guarantee that applications mailed in response to written requests will be received in time to permit of their being prepared and filed prior to closing hour.

All notices of examinations will be posted in the office of the Commission, and advertised in the City Record for two weeks in advance of the date upon which the receipt of applications will close for any stated position.

Public notice will also be given by advertisement in most of the City papers.

Wherever an examination is of a technical character, due notice is given by advertisement in the technical journals appertaining to the particular profession for which the examination is called.

Such notices will be sent to the daily papers as matters of news. The scope of the examination will be stated.

No information will be given by telephone, and the Commission will not be responsible for such if given by employees, either as to date of filing applications or upon other subjects.

Specimen questions of previous examinations may be obtained at Room 1108.

Unless otherwise specifically stated, the minimum age requirement for all positions is 21.

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### BOROUGH OF BROOKLYN.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the President of the Borough of Brooklyn at the above office until 11 o'clock a. m. on

**WEDNESDAY, OCTOBER 6, 1909,**

FOR FURNISHING ALL THE LABOR AND MATERIALS FOR THE ERECTION AND COMPLETION OF A TWO-STORY BRICK BUILDING FOR THE BUREAU OF SEWERS, BOROUGH OF BROOKLYN, ON THE PROPERTY OF THE CITY OF NEW YORK, KNOWN AS THE CORPORATION YARD, SITUATED ON THE NORTH SIDE OF THIRTY-EIGHTH STREET, 200 FEET WEST OF FIFTH AVENUE, IN THE BOROUGH OF BROOKLYN, CITY OF NEW YORK.

The time allowed for the completion of the work and full performance of the contract is one hundred and twenty (120) working days.

The amount of security required is Four Thousand Dollars (\$4,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms and further information may be obtained at the office of the Bureau of Sewers, Borough of Brooklyn, No. 215 Montague street, Brooklyn.

BIRD S. COLER, President.

Dated September 20, 1909.

21,06

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the President of the Borough of Brooklyn at the above office until 11 o'clock a. m. on

**WEDNESDAY, OCTOBER 6, 1909,**

No. 1. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF GARNET STREET, FROM HAMILTON AVENUE TO SMITH STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

1,750 square yards of asphalt pavement (five years' maintenance).

30 square yards of old stone pavement, to be relaid.

245 cubic yards of concrete, for pavement foundation.

1,170 linear feet of new curbstone, set in concrete.

130 linear feet of old curbstone, reset in concrete.

7 noiseless covers and heads, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and full performance of the contract is thirty (30) working days.

The amount of security required is Fourteen Hundred Dollars (\$1,400).

No. 2. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF HENRY STREET, FROM MONTAGUE STREET TO ATLANTIC AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

4,130 square yards of asphalt pavement (five years' maintenance).

4,130 square yards of asphalt pavement, to be removed.

10 square yards of old stone pavement, to be relaid.

575 cubic yards of concrete, for pavement foundation.

2,620 linear feet of new curbstone, set in concrete.

200 linear feet of old curbstone, reset in concrete.

17 noiseless covers and heads, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and full performance of the contract is fifty (50) working days.

The amount of security required is Forty-five Hundred Dollars (\$4,500).

No. 3. FOR REGULATING AND REPAVING WITH GRANITE PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF PACIFIC STREET, FROM FIFTH AVENUE TO CARLTON AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

3,430 square yards of new granite pavement, with tar and gravel joints (one year's maintenance).

2,280 square yards of old granite pavement, with tar and gravel joints (one year's maintenance).

960 cubic yards of concrete, for pavement foundation.

2,200 linear feet of new curbstone, set in concrete.

730 linear feet of old curbstone, reset in concrete.

310 square feet of new granite bridgestones.

The time allowed for the completion of the work and full performance of the contract is forty (40) working days.

The amount of security required is Fifty-nine Hundred Dollars (\$5,900).

No. 4. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF THAMES STREET, FROM BOGART STREET TO MORGAN AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

3,430 square yards of new granite pavement, with tar and gravel joints (one year's maintenance).

2,280 square yards of old granite pavement, with tar and gravel joints (one year's maintenance).

960 cubic yards of concrete, for pavement foundation.

2,200 linear feet of new curbstone, set in concrete.

730 linear feet of old curbstone, reset in concrete.

310 square feet of new granite bridgestones.

The time allowed for the completion of the work and full performance of the contract is forty (40) working days.

The amount of security required is Fifty-nine Hundred Dollars (\$5,900).

No. 5. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF JEFFERSON STREET, FROM HAMBURG AVENUE TO IRVING AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

4,310 square yards of asphalt pavement (five years' maintenance).

20 square yards of old stone pavement, to be relaid.

600 cubic yards of concrete, for pavement foundation.

2,460 linear feet of new curbstone, set in concrete.

130 linear feet of old curbstone, reset in concrete.

12 noiseless covers and heads, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and full performance of the contract is thirty (30) working days.

The amount of security required is Two Thousand Nine Hundred Dollars (\$2,900).

No. 6. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF JEFFERSON STREET, FROM HAMBURG AVENUE TO IRVING AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

4,310 square yards of asphalt pavement (five years' maintenance).

20 square yards of old stone pavement, to be relaid.

600 cubic yards of concrete, for pavement foundation.

2,460 linear feet of new curbstone, set in concrete.

130 linear feet of old curbstone, reset in concrete.

12 noiseless covers and heads, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and full performance of the contract is thirty-five (35) working days.

The amount of security required is Thirty-five Hundred Dollars (\$3,500).

No. 7. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF LINCOLN PLACE, FROM TROY AVENUE TO ROCHESTER AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

5,030 square yards of asphalt pavement (five years' maintenance).

10 square yards of old stone pavement, to be relaid.

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The Engineer's estimate of the quantities is as follows:

935 square yards of asphalt pavement (five years' maintenance).

10 square yards of old stone pavement, to be relaid.

130 cubic yards of concrete for pavement foundation.

230 linear feet of new curbstone, set in concrete.

140 linear feet of old curbstone, reset in concrete.

2 noiseless covers and heads, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and full performance of the contract is twenty (20) working days.

The amount of security required is Seven Hundred Dollars (\$700).

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per linear foot, square foot, square yard, cubic yard or other unit of measure, by which the bids will be tested. The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Bureau of Highways, the Borough of Brooklyn, No. 12 Municipal Building, Brooklyn.

BIRD S. COLER, President.

Dated September 20, 1909.

21,06

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the President of the Borough of Brooklyn, at the above office, until 11 o'clock a. m. on

**WEDNESDAY, SEPTEMBER 29, 1909,**

No. 1. FOR REGULATING AND REPAVING WITH ASPHALT BLOCK PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF BROOKLYN AVENUE, FROM PROSPECT PLACE TO EASTERN PARKWAY, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

5,590 square yards of asphalt block pavement (five years' maintenance).

20 square yards of old stone pavement, to be relaid.

860 cubic yards of concrete, for pavement foundation.

1,310 linear feet of new curbstone, set in concrete.

1,310 linear feet of old curbstone, reset in concrete.

8 noiseless covers and heads, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and full performance of the contract is forty-five (45) working days.

The amount of security required is Six Thousand Two Hundred Dollars (\$6,200).

No. 2. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF DEVON STREET, FROM CATHARINE STREET TO MORGAN AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

2,040 square yards of asphalt pavement (five years' maintenance).

285 cubic yards of concrete, for pavement foundation.

1,210 linear feet of new curbstone, set in concrete.

20 linear feet of old curbstone, reset in concrete.

5 noiseless covers and heads, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and full performance of the contract is twenty (20) working days.

The amount of security required is Sixteen Hundred Dollars (\$1,600).



300 linear feet 12-inch cast iron force main.  
9,000 linear feet 6-inch house connection drains.  
46 manholes.  
153 standpipes.  
135,000 feet (B. M.) foundation planking.  
700,000 feet (B. M.) sheeting and bracing.  
The time allowed for the completion of the work and full performance of the contract is three hundred (300) working days.  
The amount of security required is Thirty-five Thousand Dollars (\$35,000).  
The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per linear foot, foot board measure or other unit of measure, by which the bids will be tested.  
The bids will be compared and the contract awarded at a lump or aggregate sum for the contract.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Bureau of Sewers, No. 215 Montague street, the Borough of Brooklyn.

BIRD S. COLER, President.

Dated August 13, 1909.

s10,29

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Brooklyn at the above office until 11 o'clock a. m. on

WEDNESDAY, SEPTEMBER 22, 1909, Borough of Brooklyn.

No. 1. FOR FURNISHING ALL THE LABOR AND MATERIALS NECESSARY FOR BUILDING AN EMBANKMENT, WITH ALL APPURTENANCES, UNDER THE TRACKS OF THE BUSHWICK BRANCH OF THE LONG ISLAND RAILROAD AND ADJACENT TO SCOTT AND MONTROSE AVENUES, IN CONNECTION WITH THE CONSTRUCTION OF A SEWER IN SCOTT AVENUE, FROM NEWTOWN CREEK, NORTH OF METROPOLITAN AVENUE, TO ST. NICHOLAS AVENUE, ETC., IN THE CITY OF NEW YORK, BOROUGH OF BROOKLYN.

The time allowed for the completion of the work and full performance of the contract will be sixty (60) consecutive working days.  
The amount of security required will be Three Thousand Dollars (\$3,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Bureau of Sewers, the Borough of Brooklyn, No. 215 Montague street.

BIRD S. COLER, President.

Dated September 8, 1909.

s9,22

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Brooklyn at the above office until 11 o'clock a. m. on

WEDNESDAY, SEPTEMBER 22, 1909,

FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWERS IN SIXTY-FIRST STREET, FROM NINTH AVENUE TO THE END OF THE EXISTING SEWER, 295 FEET EAST OF NINTH AVENUE.

The Engineer's preliminary estimate of the quantities is as follows:

276 linear feet of 12-inch pipe sewer, laid complete, including all incidentals and appurtenances; per linear foot, \$1.60.....	\$441 60
145 linear feet of 6-inch house connection drains, laid complete, including all incidentals and appurtenances; per linear foot, 70 cents.....	101 50
3 manholes complete, with iron heads and covers, including all incidentals and appurtenances; per manhole, \$50.00.....	150 00
<b>Total .....</b>	<b>\$693 10</b>

The time allowed for the completion of the work and full performance of the contract will be thirty (30) working days.

The amount of security required will be Three Hundred and Fifty Dollars (\$350).

The foregoing Engineer's preliminary estimates of the total cost for the completed work are in each case to be taken as the 100 per cent. basis and test for bidding. Proposals shall each state a single percentage of such 100 per cent. (such as 95 per cent., 100 per cent., or 105 per cent.), for which all material and work called for in the proposed contracts and notices to bidders are to be furnished to the City. Such percentage as bid for each contract shall apply to all unit items specified in the Engineer's preliminary estimate to an amount necessary to complete the work described in the contracts.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Bureau of Sewers, the Borough of Brooklyn, No. 215 Montague street, Brooklyn.

BIRD S. COLER, President.

Dated September 8, 1909.

s9,22

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Brooklyn at the above office until 11 o'clock a. m. on

WEDNESDAY, SEPTEMBER 22, 1909,

No. 1. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF ASHFORD STREET, FROM ARLINGTON AVENUE TO ATLANTIC AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

3,260 square yards of asphalt pavement (five years' maintenance).	
20 square yards of old stone pavement, to be relaid.	
455 cubic yards of concrete for pavement foundation.	
1,850 linear feet of new curbstone, set in concrete.	

100 linear feet of old curbstone, reset in concrete.

7 noiseless covers and heads, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Twenty-five Hundred Dollars (\$2,500).

No. 2. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF CHAUNCEY STREET, FROM REID AVENUE TO SARATOGA AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

11,510 square yards of asphalt pavement (five years' maintenance).	
20 square yards of old stone pavement, to be relaid.	
1,600 cubic yards of concrete for pavement foundation.	
5,480 linear feet of new curbstone, set in concrete.	
610 linear feet of old curbstone, reset in concrete.	
27 noiseless covers and heads, complete, for sewer manholes, furnished and set.	

The time allowed for the completion of the work and the full performance of the contract is fifty (50) working days.

The amount of security required is Nine Thousand Dollars (\$9,000).

No. 3. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF CLINTON STREET, FROM ATLANTIC AVENUE TO WARREN STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

790 square yards of asphalt pavement (five years' maintenance).	
10 square yards of old stone pavement, to be relaid.	
530 cubic yards of concrete for pavement foundation.	
1,720 linear feet of new curbstone, set in concrete.	
90 linear feet of old curbstone, reset in concrete.	
12 noiseless covers and heads, complete, for sewer manholes, furnished and set.	

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Two Thousand Nine Hundred Dollars (\$2,900).

No. 4. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF PROSPECT PLACE, FROM SCHENECTADY AVENUE TO UTICA AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

2,730 square yards of asphalt pavement (five years' maintenance).	
10 square yards of old stone pavement, to be relaid.	
380 cubic yards of concrete for pavement foundation.	
1,330 linear feet of new curbstone, set in concrete.	
110 linear feet of old curbstone, reset in concrete.	
8 noiseless covers and heads, complete, for sewer manholes, furnished and set.	

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Twenty-one Hundred Dollars (\$2,100).

No. 5. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF SIXTY-SEVENTH STREET, FROM FOURTH AVENUE TO FIFTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

2,510 square yards of asphalt pavement (five years' maintenance).	
350 cubic yards of concrete, for pavement foundation.	
1,480 linear feet of new curbstone, set in concrete.	
20 linear feet of old curbstone, reset in concrete.	
7 noiseless covers and heads, complete, for sewer manholes, furnished and set.	

The time allowed for the completion of the work and the full performance of the contract is twenty-five (25) working days.

The amount of security required is Two Thousand Dollars (\$2,000).

No. 6. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF SOUTH PORTLAND AVENUE, FROM DE KALB AVENUE TO HANSON PLACE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

5,400 square yards of asphalt pavement (five years' maintenance).	
30 square yards of old stone pavement, to be relaid.	
750 cubic yards of concrete, for pavement foundation.	
2,600 linear feet of new curbstone, set in concrete.	
140 linear feet of old curbstone, reset in concrete.	
11 noiseless covers and heads, complete, for sewer manholes, furnished and set.	

The time allowed for the completion of the work and the full performance of the contract is thirty-five (35) working days.

The amount of security required is Four Thousand Dollars (\$4,000).

No. 7. FOR REGULATING AND REPAVING WITH ASPHALT BLOCK PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF TENTH STREET, FROM FIFTH AVENUE TO PROSPECT PARK WEST, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

9,570 square yards of asphalt block pavement (five years' maintenance).	
10 square yards of old stone pavement, to be relaid.	
1,460 cubic yards of concrete, for pavement foundation.	
5,620 linear feet of new curbstone, set in concrete.	
120 linear feet of old curbstone, reset in concrete.	
24 noiseless covers and heads, complete, for sewer manholes, furnished and set.	

The time allowed for the completion of the work and the full performance of the contract is fifty (50) working days.

The amount of security required is Eleven Thousand Four Hundred Dollars (\$11,400).

No. 8. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF THIRTY-FOURTH STREET, FROM

THIRD AVENUE TO FIFTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

4 720 square yards of asphalt pavement (five years' maintenance).	
20 square yards of old stone pavement, to be relaid.	
660 cubic yards of concrete, for pavement foundation.	
2,790 linear feet of new curbstone, set in concrete.	
40 linear feet of old curbstone, reset in concrete.	
14 noiseless covers and heads, complete, for sewer manholes, furnished and set.	

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Three Thousand Eight Hundred Dollars (\$3,800).

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per linear foot, square foot, square yard or other unit of measure, by which the bids will be tested. The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Bureau of Highways, the Borough of Brooklyn, No. 12 Municipal Building, Brooklyn.

BIRD S. COLER, President.

Dated September 7, 1909.

s9,22

See General Instructions to Bidders on the last page, last column, of the "City Record."

## DEPARTMENT OF FINANCE.

DEPARTMENT OF FINANCE, BUREAU FOR THE COLLECTION OF ASSESSMENTS AND ARREARS, COLLECTOR'S OFFICE, NO. 280 BROADWAY, MANHATTAN.

### NOTICE OF CONTINUATION OF MANHATTAN TAX SALE.

THE SALE OF THE LIENS FOR UNPAID taxes, assessments and water rents for the Borough of Manhattan, as to liens remaining unsold at the termination of sales of June 7, 10, 17, July 1, 15, August 19 and September 20, 1909, has been continued to

THURSDAY, OCTOBER 14, 1909,

at 10 a. m., pursuant to section 1028 of the Greater New York Charter, and will be continued at that time at the Aldermanic Chamber, in the City Hall, as heretofore.

DANIEL MOYNAHAN,  
Collector of Assessments and Arrears.

Dated September 20, 1909.

s21,014

### NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF THE Greater New York Charter, the Comptroller of the City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF BROOKLYN:

#### TWELFTH WARD, SECTION 2.

IMLAY STREET—SEWER, from summit south of Commerce street to Commerce street. Area of assessment: Both sides of Imlay street, extending about 210 feet southeasterly from Commerce street.

#### TWENTY-THIRD WARD, SECTION 6.

MADISON STREET AND STUYVESANT AVENUE—SEWER BASIN at the southwest corner. Area of assessment: East side of Madison street, from Stuyvesant to Lewis avenue, and south side of Stuyvesant avenue, from Madison avenue to Putnam avenue.

#### TWENTY-SIXTH WARD, SECTIONS 5 AND 12.

FENCING VACANT LOTS ON BELMONT AVENUE, south side; on PITKIN AVENUE, south side, between Snediker avenue and Hinsdale street; on HINSDALE STREET, west side, between Pitkin and Belmont avenues; on LIBERTY AVENUE, north side, between Van Sinderin and Snediker avenues; on ALABAMA AVENUE, east side, between Sutter and Blake avenues; on WATKINS STREET, west side, between Glenmore and Liberty avenues; on ST. MARKS AVENUE, south side, and EAST NEW YORK AVENUE, north side, between the junction of these avenues and Rockaway avenue; on LIVONIA AVENUE, north side, between Thatford and Osborn streets; southeast corner of DUMONT AVENUE AND STONE AVENUE. Area of assessment: South side of Belmont avenue and south side of Pitkin avenue, between Snediker avenue and Hinsdale street; west side of Hinsdale street, between Pitkin and Belmont avenues; north side of Liberty avenue, between Snediker and Van Sinderin avenues; east side of Alabama avenue, between Sutter and Blake avenues; west side of Watkins street, between Glenmore and Liberty avenues; south side of St. Marks avenue, and north side of East New York avenue, between the junction of these avenues and Rockaway avenue; north side of Livonia avenue, between Thatford and Osborn streets; southeast corner of Dumont and Stone avenues.

#### TWENTY-SIXTH WARD, SECTION 12.

RECEIVING BASINS, at the northeast and southeast corners of HINSDALE STREET AND BLAKE AVENUE; northwest corner of HINSDALE STREET AND DUMONT AVENUE; northeast and northwest corners of HINSDALE STREET AND LIVONIA AVENUE. Area of assessment: Both sides of Hinsdale street, from Blake avenue to Riverdale avenue; east side of Hinsdale street, from Blake to Sutter avenue; south side of Sutter avenue, and both sides of Blake avenue, from Hinsdale street to Williams avenue; both sides of Dumont avenue, from Snediker avenue to Williams avenue; east side of Snediker avenue, extending about 206 feet north of Dumont avenue; both sides of Livonia avenue and north side of Riverdale avenue, from Williams avenue to Snediker avenue.

#### TWENTY-SIXTH WARD, SECTION 13.

LINCOLN AVENUE—SEWER, between Atlantic and Ridgewood avenues. Area of assessment: Both sides of Lincoln avenue, from Atlantic avenue to Ridgewood avenue.

—that the same were confirmed by the Board of Assessors on September 14, 1909, and entered September 14, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest

will be collected thereon, as provided by section 1019 of the Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment, to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Mechanics' Bank Building, Court and Montague streets, Borough of Brooklyn, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before November 13, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when such assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance, Comptroller's Office, September 14, 1909.

s16,29

### NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF THE Greater New York Charter, the Comptroller of the City of New York hereby gives public notice to all persons, owners of property, affected by the following assessment for LOCAL IMPROVEMENTS in the BOROUGH OF QUEENS:

#### SECOND WARD.

LUDLOW AVENUE—SEWER, from Whitney avenue to Eighth street, and EIGHTH STREET—SEWER, from Ludlow avenue to Lamont avenue. Area of assessment: Both sides of Ludlow avenue, from Charles place to Eighth street, and both sides of Eighth street, from Ludlow avenue to Lamont avenue.

—that the same was confirmed by the Board of Assessors, September 14, 1909, and entered September 14, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessment, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessment is payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, at the Hackett Building, No. 51 Jackson avenue, Long Island City, Borough of Queens, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. until 12 m., and all payments made thereon on or before November 13, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessment became a lien to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance, Comptroller's Office, September 14, 1909.

s16,29

### NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF THE Greater New York Charter, the Comptroller of the City of New York hereby gives public notice to all persons, owners of property, affected by the following assessment for LOCAL IMPROVEMENTS in the BOROUGH OF RICHMOND:

#### FIRST WARD.

SEWER in JAY STREET, from a point about 200 feet north of South street to the junction of Stuyvesant place with Richmond terrace; in HAMILTON AVENUE, from Jay street to Stuyvesant place; in WALL STREET, from Jay street to Tompkins avenue; in DE KALB STREET, from Jay street to Stuyvesant place; in STUYVESANT PLACE, from DeKalb street to Hyatt street; in HYATT STREET, from Stuyvesant place to Central avenue; in SOUTH STREET, from Stuyvesant place to bulkhead crib of the Department of Docks and Ferries, and in an easement through the property of the Staten Island Rapid Transit Railroad Company, from Jay street, opposite the foot of Hamilton avenue, to the bulkhead of Pier 4 of said railroad company, and a separate sanitary outlet thence to the head of Pier 4. Area of assessment: Both sides of Jay street, from South street to Richmond terrace; both sides of Richmond terrace, from Stuyvesant place to Nicholas street; both sides of South street, from Stuyvesant place to New York Bay; both sides of Hyatt street, from Stuyvesant place to Central avenue; both sides of Stuyvesant place, from South street to Richmond terrace; both sides of Carroll place, from Wall street to Hamilton avenue; both sides of Tompkins street, extending southerly from Hamilton avenue about 135 feet; south side of Hamilton avenue, from Daniel Low terrace to Tompkins avenue; both sides of Hamilton avenue, from Tompkins avenue to Jay street; both sides of DeKalb street, from Stuyvesant place to Jay street; east side of Jay street, extending north upon the land of the Staten Island Rapid Transit Railroad Company.

—that the same was confirmed by the Board of Assessors September 14, 1909, and entered on September 14, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessment, interest shall be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and re-



ceive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessment is payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, at Borough Hall, St. George, Borough of Richmond, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before November 13, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessment became a lien to the date of payment.

HERMAN A. METZ, Comptroller.  
City of New York, Department of Finance,  
Comptroller's Office, September 14, 1909.

s16,29

#### INTEREST ON CITY BONDS AND STOCK.

**THE INTEREST DUE ON NOVEMBER 1, 1909,** on the Registered Bonds and Stock of The City of New York will be paid on that day by the Comptroller, at his office in the Steward Building, corner of Broadway and Chambers street (Room 85).

The transfer books thereof will be closed from September 30, to November 1, 1909.

The coupons, that are payable only in New York, for interest due on November 1, 1909, on Bonds and Stock of the present and former City of New York will be paid on that day by the Guaranty Trust Company, Nos. 28 and 30 Nassau street.

The coupons, that are payable in New York or in London, for the interest due on November 1, 1909, on Assessment Bonds and Corporate Stock of The City of New York, will be paid on that day, at the option of the holders thereof, either at the office of the Guaranty Trust Company, Nos. 28 and 30 Nassau street, New York, in United States money, or at the office of Messrs. Seligman Brothers, No. 18 Austin Friars, London, E. C., England, in sterling money at the rate of \$4.8780 to the pound.

The interest due on November 1, 1909, on Coupon Bonds of other corporations now included in The City of New York will be paid on that day at the office of the Comptroller.

The interest due November 1, 1909, on Registered and Coupon Gold Revenue Bonds of The City of New York will be paid on that day by the Guaranty Trust Company, Nos. 28 and 30 Nassau street, New York, in United States money, or, at the option of the holder, upon three weeks' prior notice, as stipulated in said bonds, by Messrs. J. S. Morgan & Co., No. 22 Old Broad street, London, England, at the rate of \$4.83 to the pound.

HERMAN A. METZ, Comptroller.  
City of New York, Department of Finance,  
Comptroller's Office, September 15, 1909.

s16,n1

#### CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE BY SEALED BIDS.

**AT THE REQUEST OF THE BRIDGE** Commissioner, public notice is hereby given that the Commissioners of the Sinking Fund, by virtue of the powers vested in them by law, will offer for sale, by sealed bids all the buildings, parts of buildings, etc., standing upon property owned by The City of New York, acquired by it for bridge purposes, in the

##### Borough of Manhattan

being all the buildings, parts of buildings, etc., standing within the lines of property acquired for the purposes of the Manhattan Bridge, being more particularly designated as the property known as the Kenwood House at No. 31 Bowery, which is more particularly described on a certain map on file in the office of the Collector of City Revenue, Room 141, No. 280 Broadway, Borough of Manhattan.

Pursuant to a resolution of the Commissioners of the Sinking Fund, adopted at a meeting held June 30, 1909, the sale by sealed bids of the above described building and appurtenances thereto will be held by direction of the Comptroller on

**WEDNESDAY, SEPTEMBER 29, 1909,** at 11 a. m., in manner and form as follows:

Sealed bids (blank forms of which may be obtained upon application) will be received by the Comptroller at the office of the Collector of City Revenue, Room 141, No. 280 Broadway, Borough of Manhattan, until 11 a. m. on the 29th day of September, 1909, and then publicly opened for the sale for removal of the above described buildings and appurtenances thereto, and the award will be made to the highest bidder within twenty-four hours, or as soon as possible thereafter.

Each and every bid must be accompanied by a deposit of cash or certified check in a sum equal to 25 per cent. of the amount of the bid, except that a minimum deposit of \$50 will be required with all bids, and that a deposit of \$500 will be sufficient to entitle bidders to bid on any or all of the buildings.

Deposits of unsuccessful bidders will be returned within twenty-four hours after successful bidders have paid purchase price in full and given security, and those of successful bidders may be declared forfeited to The City of New York by the Comptroller upon the failure of the successful bidder to further comply with the requirements of the terms and conditions of the sale, as set forth hereinafter.

Successful bidders will be required to pay the purchase money and deposit the required security within twenty-four hours of the receipt of notification of the acceptance of their bids.

The Comptroller reserves the right to reject any and all bids and to waive any defects or informalities in any bid should it be deemed in the interest of The City of New York to do so.

All bids must state clearly (1) the number or description of the building or buildings bid for; (2) the amount of the bid; (3) the full name and address of the bidder.

All bids must be inclosed in properly sealed envelopes, marked "Proposals to be opened September 29, 1909," and must be delivered or mailed in time for their delivery prior to 11 a. m. of that date to the "Collector of City Revenue, Room 141, No. 280 Broadway, New York City," from whom any further particulars regarding the buildings to be disposed of may be obtained.

The buildings will be sold for immediate removal only, subject to the following

##### TERMS AND CONDITIONS.

The buildings and appurtenances thereto will be sold to the highest bidder, who must pay cash or a certified check drawn to the order of the Comptroller of The City of New York, and must also give a certified check or cash in half the amount of the purchase price as security for the

faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of \$50, the sum of \$50 shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied by the City to the cost of completing any of the work required under the contract, but unfinished at the expiration of the contract period.

The purchaser shall not lease, occupy, cause or permit the building or buildings, etc., purchased by him to be used or occupied for any purpose other than that of their speedy removal, nor shall he collect any rental or other revenue for the use of either the land or the buildings, etc., situated thereon. The breach of either or any of these conditions shall forthwith void the sale and cause immediate forfeiture of the purchase money and the security deposited for the faithful performance of the conditions of the sale. The placing therein or permitting the occupancy of any such building by any tenant free, for rent or otherwise, excepting the necessary watchmen or the workmen engaged in the actual demolition thereof, shall of itself be a breach of the above conditions of sale.

The sale will be as of the condition of the property on date of delivery thereof to the purchaser. The City of New York will not be responsible for any change or loss which may occur in the condition of the buildings or their appurtenances between the time of the sale thereof and the time of delivering possession to the purchaser, after being properly vacated of all tenants. The sale and delivery to purchaser will be made as nearly together as the circumstance of vacating the structures of their tenants will permit.

All the material of the buildings, sheds, walks, structures and cellars of whatsoever nature, with their exterior and interior fixtures, appurtenances and foundations of all kinds, except the exterior walls of the buildings and their foundations and the sidewalks and curb in front of said buildings extending within the described area, shall be torn down and removed from the premises. None of the dirt, debris or waste resulting from demolition shall be allowed to remain on the premises, except old mortar or plaster only, which may be left, but not higher at any point than 2 feet below the curb opposite that point. The exterior walls and their foundations shall be taken down only to a plane whose elevation shall be the level of the curb in front of the building. Where there is no curb the elevation of the surrounding ground shall be considered curb level. All wells, cesspools, sinks, etc., existing on the property must be filled to the level of the surrounding ground with clean earth.

The purchaser at the sale shall also withdraw and remove all abandoned water taps and old service mains, and in place thereof cause to be inserted a brass plug in the main water pipe in the street, in compliance with the rules and regulations of the Department of Water Supply, Gas and Electricity, and furnish the Department of Finance with a certificate from the Department of Water Supply, Gas and Electricity that this has been performed.

The purchaser at the sale shall also remove all house sewer connections to the main sewer in the street, and the opening of the main sewer in street shall be properly closed in compliance with the directions of the Bureau of Sewers, Borough of Manhattan, and furnish the Department of Finance with a certificate from the Bureau of Sewers that the work has been properly performed.

The permit for all opening in the street to be obtained by and at the expense of the purchaser of the building.

Failure to remove said buildings, appurtenances or any part thereof within thirty days from the day of possession will work forfeiture of ownership of such buildings, appurtenances, or portion as shall then be left standing, together with all moneys paid by said purchaser on account thereof at the time of the sale, and the bidder's assent to the above conditions being understood to be implied by the act of bidding, and The City of New York will, without notice to the purchaser, cause the same to be removed, and the costs and expense thereof charged against the security above mentioned.

The work of removal must be carried on in every respect in a thorough and workmanlike manner, and must be completed within thirty days from the day of possession, and the successful bidder will provide and furnish all materials of labor and machinery necessary thereto, and will place proper and sufficient guards and fences and warning signs by day and night for the prevention of accidents, and will indemnify and save harmless The City of New York, its officers, agents and servants, and each of them, against any and all suits and actions, claims and demands of every name and description brought against it, them or any of them, and against and from all damage and costs to which it, they or any of them be put by reason of injury to the person or property of another, resulting from negligence or carelessness in the performance of the work, or in guarding the same, or from any improper or defective materials or machinery, implements or appliances used in the removal of said buildings.

Where party walls are found to exist between buildings purchased by different bidders, the materials of said party walls shall be understood to be equally divided between the separate purchasers.

Party walls and fences, when existing against adjacent property not sold, shall not be taken down. All furings, plaster, chimneys, projecting brick, etc., on the faces of such party walls are to be taken down and removed. The walls shall be made permanently self-supporting, beam holes, etc., bricked up, and the wall pointed and made to exclude wind and rain and present a clean exterior. The roofs of adjacent buildings shall be properly flashed and painted and made watertight where they have been disturbed by the operations of the contractor.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids; and it is further

Resolved, That while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized to cause the sale to be advertised and to direct the sale thereof as financial officer of the City.

H. A. METZ, Comptroller.

City of New York, Department of Finance,  
Comptroller's Office, September 10, 1909.

s13,29

#### NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF THE** Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF QUEENS:

##### FIRST WARD.

**DE BEVOISE AVENUE—REGULATING, GRADING, CURBING, FLAGGING AND LAYING CROSSWALKS,** from Jackson avenue to Flushing avenue. Area of assessment: Both sides of De Bevoise avenue, from Jackson avenue

to Flushing avenue, and to the extent of half the block at the intersecting and terminating avenues.

**GRAND AVENUE—REGULATING, GRADING, CURBING, FLAGGING AND LAYING CROSSWALKS,** from Steinway avenue to Old Bowery Bay road. Area of assessment: Both sides of Grand avenue, from Steinway avenue to Old Bowery Bay road, and to the extent of half the block at the intersecting avenues.

**PEARSALL AVENUE—STORM SEWER,** from Hunters Point avenue to Newtown Creek. Area of assessment: Both sides of Pearsall street, from Hunters Point avenue to Newtown Creek; both sides of right of way of Long Island Railroad Company; Review avenue; Star avenue; Bradley avenue, between Greenpoint avenue and Pearsall street; both sides of Gale street, between Greenpoint and Borden avenues; both sides of Borden avenue, between Greenpoint avenue and Pearsall street; north side of Greenpoint avenue, between Gale street and Hunters Point avenue, and west side of Hunters Point avenue, between Greenpoint avenue and Pearsall street.

**FIFTEENTH AVENUE—SEWER,** from Broadway to Jackson avenue. Area of assessment: Both sides of Fifteenth avenue, from Broadway to Jackson avenue, including Lots Nos. 2, 3, 4, 19, 20, 21 and 22 of Block 216; Lots Nos. 5, 6, 7, 62, 63, 64 and 65 of Block 229; Lots Nos. 19, 20, 21 and 22 of Block 215 and Lots Nos. 7, 8 and 9 of Block 230.

**SIXTEENTH AVENUE—REGULATING, GRADING, CURBING AND FLAGGING,** from Broadway to Graham avenue. Area of assessment: Both sides of Sixteenth avenue, from Broadway to Graham avenue, and to the extent of half the block at the intersecting streets.

—That the same were confirmed by the Board of Revision of Assessments September 9, 1909, and entered September 9, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessment, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, at the Hackett Building, No. 51 Jackson avenue, Long Island City, Borough of Queens, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. until 12 m., and all payments made thereon on or before November 8, 1909, will be exempt from interest as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.  
City of New York, Department of Finance,  
Comptroller's Office, September 9, 1909.

s11,24

#### NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF THE** Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessment for LOCAL IMPROVEMENTS in the BOROUGH OF MANHATTAN:

##### TWELFTH WARD, SECTION 8.

**TWO HUNDRED AND TWELFTH STREET—REGULATING, GRADING, CURBING AND FLAGGING AND CONSTRUCTING NECESSARY RETAINING WALL,** from Broadway to the Harlem River. Area of assessment: Both sides of Two Hundred and Twelfth street, from Broadway to the Harlem River, and to the extent of half the block at the intersecting avenues.

—That the same was confirmed by the Board of Revision of Assessments on September 9, 1909, and entered September 9, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessment, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessment is payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, Room H, No. 280 Broadway, Borough of Manhattan, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before November 8, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessment became a lien to the date of payment.

HERMAN A. METZ, Comptroller.  
City of New York, Department of Finance,  
Comptroller's Office, September 9, 1909.

s11,24

#### NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF THE** Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF THE BRONX:

##### TWENTY-THIRD WARD, SECTION 9.

**WEST ONE HUNDRED AND SIXTY-FIRST STREET—REGULATING, GRADING, BUILDING STEPS, ERECTING RAILINGS AND LAYING DRAINS,** from Summit avenue to Sedgewick avenue. Area of assessment: Both sides of West One Hundred and Sixty-first street, from Ogden avenue to Sedgewick avenue; east

side of Sedgewick avenue, from Jerome avenue to the junction of Lind avenue; east side of Lind avenue, from the junction with Sedgewick avenue to a point about 77 feet north; both sides of Ogden avenue, from Jerome avenue to One Hundred and Sixty-fourth street; both sides of One Hundred and Sixty-second street, between Woodcrest and Summit avenues; both sides of One Hundred and Sixty-third street and south side of One Hundred and Sixty-fourth street, from Woodcrest avenue to Ogden avenue; both sides of Summit avenue, from One Hundred and Sixty-first street to One Hundred and Sixty-fourth street.

**WEST ONE HUNDRED AND SIXTY-SIXTH STREET—REGULATING, GRADING, CURBING, FLAGGING, LAYING CROSSWALKS, BUILDING APPROACHES AND CONSTRUCTING STEPS,** from Jerome avenue to Lind avenue. Area of assessment: Both sides of One Hundred and Sixty-sixth street, from Jerome avenue to Lind avenue, and to the extent of half the block at the intersecting avenues.

##### TWENTY-FOURTH WARD, SECTION 11.

**BUSH STREET—REGULATING, GRADING, SETTING CURBSTONES, FLAGGING THE SIDEWALKS, LAYING CROSSWALKS, BUILDING APPROACHES AND PLACING FENCES,** from Anthony avenue to the Grand Boulevard and Concourse. Area of assessment: Both sides of Bush street, from Anthony avenue to the Grand Boulevard and Concourse, and to the extent of half the block at the intersecting streets.

**CRESTON AVENUE—PAVING AND CURBING,** from Burnside avenue to East One Hundred and Eighty-fourth street. Area of assessment: Both sides of Creston avenue, from Burnside avenue to East One Hundred and Eighty-fourth street, and to the extent of half the block at the intersecting streets.

**PARK VIEW PLACE—REGULATING, GRADING, CURBING, FLAGGING, LAYING CROSSWALKS, BUILDING APPROACHES AND PLACING FENCES,** from West One Hundred and Ninetieth street to Tee Taw avenue. Area of assessment: Both sides of Park View place, from One Hundred and Ninetieth street to Tee Taw avenue, and to the extent of half the block at the intersecting streets.

**PROSPECT AVENUE—PAVING THE ROADWAY AND SETTING CURB,** from Tremont avenue to East One Hundred and Eighty-ninth street. Area of assessment: Both sides of Prospect avenue, from Tremont avenue to One Hundred and Eighty-ninth street, and to the extent of half the block at the intersecting streets.

##### TWENTY-FOURTH WARD, SECTIONS 11 AND 12.

**CRESTON AVENUE—PAVING AND CURBING,** from East One Hundred and Eighty-fourth to East One Hundred and Ninety-eighth street. Area of assessment: Both sides of Creston avenue, from East One Hundred and Eighty-fourth to East One Hundred and Ninety-eighth street, and to the extent of half the block at the intersecting streets.

**HUGHES AVENUE—PAVING AND CURBING,** from Tremont avenue to the property of St. John's College. Area of assessment: Both sides of Hughes avenue, from Tremont avenue to the property of St. John's College, and to the extent of half the block at the intersecting streets.

##### TWENTY-FOURTH WARD, SECTION 12.

**EAST ONE HUNDRED AND NINETY-NINTH STREET—REGULATING, GRADING, SETTING CURBSTONES, FLAGGING THE SIDEWALKS, LAYING CROSSWALKS, BUILDING APPROACHES AND PLACING FENCES,** from Webster to Marion avenue. Area of assessment: Both sides of East One Hundred and Ninety-ninth street, from Webster to Marion avenue, and to the extent of half the block at the intersecting avenues.

—That the same were confirmed by the Board of Revision of Assessments September 9, 1909, and entered on September 9, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Municipal Building, corner of One Hundred and Seventy-seventh street and Third avenue, Borough of The Bronx, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before November 8, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when the above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.  
City of New York, Department of Finance,  
Comptroller's Office, September 9, 1909.

s11,24

#### NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF THE** Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF BROOKLYN:

##### TWELFTH WARD, SECTION 2.

**IMLAY STREET—SEWER BASINS,** at all four corners of VERONA STREET; at all four corners of COMMERCE STREET; at all four corners of BOWNE STREET. Area of assessment: Both sides of Imlay street, from William street to Summit street; both sides of Bowne street, from Conover street to Van Brunt street; east side of Conover street, extending about 260 feet north of Bowne street; east side of Conover street, from Commerce street to Bowne street; both sides of Commerce street, from Conover to Van Brunt street; east side of Conover street, from Verona street to Commerce street; both sides of Verona street, from Conover street to Van Brunt street, and east side of Conover street extending about 220 feet south of Verona street.



**TWENTY-NINTH WARD, SECTION 16.**  
**EAST SECOND STREET—REGULATING, GRADING, CURBING AND LAYING CEMENT SIDEWALKS.** from Greenwood avenue to Vanderbilt street. Area of assessment: Both sides of East Second street, from Greenwood avenue to Vanderbilt street, and to the extent of half the block at the intersecting streets.  
**VANDERBILT STREET—PAVING.** between East Eighteenth street and Gravesend avenue. Area of assessment: Both sides of Vanderbilt street, from East Eighteenth street to Gravesend avenue, and to the extent of half the block at the intersecting streets.

**THIRTIETH WARD, SECTION 17.**  
**FIFTY-THIRD STREET—SEWER.** between Thirtieth and Fifteenth avenues, and **FIFTY-THIRD STREET, OUTLET SEWER.** between Fifteenth and Seventeenth avenues. Area of assessment: Both sides of Fifty-second and Fifty-third streets, from Fourteenth to Seventeenth avenue; both sides of Fifty-third street, from Fourteenth to New Utrecht avenue; west side of Seventeenth avenue, both sides of Sixteenth, Fifteenth and east side of Fourteenth avenues, between Fifty-first and Fifty-fourth streets, and west side of Fourteenth avenue, both sides of Thirtieth avenue and east side of New Utrecht avenue, between Fifty-second and Fifty-fourth streets.

**THIRTIETH WARD, SECTION 18.**  
**BATTERY AVENUE AND DAHLGREN PLACE—SEWERS.** between Eighty-eighth and Ninetieth streets, and **OUTLETS** between Ninetieth and Ninety-second streets. Area of assessment: Both sides of Battery avenue and Dahlgren place, from Eighty-sixth to Ninety-second street; south side of Eighty-sixth street, both sides of Eighty-eighth and Ninetieth streets, from Gatliff place to Parrott place.  
**SEVENTY-SEVENTH STREET—PAVING AND RECURRING.** between Fourth and Fifth avenues. Area of assessment: Both sides of Seventy-seventh street, from Fourth to Fifth avenue, and to the extent of half the block at the intersecting avenues.

**THIRTIETH WARD, SECTION 19.**  
**THIRTEENTH AVENUE—SEWER.** between Seventy-ninth and Eighty-second streets; and **EIGHTY-SECOND STREET—OUTLET SEWER.** between Thirtieth and Fourteenth avenues. Area of assessment: Both sides of Thirteenth avenue, from Seventy-ninth to Eighty-second street; both sides of Eighty-second street, from Thirteenth to Fourteenth avenue, and both sides of Eighty-first street and south side of Eightieth street, from Twelfth to Thirteenth avenue.  
—that the same were confirmed by the Board of Revision of Assessments on September 9, 1909, and entered September 9, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided by section 1019 of the Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment, to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment, from the date when such assessment became a lien, as provided by section 159 of this act."  
Section 159 of this act provides "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."  
The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Mechanics' Bank Building, Court and Montague streets, Borough of Brooklyn, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon or before November 8, 1909, will be exempt from interest as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when such assessments became liens to the date of payment.  
HERMAN A. METZ, Comptroller.  
City of New York, Department of Finance, Comptroller's Office, September 9, 1909.

NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF THE** Greater New York Charter, the Comptroller of the City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for **LOCAL IMPROVEMENTS** in the **BOROUGH OF BROOKLYN**:

**NINTH WARD, SECTION 4.**  
**DOUGLAS STREET (ST. JOHNS PLACE)—SEWER.** between Plaza street and Underhill avenue. Area of assessment: Both sides of St. Johns place, between Plaza street and Underhill avenue.

**TWELFTH WARD, SECTION 2.**  
**HUNTINGTON STREET—SEWER.** between Henry street and Hamilton avenue. Area of assessment: Both sides of Huntington street, from Henry street to Hamilton avenue.

**TWENTY-SIXTH WARD, SECTION 13.**  
**HEMLOCK STREET—SEWER.** between Glenmore avenue and Pitkin avenue. Area of assessment: Both sides of Hemlock street, between Glenmore and Pitkin avenues.

**TWENTY-NINTH WARD, SECTION 16.**  
**SEWER BASINS** at the northeast and northwest corners of **EAST FIFTEENTH STREET AND DORCHESTER ROAD.** Area of assessment: Both sides of East Fifteenth street (Marlborough road), from Cortelyou road to Dorchester road, and the northeasterly side of Dorchester road, from Rugby road to a point about 110 feet east of Fifteenth street.

**THIRTIETH WARD, SECTION 17.**  
**FIFTY-THIRD STREET—SEWER.** between Eleventh avenue and Fort Hamilton avenue. Area of assessment: Both sides of Fifty-third street, from Eleventh avenue to Fort Hamilton avenue, and the southerly side of Fort Hamilton avenue, from Fifty-third to Fifty-fourth street.

**THIRTIETH WARD, SECTION 19.**  
**EIGHTY-SIXTH STREET AND EIGHTEENTH AVENUE—RECEIVING BASIN.** at the northerly corner. Area of assessment: South side of New Utrecht avenue and north side of Eighteenth avenue, from Eighty-fifth to Eighty-sixth street, and easterly side of Eighty-sixth street, between Eighteenth and New Utrecht avenues.

**EIGHTEENTH AVENUE AND BATH AVENUE—SEWER BASIN** at the northerly corner. Area of assessment: South side of Rutherford

place and north side of Bath avenue, between Bay Seventeenth street and Eighteenth avenue, and westerly side of Eighteenth avenue, between Rutherford place and Bath avenue.  
—that the same were confirmed by the Board of Assessors on September 7, 1909, and entered September 7, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided by section 1019 of the Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Mechanics' Bank Building, Court and Montague streets, Borough of Brooklyn, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon or before November 6, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when such assessments became liens to the date of payment.  
HERMAN A. METZ, Comptroller.  
City of New York, Department of Finance, Comptroller's Office, September 7, 1909.

INTEREST ON CITY BONDS AND STOCK.

**THE INTEREST DUE ON OCTOBER 1,** 1909, on the Registered Bonds and Stocks of The City of New York will be paid on that day by the Comptroller, at his office in the Stewart Building, corner of Broadway and Chambers street (Room 85).

The Transfer Books thereof will be closed from September 15 to October 1, 1909, on the Coupon Bonds and Stock of the present and former City of New York will be paid on that day by the Guaranty Trust Company, Nos. 28 and 30 Nassau street.

The interest due on October 1, 1909, on coupon bonds of other corporations now included in The City of New York will be paid on that day at the office of the Comptroller.

HERMAN A. METZ, Comptroller.  
City of New York, Department of Finance, Comptroller's Office, September 1, 1909.

DEPARTMENT OF FINANCE, BUREAU FOR THE COLLECTION OF TAXES, NEW YORK, September 1, 1909.

NOTICE TO TAXPAYERS.

**TAXPAYERS WHO DESIRE TO OBTAIN** their bills promptly should make immediate written requisition (blanks may be procured in the Borough offices), stating their property by section or ward, block and lot or map number, making copy of same from their bills of last year.

If a taxpayer is assessed for personal tax, the requisition should also request bill for such tax. Each requisition should be accompanied by an envelope bearing the proper address of the applicant, AND WITH RETURN POSTAGE PREPAID.

In case of any doubt in regard to ward, section, block or lot number, taxpayers should take their deeds to the Department of Taxes and Assessments and have their property located on the maps of that Department, and forward to the Deputy Receiver of Taxes, with the requisition, a certified memorandum of their property, which will be furnished by the Department of Taxes and Assessments.

Taxpayers in this manner will receive their bills returned by mail at the earliest possible moment, and avoid any delay caused by waiting in lines, as required in case of personal application.

The requisition must be addressed and mailed to the Deputy Receiver of Taxes in whichever Borough the property is located, as follows:  
John J. McDonough, No. 57 Chambers street, Borough of Manhattan, New York.

John B. Underhill, corner of Third and Tremont avenues, Borough of The Bronx, New York.

Thomas J. Drennan, Municipal Building, Borough of Brooklyn, New York.

George H. Creed, corner of Jackson avenue and Fifth street, Long Island City, Borough of Queens, New York.

John De Morgan, Borough Hall, St. George, Staten Island, Borough of Richmond, New York.

After receiving the bills, the taxpayer will draw a check for the amount to the order of the Receiver of Taxes and mail bill and check, with an addressed envelope, with the return postage prepaid, to the Deputy Receiver in whichever Borough the property is located.

**NO REBATES ALLOWED.**

Checks should be mailed as soon as possible after the bills have been received by the taxpayer.

DAVID E. AUSTEN, Receiver of Taxes.

**UNTIL FURTHER NOTICE SURETY COMPANIES** will be accepted as sufficient upon the following contracts to the amounts named:  
**Supplies of Any Description, Including Gas and Electricity.**

One company on a bond up to \$50,000.

When such company is authorized to write that amount as per letter of Comptroller to the surety companies, dated September 16, 1907.

**Construction.**

One company on a bond up to \$25,000.

Including regulating, grading, paving, sewers, maintenance, dredging, construction of parks, parkways, docks, buildings, bridges, tunnels, aqueducts, repairs, heating, ventilating, plumbing, etc., etc.

When such company is authorized to write that amount as per letter of Comptroller to the surety companies, dated September 16, 1907.

**Asphalt, Asphalt Block and Wood Block Pavements.**

Two companies will be required on any and every bond up to amount authorized by letter of Comptroller to the surety companies, dated September 16, 1907.

Dated June 19, 1909.

H. A. METZ, Comptroller.

DEPARTMENT OF DOCKS AND FERRIES.

DEPARTMENT OF DOCKS AND FERRIES, PIER "A," FOOT OF BATTERY PLACE, NORTH RIVER, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Commissioner of Docks at the above office until 12 o'clock m. on

**MONDAY, OCTOBER 4, 1909.**

**Borough of Brooklyn.**

**CONTRACT NO. 1196.**  
**FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR PREPARING FOR AND BUILDING A NEW STEEL FREIGHT SHED WITH APPURTENANCES ON THE PIER BETWEEN THIRTY-FIRST AND THIRTY-SECOND STREETS, IN THE BOROUGH OF BROOKLYN, TO BE KNOWN AS THE THIRTY-FIRST STREET PIER SHED.**

The time for the completion of the work and the full performance of the contract is on or before the expiration of one hundred and eighty (180) calendar days.

The amount of security required is Seventy Thousand Dollars (\$70,000).

Bidders will state a price for furnishing all of the labor and material called for, as the contract is entire and for a complete job, and if awarded will be awarded to the bidder whose price is the lowest for doing all of the work and whose bid is regular in all respects.

Work must be done at the time and in the manner and in such quantities as may be directed. Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the said Department.

ALLEN N. SPOONER, Commissioner.

Dated September 20, 1909.

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF DOCKS AND FERRIES, PIER "A," FOOT OF BATTERY PLACE, NORTH RIVER, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Commissioner of Docks at the above office until 12 o'clock m. on

**WEDNESDAY, SEPTEMBER 29, 1909,**

**Borough of Manhattan.**

**CONTRACT NO. 1186.**  
**FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR PREPARING FOR AND LAYING GRANITE AND IRON SLAB BLOCK PAVEMENT ON PORTIONS OF THE MARGINAL STREET BETWEEN WHITEHALL AND BROAD STREETS, EAST RIVER, UNDER CLASS 1, AND GRANITE BLOCK PAVEMENT BETWEEN ALBANY AND LIBERTY STREETS, NORTH RIVER, UNDER CLASS 2, AND BETWEEN WEST THIRTIETH AND WEST THIRTY-THIRD STREETS, NORTH RIVER; AND FOR LAYING A GRANITE CROSSWALK ALONG THE SOUTHERLY LINE OF WEST TWENTY-SECOND STREET, NORTH RIVER, UNDER CLASS 3.**

The time for the completion of the work and the full performance of the contract and the amount of security required are as follows:  
Class 1—30 calendar days..... \$2,000 00  
Class 2—80 calendar days..... 10,000 00  
Class 3—80 calendar days..... 10,000 00

Bidders shall state a price for furnishing and delivering all labor and material and doing all the work called for in any class upon which a bid is submitted, and each class, if awarded, will be awarded as a separate contract to the lowest bidder in the class whose bid is regular in all respects.

Work must be done at the time and in the manner and in such quantities as may be directed. Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the said Department.

ALLEN N. SPOONER, Commissioner of Docks.

Dated September 16, 1909.

See General Instructions to Bidders on the last page, last column, of the "City Record."

CHANGE OF GRADE DAMAGE COMMISSION.

**TWENTY-THIRD AND TWENTY-FOURTH WARDS.**

**PURSUANT TO THE PROVISIONS OF** chapter 537 of the Laws of 1893 and the acts amendatory thereof and supplemental thereto, notice is hereby given that meetings of the Commissioners appointed under said acts will be held at the office of the Commission, Room 219, No. 280 Broadway (Stewart Building), Borough of Manhattan, New York City, on Mondays, Wednesdays and Fridays of each week, at 2 o'clock p. m., until further notice.

**Dated New York City, July 27, 1909.**

**WILLIAM E. STILLINGS,**  
**GEORGE C. NORTON,**  
**LEWIS A. ABRAMS,**  
Commissioners.

**LAMONT McLOUGHLIN, Clerk.**

FIRE DEPARTMENT.

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Fire Commissioner at the above office until 10.30 o'clock a. m. on

**WEDNESDAY, SEPTEMBER 29, 1909.**

**Boroughs of Manhattan, The Bronx and Richmond.**

**No. 1. FOR FURNISHING AND DELIVERING FIFTEEN THOUSAND (15,000) FEET OF 2½-INCH COTTON FABRIC RUBBER LINED HOSE.**

The time for the delivery of the articles, materials and supplies and the performance of the contract is sixty (60) days.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

**Boroughs of Brooklyn and Queens.**

**No. 2. FOR FURNISHING AND DELIVERING FIFTEEN THOUSAND (15,000) FEET OF 2½-INCH COTTON FABRIC RUBBER LINED HOSE.**

The time for the delivery of the articles, materials and supplies and the performance of the contract is sixty (60) days.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

Bids will be compared and the contract awarded at a lump or aggregate sum.

NICHOLAS J. HAYES, Commissioner.

Dated September 10, 1909.

See General Instructions to Bidders on the last page, last column, of the "City Record."

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total. The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Fire Department, Nos. 157 and 159 East Sixty-seventh street, Manhattan.

NICHOLAS J. HAYES, Commissioner.

Dated September 17, 1909.

See General Instructions to Bidders on the last page, last column, of the "City Record."

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Fire Commissioner at the above office until 10.30 o'clock a. m. on

**MONDAY, SEPTEMBER 27, 1909,**

**Borough of Brooklyn.**

**No. 1. FOR FURNISHING AND DELIVERING VARIOUS SUPPLIES TO THE REPAIR SHOPS.**

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before December 31, 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

**Borough of Queens.**

**No. 2. FOR FURNISHING AND DELIVERING VARIOUS SUPPLIES TO THE REPAIR SHOPS.**

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before December 31, 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total for each class and awards made to the lowest bidder on each class; or the bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Fire Department, Nos. 157 and 159 East Sixty-seventh street, Manhattan.

NICHOLAS J. HAYES, Commissioner.

Dated September 14, 1909.

See General Instructions to Bidders on the last page, last column, of the "City Record."

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Fire Commissioner at the above office until 10.30 o'clock a. m. on

**WEDNESDAY, SEPTEMBER 22, 1909.**

**Borough of Queens.**

**No. 1. FOR FURNISHING AND DELIVERING HAY, STRAW, OATS, BRAN AND OIL MEAL FOR COMPANIES AT FLUSHING AND COLLEGE POINT.**

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before January 10, 1910.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

**No. 2. FOR FURNISHING AND DELIVERING HAY, STRAW, OATS, BRAN AND OIL MEAL FOR COMPANIES AT JAMAICA AND RICHMOND HILL.**

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before January 10, 1910.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

**No. 3. FOR FURNISHING AND DELIVERING HAY, STRAW, OATS, BRAN AND OIL MEAL FOR COMPANIES AT ARVERNE, ROCKAWAY BEACH AND FAR ROCKAWAY.**

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before January 10, 1910.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the totals. The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Fire Department, Nos. 157 and 159 East Sixty-seventh street, Manhattan.

NICHOLAS J. HAYES, Commissioner.

Dated September 10, 1909.

See General Instructions to Bidders on the last page, last column, of the "City Record."

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Fire Commissioner at the above office until 10.30 o'clock a. m. on

**WEDNESDAY, SEPTEMBER 22, 1909.**

**FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR FIREBOAT "GEORGE B. McCLELLAN" (ENGINE 78).**

The time for the completion of the work and the full performance of the contract is ten (10) days.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

Bids will be compared and the contract awarded at a lump or aggregate sum.

NICHOLAS J. HAYES, Commissioner.

Dated September 10, 1909.

See General Instructions to Bidders on the last page, last column, of the "City Record."



Resolved, That that Board consider the proposed area of assessment at a meeting of the Board to be held in The City of New York.



Borough of Manhattan, in the City Hall, on the 24th day of September, 1909, at 10:30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the CITY RECORD for ten days prior to the 24th day of September, 1909.

Dated September 11, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

s11,22

**NOTICE IS HEREBY GIVEN THAT THE** Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to change the grades of the streets within the territory bounded by Tilden avenue, Bedford avenue, Albemarle road and Lott street, Borough of Brooklyn, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on September 24, 1909, at 10:30 o'clock a. m., at which such proposed change will be considered by said Board, all of which is more particularly set forth and described in the following resolutions adopted by the Board on June 18, 1909, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York by changing the grades of the streets within the territory bounded by Tilden avenue, Bedford avenue, Albemarle road and Lott street, in the Borough of Brooklyn, City of New York, more particularly shown upon a map or plan bearing the signature of the Commissioner of Public Works and dated January 19, 1909.

Resolved, That this Board consider the proposed change at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 24th day of September, 1909, at 10:30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the CITY RECORD and the corporation newspapers for ten days continuously, Sundays and legal holidays excepted, prior to the 24th day of September, 1909.

Dated September 11, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

s11,22

**NOTICE IS HEREBY GIVEN THAT THE** Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to change the grade of Manida street, between Garrison avenue and Lafayette avenue, Borough of The Bronx, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on September 24, 1909, at 10:30 o'clock a. m., at which such proposed change will be considered by said Board, all of which is more particularly set forth and described in the following resolutions adopted by the Board on June 18, 1909, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York by changing the grade of Manida street, between Garrison avenue and Lafayette avenue, in the Borough of The Bronx, City of New York, more particularly shown upon a map or plan bearing the signature of the President of the Borough and dated December 15, 1908.

Resolved, That this Board consider the proposed change at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 24th day of September, 1909, at 10:30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the CITY RECORD for ten days continuously, Sundays and legal holidays excepted, prior to the 24th day of September, 1909.

Dated September 11, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

s11,22

**NOTICE IS HEREBY GIVEN THAT THE** Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to lay out a street system within the territory bounded by Newtown avenue, Crescent street, Grand avenue and Van Alst avenue, and establish grades therefor, Borough of Queens, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on September 24, 1909, at 10:30 a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on June 18, 1909, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by laying out a street system within the territory bounded by Newtown avenue, Crescent street, Grand avenue and Van Alst avenue, and establishing grades therefor, in the Borough of Queens, City of New York, more particularly shown upon a map or plan signed by the President of the Borough, and bearing date of January 14, 1909.

Resolved, That this Board consider the proposed change at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 24th day of September, 1909, at 10:30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the CITY RECORD for ten days continuously, Sundays and legal holidays excepted, prior to the 24th day of September, 1909.

Dated September 11, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

s11,22

**NOTICE IS HEREBY GIVEN THAT THE** Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to change the lines and grades of Castleton avenue, between Jewett avenue and Columbia street, Borough of Richmond, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on September 24, 1909, at 10:30 a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on June 18, 1909, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by changing the lines and grades of Castleton avenue, between Jewett avenue and Columbia street, in the Borough of Richmond, City of New York, more particularly shown upon a map or plan signed by the President of the Borough, and dated March 6, 1909.

Resolved, That this Board consider the proposed change at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 24th day of September, 1909, at 10:30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the CITY RECORD for ten days continuously, Sundays and legal holidays excepted, prior to the 24th day of September, 1909.

Dated September 11, 1909.  
JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

s11,22

**NOTICE IS HEREBY GIVEN THAT THE** Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to increase the width of West Thirty-second street, from Broadway to Seventh avenue, Borough of Manhattan, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on September 24, 1909, at 10:30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on July 2, 1909, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by increasing the width of West Thirty-second street, from Broadway to Seventh avenue, in the Borough of Manhattan, City of New York, more particularly described as follows:

The width of West Thirty-second street, from Broadway to Seventh avenue is to be increased from 60 feet to 100 feet by adding 20 feet on each side of said street.

Resolved, That this Board consider the proposed change at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 24th day of September, 1909, at 10:30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the CITY RECORD for ten days continuously, Sundays and legal holidays excepted, prior to the 24th day of September, 1909.

Dated September 11, 1909.  
JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

s11,22

## DEPARTMENT OF PARKS.

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

**THURSDAY, SEPTEMBER 23, 1909,**  
Borough of Brooklyn.

**FOR FURNISHING AND DELIVERING TEN (10) ARBORICULTURISTS' WAGONS.** The time for the completion of the contract is fifty (50) days.

The amount of security required is Fifteen Hundred Dollars (\$1,500).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Litchfield Mansion, Prospect Park, Brooklyn.

HENRY SMITH, President;  
JOSEPH I. BERRY,  
MICHAEL J. KENNEDY,  
Commissioners of Parks.

s10,23

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

**THURSDAY, OCTOBER 7, 1909,**  
Borough of Manhattan.

**FOR ALL MATERIALS AND LABOR REQUIRED FOR FURNISHING AND INSTALLING ELECTRIC LIGHTING FIXTURES IN NEW ADDITION (E) OF THE METROPOLITAN MUSEUM OF ART, LOCATED IN CENTRAL PARK, ON THE WEST SIDE OF FIFTH AVENUE, OPPOSITE EIGHTY-THIRD STREET, BOROUGH OF MANHATTAN.**

The amount of security required is Two Thousand Five Hundred Dollars (\$2,500). The time allowed to complete the whole work will be fifty (50) consecutive working days.

The bids will be compared and the contract awarded at a lump or aggregate sum.

Plans may be seen and blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.  
HENRY SMITH, President;  
JOSEPH I. BERRY,  
MICHAEL J. KENNEDY,  
Commissioners of Parks.

Dated September 10, 1909.

s10,07

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

**THURSDAY, SEPTEMBER 23, 1909,**  
Borough of Manhattan.

**FOR FURNISHING AND DELIVERING ROA HOOK GRAVEL OR GRAVEL OF EQUAL QUALITY ON PARKS AND PARKWAYS, BOROUGH OF MANHATTAN.**

The time allowed for the delivery will be as required before October 31, 1909.

The amount of security required is Six Thousand Dollars (\$6,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH, President;  
JOSEPH I. BERRY,  
MICHAEL J. KENNEDY,  
Commissioners of Parks.

Dated September 10, 1909.

s10,23

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

## DEPARTMENT OF PUBLIC CHARITIES.

DEPARTMENT OF PUBLIC CHARITIES, FOOT OF EAST TWENTY-SIXTH STREET, NEW YORK.

### TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Department of Public Charities at the above office until 2.30 o'clock p. m. on

**WEDNESDAY, SEPTEMBER 29, 1909,**

**FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR THE ERECTION OF AN ADDITION TO THE LAUNDRY AT THE NEW YORK CITY HOME FOR THE AGED AND INFIRM, BLACKWELL ISLAND, THE CITY OF NEW YORK.**

The time allowed for the completion of the work and full performance of the contract is one hundred and fifty (150) consecutive working days.

The surety required will be Twelve Thousand Dollars (\$12,000).

The bidder will state one aggregate price for the whole work described and specified, as the contract is entire and for a complete job.

Blank forms and further information may be obtained at the office of the Architect of the Department, foot of East Twenty-sixth street, The City of New York, where plans and specifications may be seen.

ROBERT W. HEBBERD, Commissioner.  
Dated September 16, 1909.

s16,29

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

DEPARTMENT OF PUBLIC CHARITIES, FOOT OF EAST TWENTY-SIXTH STREET, NEW YORK.

### TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Department of Public Charities at the above office until 2.30 o'clock p. m. on

**WEDNESDAY, SEPTEMBER 29, 1909,**

**FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR THE COMPLETE REMODELING OF THE BUILDING NO. 124 EAST FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.**

The time allowed for the completion of the work and full performance of the contract is one hundred and twenty-five (125) consecutive working days.

The surety required will be Ten Thousand Dollars (\$10,000).

The bidder will state one aggregate price for the whole work described and specified, as the contract is entire and for a complete job.

Blank forms and further information may be obtained at the office of the Architect of the Department, foot of East Twenty-sixth street, Borough of Manhattan, The City of New York, where plans and specifications may be seen.

ROBERT W. HEBBERD, Commissioner.  
Dated September 16, 1909.

s16,29

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

DEPARTMENT OF PUBLIC CHARITIES, FOOT OF EAST TWENTY-SIXTH STREET, NEW YORK.

BOROUGH OF BROOKLYN AND QUEENS.

### TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Department of Public Charities at the above office until 2.30 o'clock p. m. on

**TUESDAY, SEPTEMBER 28, 1909,**

**FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR THE ERECTION AND COMPLETION OF ANNEX ON WEST SIDE OF MAIN BUILDING, KINGS COUNTY HOSPITAL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.**

The time allowed for the completion of the work and full performance of the contract is two hundred (200) consecutive working days.

The surety required will be Sixty Thousand Dollars (\$60,000).

The bidder will state one aggregate price for the whole work described and specified, as the contract is entire and for a complete job.

Blank forms and further information may be obtained at the office of Helmle & Huberty, architects, No. 190 Montague street, Borough of Brooklyn, The City of New York, where plans and specifications may be seen.

ROBERT W. HEBBERD, Commissioner.  
Dated September 14, 1909.

s15,28

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

DEPARTMENT OF PUBLIC CHARITIES, FOOT OF EAST TWENTY-SIXTH STREET, NEW YORK.

BOROUGH OF BROOKLYN AND QUEENS.

### TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Department of Public Charities at the above office until 2.30 o'clock p. m. on

**TUESDAY, SEPTEMBER 28, 1909,**

**FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR THE ERECTION AND ENTIRE COMPLETION OF NEW BRADFORD STREET HOSPITAL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.**

The time allowed for the completion of the work and full performance of the contract is three hundred (300) consecutive working days.

The surety required will be Ninety Thousand Dollars (\$90,000).

The bidder will state one aggregate price for the whole work described and specified, as the contract is entire and for a complete job.

Blank forms and further information may be obtained at the office of Helmle & Huberty, architects, No. 190 Montague street, Borough of Brooklyn, The City of New York, where plans and specifications may be seen.

ROBERT W. HEBBERD, Commissioner.  
Dated September 14, 1909.

s15,28

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

DEPARTMENT OF PUBLIC CHARITIES, FOOT OF EAST TWENTY-SIXTH STREET, NEW YORK.

BOROUGH OF BROOKLYN AND QUEENS.

### TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

**SEALED BIDS OR ESTIMATES WILL BE** received at the office of the Department of Public Charities, foot of East Twenty-sixth street, Borough of Manhattan, in the City of New York, until 2.30 o'clock p. m. on

**MONDAY, SEPTEMBER 27, 1909,**

**FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED TO PUT UP TILE WAINSCOT IN CERTAIN TOILET ROOMS LOCATED IN THE MALE AND FEMALE BUILDINGS OF THE NEW YORK CITY HOME FOR THE AGED AND INFIRM, BROOKLYN DIVISION, THE CITY OF NEW YORK.**

The time allowed for the completion of the work and full performance of the contract is twenty (20) consecutive working days.

The surety required will be One Thousand Dollars (\$1,000).

The bidder will state one aggregate price for the whole work described and specified, as the contract is entire for a complete job.

Blank forms and further information may be obtained at the office of the Architect of the Department, foot of East Twenty-sixth street, Borough of Manhattan, The City of New York, where plans and specifications may be seen.

ROBERT W. HEBBERD, Commissioner.  
Dated September 13, 1909.

s13,27

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

## BOARD OF ASSESSORS.

**PUBLIC NOTICE IS HEREBY GIVEN TO** the owner or owners of all houses and lots, improved or unimproved lands affected thereby, that the following proposed assessments have been completed and are lodged in the office of the Board of Assessors for examination by all persons interested, viz.:

### Borough of Manhattan.

List 382, No. 1. Reregulating, regrading, curbing, recubing, flagging and reflagging West One Hundred and Forty-eighth street, from a point 225.7 feet west of Broadway to the easterly line of the Riverside drive; together with a list of awards for damages caused by a change of grade.

### Borough of The Bronx.

List 632, No. 2. Sewers and appurtenances in Mohegan avenue, from East One Hundred and Seventy-sixth street to East One Hundred and Seventy-fifth street.

List 634, No. 3. Receiving basins at the northeast and southeast corners of Walton avenue and East One Hundred and Sixty-ninth street.

List 633, No. 4. Receiving basins and appurtenances at the northeast, southeast, northwest and southwest corners of East One Hundred and Forty-second street and Robbins avenue.

List 9543, No. 5. Regulating, grading, curbing, erecting fences and constructing steps and drains in West One Hundred and Seventy-seventh street, from Sedgwick avenue to the easterly line of Cedar avenue, and paving between Cedar avenue and a point about 160 feet easterly therefrom, together with a list of awards for damages caused by a change of grade.

The limits within which it is proposed to lay the said assessments include all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

No. 1. Both sides of One Hundred and Forty-eighth street, from Broadway to Riverside drive, and to the extent of half the block at the intersecting streets and avenues.

No. 2. Both sides of Mohegan avenue, between One Hundred and Seventy-fifth and One Hundred and Seventy-sixth streets; south side of One Hundred and Seventy-sixth street, and north side of East One Hundred and Seventy-fifth street, from Mohegan avenue to Marmion avenue.

No. 3. Both sides of One Hundred and Sixty-ninth street, from Walton avenue to Grand Boulevard and Concourse; west side of Grand Boulevard and Concourse, between Clarke place and One Hundred and Sixty-eighth street; east side of Walton avenue, between One Hundred and Sixty-eighth street and Clark place.



No. 4. Blocks bounded by One Hundred and Forty-first street, St. Marys street, Robbins avenue and Powers avenue; east side of Robbins avenue, from One Hundred and Forty-first street to St. Marys street; both sides of One Hundred and Forty-second street, from Robbins avenue to Concord avenue.

No. 5. Both sides of One Hundred and Seventy-seventh street, from Sedgwick avenue to the Harlem River; both sides of Cedar avenue, from Sedgwick avenue to a point about 307 feet northeast of One Hundred and Seventy-seventh street; both sides of Sedgwick avenue, between Cedar avenue and Burnside avenue; both sides of Undercliff avenue, between One Hundred and Seventy-sixth street and Sedgwick avenue; both sides of Tremont avenue, between Montgomery avenue and Sedgwick avenue; both sides of Palisades place, for its entire length; both sides of Poplar avenue, between One Hundred and Seventy-sixth street and Montgomery avenue; also Lots Nos. 1, 50 and 58 of Block 2885.

All persons whose interests are affected by the above-named proposed assessments and who are opposed to the same, or either of them, are requested to present their objections, in writing, to the Secretary of the Board of Assessors, No. 320 Broadway, New York, on or before October 19, 1909, at 11 a. m., at which time and place the said objections will be heard, and testimony received in reference thereto.

ANTONIO ZUCCA,  
PAUL WEIMANN,  
JAMES H. KENNEDY,  
Board of Assessors.

WILLIAM H. JASPER, Secretary,  
No. 320 Broadway,  
City of New York, Borough of Manhattan,  
September 17, 1909.

s17,28

**PUBLIC NOTICE IS HEREBY GIVEN TO** the owner or owners of all houses and lots, improved or unimproved lands affected thereby, that the following proposed assessments have been completed and are lodged in the office of the Board of Assessors, for examination by all persons interested, viz.:

#### Borough of Brooklyn.

List 620, No. 1. Sewer basins on New Jersey avenue, at the southwest corner of Highland boulevard, at the northwest corner of Evergreen place and at the northwest corner of Jamaica avenue.

List 625, No. 2. Sewer in Sixty-first street, between Fifth and Sixth avenues.

List 650, No. 3. Sewer basins at the southerly and easterly corners of Forty-third street and First avenue; also on Forty-fourth street, at the east and south corners of First avenue.

List 662, No. 4. Sewer basins on Milford street, at the northeast and northwest corners of Belmont avenue, and all four corners of Sutter avenue.

List 664, No. 5. Sewer basins at the northerly and easterly corners of Nineteenth avenue and Eighty-fifth street.

List 667, No. 6. Sewer basin at the northwest corner of Snediker and Blake avenues.

List 668, No. 7. Sewer basin at the northerly corner of Stockholm street and St. Nicholas avenue.

List 669, No. 8. Sewer basins at all four corners of Seigel and White streets.

The limits within which it is proposed to lay the said assessments include all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

No. 1. Both sides of Evergreen place, from Pellington place to New Jersey avenue; west side of New Jersey avenue, from Jamaica avenue to Highland boulevard.

No. 2. Both sides of Sixty-first street, from Fifth to Sixth avenue; east side of Fifth avenue and west side of Sixth avenue, from Sixtieth to Sixty-first street.

No. 3. East side of First avenue, from Forty-third street to a point about 100 feet south of Forty-fourth street; west side of Second avenue, from Forty-third to Forty-fifth street; both sides of Forty-third and Forty-fifth streets, from First to Second avenue.

No. 4. Both sides of Sutter avenue, extending about 100 feet west of Milford street and about 70 feet east of Milford street; both sides of Milford street, from Sutter avenue to Pitkin avenue; both sides of Belmont avenue, from about 100 feet east of Milford street to about 150 feet west of Milford street; south side of Pitkin avenue, from Montauk avenue to about 100 feet east of Milford street.

No. 5. Both sides of Nineteenth avenue, from Eighty-fourth to Eighty-fifth street; north side of Eighty-fifth street, commencing about 250 feet east of Nineteenth avenue and extending to about 395 feet west of Nineteenth avenue.

No. 6. West side of Snediker avenue, from Blake avenue to Sutter avenue, south side of Sutter avenue and north side of Blake avenue, from Van Sinderen avenue to Snediker avenue.

No. 7. North side of St. Nicholas avenue, from Stockholm street to DeKalb avenue; south side of Cypress avenue, from Stockholm street to DeKalb avenue; west side of Stockholm street, from St. Nicholas to Cypress avenue.

No. 8. South side of Siegel street, from Bushwick avenue to White street; north side of Siegel street, from Bushwick avenue to Bogart street; west side of White street, from Moore street to Siegel street.

All persons whose interests are affected by the above named proposed assessments and who are opposed to the same, or either of them, are requested to present their objections, in writing, to the Secretary of the Board of Assessors, No. 320 Broadway, New York, on or before October 13, 1909, at 11 a. m., at which time and place the said objections will be heard and testimony received in reference thereto.

ANTONIO ZUCCA,  
PAUL WEIMANN,  
JAMES H. KENNEDY,  
Board of Assessors.

WILLIAM H. JASPER, Secretary,  
No. 320 Broadway,  
City of New York, Borough of Manhattan, Sep-  
tember 11, 1909.

s15,25

#### POLICE DEPARTMENT.

POLICE DEPARTMENT OF THE CITY OF NEW YORK, No. 300 MULBERRY STREET, BOROUGH OF MANHATTAN.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Police Commissioner of the City of New York at the Bookkeeper's Office, Central Department, until 10 o'clock a. m. on

**MONDAY, SEPTEMBER 27, 1909,**

FOR COMPLETING CONTRACT EXECUTED BY NEW YORK STEAM FITTING COMPANY, FEBRUARY 18, 1905, WHICH WAS DECLARED ABANDONED, FOR FURNISHING ALL THE LABOR AND FURNISHING AND ERECTING ALL THE MATERIALS NECESSARY TO INSTALL THE HEATING AND VENTILATING SYSTEM, BOILERS AND STEAM PIPING IN THE

**NEW BUILDING TO BE ERECTED ON THE BLOCK BOUNDED BY GRAND, CENTRE AND BROOME STREETS AND CENTRE MARKET PLACE, BOROUGH OF MANHATTAN, FOR HEADQUARTERS FOR THE POLICE DEPARTMENT OF THE CITY OF NEW YORK.**

The time allowed for the erection and completion of the entire work will be thirty (30) working days.

The amount of security required will be fifty per cent. (50%) of the amount of bid or estimate.

Bidders are particularly requested to examine the plans, specifications and location of the work before bidding, and they are expressly notified that no deviation from the specifications will be allowed unless the same has been previously authorized by and written permission therefor obtained from the Police Commissioner.

For particulars as to the quantity and quality of the supplies or the nature and extent of the work required or of the materials to be furnished, bidders are referred to the specifications and lists of materials, supplies and apparatus to be furnished, and to the plans on file at the office of F. L. V. Hoppin, Architect, No. 244 Fifth avenue, Borough of Manhattan, where blank forms for making bids or estimates, with the proper envelope in which to inclose the same, may be obtained.

The bidder shall state one aggregate price for the whole work described and specified, as the contract is entire and for a complete job.

Bidders will write out the total amount of their estimates, in addition to inserting the same in figures.

WILLIAM F. BAKER, Commissioner.  
New York, September 15, 1909.

s15,27

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

#### POLICE DEPARTMENT—CITY OF NEW YORK.

**OWNERS WANTED BY THE PROPERTY** Clerk of the Police Department of the City of New York, No. 300 Mulberry street, Room No. 9, for the following property, now in his custody, without claimants: Boats, rope, iron, lead, male and female clothing, boots, shoes, wine, blankets, diamonds, canned goods, liquors, etc.; also small amount of money taken from prisoners and found by Patrolmen of this Department.

WILLIAM F. BAKER,  
Police Commissioner.

POLICE DEPARTMENT—CITY OF NEW YORK, BOROUGH OF BROOKLYN.

**OWNERS WANTED BY THE PROPERTY** Clerk of the Police Department of the City of New York—Office, No. 209 State street, Borough of Brooklyn—for the following property, now in his custody, without claimants: Boats, rope, iron, lead, male and female clothing, boots, shoes, wine, blankets, diamonds, canned goods, liquors, etc.; also small amount of money taken from prisoners and found by Patrolmen of this Department.

WILLIAM F. BAKER,  
Police Commissioner.

#### OFFICIAL PAPERS.

Morning—"The Sun," "The New York Times."  
Evening—"The Globe," "The Evening Mail."  
Weekly—"Democracy," "Tammany Times."  
German—"Staats-Zeitung."

Designated by the Board of City Record, January 22, 1906. Amended March 1, 1906; November 20, 1906; February 20, 1907, and March 5, 1908.

#### DEPARTMENT OF STREET CLEANING.

MAIN OFFICE OF THE DEPARTMENT OF STREET CLEANING, ROOM 1403, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Commissioner of Street Cleaning at the above office until 12 o'clock m. on

**TUESDAY, OCTOBER 5, 1909.**

#### Borough of Manhattan.

**CONTRACT FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR FURNISHING AND INSTALLING A RUBBISH CONVEYOR AT THE WEST FORTY-SEVENTH STREET INCINERATING PLANT OF THE DEPARTMENT OF STREET CLEANING, AND ALSO FOR THERE INSTALLING A BALING PRESS.**

The time for the completion of the work and the full performance of the contract is sixty (60) days.

The amount of security required is One Thousand Dollars (\$1,000).

Bids will be compared and the contract awarded at lump or aggregate sum.

The bidder will state the price for the entire work, by which the bids will be tested.

Blank forms and further information may be obtained at the office of the Department of Street Cleaning, the Borough of Manhattan, Nos. 13 to 21 Park row.

WM. H. EDWARDS, Commissioner.  
Dated September 15, 1909.

s16,05

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

MAIN OFFICE OF THE DEPARTMENT OF STREET CLEANING, ROOM 1403, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Commissioner of Street Cleaning at the above office until 12 o'clock noon on

**WEDNESDAY, SEPTEMBER 22, 1909,**  
**Borough of Manhattan.**

**No. 1. CONTRACT FOR FURNISHING AND DELIVERING FORAGE.**

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before December 31, 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

#### Borough of The Bronx.

**No. 2. CONTRACT FOR FURNISHING AND DELIVERING FORAGE.**

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before December 31, 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

#### Borough of Brooklyn.

**No. 3. CONTRACT FOR FURNISHING AND DELIVERING FORAGE.**

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before December 31, 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications per hundred pounds or other unit of measure, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total for each contract, and awards will be made to the lowest bidder on each contract.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Department of Street Cleaning, the Borough of Manhattan, Nos. 13 to 21 Park row.

WM. H. EDWARDS, Commissioner.

Dated September 8, 1909.

s9,22

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

MAIN OFFICE OF THE DEPARTMENT OF STREET CLEANING, ROOM 1403, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Commissioner of Street Cleaning at the above office until 12 o'clock m. on

**THURSDAY, SEPTEMBER 23, 1909.**

**Boroughs of Manhattan and The Bronx.**  
**CONTRACT FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR THE REMOVAL OF SNOW AND ICE.**

"Form No. 1," as designated by resolution of the Board of Estimate and Apportionment of June 25, 1909.

The time for the completion of the work and the full performance of the contract is by or before April 15, 1910.

The amount of security required is One Hundred and Fifty Thousand Dollars (\$150,000).

The compensation will be at a rate or price per cubic yard of snow and ice, computed by multiplying the actual depth of snow and ice in the place or places where work under this contract is carried on, by the area of the street or avenue which is cleaned. The depth of snow and ice shall be determined by the official reports of the New York Meteorological Observatory of the Department of Parks, Central Park, in the City of New York, or by the official reports of an observatory or observatories established or designated by the Commissioner of Street Cleaning; the area of the street or avenue shall be taken from the area maps on file in the Department of Street Cleaning, which have been drawn from the original surveys and have been made by the Sanborn Map Company for the Department of Street Cleaning.

Compensation at so much per centum of the above rate or price will be allowed for snow and ice that has been piled but has not been removed because of the work being stopped by the Commissioner of Street Cleaning after the snow has been so piled and before it was removed, and at so much per centum thereof for rough cleaning because of the work being stopped by the Commissioner of Street Cleaning after the piles have been removed, leaving a certain amount of crust or a film of ice on the surface of the street to be removed.

This price and these percentages must be written out and must also be given in figures.

The contract, if awarded, will be awarded to the lowest bidder per cubic yard without taking into account any estimate of the probable amount of piling or rough cleaning.

Blank forms and further information may be obtained at the office of the Department of Street Cleaning, the Borough of Manhattan, Nos. 13 to 21 Park row.

WM. H. EDWARDS, Commissioner.

Dated September 8, 1909.

s9,23

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

MAIN OFFICE OF THE DEPARTMENT OF STREET CLEANING, ROOM 1403, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Commissioner of Street Cleaning at the above office until 12 o'clock m. on

**THURSDAY, SEPTEMBER 23, 1909.**

**Boroughs of Manhattan and The Bronx.**  
**CONTRACT FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR THE REMOVAL OF SNOW AND ICE.**

"Form No. 2," as designated by resolution of the Board of Estimate and Apportionment of June 25, 1909.

The time for the completion of the work and the full performance of the contract is by or before April 15, 1910.

The amount of security required is One Hundred and Fifty Thousand Dollars (\$150,000).

The compensation will be at a rate or price per cubic yard of snow and ice actually removed from the place or places where work under this contract is carried on. Compensation will be allowed for snow and ice that has been piled but has not been removed because of the work being stopped by the Commissioner of Street Cleaning; this compensation will be at a rate or price per cubic yard of snow and ice piled, computed by multiplying the area of the street or avenue upon which the snow and ice is gathered in heaps for removal by two-thirds the actual depth of snow and ice. The depth of snow and ice shall be determined by the official report of the New York Meteorological Observatory, Department of Parks, Central Park, in the City of New York, or by the official reports of an observatory or observatories established or designated by the Commissioner of Street Cleaning; the area of the street or avenue shall be taken from the area maps on file in the Department of Street Cleaning, made by the Sanborn Map Company for the Department of Street Cleaning.

These rates or prices must be written out and must also be given in figures.

The contract, if awarded, will be awarded to the lowest bidder per cubic yard, without taking into account any estimate of the probable amount of piling.

Blank forms and further information may be obtained at the office of the Department of Street Cleaning, the Borough of Manhattan, Nos. 13 to 21 Park row.

WM. H. EDWARDS, Commissioner.

Dated September 8, 1909.

s9,23

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

MAIN OFFICE OF THE DEPARTMENT OF STREET CLEANING, ROOM 1403, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Commissioner of Street Cleaning at the above office until 12 o'clock m. on

**THURSDAY, SEPTEMBER 23, 1909.**

#### Borough of Brooklyn.

**CONTRACT FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR THE REMOVAL OF SNOW AND ICE.**

"Form No. 1," as designated by resolution of the Board of Estimate and Apportionment of June 25, 1909.

The time for the completion of the work and the full performance of the contract is by or before April 15, 1910.

The amount of security required is One Hundred Thousand Dollars (\$100,000).

The compensation will be at a rate or price per cubic yard of snow and ice, computed by multiplying the actual depth of snow and ice in the place or places where work under this contract is carried on, by the area of the street or avenue which is cleaned. The depth of snow and ice shall be determined by the official reports of the New York Meteorological Observatory of the Department of Parks, Central Park, in the City of New York, or by the official reports of an observatory or observatories established or designated by the Commissioner of Street Cleaning; the area of the street or avenue shall be taken from the area maps on file in the Department of Street Cleaning, which have been drawn from the original surveys and have been made by the Sanborn Map Company for the Department of Street Cleaning.

Compensation at so much per centum of the above rate or price will be allowed for snow and ice that has been piled but has not been removed because of the work being stopped by the Commissioner of Street Cleaning after the snow has been so piled and before it was removed, and at so much per centum thereof for rough cleaning because of the work being stopped by the Commissioner of Street Cleaning after the piles have been removed, leaving a certain amount of crust or a film of ice on the surface of the street to be removed.

This price and these percentages must be written out and must also be given in figures.

The contract, if awarded, will be awarded to the lowest bidder per cubic yard, without taking into account any estimate of the probable amount of piling or rough cleaning.

Blank forms and further information may be obtained at the office of the Department of Street Cleaning, the Borough of Manhattan, Nos. 13 to 21 Park row.

WM. H. EDWARDS, Commissioner.

Dated September 8, 1909.

s9,23

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

MAIN OFFICE OF THE DEPARTMENT OF STREET CLEANING, ROOM 1403, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Commissioner of Street Cleaning at the above office until 12 o'clock m. on

**THURSDAY, SEPTEMBER 23, 1909.**

#### Borough of Brooklyn.

**CONTRACT FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR THE REMOVAL OF SNOW AND ICE.**

"Form No. 2," as designated by resolution of the Board of Estimate and Apportionment of June 25, 1909.

The time for the completion of the work and the full performance of the contract is by or before April 15, 1910.

The amount of security required is One Hundred Thousand Dollars (\$100,000).

The compensation will be at a rate or price per cubic yard of snow and ice actually removed from the place or places where work under this contract is carried on. Compensation will be allowed for snow and ice that has been piled but has not been removed because of the work being stopped by the Commissioner of Street Cleaning; this compensation will be at a rate or price per cubic yard of snow and ice piled, computed by multiplying the area of the street or avenue upon which the snow and ice is gathered in heaps for removal by two-thirds the actual depth of snow and ice. The depth of snow and ice shall be determined by the official report of the New York Meteorological Observatory, Department of Parks, Central Park, in the City of New York, or by the official reports of an observatory or observatories established or designated by the Commissioner of Street Cleaning; the area of the street or avenue shall be taken from the area maps on file in the Department of Street Cleaning, made by the Sanborn Map Company for the Department of Street Cleaning.

These rates or prices must be written out and must also be given in figures.

The contract, if awarded, will be awarded to the lowest bidder per cubic yard, without taking into account any estimate of the probable amount of piling.

Blank forms and further information may be obtained at the office of the Department of Street Cleaning, the Borough of Manhattan, Nos. 13 to 21 Park row.

WM. H. EDWARDS, Commissioner.

Dated September 8, 1909.

s9,23

**See General Instructions to Bidders on the last page, last column, of the "City Record."**

#### BOARD OF WATER SUPPLY.

##### CONTRACT N.

**SEALED BIDS WILL BE RECEIVED BY** the Board of Water Supply, in Room 910, No. 299 Broadway, New York, until 11 a. m. on

**TUESDAY, SEPTEMBER 28, 1909,**

for furnishing and delivering either or both of the following classes of supplies:

##### CONTRACT N.

Class N, No. 1—FURNITURE (SPECIAL).  
Class N, No. 2—FURNITURE (CHAIRS, TABLES, ETC.).

The quantities of the various items of supplies are stated in the bid or proposal, and further information is given in the Information for Bidders, forming part of the contract. At the above place and time bids will be publicly opened and read. The award of the contracts, if awarded, will be made by the Board as soon thereafter as practicable. The Board reserves the right to reject any and all bids.

A bond for the sum of thirty-five per cent. (35%) of the total amount of the contract will be required for the faithful performance of each contract.

No bid will be received and deposited unless accompanied by a certified check upon a National or State bank, drawn to the order of the



Comptroller of The City of New York to the amount of Two Hundred Dollars (\$200) for each class bid upon.

Time allowed for the completion of the work is nine (9) months from the service of notice by the Board to commence deliveries.

Pamphlets containing information for bidders, forms of proposal and contract, specifications, etc., and sets of contract drawings can be obtained at Room 1510, at the above address, upon application, in person or by mail, by depositing the sum of five dollars (\$5) in currency, or check drawn to the order of the Board of Water Supply for each pamphlet or set of drawings. This deposit will be refunded upon the return of the pamphlets and sets of drawings in acceptable condition within thirty days from the date on which bids are to be opened.

JOHN A. BENSEL, President;  
CHARLES N. CHADWICK,  
CHARLES A. SHAW,  
Commissioners of the Board of Water Supply.

J. WALDO SMITH, Chief Engineer.

THOMAS HASSETT, Secretary.  
Note—See General Instructions to Bidders on last page, last column of the CITY RECORD, so far as applicable hereto and not otherwise provided for.

\$10.28

#### CONTRACT 48.

**SEALED BIDS WILL BE RECEIVED BY** the Board of Water Supply, in Room 910, No. 299 Broadway, New York, until 11 a. m. on **TUESDAY, SEPTEMBER 28, 1909,** FOR CONTRACT 48.

**FOR THE CONSTRUCTION OF A PORTION OF AN INTERCEPTING SEWER IN THE CITY OF KINGSTON, ULSTER COUNTY, N. Y.**

The work consists of laying about 1,300 feet of 24-inch vitrified sewer pipe, and driving about 6,200 feet of tunnel in earth and rock.

An approximate statement of the quantities of the various classes of work and further information are given in the Information for Bidders, forming part of the contract. At the above place and time bids will be publicly opened and read. The award of the contract, if awarded, will be made by the Board as soon thereafter as practicable. The Board reserves the right to reject any and all bids.

A bond in the sum of Fifty Thousand Dollars (\$50,000) will be required for the faithful performance of the contract.

No bid will be received and deposited unless accompanied by a certified check upon a National or State Bank, drawn to the order of the Comptroller of The City of New York to the amount of Five Thousand Dollars (\$5,000).

Time allowed for the completion of the work is twenty-four months from the service of notice by the Board to begin work.

Pamphlets containing information for bidders, forms of proposal and contract, specifications and contract drawings, can be obtained at Room 1510, at the above address, upon application in person or by mail, by depositing the sum of ten dollars (\$10) in currency, or check drawn to the order of the Board of Water Supply, for each pamphlet. This deposit will be refunded upon the return of the pamphlets in acceptable condition within thirty days from the date on which bids are to be opened.

JOHN A. BENSEL, President;  
CHARLES N. CHADWICK,  
CHARLES A. SHAW,  
Commissioners of the Board of Water Supply.

J. WALDO SMITH, Chief Engineer.

THOMAS HASSETT, Secretary.  
Note—See general instructions to bidders on last page, last column, of the CITY RECORD, so far as applicable hereto and not otherwise provided for.

\$9.28

#### CONTRACT No. 39.

**SEALED BIDS OR PROPOSALS WILL BE** received by the Board of Water Supply in the office of the Board, No. 299 Broadway, New York, Room 910, ninth floor, until 11 a. m. on **WEDNESDAY, SEPTEMBER 22, 1909,** FOR CONTRACT No. 39.

**FOR FURNISHING AND INSTALLING TWO 12,500-GALLON STEAM TURBO-TURBINE PUMPS, TWO 225 HORSE-POWER WATER-TUBE BOILERS AND ALL ACCESSORIES, AT JEROME AVENUE PUMPING STATION, BOROUGH OF THE BRONX, NEW YORK CITY.**

An approximate statement of the quantities of the various classes of work and further information are given in the Information for Bidders, forming part of the contract. At the above place and time bids will be publicly opened and read. The award of the contract, if awarded, will be made by the Board of Water Supply as soon thereafter as practicable. The Board reserves the right to reject any and all bids.

A bond in the sum of Twenty Thousand Dollars (\$20,000) will be required for the faithful performance of the contract.

No bid will be received and deposited unless accompanied by a certified check upon a National or State bank, drawn to the order of the Comptroller of The City of New York, to the amount of Nine Hundred Dollars (\$900).

Time allowed for the completion of the work is nine (9) months from the service of notice by the Board to begin work.

Pamphlets containing information for bidders, forms of proposal and contract, specifications and contract drawings can be obtained at Room 1510, at the above address, upon application in person or by mail, by depositing the sum of five dollars (\$5) in currency or check drawn to the order of the Board of Water Supply, for each pamphlet. This deposit will be refunded upon the return of the pamphlet in acceptable condition within thirty days from the date on which bids are to be opened.

JOHN A. BENSEL, President;  
CHARLES N. CHADWICK,  
CHARLES A. SHAW,  
Commissioners of the Board of Water Supply.

J. WALDO SMITH, Chief Engineer.

THOMAS HASSETT, Secretary.  
Note—See General Instruction to Bidders on last page, last column, of the CITY RECORD, so far as applicable hereto and not otherwise provided for.

\$3.22

#### SUPREME COURT—FIRST DEPARTMENT.

##### FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title to certain real estate, tenements, hereditaments, corporeal or incorporeal rights in the same, and any and all rights and interests therein not now owned by The City of New York, situated in the Sixth Ward of the Borough of Manhattan, in The City of New York, duly selected and

specified by the Commissioner of Bridges of The City of New York, with the approval of the Board of Estimate and Apportionment of said City, pursuant to the provisions of chapter 712 of the Laws of 1901, for the construction of an extension to the westerly or Manhattan terminal of the New York and Brooklyn Bridge, for the better accommodation of pedestrians, vehicles and railroad passengers using said bridge or terminal.

**NOTICE IS HEREBY GIVEN THAT THE** report of Edward G. Whitaker, Michael Coleman and Samuel Kahn, Commissioners of Estimate and Appraisal, duly appointed in the above entitled proceeding, which report bears date the 9th day of July, 1909, was filed in the office of the Clerk of the County of New York and Board of Estimate and Apportionment of The City of New York, No. 277 Broadway, Manhattan, on the 19th day of July, 1909, and notice is further given that said report will be presented for confirmation to the Supreme Court of the State of New York, First Judicial District, at Special Term, Part III., to be held at the County Court House in the Borough of Manhattan in The City of New York, on the 4th day of October, 1909, at the opening of the Court on that day, and then and there, or as soon as counsel can be heard, a motion will be made that said report be confirmed.

Dated New York, August 31, 1909.

HENRY C. S. STIMPSON,

Attorney for William E. Sutherland,  
No. 42 Broadway, New York City.

\$16.04

#### FIRST JUDICIAL DEPARTMENT.

In the matter of the application of The City of New York, acting by and through the Commissioner of Docks, relative to acquiring right and title to and possession of the wharfage rights, terms, easements, emoluments and privileges appurtenant to Pier (old) 36, or Market Slip Pier West, East River, in the Borough of Manhattan, City of New York, not now owned by The City of New York, and all right, title and interest in and to said pier, or any portion thereof, not now owned by The City of New York, and all wharfage rights, terms, easements, emoluments and privileges appurtenant to certain bulkheads, dock or wharf property on or near the southerly line of South street, in said Borough and City, lying on both the easterly and westerly sides of said Pier (old) 36, or Market Slip Pier West, not now owned by The City of New York, for the improvement of the waterfront of The City of New York on the East River, pursuant to the plan heretofore adopted by the Board of Docks and approved by the Commissioners of the Sinking Fund.

**WE, THE UNDERSIGNED COMMISSIONERS** of Estimate and Assessment in the above entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants, of all houses and lots and improved and unimproved lands, pier or wharf property, and all persons interested therein, or in any rights, privileges or interests pertaining thereto, affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate and assessment and that all persons interested in this proceeding or in any of the uplands, lands, lands under water, premises, buildings, tenements, hereditaments, pier and wharf property affected thereby, and having objections thereto, do present their said objections in writing, duly verified, to us at our office, Rooms Nos. 401 to 404, No. 258 Broadway, in the Borough of Manhattan, in The City of New York, on or before the 29th day of September, 1909, and that we, the said Commissioners, will hear parties so objecting, and for that purpose will be in attendance at our said office on the 1st day of October, 1909, at 10.30 o'clock in the forenoon of that day.

Second—That the abstract of our said estimate and assessment, together with our damage maps, and also all the affidavits, estimates, proofs and other documents used by us in making our report, have been deposited in the Bureau of Street Opening in the Law Department of The City of New York, at the office of said Bureau, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in said City, there to remain until the 9th day of October, 1909.

Third—That, provided there be no objections filed to either of said abstracts, our final report herein will be presented for confirmation to the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part III., to be held in the County Court House, in the Borough of Manhattan, in The City of New York, on the 18th day of October, 1909, at the opening of the Court on that day.

Fourth—In case, however, objections are filed to any of said abstracts of estimate and assessment, the notice of motion to confirm our final report herein will stand adjourned to the date to be hereafter specified, and of which notice will be given to all those who have theretofore appeared in this proceeding, as well as by publication in the CITY RECORD, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Manhattan, New York, September 8, 1909.

EDWARD D. FARRELL, Chairman;  
SILAS P. LEVERIDGE,  
JAMES R. SLOANE, Commissioners.

JOSEPH M. SCHENCK, Clerk.

\$9.25

#### FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired for the same purpose in fee, to the lands, tenements and hereditaments required for the opening and extending of PLEASANT AVENUE (now Olin Avenue), from Gun Hill road to East Two Hundred and Nineteenth street, in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

**NOTICE IS HEREBY GIVEN TO ALL PERSONS** interested in the above entitled proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That the undersigned Commissioners of Estimate have completed their estimate of damage, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, having any objection thereto, do file their said objections in writing, duly verified, with them at their office, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in The City of New York, on or before the 29th day of September,

1909, and that the said Commissioners will hear parties so objecting, and for that purpose will be in attendance at their said office on the 4th day of October, 1909, at 2 o'clock p. m.

Second—That the undersigned Commissioner of Assessment has completed his estimate of benefit and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, having any objection thereto, do file their said objections in writing, duly verified, with him at his office, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in The City of New York, on or before the 29th day of September, 1909, and that the said Commissioner will hear parties so objecting, and for that purpose will be in attendance at his said office on the 4th day of October, 1909, at 3 o'clock p. m.

Third—That the Commissioner of Assessment has assessed any or all such lands, tenements and hereditaments and premises as are within the area of assessment fixed and prescribed as the area of assessment for benefit by the Board of Estimate and Apportionment on the 8th day of July, 1907, and that the said area of assessment includes all those lands, tenements and hereditaments and premises situate and being in the Borough of The Bronx, in The City of New York, which, taken together, are bounded and described as follows, viz:

Bounded on the northwest by a line 97.5 feet northwesterly from and parallel with the northwesterly line of Olin Avenue, the said distance being measured at right angles to the line of Olin Avenue, and by the prolongation of the said line; on the northeast by a line distant 100 feet north-easterly from the northwesterly line of East Two Hundred and Nineteenth street, the said distance being measured at right angles to the line of East Two Hundred and Nineteenth street; on the southeast by a line distant 95 feet southeasterly from and parallel with the southeasterly line of Olin Avenue, the said distance being measured at right angles to the line of Olin Avenue, and by the prolongation of the said line; and on the southwest by a line distant 100 feet southwesterly from and parallel with the southwesterly line of Gun Hill road, the said distance being measured at right angles to the line of Gun Hill road.

Fourth—That the abstracts of said estimate of damage and of said assessment for benefit, together with the damage and benefit maps, and also all the affidavits, estimates, proofs and other documents used by the Commissioners of Estimate and by the Commissioner of Assessment in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in said City, there to remain until the 2d day of October, 1909.

Fifth—That, provided there be no objections filed to either of said abstracts, the reports as to awards and as to assessments for benefit herein will be presented for confirmation to the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part III., to be held in the County Court House, in the Borough of Manhattan, in The City of New York, on the 14th day of December, 1909, at the opening of the Court on that day.

Sixth—In case, however, objections are filed to the foregoing abstracts of estimate and assessment, or to either of them the motion to confirm the reports as to awards and as to assessments shall stand adjourned to the date to be hereafter specified in the notice provided in such cases to be given in relation to filing the final reports, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Manhattan, New York, June 9, 1909.

WM. F. BURROUGH, Chairman;  
WILLIAM SEXTON,  
ANDREW J. KELLY,  
Commissioners of Estimate.

ANDREW J. KELLY,  
Commissioner of Assessment.

JOHN P. DUNN, Clerk.

\$7.25

#### SUPREME COURT—SECOND DEPARTMENT.

##### SECOND DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title to the lands, tenements and hereditaments required for the purpose of opening and extending EIGHTY-FIFTH STREET, from Narrows Avenue to Fifth Avenue, Fort Hamilton Avenue to Tenth Avenue, Twelfth Avenue to Waters Avenue, and Fifteenth Avenue to Sixteenth Avenue, in the Thirtieth Ward, in the Borough of Brooklyn, The City of New York.

**NOTICE IS HEREBY GIVEN THAT THE** final report of the Commissioners of Estimate and Assessment in the above entitled matter will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof, to be held in the County Court House, in the Borough of Brooklyn, in The City of New York, on the 27th day of September, 1909, at 10.30 o'clock in forenoon of that day, and that the said final report has been deposited in the office of the Clerk of the County of Kings, there to remain for and during the space of five days, as required by law.

Dated Borough of Brooklyn, New York, September 21, 1909.

JAMES E. ADAMS,  
JOHN H. FLEURY,  
CHAS. D. DURKEE,  
Commissioners.

JAMES F. QUIGLEY, Clerk.

\$21.25

##### SECOND DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title to the lands, tenements and hereditaments required for the purpose of opening and extending FORTY-FIRST STREET, from Twentieth Avenue to West Street, in the Twenty-ninth and Thirtieth Wards, in the Borough of Brooklyn, The City of New York.

**NOTICE IS HEREBY GIVEN THAT THE** final report of the Commissioners of Estimate and Assessment in the above entitled matter will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof, to be held in the County Court House, in the Borough of Brooklyn, in The City of New York, on the 27th day of September, 1909, at 10.30 o'clock in forenoon of that day, and that the said final report has been deposited in the office of the Clerk of the County of Kings, there to remain for and during the space of five days, as required by law.

Dated Borough of Brooklyn, New York, September 20, 1909.

JAMES RIDGWAY,  
MATTHEW J. KEANY,  
Commissioners.

JAMES F. QUIGLEY, Clerk.

\$21.25

#### SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title to the lands, tenements and hereditaments required for the purpose of opening and extending MIDWOOD STREET, from Nostrand Avenue to Kingston Avenue, in the Twenty-ninth Ward, in the Borough of Brooklyn, The City of New York.

**NOTICE IS HEREBY GIVEN THAT THE** final report of the Commissioners of Estimate and Assessment in the above entitled matter will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof, to be held in the County Court House, in the Borough of Brooklyn, in The City of New York, on the 27th day of September, 1909, at 10.30 o'clock in forenoon of that day; and that the said final report has been deposited in the office of the Clerk of the County of Kings, there to remain for and during the space of five days, as required by law.

Dated Borough of Brooklyn, New York, September 20, 1909.

E. D. CHILDS,  
ABRAHAM SILVERSTONE,  
SOLON BARBANELL,  
Commissioners of Estimate.

E. D. CHILDS,  
Commissioner of Assessment.

JAMES F. QUIGLEY, Clerk.

\$21.25

#### SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title to the lands, tenements and hereditaments required for the purpose of opening and extending STERLING STREET, from Washington Avenue to Brooklyn Avenue, in the Twenty-ninth Ward, in the Borough of Brooklyn, The City of New York.

**NOTICE IS HEREBY GIVEN THAT THE** final report of the Commissioners of Estimate and Assessment in the above entitled matter will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof, to be held in the County Court House, in the Borough of Brooklyn, in The City of New York, on the 27th day of September, 1909, at 10.30 o'clock in forenoon of that day; and that the said final report has been deposited in the office of the Clerk of the County of Kings, there to remain for and during the space of five days, as required by law.

Dated Borough of Brooklyn, New York, September 20, 1909.

JOHN W. FOX,  
GEORGE ECKSTIEN,  
Commissioners.

JAMES F. QUIGLEY, Clerk.

\$21.25

#### SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the opening and extending of AVENUE X, between Ocean Parkway and the easterly line of East Fifteenth Street; and AVENUE Y, between Gravesend Basin and Ocean Avenue, in the Thirty-first Ward, Borough of Brooklyn, The City of New York.

**NOTICE IS HEREBY GIVEN THAT BY AN** order of the Supreme Court, bearing date the 24th day of April, 1909, and duly entered in the office of the Clerk of the County of Kings at his office in the Borough of Brooklyn, in The City of New York, on the 26th day of April, 1909, a copy of which order was duly filed in the office of the Register of the County of Kings, we, John C. Fawcett, Moses J. Harris and Nicholas D. Collins, were appointed Commissioners of Estimate for the purpose of making a just and equitable estimate and assessment of the loss and damage, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose of opening and extending the above mentioned street or avenue, the same being particularly set forth and described in the petition of The City of New York, and also in the notice of the application for the said order thereto attached, filed herein in the office of the Clerk of the County of Kings on the 26th day of April, 1909, and the said Moses J. Harris was appointed Commissioner of Assessment for the purpose of making a just and equitable estimate and assessment of the value of the benefit and advantage of the said street or avenue so to be opened and extended, to the respective owners, lessees, parties and persons respectively entitled to or interested in the respective lands, tenements, hereditaments and premises situated within the area of assessment adopted by the Board of Estimate and Apportionment and not required for the purpose of opening and extending the same, but benefited thereby, the said area of assessment being particularly set forth and described in the petition of The City of New York, and also in the notice of the application for the said order thereto attached filed herein in the office of the Clerk of the County of Kings on the 26th day of April, 1909, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 17, title 4 of the Greater New York Charter, as amended, and the acts or parts of acts supplementary thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening and extending the said street or avenue, and affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate, at our office, No. 166 Montague Street, in the Borough of Brooklyn, in The City of New York, with such affidavit or other proof as the owners or claimants may desire, within ten days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 6th day of October, 1909, at 3.30 o'clock in the afternoon of that day, to hear the said parties and persons in relation thereto. And at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proof of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The City of New York.

Dated Borough of Brooklyn, City of New York, September 20, 1909.

MOSES J. HARRIS,  
NICHOLAS D. COLLINS,  
JOHN C. FAWCETT,  
Commissioners.

JAMES F. QUIGLEY, Clerk.

\$20.30



## SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of SEVENTEENTH STREET (although not yet named by proper authority), from Queens avenue to Oak avenue, in the Third Ward, Borough of Queens, City of New York.

**WE, THE UNDERSIGNED COMMISSIONERS** of Estimate and Assessment in the above entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate and assessment, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, and having objections thereto, do present their said objections in writing, duly verified, to us at our office, No. 252 Jackson avenue, Long Island City, Borough of Queens, in the City of New York, on or before the 11th day of October, 1909, and that we, the said Commissioners, will hear parties so objecting, and for that purpose will be in attendance at our said office on the 13th day of October, 1909, at 2 o'clock p. m.

Second—That the abstracts of our said estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates, proofs and other documents used by us in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, No. 252 Jackson avenue, Long Island City, in the Borough of Queens, in said City, there to remain until the 11th day of October, 1909.

Third—That the limits of our assessment for benefit include all those lands, tenements and hereditaments and premises situate, lying and being in the Borough of Queens, in the City of New York, which, taken together, are bounded and described as follows, viz:

Commencing at a point on the southerly side of Oak avenue, at the centre line of the block between Seventeenth and Sixteenth streets, and running thence northerly and along said centre line of the block, and parallel with the westerly line of Seventeenth street, to the northerly side of Queens avenue; and thence easterly along the northerly side of Queens avenue, or nearly so, to a point at the centre line of the block between Seventeenth and Eighteenth streets; and thence southerly and parallel with the easterly line of Seventeenth street along said centre line of the block to the southerly line of the said Oak avenue; and thence westerly along the southerly line of Oak avenue to the point or place of beginning, as such area is shown upon our benefit maps deposited as aforesaid.

Fourth—That, provided there be no objections filed to either of said abstracts, our final report herein will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof, for the hearing of motions, to be held in the County Court House, in the Borough of Brooklyn, in the City of New York, on the 8th day of December, 1909, at the opening of the Court on that day.

Fifth—In case, however, objections are filed to any of said abstracts of estimate and assessment, the notice of motion to confirm our final report herein will stand adjourned to the date to be hereafter specified, and of which notice will be given to all those who have theretofore appeared in this proceeding, as well as by publication in the CITY RECORD, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Manhattan, New York, September 15, 1909.

ELMER G. STORY, Chairman;  
HENRY A. VAN ALLEN,  
HARRY R. GELWICKS,  
Commissioners.

JOHN P. DUNN, Clerk.

\$17.06

## SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to closing and discontinuing DE BRUYNS LANE, from Benson avenue to Cropsey avenue, in the Thirtieth Ward, Borough of Brooklyn, City of New York.

**NOTICE IS HEREBY GIVEN** THAT the final report of the Commissioners of Estimate and Assessment in the above entitled matter will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof to be held in the County Court House, in the Borough of Brooklyn, City of New York, on the 29th day of September, 1909, at 10.30 o'clock in the forenoon of that day, and that the said final report has been deposited in the office of the Clerk of the County of Kings, there to remain for and during the space of five days, as required by law.

Dated Borough of Brooklyn, New York, September 17, 1909.

MOSES J. HARRIS,  
JULIUS SIEGELMAN,  
MICHAEL RYAN,  
Commissioners.

JAMES F. QUIGLEY, Clerk.

\$17.28

## SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title wherever the same has not been heretofore acquired for the same purpose in fee, to the lands, tenements and hereditaments required for the opening and extending of REMSEN STREET, from the westerly terminus of the street as now in use and improved to Furman street, in the First Ward, Borough of Brooklyn, City of New York.

**NOTICE IS HEREBY GIVEN** TO ALL PERSONS interested in the above entitled proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That the undersigned Commissioners of Estimate have completed their estimate of damage, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, having any objection thereto, do file their said objections in writing, duly verified, with them at their office, No. 166 Montague street, in the Borough of Brooklyn, in the City of New York, on or before the 4th day of October, 1909, and that the said Commissioners will hear parties so objecting, and for that purpose will be in attendance at their said office on the 6th day of October, 1909, at 3.30 o'clock p. m.

Second—That the undersigned Commissioner of Assessment has completed his estimate of benefit and that all persons interested in this proceeding, or in any of the lands, tenements and

hereditaments and premises affected thereby, having any objection thereto, do file their said objections in writing, duly verified, with him at his office, No. 166 Montague street, in the Borough of Brooklyn, in the City of New York, on or before the 4th day of October, 1909, and that the said Commissioner will hear parties so objecting, and for that purpose will be in attendance at his said office on the 7th day of October, 1909, at 3.30 o'clock p. m.

Third—That the Commissioner of Assessment has assessed any or all such lands, tenements and hereditaments and premises as are within the area of assessment fixed and prescribed by the Board of Estimate and Apportionment on the 10th day of April, 1908, and that the said area of assessment includes all those lands, tenements and hereditaments and premises situate and being in the Borough of Brooklyn, in the City of New York, which, taken together, are bounded and described as follows, viz:

Bounded on the north by a line distant 100 feet northerly from and parallel with the northerly line of Remsen street, the said distance being measured at right angles to the line of Remsen street; on the east by a line midway between Henry street and Clinton street; on the south by a line distant 100 feet southerly from and parallel with the southerly line of Remsen street, the said distance being measured at right angles to the line of Remsen street, and on the west by the easterly line of Furman street.

Fourth—That the abstracts of said estimate of damage and of said assessment for benefit, together with the damage and benefit maps, and also all the affidavits, estimates, proofs and other documents used by the Commissioners of Estimate and by the Commissioner of Assessment in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, No. 166 Montague street, in the Borough of Brooklyn, in said City, there to remain until the 16th day of October, 1909.

Fifth—That, provided there be no objections filed to either of said abstracts, the reports as to awards and as to assessments for benefit herein will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof, to be held in the County Court House, in the Borough of Brooklyn, in the City of New York, on the 23d day of November, 1909, at the opening of the Court on that day.

Sixth—In case, however, objections are filed to the foregoing abstracts of estimate and assessment, or to either of them, the motion to confirm the reports as to awards and as to assessments shall stand adjourned to the date to be hereafter specified in the notice provided in such cases to be given in relation to filing the final reports, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated, Borough of Brooklyn, New York, September 16, 1909.

JULIAN D. FAIRCHILD,  
LEROY W. ROSS,  
Commissioners of Estimate.  
JULIAN D. FAIRCHILD,  
Commissioner of Assessment.

JAMES F. QUIGLEY, Clerk.

\$15.02

## SECOND DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the opening and extending of SENATOR STREET, from First avenue to Fifth avenue, in the Thirtieth Ward, Borough of Brooklyn, City of New York.

**WE, THE UNDERSIGNED COMMISSIONERS** of Estimate and Assessment in the above entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our amended and supplemental estimate and assessment, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, and having objections thereto, do present their said objections in writing, duly verified, to us at our office, No. 166 Montague street, in the Borough of Brooklyn, in the City of New York, on or before the 4th day of October, 1909, and that we, the said Commissioners, will hear parties so objecting, and for that purpose will be in attendance at our said office on the 7th day of October, 1909, at 2 o'clock p. m.

Second—That the abstract of our said amended and supplemental estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates, proofs and other documents used by us in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, No. 166 Montague street, in the Borough of Brooklyn, in said City, there to remain until the 14th day of October, 1909.

Third—That the limits of our assessment for benefit include all those lands, tenements and hereditaments and premises situate, lying and being in the Borough of Brooklyn, in the City of New York, which, taken together, are bounded and described as follows, viz:

Beginning at a point on the westerly side of Fifth avenue where the same is intersected by a line drawn parallel to Senator street and distant 100 feet northerly therefrom, said distance being measured at right angles to Senator street; running thence westerly along said parallel line to its intersection with the easterly side of Fourth avenue; running thence southerly along the easterly side of Fourth avenue to its intersection with a line drawn parallel to Senator street and distant 100 feet southerly therefrom, said distance being measured at right angles to Senator street; running thence easterly along said parallel line to the westerly side of Fifth avenue; running thence northerly along the westerly side of Fifth avenue to the point or place of beginning.

Also beginning at a point on the westerly side of Fourth avenue where the same is intersected by the centre line of the block between Senator street and Sixty-seventh street; running thence westerly along the centre line of the block between Senator street and Sixty-seventh street to the easterly side of Third avenue; running thence southerly along the easterly side of Third avenue to the centre line of the block between Sixty-eighth street and Senator street; running thence easterly and along the centre line of the block between Sixty-eighth street and Senator street to the westerly side of Fourth avenue; running thence northerly along the westerly side of Fourth avenue to the point or place of beginning.

Also beginning at a point formed by the intersection of the southerly side of Sixty-seventh street with the westerly side of Third avenue; running thence southerly and along the westerly side of Third avenue to the prolongation of a line drawn parallel with Senator street and distant 100 feet southerly therefrom, said distance

being measured at right angles to the line of Senator street; running thence westerly and along said parallel line to the easterly side of Second avenue; running thence northerly and along the easterly side of Second avenue to a line drawn parallel with the northerly side of Senator street and distant 100 feet northerly therefrom, said distance being measured at right angles to Senator street; running thence easterly along said parallel line to a point distant 100 feet northwesterly of the northwesterly side of Senator street, said distance being measured at right angles to the northwesterly side of Senator street; running thence northeasterly parallel with the northwesterly side of Senator street to the southerly side of Sixty-seventh street; running thence easterly along the southerly side of Sixty-seventh street to the point or place of beginning.

Also beginning at a point on the westerly side of Second avenue where the same is intersected by the centre line of the block between Sixty-seventh street and Senator street; running thence westerly and along said centre line to the easterly side of First avenue; running thence southerly and along the easterly side of First avenue to the centre line of the block between Sixty-eighth street and Senator street; running thence easterly and along said centre line to the westerly side of Second avenue; running thence northerly along said westerly side of Second avenue to the place of beginning.

Fourth—That, provided there be no objections filed to either of said abstracts, our final report herein will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof for the hearing of motions, to be held in the County Court House in the Borough of Brooklyn, in the City of New York, on the 23d day of November, 1909, at the opening of the Court on that day.

Fifth—In case, however, objections are filed to either of said abstracts of estimate and assessment, the notice of motion to confirm our final report herein will stand adjourned to the date to be hereafter specified, and of which notice will be given to all those who have theretofore appeared in this proceeding, as well as by publication in the CITY RECORD and in the corporation newspapers, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Brooklyn, New York, September 16, 1909.

A. McKINNY, Chairman;  
JOHN C. FAWCETT,  
Commissioners.

JAMES F. QUIGLEY, Clerk.

\$15.02

## SUPREME COURT—THIRD JUDICIAL DISTRICT.

## THIRD JUDICIAL DISTRICT.

## ULSTER COUNTY.

Ashokan Reservoir, Section No. 13, Towns of Olive and Hurley, Ulster County.

In the matter of the application and petition of John A. Benschel, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905 and the acts amendatory thereof, in the Towns of Olive and Hurley, Ulster County, N. Y., for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York.

**PUBLIC NOTICE IS HEREBY GIVEN** that the order of confirmation of the first separate report of Charles W. Mead, A. Winthrop Williams and Henry Brady, who were appointed Commissioners of Appraisal in the above entitled matter by an order of this Court made at a Special Term thereof, held at the City Hall in the City of Albany, N. Y., February 27, 1909, was filed in the office of the Clerk of the County of Ulster at Kingston, N. Y., on the 31st day of August, 1909, and affects parcels numbers six hundred and fifty-five (655), six hundred and forty-four (644), six hundred and eight (608), six hundred and thirteen (613), six hundred and thirty-seven (637), six hundred and twenty-three (623), six hundred and forty-five (645), six hundred and thirty-nine (639), six hundred and thirty B (630B), six hundred and twenty-seven (627), six hundred and twenty-eight (628) and six hundred and fifty-four (654), shown on the map and supplemental maps in this proceeding.

Dated New York, August 31, 1909.

FRANCIS K. PENDLETON,  
Corporation Counsel.

Hall of Records, New York City.

\$11.02

## THIRD JUDICIAL DISTRICT, ULSTER COUNTY.

Ashokan Reservoir, Section No. 11, Ulster County.

## Town of Olive.

In the matter of the application and petition of John A. Benschel, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905 and the acts amendatory thereof, in the Town of Olive, Ulster County, N. Y., for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York.

**PUBLIC NOTICE IS HEREBY GIVEN** that the first separate report of William J. DeLamater, John Joseph Dwyer and Isaac N. Weiner, who were appointed Commissioners of Appraisal in the above entitled matter, by an order of this Court, made at a Special Term thereof, held at the City Hall in the City of Albany, N. Y., upon the 27th day of February, 1909, was filed in the office of the Clerk of the County of Ulster on the 2d day of September, 1909, and affects parcels Nos. four hundred ninety-one (491), four hundred ninety-three (493), four hundred ninety-seven (497), four hundred ninety-eight (498), five hundred four (504), five hundred seven (507), five hundred eight (508), five hundred nine (509), five hundred twelve (512), five hundred thirteen (513), five hundred fifteen (515), five hundred sixteen (516), five hundred seventeen (517), five hundred eighteen (518), five hundred nineteen (519), five hundred twenty-five (525), five hundred twenty-eight (528), five hundred twenty-nine (529), five hundred thirty-two (532), five hundred thirty-three C (533-C), five hundred thirty-seven (537) and five hundred thirty-nine (539), shown on the map of this proceeding and the supplemental maps filed in this proceeding.

Notice is further given that an application will be made at a Special Term of the Supreme Court of the State of New York, to be held in and for the Third Judicial District, at the City Hall, in the City of Albany, N. Y., on the 25th day of September, 1909, at 10 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order confirming said report and for such other and further relief as may be just.

Reserving to The City of New York the right to oppose the confirmation of any or all parcels contained in said report.

Dated New York, September 2, 1909.

FRANCIS K. PENDLETON,  
Corporation Counsel.

Office and Post Office address, Hall of Records, corner Chambers and Centre streets, Borough of Manhattan, New York City.

\$4.25

## THIRD JUDICIAL DISTRICT, ULSTER COUNTY.

## ASHOKAN RESERVOIR, SECTION NO. 18.

## Town of Hurley.

In the matter of the application and petition of John A. Benschel, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905 and the acts amendatory thereof, in the Town of Hurley, Ulster County, N. Y., for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York.

**PUBLIC NOTICE IS HEREBY GIVEN** that the first separate report of J. Rider Cady, Edmund M. Wilbur and Thomas J. Colton, who were appointed Commissioners of Appraisal in the above entitled matter by an order of this Court, made at a Special Term thereof held at the City Hall in the City of Albany, N. Y., upon the 22d day of May, 1909, was filed in the office of the Clerk of the County of Ulster on the 28th day of August, 1909, and affects parcels numbers eight hundred and eighty-two (882), eight hundred and eighty-six (886), eight hundred and eighty-nine (889), eight hundred and ninety-nine (899), nine hundred (900), nine hundred and two (902), nine hundred and seven (907), nine hundred and eight (908), nine hundred and fourteen (914), nine hundred and twenty-two (922), nine hundred and twenty-four (924), nine hundred and twenty-five (925), nine hundred and twenty-seven (927), nine hundred and twenty-nine (929) and nine hundred and thirty-two (932), shown on the map of this proceeding and the supplemental maps filed in this proceeding.

Notice is further given that an application will be made at a Special Term of the Supreme Court of the State of New York, to be held in and for the Third Judicial District, at the City Hall, in the City of Albany, N. Y., on the 25th day of September, 1909, at 10 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order confirming said report, and for such other and further relief as may be just.

Reserving to The City of New York the right to oppose the confirmation of any or all parcels contained in said report.

Dated New York City, August 31, 1909.

FRANCIS K. PENDLETON,  
Corporation Counsel.

Office and Post-office Address, Hall of Records, corner Chambers and Centre Streets, Borough of Manhattan, New York City.

\$4.25

## SUPREME COURT—NINTH JUDICIAL DISTRICT.

## NINTH JUDICIAL DISTRICT.

## WESTCHESTER COUNTY.

## Hill View Reservoir, Section No. 2.

## Sixth Separate Report.

In the matter of the application and petition of J. Edward Simmons, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905, and the acts amendatory thereof, in the City of Yonkers, Westchester County, New York, for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York.

**PUBLIC NOTICE IS HEREBY GIVEN** that the sixth separate report of Joseph E. Merriam, George Van Skal and Frank E. Russell, who were appointed Commissioners of Appraisal in the above entitled matter by an order of this Court, made at a Special Term thereof, held at the Court House in White Plains, Westchester County, N. Y., on May 4, 1907, was filed in the office of the Clerk of the County of Westchester on the 2d day of July, 1909, and affects parcels Nos. 62, 63, 64, 65, 66, 67, 68, 69, 71, 74 and 81, shown on the map in this proceeding.

Public notice is further given that an application will be made at a Trial Term of the Supreme Court of the State of New York, to be held in and for the Ninth Judicial District, at the Court House, White Plains, N. Y., on the 11th day of October, 1909, at 10 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order confirming said report, and for such other and further relief as may be just.

Dated September 13, 1909.

FRANCIS KEY PENDLETON,  
Corporation Counsel.

Office and Post Office address, Hall of Records, corner of Chambers and Centre streets, Borough of Manhattan, New York City.

\$18.01

## NINTH JUDICIAL DISTRICT.

## WESTCHESTER COUNTY.

## Kensico Reservoir, Section No. 5.

## Fourth Separate Report.

In the matter of the application and petition of J. Edward Simmons, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905, and the acts amendatory thereof, in the Town of Mount Pleasant, Westchester County, N. Y., for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York.

**PUBLIC NOTICE IS HEREBY GIVEN** that the fourth separate report of Cornelius S. Pinkney, George A. Slater and John J. Brown, the said George A. Slater and John J. Brown,



who were appointed Commissioners of Appraisal in the above entitled matter by an order of this Court, made at a Special Term thereof, held at the Court House in White Plains, Westchester County, N. Y., on July 20, 1907, together with Isaac Bell Brennan, and the said Isaac Bell Brennan having since departed this life and said Cornelius S. Pinkney having thereupon been appointed in place and stead of said Isaac Bell Brennan, by an order made December 14, 1908, and entered in the office of the Clerk of the County of Westchester on the 23d day of December 1908, was filed in the office of the Clerk of the County of Westchester on the 21st day of June, 1909.

Said report bears date June 16, 1909, and affects Parcels Nos. 288, 346, 350, 353 and 354, shown on the map in this proceeding.

Public notice is further given that an application will be made at a Trial Term of the Supreme Court of the State of New York, to be held in and for the Ninth Judicial District, at the Court House in White Plains, N. Y., on the 11th day of October, 1909, at 10 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order confirming said report, and for such other and further relief as may be just.

Dated September 13, 1909.

FRANCIS KEY PENDLETON,

Corporation Counsel.

Office and Post Office Address, Hall of Records, Corner of Chambers and Centre Streets, Borough of Manhattan, New York City.

s18,011

#### NINTH JUDICIAL DISTRICT.

##### WESTCHESTER COUNTY.

##### Kensico Reservoir, Section No. 12.

##### First Separate Report.

In the matter of the application and petition of John A. Bensel, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905 and the acts amendatory thereof, in the Towns of Harrison and North Castle, Westchester County, New York, for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York.

**PUBLIC NOTICE IS HEREBY GIVEN** that the first separate report of Joseph Barrett, W. H. Catlin and P. A. McManus, who were appointed Commissioners of Appraisal in the above entitled matter, by an order of this Court, made at a Special Term thereof, held at the Judge's Chambers in the City of New Rochelle, Westchester County, N. Y., on September 25, 1908, was filed in the office of the Clerk of the County of Westchester on the 5th day of August, 1909.

Said report bears date July 30, 1909, and affects Parcels Nos. 858, 862, 864, 865, 866, 868, 869, 871, 874, 875, 882 and 884, shown on the map in this proceeding.

Public notice is further given that an application will be made, at a Trial Term of the Supreme Court of the State of New York, to be held in and for the Ninth Judicial District, at the Court House, White Plains, N. Y., on the 11th day of October, 1909, at 10 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order confirming said report, and for such other and further relief as may be just.

Dated September 13, 1909.

FRANCIS KEY PENDLETON,

Corporation Counsel.

Office and Post Office address, Hall of Records, corner of Chambers and Centre streets, Borough of Manhattan, New York City.

s18,011

#### NINTH JUDICIAL DISTRICT.

##### WESTCHESTER COUNTY.

##### Hill View Reservoir, Section No. 1.

##### Fifth Separate Report.

In the matter of the application and petition of J. Edward Simmons, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905, and the acts amendatory thereof, in the City of Yonkers, Westchester County, N. Y., for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York.

**PUBLIC NOTICE IS HEREBY GIVEN** that the fifth separate report of Bernard F. Martin, James K. Angar and George N. Rigby, who were appointed Commissioners of Appraisal in the above entitled matter by an order of this Court, made at a Special Term thereof, held at the Court House, White Plains, Westchester County, N. Y., on May 4, 1907, was filed in the office of the Clerk of the County of Westchester on the 18th day of June, 1909.

Said report bears date June 8, 1909, and affects Parcel No. 5, shown on the map in this proceeding.

Public notice is further given that an application will be made at a Trial Term of the Supreme Court of the State of New York, to be held in and for the Ninth Judicial District, at the Court House, White Plains, N. Y., on the 11th day of October, 1909, at 10 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order confirming said report, and for such other and further relief as may be just.

Dated September 13, 1909.

FRANCIS KEY PENDLETON,

Corporation Counsel.

Office and Post Office Address, Hall of Records, corner of Chambers and Centre Streets, Borough of Manhattan, New York City.

s18,09

#### NINTH JUDICIAL DISTRICT.

##### WESTCHESTER COUNTY.

##### Kensico Reservoir, Section No. 5.

##### Third Separate Report.

In the matter of the application and petition of J. Edward Simmons, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905, and the acts amendatory thereof, in the Town of Mount Pleasant, Westchester County, New York, for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York.

**PUBLIC NOTICE IS HEREBY GIVEN** that the third separate report of Cornelius S. Pinkney, George A. Slater and John J. Brown, the said George A. Slater and John J. Brown

who were appointed Commissioners of Appraisal in the above entitled matter, by an order of this Court, made at a Special Term thereof, held at the Court House, in White Plains, Westchester County, N. Y., on July 20, 1907, together with Isaac Bell Brennan, and the said Isaac Bell Brennan having since departed this life and said Cornelius S. Pinkney having thereupon been appointed in place and stead of said Isaac Bell Brennan, by an order made December 14, 1908, and entered in the office of the Clerk of the County of Westchester on the 23d day of December, 1908, was filed in the office of the Clerk of the County of Westchester on the 3d day of June, 1909.

Said report bears date May 18, 1909, and affects Parcels Nos. 291, 293, 295, 296, 297, 298, 307, 308, 309, 313, 329 and 348, shown on the map in this proceeding.

Public notice is further given that an application will be made at a Trial Term of the Supreme Court of the State of New York, to be held in and for the Ninth Judicial District, at the Court House, in White Plains, N. Y., on the 11th day of October, 1909, at 10 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order confirming said report, and for such other and further relief as may be just.

Dated September 13, 1909.

FRANCIS KEY PENDLETON,

Corporation Counsel.

Office and Post Office Address: Hall of Records, Corner of Chambers and Centre Streets, Borough of Manhattan, New York City.

s18,011

#### NINTH JUDICIAL DISTRICT, WESTCHESTER COUNTY.

##### SOUTHERN AQUEDUCT DEPARTMENT, SECTION 14, WESTCHESTER COUNTY, TOWN OF MOUNT PLEASANT.

##### Notice of Filing and of Motion to Confirm First Separate Report.

In the matter of the application and petition of John A. Bensel, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York under chapter 724 of the Laws of 1905 and the acts amendatory thereof, in the Town of Mount Pleasant, Westchester County, New York, for the construction of Catskill Aqueduct and appurtenances, from town line near Chappaqua to Kensico Reservoir taking line.

**PUBLIC NOTICE IS HEREBY GIVEN** that the first separate report of Royal E. T. Riggs, Samuel B. Irish and Henry W. Haines, the Commissioners of Appraisal in the above entitled matter, was filed in the office of the Clerk of the County of Westchester on the 7th day of August, 1909, and affects Parcels Nos. 966, 974, 977, 979, 978, 981, 984, 985, 986, 999 and 1002.

Notice is further given that an application will be made at a Special Term of the Supreme Court of the State of New York, at Chambers thereof, held in and for the Ninth Judicial District, at No. 300 Pelham road, in the City of New Rochelle, on the 25th day of September, 1909, at 10 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard for an order confirming said report and for such other and further relief as to the Court may seem just.

Dated New York City, N. Y., August 7, 1909.

FRANCIS K. PENDLETON,

Corporation Counsel.

Hall of Records, Chambers and Centre streets, New York City, N. Y.

s4,25

#### NINTH JUDICIAL DISTRICT, WESTCHESTER COUNTY.

##### SOUTHERN AQUEDUCT DEPARTMENT, CATSKILL AQUEDUCT, SECTION NO. 15.

##### Towns of Mt. Pleasant and Greenburg.

##### Notice of Application for the Appointment of Commissioners of Appraisal.

**PUBLIC NOTICE IS HEREBY GIVEN** that it is the intention of the Corporation Counsel of The City of New York to make application to the Supreme Court of the State of New York for the appointment of Commissioners of Appraisal under chapter 724 of the Laws of 1905 as amended, and the acts relating thereto.

Such application will be made to the Supreme Court at a Special Term thereof to be held in and for the Ninth Judicial District, at the Judge's Chambers, in Nyack, Rockland County, N. Y., on the 25th day of September, 1909, at 10 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard. The object of such application is to obtain an order of the Court appointing three disinterested and competent freeholders, one of whom shall reside in the County of New York and at least one of whom shall reside in the County of Westchester, to act as Commissioners of Appraisal under said act and discharge all the duties conferred by said act and the acts amendatory thereof.

The following is a description of the real estate to be acquired, together with a reference to the date and place of filing the map:

All those certain pieces or parcels of real estate situated in the Towns of Mt. Pleasant and Greenburg, County of Westchester, and State of New York, shown on a map entitled "Southern Aqueduct Department, Section No. 15. Board of Water Supply of The City of New York. Map of real estate situated in the Towns of Mt. Pleasant and Greenburg, County of Westchester, and State of New York, to be acquired by The City of New York, under the provisions of chapter 724 of the Laws of 1905 as amended, for the construction of Catskill Aqueduct and appurtenances, from Kensico Reservoir, taking line near Lakehurst Villa Park, to Elmsford," which map was filed in the office of the Register of the County of Westchester, at White Plains, N. Y., on the 7th day of July, 1909, as Map No. 1683, which parcels are bounded and described as follows:

##### First Part.

Beginning at the most westerly point of Charles street (between Adaline and Columbus avenues), and running thence north 13 degrees 50 minutes west 373.5 feet, on a curve of 270 feet radius to the left 142.9 feet, and north 44 degrees 10 minutes west 451.5 feet, to a point in the southerly line of Upper Cross road, leading from Mt. Pleasant Cemetery station to Kensico; thence along said line north 81 degrees 40 minutes east 74 feet; thence south 44 degrees 10 minutes east 402.8 feet, on a curve of 336 feet radius to the right 174.7 feet, and south 13 degrees 30 minutes east 374.8 feet, to a point in the northerly line of before-mentioned Charles street; thence along said line south 77 degrees 20 minutes west 60 feet to the point or place of beginning.

##### Second Part.

Beginning at the northeast corner of Parcel No. 1009, in the westerly line of Real Estate Section No. 9, Southern Aqueduct Department, Kensico Reservoir (the map of which section was filed in the office of the Register of the County of Westchester, at White Plains, N. Y., on the 6th day of April, 1908, as Map No. 1791), and running thence along the easterly lines of said Parcel No. 1009 and Parcels Nos. 1008 and 1007, partly along said westerly section line and partly along the westerly line of Real Estate Section No. 8, Southern Aqueduct Department, Kensico Reservoir (the map of which section was filed in the office of the Register, County of Westchester, at White Plains, N. Y., on the 3d day of December, 1907, as Map No. 1767), south 2 degrees 13 minutes east 374.6 feet, south 45 degrees 1,073 feet, and due south 411 feet, crossing Tarrytown road, to the southeast corner of said Parcel No. 1007; thence along the southerly line of same, south 88 degrees 58 minutes west 264.7 feet, to the southwest corner of said parcel, in the easterly line of a road leading from Valhalla to Pleasantville; thence along the said road line and the westerly line of said parcel, north 4 degrees 25 minutes west 118 feet, and north 3 degrees 15 minutes west 282.6 feet, to the southeast corner of said road and before-mentioned Tarrytown road, in the southerly line of Parcel No. 1008; thence partly along said parcel line, north 47 degrees 49 minutes west 59.1 feet, to the northwest corner of said roads, in the southerly line of before-mentioned Parcel No. 1009; thence partly along said parcel line and along the northerly line of said Tarrytown road, north 84 degrees 55 minutes west 100.3 feet; thence continuing along the southerly line of Parcel No. 1009, and running along the southerly lines of Parcels Nos. 1010, 1012 and 1013 the following courses and distances: North 1 degree 17 minutes east 356.2 feet, north 34 degrees 23 minutes west 318.7 feet, south 55 degrees 45 minutes west 497.4 feet, south 32 degrees 16 minutes west 270 feet, north 80 degrees 42 minutes west 230 feet, north 32 degrees 16 minutes east 270 feet, north 80 degrees 42 minutes west 283 feet, north 9 degrees 18 minutes east 50 feet, north 80 degrees 42 minutes west 115 feet, south 9 degrees 18 minutes west 275 feet, north 80 degrees 42 minutes west 400 feet, north 9 degrees 18 minutes east 223.3 feet, north 75 degrees 30 minutes west 61.4 feet, south 69 degrees 57 minutes west 362.7 feet, north 20 degrees 3 minutes west 25 feet (along the centre line of a road leading from Valhalla to Hawthorne); south 69 degrees 57 minutes west 1,442.1 feet, crossing the Harlem Division of the New York Central and Hudson River Railroad Company, south 31 degrees 39 minutes west 206 feet, south 76 degrees 39 minutes west 70.7 feet, and south 31 degrees 39 minutes west 842 feet, to the most easterly point of Parcel No. 1014, in the easterly line of another road leading from Valhalla to Hawthorne; thence partly along the easterly line of said parcel, south 31 degrees 39 minutes west 19.7 feet, to the most easterly point of Parcel No. 1015, in the centre of the last-mentioned road; thence partly along the easterly lines of said Parcel No. 1015 and Parcels Nos. 1016 and 1017, the following courses and distances: South 31 degrees 39 minutes west 1,744.6 feet, south 41 degrees 12 minutes east 90.8 feet, south 34 degrees 58 minutes east 94.9 feet, south 30 degrees 34 minutes east 473.8 feet, south 36 degrees 4 minutes east 201.8 feet, and south 39 degrees 17 minutes east 92 feet, to the most easterly point of said Parcel No. 1017, in the centre of a road leading from Kensico Cemetery station to Valhalla; thence along the centre line of said road, and continuing along the easterly line of Parcel No. 1017, south 16 degrees 44 minutes west 30.1 feet, to the most southerly point of said parcel; thence partly along the westerly line of same, and again partly along the easterly line of before-mentioned Parcel No. 1016, the following courses and distances: North 39 degrees 17 minutes west 109.5 feet, north 36 degrees 4 minutes west 203.7 feet, north 30 degrees 34 minutes west 178 feet, south 31 degrees 39 minutes west 258.3 feet, north 43 degrees 27 minutes west 155.1 feet, north 42 degrees 30 minutes west 91.4 feet, north 35 degrees 2 minutes west 54.1 feet, north 14 degrees 9 minutes west 191.8 feet, and south 31 degrees 39 minutes west 2,124.7 feet, to the northeast corner of Parcel No. 1018, in the northerly line of Lower Cross road leading from Eastview to Valhalla; thence along the easterly line of said parcel, south 31 degrees 39 minutes west 46.2 feet, crossing the line between the Towns of Mt. Pleasant and Greenburg, to the northeast corner of Parcel No. 1019, in the southerly line of said Lower Cross road; thence along the easterly line of said parcel and partly along the easterly line of Parcel No. 1021, along the easterly line of Parcel No. 1022, partly along the northerly line of Parcel No. 1032, along the easterly lines of the last-mentioned parcel and Parcels Nos. 1033 to 1038, both inclusive, and along the southerly line of said Parcel No. 1038, the following courses, distances and curve: South 13 degrees 21 minutes east 106.1 feet, south 31 degrees 39 minutes west 208.9 feet, south 41 degrees 59 minutes west 89.8 feet, south 21 degrees 42 minutes east 261.8 feet, south 3 degrees 42 minutes east 487.2 feet, south 56 minutes west 866.6 feet, south 17 degrees 14 minutes east 67.5 feet, south 2 degrees 12 minutes east 78.1 feet, south 8 degrees 4 minutes east 138.9 feet, south 2 degrees 6 minutes west 41 feet, south 2 degrees 29 minutes east 195.7 feet, south 9 degrees 24 minutes east 39.5 feet, south 80 degrees 36 minutes west 23.8 feet, south 34 degrees 37 minutes west 987 feet, on a curve of 641.8 feet radius to the left 453.4 feet, south 5 degrees 52 minutes east 116.4 feet, north 80 degrees 33 minutes east 44.4 feet, north 85 degrees 59 minutes east 11.4 feet, south 4 degrees 7 minutes east 626.8 feet, and south 85 degrees 53 minutes west 100 feet, to the southwest corner of said Parcel No. 1038, in the easterly line of See avenue, said point being also in the easterly line of Parcel No. 1039; thence partly along said parcel line and along said easterly avenue line and the same produced, south 4 degrees 7 minutes east 100 feet, to the southeast corner of said avenue and Payne street; thence along the southerly line produced of said street, south 85 degrees 53 minutes west 25 feet, to the point of intersection of same with the centre line of before-mentioned See avenue; thence along said centre line and continuing along the easterly line of Parcel No. 1039, south 4 degrees 7 minutes east 150 feet; thence continuing along said easterly parcel line, south 85 degrees 53 minutes west 25 feet, to the southeast corner of Parcel No. 1041, in the westerly line of said avenue; thence along the southerly line of said Parcel No. 1041, partly along the easterly and along the southerly lines of Parcel No. 1042, south 85 degrees 53 minutes west 100 feet, south 4 degrees 7 minutes east 125 feet, and south 85 degrees 53 minutes west 100 feet, to the southwest corner of said Parcel No. 1042, in the easterly line of Bryant avenue, said point being also in the easterly line of before-mentioned Parcel No. 1039; thence partly along said parcel line and along said avenue line, south 4 degrees 7 minutes east 50 feet; thence south 85 degrees 53 minutes west 25 feet, to a point in the centre of said Bryant avenue; thence along

the centre line of said avenue, and continuing along the easterly line of Parcel No. 1039, south 4 degrees 7 minutes east 125 feet, to the southeast corner of said parcel; thence along the southerly line of same, south 85 degrees 53 minutes west 25 feet, to the southeast corner of Parcel No. 1045, in the westerly line of said Bryant avenue; thence partly along the southerly line of said parcel, along the easterly lines of Parcels Nos. 1050 and 1051, partly along the southerly line of said Parcel No. 1051, along the easterly line of Parcel No. 1056, and partly along the northerly lines of Parcels Nos. 1058 and 1059, the following courses and distances: South 85 degrees 53 minutes west 100 feet, south 4 degrees 7 minutes east 70 feet, south 84 degrees 38 minutes west 5.9 feet, south 82 degrees 48 minutes west 29.4 feet, south 7 degrees 45 minutes west 223.1 feet, south 33 degrees 54 minutes west 124.8 feet, south 7 degrees 45 minutes west 15 feet, south 18 degrees 16 minutes east 177.1 feet, south 27 degrees 19 minutes east 384.7 feet, north 81 degrees 49 minutes east 3.2 feet, south 86 degrees 56 minutes east 76.5 feet, and north 86 degrees 41 minutes east 11.8 feet, to the northeast corner of said Parcel No. 1059, in the centre of before-mentioned Bryant avenue; thence along the centre line of said avenue and partly along the easterly line of said parcel, south 4 degrees 7 minutes east 441.1 feet, to the point of intersection of said centre line with the southerly line produced of Dimock street; thence along said produced line and the southerly line of said street and continuing along the easterly line of Parcel No. 1059, south 85 degrees 53 minutes west 125 feet, to the northeast corner of Parcel No. 1060; thence along the easterly and southerly lines of said parcel, south 4 degrees 7 minutes east 65.2 feet, south 21 degrees 21 minutes west 177 feet, and south 85 degrees 53 minutes west 23.9 feet, to the southwest corner of same, in the easterly line of Endicott avenue, said point being also in the easterly line of before-mentioned Parcel No. 1059; thence partly along said parcel line and along said avenue line, south 4 degrees 7 minutes east 176.5 feet, to the southeast corner of said parcel; thence along the southerly line of same, south 86 degrees west 39.5 feet, and south 85 degrees 12 minutes west 10.5 feet, to the southeast corner of Parcel No. 1063, in the westerly line of said avenue; thence partly along the southerly line of said parcel, south 85 degrees 12 minutes west 19.4 feet, to the northeast corner of Parcel No. 1066, in the easterly line of Knollwood road; thence along said road line and partly along the easterly line of said parcel, south 2 degrees 34 minutes west 134.6 feet; thence continuing along said road, south 77 degrees 2 minutes west 25 feet, south 12 degrees 58 minutes east 115 feet, and south 88 degrees 35 minutes west 25.5 feet, to a point in the westerly line of the easterly part of said road, in the easterly line of Parcel No. 1067; thence partly along said parcel line along the easterly lines of Parcels Nos. 1068, 1071, 1072 and 1073, partly along the easterly lines of Parcels Nos. 1074 and 1076, along the easterly line of Parcel No. 1077, again partly along the easterly line of Parcel No. 1076, and along the easterly line of Parcel No. 1078, the following courses and distances: South 88 degrees 35 minutes west 31.5 feet, south 1 degree 25 minutes east 231 feet, south 5 degrees 43 minutes east 178.4 feet, south 17 degrees 54 minutes east 477.4 feet, south 24 degrees 34 minutes east 209 feet, and south 29 degrees 36 minutes west 1,197.6 feet, crossing a highway, Chester and Cheever avenues and Valley street, to the most southerly point of said Parcel No. 1078, in the northerly line of before-mentioned Tarrytown road, said point being also in the easterly line of Parcel No. 1081; thence partly along said parcel line, south 29 degrees 36 minutes west 26 feet, to a point in the centre of said Tarrytown road; thence along the centre line of said road, south 44 degrees 12 minutes east 215.4 feet, to the most easterly point of said parcel; thence continuing along the easterly line of said parcel, south 44 degrees 15 minutes west 25 feet, to the most easterly point of Parcel No. 1082, in the westerly line of said road; thence partly along the easterly lines of said parcel and Parcel No. 1083, and along the easterly lines of Parcels Nos. 1084, 1085 and 1086, south 44 degrees 15 minutes west 803.1 feet, crossing Fairmount, Prospect and Summit streets, to the southeast corner of said Parcel No. 1086, in the southerly line of said Summit street; thence along said line and partly along the southerly line of said parcel, north 45 degrees 45 minutes west 78 feet, to the northeast corner of Parcel No. 1087; thence along the easterly line of said parcel, south 36 degrees west 99.8 feet, to the southeast corner of same, in the northerly line of Hartsdale road; thence along said road line and the southerly line of said parcel, north 73 degrees 22 minutes west 54.9 feet, to the southwest corner of said parcel; thence along the westerly line of same, north 36 degrees east 129.7 feet to the northwest corner of same, in the southerly line of before-mentioned Parcel No. 1086, in the southerly line of before-mentioned Summit street; thence along said street line and partly along said parcel line, north 45 degrees 45 minutes west 121.5 feet, to the southwest corner of said parcel; thence along the westerly lines of same and before-mentioned Parcel No. 1085, north 44 degrees 15 minutes east 250 feet, recrossing Summit street, to the northwest corner of said Parcel No. 1085, in the southerly line of before-mentioned Prospect street; thence partly along said parcel line and along said southerly street line and its production, north 45 degrees 45 minutes west 125 feet, to the southwest corner of said parcel, at the southwest corner of said Prospect street and before-mentioned Cheever avenue; thence along the westerly line of said avenue and its production, and the westerly line of said Parcel No. 1083, north 44 degrees 15 minutes east 538.2 feet, recrossing before-mentioned Fairmount street, to the southwest corner of said Cheever avenue and before-mentioned Tarrytown road, in the westerly line of before-mentioned Parcel No. 1081; thence partly along said parcel line and along the westerly line produced of said avenue, north 44 degrees 15 minutes east 25 feet, to the point of intersection of said produced line with the centre line of said Tarrytown road; thence along the said centre line, continuing along the westerly line of Parcel No. 1081, and running partly along the southerly line of Parcel No. 1080, the following courses and distances: North 44 degrees 12 minutes west 219.6 feet, north 49 degrees 31 minutes west 723 feet, north 51 degrees 30 minutes west 1,446.2 feet, north 67 degrees 48 minutes west 430.8 feet, north 67 degrees 53 minutes west 111.5 feet, north 68 degrees 40 minutes west 239 feet, north 69 degrees 43 minutes west 64.3 feet, and north 70 degrees 8 minutes west 105.7 feet; thence continuing along the southerly line of Parcel No. 1080, south 19 degrees 52 minutes west 24.5 feet, to a point in the southerly line of said Tarrytown road; thence along said road line and continuing along the southerly line of said Parcel No. 1080, north 70 degrees 8 minutes west 95 feet, crossing Saw Mill River and the Putnam Division of the New York Central and Hudson River Railroad Company, to the southwest corner of said parcel; thence along the westerly line of same, north 19 degrees 52 minutes east 49.5 feet, to the northwest corner of said parcel; thence partly along the northerly



line of same, south 70 degrees 8 minutes east 200.7 feet, recrossing Saw Mill River and the Putnam Division of the New York Central and Hudson River Railroad Company, to a point in the northerly line of said Tarrytown road; thence along said road line and continuing along the northerly line of said Parcel No. 1080, the following courses and distances: South 69 degrees 43 minutes east 65.4 feet, crossing Saw Mill River road, south 68 degrees 40 minutes east 238.6 feet, south 67 degrees 53 minutes east 111.7 feet, crossing Stone avenue, south 67 degrees 48 minutes east 454.4 feet, crossing Lawn and Hillside avenues, south 51 degrees 30 minutes east 1,450.2 feet, crossing Mortimer, Goodwin, Everts, Perkins and French avenues, south 49 degrees 31 minutes east 724.6 feet, crossing Robbins avenue, a road, and Knollwood avenue, and south 44 degrees 12 minutes east 95.1 feet, to the most westerly point of Parcel No. 1079; thence partly along the northerly line of said parcel, north 45 degrees 48 minutes east 105 feet, south 44 degrees 12 minutes east 63.2 feet, and north 45 degrees 48 minutes east 97 feet, to the most northerly point of said parcel, in the westerly line of before-mentioned Parcel No. 1076, in the southerly line of before-mentioned Valley street; thence partly along said westerly parcel line, north 29 degrees 36 minutes east 51.7 feet, to the southwest corner of Parcel No. 1075, in the northerly line of said street; thence along the westerly line of said parcel, north 29 degrees 36 minutes east 206.7 feet, to the most northerly point of same, in the southerly line of Ridgeside street, at another point in the westerly line of before-mentioned Parcel No. 1076; thence partly along said parcel line, north 29 degrees 36 minutes east 51.7 feet, to the southwest corner of before-mentioned Parcel No. 1074, in the northerly line of the last-mentioned street; thence along the westerly line of said parcel, north 29 degrees 36 minutes east 201.3 feet, to the most westerly point of before-mentioned Parcel No. 1071, in the southerly line of the before-mentioned highway; thence along the westerly lines of said parcel and Parcel No. 1070, and partly along the westerly line of Parcel No. 1069, north 29 degrees 36 minutes east 166.4 feet, recrossing said highway, to a point in the centre of Glenartney street; thence along the centre line of said street, north 13 degrees 53 minutes west 130.8 feet; thence continuing along the westerly line of Parcel No. 1069, north 29 degrees 36 minutes east 36.3 feet, to the most northerly point of said parcel, in the easterly line of the last-mentioned street, said point being also in the westerly line of before-mentioned Parcel No. 1067; thence partly along said westerly parcel line, north 29 degrees 36 minutes east 118.2 feet, north 17 degrees 54 minutes west 525.6 feet, and south 72 degrees 6 minutes west 28.7 feet, to the southeast corner of before-mentioned Parcel No. 1066, in the easterly line of the westerly part of before-mentioned Knollwood road; thence along the southerly and partly along the westerly lines of said Parcel No. 1066, south 72 degrees 6 minutes west 15.9 feet, and north 13 degrees 53 minutes west 60.4 feet, to a point in the westerly line of said road; thence along said road line and continuing along the westerly line of Parcel No. 1066, on a curve of 175 feet radius to the left, 79.5 feet, on a curve of 579.5 feet radius to the right, 163.6 feet, and on a curve of 1,038.8 feet radius to the right, 13.5 feet, to the most southerly point of Parcel No. 1065; thence along the westerly and partly along the northerly lines of said parcel, along the westerly line of Parcel No. 1064, partly along the westerly and northerly lines of before-mentioned Parcel No. 1063, and along the westerly line of Parcel No. 1062, the following courses, distances and curves: North 1 degree 25 minutes west 146.7 feet, on a curve of 806.8 feet radius to the right, 229.7 feet; north 84 degrees 48 minutes east 11 feet, north 21 degrees 21 minutes east 195.9 feet, north 4 degrees 7 minutes west 66.2 feet, north 85 degrees 53 minutes east 31.5 feet, and north 21 degrees 21 minutes east 159.2 feet, to the most northerly point of said Parcel No. 1062, in the westerly line of before-mentioned Endicott avenue, said point being also in the westerly line of before-mentioned Parcel No. 1059; thence partly along said parcel line and along said westerly avenue line, north 4 degrees 7 minutes west 11.2 feet, to the southeast corner of Parcel No. 1061; thence along the southerly line of said parcel, south 85 degrees 53 minutes west 200 feet, to the southwest corner of same, in the easterly line of Abbott avenue; thence along said avenue line, the easterly line of said parcel, and again partly along the easterly line of Parcel No. 1059, north 4 degrees 7 minutes west 70 feet, crossing before-mentioned Dimock street, to the northeast corner of said street and Abbott avenue; thence along the northerly line of said street and its production, north 85 degrees 53 minutes east 225 feet, to the point of intersection of said produced street line with the centre line of before-mentioned Endicott avenue; thence along said centre line, and still continuing along the westerly line of Parcel No. 1059, north 4 degrees 7 minutes west 400.5 feet, to the northwest corner of said parcel, in the southerly line of before-mentioned Parcel No. 1056; thence partly along said parcel line, south 82 degrees 45 minutes west 4 feet, to the southwest corner of said parcel; thence partly along the westerly line of same, along the southerly and westerly lines of Parcel No. 1057, again partly along the westerly line of Parcel No. 1056, partly along the southerly line of Parcel No. 1055, along the westerly lines of said Parcel No. 1055 and Parcels Nos. 1054 and 1053, and along the northerly line of said Parcel No. 1053, the following courses, distances and curves: North 27 degrees 19 minutes west 112.5 feet, on a curve of 450 feet radius to the left, 79.5 feet; north 80 degrees 58 minutes west 59.1 feet, north 27 degrees 19 minutes west 109.7 feet, on a curve of 275 feet radius to the right, 168.3 feet; north 7 degrees 45 minutes east 396.8 feet, south 81 degrees 58 minutes west 60 feet, north 4 degrees 7 minutes west 84.7 feet, and north 85 degrees 53 minutes east 100 feet, to the northeast corner of said Parcel No. 1053, in the westerly line of before-mentioned Endicott avenue; thence along said avenue line and partly along said westerly parcel line, north 4 degrees 7 minutes west 75 feet; thence north 85 degrees 53 minutes east 25 feet, to a point in the centre of said avenue; thence along the centre line hereof, and continuing along the westerly line of Parcel No. 1052, north 4 degrees 7 minutes west 150 feet, to the northwest corner of said parcel; thence along the northerly line of same, north 85 degrees 53 minutes east 25 feet, to the northwest corner of Parcel No. 1046; thence along the northerly line of said parcel, partly along the westerly line of Parcel No. 1044, and along the westerly and northerly lines of Parcel No. 1043, north 85 degrees 53 minutes east 100 feet, north 4 degrees 7 minutes west 150 feet, and north 85 degrees 53 minutes east 100 feet, to the northeast corner of said Parcel No. 1043, in the westerly line of before-mentioned Parcel No. 1039, in the westerly line of before-mentioned Bryant avenue; thence along said avenue line and partly along said westerly parcel line, north 4 degrees 7 minutes west 75 feet, to the southwest corner of said avenue and before-mentioned Payne street; thence along the southerly line produced of said street, north 85 degrees 53 minutes east 25 feet, to the point

of intersection of said produced line with the centre line of said Bryant avenue; thence along said centre line, north 4 degrees 7 minutes west 100 feet; thence continuing along the westerly line of Parcel No. 1039, north 85 degrees 53 minutes east 25 feet, to the northwest corner of Parcel No. 1031; thence along the northerly line of said parcel, the westerly lines of parcels numbered from 1029 to 1023, both inclusive, partly along the northerly line of said Parcel No. 1023, along the westerly lines of before-mentioned Parcels Nos. 1022 and 1021, partly along the southerly and along the westerly lines of Parcel No. 1020, and partly along the westerly line of before-mentioned Parcel No. 1019, the following courses, distances and curves: North 85 degrees 53 minutes east 100 feet, north 4 degrees 7 minutes west 616.2 feet, north 83 degrees 57 minutes east 44.5 feet, north 5 degrees 52 minutes west 116.9 feet, on a curve of 791.8 feet radius to the right, 559.4 feet; north 34 degrees 37 minutes east 654 feet, north 25 degrees 55 minutes east 177.5 feet, north 17 degrees 46 minutes west 134.4 feet, north 50 degrees 43 minutes east 99.3 feet, north 1 degree 15 minutes east 698.6 feet, south 80 degrees 58 minutes west 148.3 feet, north 3 degrees 30 minutes west 725.6 feet, north 13 degrees 15 minutes east 349.3 feet, north 14 degrees 28 minutes west 320.2 feet, north 22 degrees 21 minutes east 239 feet, and north 5 degrees 28 minutes west 230.1 feet, to the southwest corner of before-mentioned Parcel No. 1018, in the southerly line of before-mentioned Lower Cross road; thence along the westerly line of said parcel, north 5 degrees 28 minutes west 19 feet, and north 31 degrees 6 minutes east 36.8 feet, recrossing the before-mentioned line between the Towns of Mt. Pleasant and Greenburg, to the northwest corner of said parcel, in the northerly line of said Lower Cross road; thence along said northerly road line and partly along the northerly line of said parcel, south 58 degrees 54 minutes east 13.9 feet, south 56 degrees 5 minutes east 78 feet, south 55 degrees 28 minutes east 100.7 feet, and south 65 degrees 57 minutes east 55.3 feet, to the southwest corner of before-mentioned Parcel No. 1016; thence along the westerly lines of said parcel and before-mentioned Parcel No. 1015, north 31 degrees 39 minutes east 2,183.2 feet, north 13 degrees 56 minutes west 70 feet, north 31 degrees 39 minutes east 190 feet, south 45 degrees 56 minutes east 51.2 feet, and north 31 degrees 39 minutes east 1,765.7 feet, to the most westerly point of before-mentioned Parcel No. 1014, in the centre of the last-mentioned road leading from Hawthorne to Valhalla; thence partly along the westerly lines of said parcel and before-mentioned Parcel No. 1013, along the northerly lines of said Parcel No. 1013 and before-mentioned Parcel No. 1012, and partly along the northerly line of before-mentioned Parcel No. 1010, the following courses and distances: North 31 degrees 19 minutes east 828.2 feet, north 13 degrees 21 minutes west 106.1 feet, north 31 degrees 39 minutes east 241.7 feet, north 69 degrees 57 minutes east 175 feet, north 24 degrees 57 minutes east 282.8 feet, north 69 degrees 57 minutes east 310 feet, south 20 degrees 3 minutes east 225 feet, north 69 degrees 57 minutes east 804.4 feet, recrossing the Harlem Division of the New York Central and Hudson River Railroad Company, to a point in the centre of the before-mentioned road leading from Valhalla to Hawthorne; thence along the centre line of said road, north 20 degrees 3 minutes west 25 feet; thence continuing along the northerly line of Parcel No. 1010 and running partly along the westerly line of Parcel No. 1011, north 69 degrees 57 minutes east 133 feet, north 60 degrees 27 minutes west 34.8 feet, and north 37 degrees 36 minutes west 31.8 feet, to another point in the centre of the last-mentioned road; thence along the centre line of said road and continuing along the westerly line of Parcel No. 1011, north 17 degrees 58 minutes west 53.5 feet, and north 22 degrees 14 minutes west 120.9 feet, to the most northerly point of said parcel; thence along the easterly line of same, again partly along the northerly line of before-mentioned Parcel No. 1010, and partly along the northerly line of before-mentioned Parcel No. 1009, the following courses and distances: South 37 degrees 36 minutes east 475.7 feet, south 60 degrees 27 minutes east 66.5 feet, north 69 degrees 57 minutes east 102.2 feet, south 84 degrees 49 minutes east 122.4 feet, south 75 degrees 30 minutes east 214.2 feet, south 80 degrees 42 minutes east 205.9 feet, south 9 degrees 42 minutes east 159.3 feet, south 9 degrees 18 minutes west 50 feet, south 80 degrees 42 minutes east 1,288.8 feet, north 9 degrees 18 minutes east 50 feet, south 80 degrees 42 minutes east 271.8 feet, north 57 degrees 54 minutes east 604.8 feet, north 81 degrees 22 minutes east 316.8 feet, north 2 degrees 19 minutes east 217 feet, and north 87 degrees 7 minutes east 124.5 feet, to a point in the centre of the before-mentioned road leading from Valhalla to Pleasantville; thence along the centre line of said road, north 4 degrees 46 minutes east 206.7 feet; thence continuing along the northerly line of said Parcel No. 1009, south 78 degrees 58 minutes east 1,042.5 feet, to the point or place of beginning.

The fee to be acquired by The City of New York in all the real estate parcels Nos. 1006 to 1087, both inclusive, contained in the above description, excepting Parcels Nos. 1011, 1017 and 1080, in which perpetual easement is to be acquired.

The easement sought in Parcel No. 1080, colored blue on said map, is the right to construct and forever maintain a pipe line on, over or through said parcel.

Reference is hereby made to the said map filed as aforesaid in the office of the Register of the County of Westchester for a more detailed description of the real estate to be taken as above described.

The greatest width of the proposed taking along the Aqueduct is 1,770 feet, which occurs across Parcels Nos. 1007, 1008 and 1009, and the least width of the said taking is 50 feet, which occurs across Parcels Nos. 1009, 1110, 1013, 1014, 1015 and 1016.

In case any real estate hereinbefore described is used for highway or other public purposes, such use shall continue until such time as The City of New York may acquire the right to close the same.

Dated August 2, 1909.  
FRANCIS KEY PENDELTON,  
Corporation Counsel.

Office and Post-Office address, Hall of Records, corner of Chambers and Centre streets, Borough of Manhattan, New York City. a14,a25

NINTH JUDICIAL DISTRICT, WESTCHESTER COUNTY.

SOUTHERN AQUEDUCT DEPARTMENT, CATSKILL AQUEDUCT, SECTION NO. 16.

Town of Greenburg and City of Yonkers.

Notice of Application for the Appointment of Commissioners of Appraisal.

PUBLIC NOTICE IS HEREBY GIVEN that it is the intention of the Corporation Counsel of The City of New York to make ap-

plication to the Supreme Court of the State of New York for the appointment of Commissioners of Appraisal under chapter 724 of the Laws of 1905 as amended, and the acts relating thereto. Such application will be made to the Supreme Court at a Special Term thereof to be held in and for the Ninth Judicial District, at the Judge's Chambers, in Nyack, Rockland County, N. Y., on the 25th day of September, 1909, at 10 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard. The object of such application is to obtain an order of the Court appointing three disinterested and competent freeholders, one of whom shall reside in the County of New York and at least one of whom shall reside in the County of Westchester, to act as Commissioners of Appraisal under said act and discharge all the duties conferred by said act and the acts amendatory thereof.

The following is a description of the real estate to be acquired, together with a reference to the date and place of filing the map:

All those certain pieces or parcels of real estate situated in the Town of Greenburg and City of Yonkers, County of Westchester, and State of New York, shown on a map entitled "Southern Aqueduct Department, Section No. 16. Board of Water Supply of The City of New York. Map of real estate situated in the Town of Greenburg and City of Yonkers, County of Westchester, and State of New York, to be acquired by The City of New York, under the provisions of chapter 724 of the Laws of 1905 as amended, for the construction of Catskill Aqueduct and appurtenances, from Elmsford to Hill View Reservoir taking line," which map was filed in the office of the Register of the County of Westchester, at White Plains, N. Y., on the 7th day of July, 1909, as Map No. 1864, which parcels are bounded and described as follows:

#### First Part.

Beginning at the southwest corner of Parcel No. 1087, of Real Estate Section No. 15, Southern Aqueduct Department (the map of which section was filed in the office of the Register of the County of Westchester, at White Plains, N. Y., on the 7th day of July 1909, as Map No. 1863), said point being also the northwest corner of Parcel No. 1088 of the section hereby described, in the northerly line of Hartsdale road (leading from Elmsford to Hartsdale), and running thence along said road line, the northerly line of the last-mentioned parcel, and the southerly line of said Parcel No. 1087, south 72 degrees 22 minutes east 54.9 feet, to the northeast corner of said Parcel No. 1088; thence along the easterly line of said parcel, south 36 degrees west 53 feet, to the northeast corner of Parcel No. 1089, in the southerly line of said road; thence along the easterly lines of said parcel and Parcel No. 1090, and partly along the easterly line of Parcel No. 1091, the following courses, distances and curves: South 36 degrees west 1,840.1 feet, south 54 degrees east 75 feet, south 36 degrees west 391.7 feet, south 24 degrees 35 minutes west 97.3 feet, south 13 degrees 46 minutes east 1,146.6 feet, on a curve of 791.8 feet radius to the right, 622.3 feet, and south 31 degrees 16 minutes west 711.4 feet, to the northeast corner of Parcel No. 1092, in the northerly line of Landers road (leading from Woodland to White Plains); thence along the easterly line of said parcel, south 31 degrees 16 minutes west 64.5 feet, to the southeast corner of same, in the southerly line of said road; thence along said road line and partly along the southerly line of said parcel, south 83 degrees 25 minutes west 63.3 feet, to the northeast corner of Parcel No. 1093; thence along the easterly lines of said parcel and Parcel No. 1096, partly along the southerly line of said Parcel No. 1096 and along the easterly line of Parcel No. 1097, the following courses and distances: South 31 degrees 16 minutes west 609.8 feet, south 58 degrees 44 minutes east 75 feet, south 31 degrees 16 minutes west 380 feet, south 27 degrees 50 minutes east 217 feet, south 1 degree 40 minutes west 940.4 feet, south 79 degrees 59 minutes west 153.2 feet, and south 1 degree, 40 minutes west 734.7 feet, to the northeast corner of Parcel No. 1100, in the northerly line of a road leading from Woodland to Hartsdale; thence along the easterly line of said parcel, south 1 degree 40 minutes west 54.7 feet, to the southeast corner of same, in the southerly line of said road; thence along said road line and partly along the southerly line of said parcel, south 75 degrees 37 minutes west 26 feet, to the northeast corner of Parcel No. 1102; thence along the easterly lines of said parcel and Parcels Nos. 1103 and 1104, and partly along the easterly line of Parcel No. 1105, the following courses, distances and curves: South 1 degree 40 minutes west 444.4 feet, on a curve of 641.8 feet radius to the left, 271.5 feet; south 22 degrees 34 minutes east 352.6 feet, on a curve of 791.8 feet radius to the right, 835.1 feet; south 37 degrees 52 minutes west 138.6 feet, on a curve of 641.8 feet radius to the left, 140.4 feet; south 25 degrees 20 minutes west 633.1 feet, on a curve of 791.8 feet radius to the right, 196.8 feet; south 39 degrees 35 minutes west 17.2 feet, on a curve of 641.8 feet radius to the left, 183 feet, and south 23 degrees 14 minutes west 182.8 feet, to a point in the northerly line of Upper Sprain road (leading from Ardsley to Hartsdale); thence continuing along the easterly line of Parcel No. 1105, and running partly along the easterly lines of Parcels Nos. 1106 and 1107, south 37 degrees 45 minutes east 74.6 feet, to the most easterly point of said Parcel No. 1107, in the easterly line of New Sprain road; thence along said road line, continuing along the easterly line of Parcel No. 1107, and running partly along the easterly line of Parcel No. 1108, south 52 degrees 15 minutes west 193.9 feet, south 33 degrees 7 minutes west 145 feet, south 33 degrees 13 minutes west 492.8 feet, south 33 degrees 10 minutes west 755.9 feet, and south 33 degrees 25 minutes west 285.8 feet; thence continuing along the easterly line of Parcel No. 1108, running along the easterly lines of Parcels Nos. 1110 and 1113, partly along the easterly line of Parcel No. 1114, along the easterly lines of Parcels Nos. 1115 and 1116, partly along the easterly line of Parcel No. 1117, and along the easterly lines of Parcels Nos. 1119 and 1120, the following courses, distances and curves: South 7 degrees 56 minutes west 233.8 feet, south 21 degrees 7 minutes west 106.6 feet, on a curve of 641.8 feet radius to the left, 385 feet; south 13 degrees 15 minutes east 432.7 feet, south 15 degrees 39 minutes west 403.2 feet, south 45 degrees 44 minutes west 156.3 feet, south 23 degrees 40 minutes west 93.9 feet, south 1 degree 36 minutes west 252.3 feet, south 14 degrees 42 minutes west 124.6 feet, south 27 degrees 47 minutes west 110.4 feet, south 17 degrees 58 minutes east 113.3 feet, on a curve of 275 feet radius to the right, 230 feet, crossing a road leading to Greenville, south 29 degrees 58 minutes west 190.1 feet, south 6 degrees 57 minutes east 99 feet, on a curve of 265 feet radius to the right, 184.2 feet; south 32 degrees 53 minutes west 250.5 feet, south 15 degrees 53 minutes west 78.9 feet, south 1 degree 7 minutes east 325.3 feet, on a curve of 781.8 feet radius to the right, 216.3 feet; south 14 degrees 44 minutes

west 298.9 feet, south 6 degrees 36 minutes west 476.7 feet, south 13 degrees 16 minutes east 318.9 feet, on a curve of 275 feet radius to the right, 259.7 feet; south 40 degrees 50 minutes west 33.4 feet, on a curve of 641.8 feet radius to the left, 318.7 feet; south 12 degrees 23 minutes west 718.4 feet, on a curve of 125 feet radius to the left, 86.1 feet; south 27 degrees 3 minutes east 333.2 feet, and south 39 degrees 35 minutes west 97 feet, to the most easterly point of Parcel No. 1121, in the easterly line of Platt avenue; thence along the easterly lines of said parcel and Parcels Nos. 1122 and 1123, and partly along the easterly line of Parcel No. 1124, the following courses, distances and curves: South 39 degrees 35 minutes west 97.1 feet, crossing said Platt avenue, south 75 degrees 16 minutes west 608 feet, on a curve of 125 feet radius to the left, 100 feet; south 29 degrees 25 minutes west 656.2 feet, south 8 degrees west 137.1 feet, south 11 degrees 11 minutes east 540.4 feet, on a curve of 791.8 feet radius to the right, 778.4 feet; south 45 degrees 8 minutes west 181.1 feet, on a curve of 641.8 feet radius to the left, 765.7 feet; south 23 degrees 13 minutes east 71.5 feet, south 40 degrees 22 minutes east 158.6 feet, and south 32 degrees 57 minutes west 593.9 feet, to the most easterly point of Parcel No. 1125, in the easterly line of Jackson avenue; thence partly along the easterly line of said parcel, south 32 degrees 57 minutes west 51.4 feet, to the most easterly point of said parcel; thence partly along the easterly line of said Parcel No. 1127, along the easterly lines of Parcels Nos. 1128, 1129 and 1131, partly along the easterly line of Parcel No. 1132, and along the easterly lines of Parcels Nos. 1133 and 1134, the following courses, distances and curves: South 32 degrees 57 minutes west 820.8 feet, crossing the line between the Town of Greenburg and the City of Yonkers, south 25 degrees 37 minutes west 419.2 feet, south 21 degrees 57 minutes west 287.1 feet, south 12 degrees 14 minutes west 337.6 feet, south 15 degrees 27 minutes west 445.5 feet, south 15 degrees 52 minutes east 83.9 feet, south 24 degrees 17 minutes east 644.7 feet, on a curve of 791.8 feet radius to the right, 140.9 feet; south 2 degrees 41 minutes west 400.8 feet, south 87 degrees 19 minutes east 140 feet, south 2 degrees 41 minutes west 30 feet, south 84 degrees 33 minutes west 141.4 feet, south 2 degrees 41 minutes west 893.6 feet, on a curve of 275 feet radius to the right, 141.6 feet; south 32 degrees 12 minutes west 618.3 feet, south 25 degrees 19 minutes west 281.5 feet, south 20 degrees 45 minutes east 225.1 feet, south 23 minutes west 418.4 feet, south 22 degrees 16 minutes west 245 feet, south 35 degrees 20 minutes west 390.4 feet, south 59 degrees 10 minutes west 301.1 feet, south 49 degrees 28 minutes west 250.4 feet, south 78 degrees 56 minutes east 196.2 feet, south 29 degrees 37 minutes east 105.7 feet, south 17 degrees 31 minutes west 111.4 feet, south 1 degree 46 minutes east 75.5 feet, south 21 degrees 4 minutes east 483.2 feet, on a curve of 5,537.1 feet radius to the right, 70 feet; north 21 degrees 4 minutes west 626.2 feet, north 72 degrees 30 minutes west 107.2 feet, south 17 degrees 30 minutes west 460 feet, south 1 degree 31 minutes east 60.4 feet, south 15 degrees 37 minutes west 454.2 feet, south 55 degrees 12 minutes west 191.8 feet, south 25 degrees 47 minutes west 674.7 feet, north 64 degrees 13 minutes west 25 feet, and south 25 degrees 47 minutes west 2,286.1 feet, to the northeast corner of Parcel No. 1135, in the centre of Tuckahoe road (leading from Yonkers to Tuckahoe); thence along the easterly line of said parcel, south 25 degrees 47 minutes west 41.8 feet, to the northeast corner of Parcel No. 1136, in the southerly line of said road; thence partly along the easterly line of said parcel, and along the easterly line of Parcel No. 1140, the following courses and distances: South 25 degrees 47 minutes west 55 feet, south 35 degrees 42 minutes west 945.2 feet, south 21 degrees 39 minutes west 309.2 feet, south 35 degrees 42 minutes west 800 feet, south 27 degrees 44 minutes east 111.8 feet, south 35 degrees 42 minutes west 120 feet, crossing Sprain Brook; north 85 degrees 16 minutes west 174.9 feet, south 35 degrees 42 minutes west 228.3 feet, south 2 degrees 54 minutes west 46.2 feet, south 35 degrees 42 minutes west 133.8 feet, south 2 degrees 54 minutes west 160.2 feet, south 10 degrees 21 minutes east 350.6 feet, and south 1 degree 12 minutes east 369.3 feet, to the southeast corner of said Parcel No. 1140, in the centre of Palmer avenue; thence along the centre line of said avenue, and along the southerly lines of said Parcel No. 1140 and Parcel No. 1141, north 79 degrees 10 minutes west 25.6 feet, and north 77 degrees 43 minutes west 25.7 feet, to the southwest corner of said Parcel No. 1141; thence along the westerly line of said parcel, north 1 degree 12 minutes west 354 feet, north 10 degrees 21 minutes west 352.4 feet, and north 2 degrees 54 minutes east 45.6 feet, to the northwest corner of said parcel, in the easterly line of Parcel No. 1139; thence partly along said parcel line and along the southerly line of said Parcel No. 1139, north 84 degrees 49 minutes west 26.9 feet, south 35 degrees 42 minutes west 115.9 feet, and north 84 degrees 49 minutes west 116.4 feet, to the southwest corner of said parcel, in the easterly line of Parcel No. 1142, in the easterly line of Maple avenue; thence along said avenue line and partly along said easterly parcel line, south 5 degrees 11 minutes west 527.7 feet, to the northeast corner of said Maple avenue and Palmer avenue; thence continuing along the easterly line of Parcel No. 1142, south 27 degrees 59 minutes west 67.6 feet, to the northeast corner of Parcel No. 1143, in the southerly line of said Palmer avenue; thence along the easterly line of said parcel, the following courses and distances: South 27 degrees 46 minutes west 1,748.4 feet, south 62 degrees 14 minutes east 50 feet, south 27 degrees 46 minutes west 150 feet, north 62 degrees 14 minutes west 50 feet, and south 27 degrees 46 minutes west 937.6 feet, to the southeast corner of said Parcel No. 1143; thence partly along the southerly line of said parcel, north 73 degrees 13 minutes west 2.8 feet, to the northeast corner of Parcel No. 1144, in the easterly line of Bennett place; thence along said easterly line of Parcel No. 1144, south 27 degrees 56 minutes west 1,068.2 feet, crossing Dunwoodie avenue, and south 15 degrees 18 minutes east 809.4 feet, crossing Midland avenue, College place and Gunther avenue, to the northwest corner of Parcel No. 1145; thence along the northerly line of said parcel, north 74 degrees 42 minutes east 59.7 feet, to the most easterly point of same, in the before-mentioned easterly line of Parcel No. 1144; thence again partly along said line, south 81 degrees 19 minutes east 26.9 feet, south 28 degrees 51 minutes west 27 feet, south 5 degrees 52 minutes west 225.1 feet, and north 84 degrees 8 minutes west 95.5 feet, to a point in the easterly line of Seminary avenue; thence along said avenue line and still continuing along the easterly line of Parcel No. 1144, south 28 degrees 31 minutes west 2,171.5 feet, south 28 degrees 31 minutes west 587.8 feet, and on a curve of 375 feet radius to the right, 90.7 feet, to the most northerly point of Parcel No. 1151; thence along the easterly line of said parcel,



south 26 degrees 41 minutes west 665.5 feet, to a point in the northerly line of Parcel No. 1152, in the northerly line of Yonkers avenue; thence partly along said parcel line, south 26 degrees 41 minutes west 39.5 feet, to a point in the centre of said avenue; thence along the centre line thereof, and continuing along the northerly line of Parcel No. 1152, on a curve of 370.4 feet radius to the left, 89.1 feet, to the northeast corner of said parcel; thence along the easterly line of same, south 26 degrees 41 minutes west 37.6 feet, to the northeast corner of Parcel No. 1153, in the southerly line of said avenue; thence along the easterly line of said parcel, and partly along the northerly line of Parcel No. 1155, south 26 degrees 41 minutes west 132.8 feet, north 63 degrees 19 minutes west 87.5 feet, south 26 degrees 41 minutes west 260.4 feet, and north 77 degrees 14 minutes east 16.2 feet, to the northeast corner of said Parcel No. 1155, in the easterly line of Orient street; thence along said street line and the easterly line of said parcel, south 26 degrees 42 minutes west 1,141.6 feet, crossing Division street, Belmont avenue and Fairfield street, and south 6 degrees 47 minutes west 55.4 feet, crossing Grove street, to the most easterly point of Parcel No. 1156, in the southerly line of said Grove street; thence partly along the easterly lines of said Parcel No. 1156 and Parcels Nos. 1157 and 1159, south 6 degrees 47 minutes west 497.5 feet, crossing Holly street, to a point in the westerly line of Central Park avenue, at the northeast corner of Parcel No. 1160; thence along the easterly line of said parcel, south 6 degrees 47 minutes west 160.9 feet, to the southeast corner of same, in the southerly line of said avenue, said point being also in the northerly line of Real Estate Section No. 2, Southern Aqueduct Department, Hill View Reservoir (the map of which section was filed in the office of the Register of the County of Westchester, at White Plains, N. Y., on the 18th day of February, 1907); thence partly along said section line, along the southerly line of said Central Park avenue, and the southerly line of said Parcel No. 1160, south 45 degrees 12 minutes west 64.4 feet, to the southwest corner of said parcel; thence along the westerly line of same, north 6 degrees 47 minutes east 160.9 feet, to the southwest corner of before-mentioned Parcel No. 1159, in the northerly line of said avenue; thence along the westerly line of said parcel, partly along the westerly line of before-mentioned Parcel No. 1157, along the westerly line of Parcel No. 1158, again partly along the westerly line of Parcel No. 1157, and partly along the westerly line of before-mentioned Parcel No. 1156, north 6 degrees 47 minutes east 579.6 feet, recrossing before-mentioned Holly street, to the most westerly point of before-mentioned Parcel No. 1155, in the westerly line of before-mentioned Grove street; thence partly along said parcel line, north 6 degrees 47 minutes east 60.1 feet, to the junction of the easterly line of said Grove street with the westerly line of before-mentioned Orient street; thence along said westerly line of Orient street, and continuing along the westerly line of Parcel No. 1155, north 26 degrees 42 minutes east 1,022.4 feet, crossing Park and Vernon places, another street, and recrossing before-mentioned Division street, to a point in the northerly line of said Division street; thence along the northerly line of said street and continuing along the westerly line of said Parcel No. 1155, south 47 degrees 14 minutes east 13 feet, to the southwest corner of Parcel No. 1154; thence along the westerly line of said parcel, north 26 degrees 41 minutes east 352.4 feet, north 63 degrees 19 minutes west 37.5 feet, and north 26 degrees 41 minutes east 170.2 feet, to the southwest corner of before-mentioned Parcel No. 1152, in the southerly line of before-mentioned Yonkers avenue; thence along the westerly line of said parcel, north 26 degrees 41 minutes east 41.8 feet, on a curve of 370.4 feet radius to the left, 41.2 feet, and north 26 degrees 41 minutes east 40.6 feet, to the southwest corner of before-mentioned Parcel No. 1151, in the northerly line of said Yonkers avenue; thence along the westerly line of said parcel, north 26 degrees 41 minutes east 590.6 feet, to the most southerly point of before-mentioned Parcel No. 1144, in the easterly line of before-mentioned Seminary avenue; thence partly along the westerly line of said parcel, north 36 degrees 57 minutes west 75 feet, crossing said avenue, to a point in the westerly line thereof; thence along said westerly avenue line, and continuing along the westerly line of Parcel No. 1144, on a curve of 300 feet radius to the left, 128.4 feet; north 28 degrees 32 minutes east 587.9 feet, and north 28 degrees 31 minutes east 2,176.5 feet, crossing Valentine street, to the southwest corner of Parcel No. 1149; thence along the westerly line of said parcel, and partly along the westerly line of Parcel No. 1148, north 28 degrees 31 minutes east 8 feet, and north 15 degrees 18 minutes west 144.5 feet, to the northwest corner of said parcel, in the southerly line of Byron place, at another point in the before-mentioned westerly line of Parcel No. 1144; thence again partly along said westerly parcel line, north 15 degrees 18 minutes west 25 feet, to a point in the centre of said Byron place; thence along the centre line of said Byron place, north 74 degrees 42 minutes east 100 feet, to the point of intersection of said centre line with the westerly line produced of before-mentioned Bennett place; thence along said produced line and the westerly line of said Bennett place, and continuing along the westerly line of Parcel No. 1144, north 15 degrees 18 minutes west 796.9 feet, and north 27 degrees 56 minutes east 1,084.5 feet, recrossing before-mentioned Gunther avenue, College place and Midland avenue, crossing Orchard street, and recrossing before-mentioned Dunwoodie avenue, to the northwest corner of said Parcel No. 1144, in the southerly line of before-mentioned Parcel No. 1143; thence partly along said line, north 73 degrees 13 minutes west 2.3 feet, to the southwest corner of said Parcel No. 1143; thence along the westerly line of same the following courses and distances: North 27 degrees 56 minutes east 60.9 feet, north 27 degrees 46 minutes east 937.5 feet, north 62 degrees 14 minutes west 50 feet, north 27 degrees 46 minutes east 150 feet, south 62 degrees 14 minutes east 50 feet, north 27 degrees 46 minutes east 1,638.9 feet, north 72 degrees 55 minutes west 101.8 feet, and north 27 degrees 46 minutes east 100 feet, to the southwest corner of before-mentioned Parcel No. 1142, in the southerly line of before-mentioned Palmer avenue; thence partly along the westerly line of said parcel, north 27 degrees 46 minutes east 33.6 feet, to a point in the centre of said Palmer avenue; thence along the centre line thereof, south 72 degrees 55 minutes east 101.5 feet; thence continuing along the westerly line of Parcel No. 1142, north 27 degrees 46 minutes east 34.7 feet, to the northwest corner of before-mentioned Maple avenue, and said Palmer avenue; thence along the westerly line of said Maple avenue, north 5 degrees 11 minutes east 726.6 feet; thence continuing along the westerly line of Parcel No. 1142, north 35 degrees 42 minutes east 98.5 feet, to the most northerly point of said Parcel No. 1142, in the westerly line of before-mentioned Parcel No. 1139, in the easterly line of said Maple avenue; thence partly along said westerly parcel line, and the westerly lines of before-mentioned Parcel No. 1138 and Parcel No. 1136, along the westerly line of before-mentioned Parcel No. 1137, and again partly along the westerly line of Parcel No. 1136,

the following courses and distances: North 35 degrees 42 minutes east 270.8 feet, north 21 degrees 6 minutes west 39.8 feet, north 30 degrees 6 minutes west 47.6 feet, north 7 degrees 27 minutes west 290.1 feet, north 35 degrees 42 minutes east 300 feet, south 54 degrees 18 minutes east 250 feet, and north 35 degrees 42 minutes east 700 feet, recrossing before-mentioned Sprain Brook; north 49 degrees 44 minutes east 309.2 feet, and north 35 degrees 42 minutes east 808.6 feet, to the southwest corner of before-mentioned Parcel No. 1135, in the southerly line of before-mentioned Tuckahoe road; thence along the westerly lines of said parcel and before-mentioned Parcels Nos. 1134, 1133 and 1132, partly along the westerly lines of before-mentioned Parcels Nos. 1131 and 1129, along the westerly line of Parcel No. 1130, again partly along the westerly line of Parcel No. 1129, along the westerly line of before-mentioned Parcel No. 1128, partly along the westerly line of before-mentioned Parcel No. 1127, along the westerly and partly along the easterly lines of Parcel No. 1126, and again partly along the westerly line of Parcel No. 1127, the following courses, distances and curves: north 35 degrees 42 minutes east 123.6 feet, recrossing said Tuckahoe road; north 25 degrees 47 minutes east 2,369.9 feet, north 64 degrees 13 minutes west 25 feet, north 25 degrees 47 minutes east 625.3 feet, north 55 degrees 12 minutes east 234 feet, north 35 degrees 37 minutes east 84.6 feet, north 15 degrees 37 minutes east 332.7 feet, north 1 degree 31 minutes west 41.3 feet, north 19 degrees 21 minutes east 302.7 feet, north 49 degrees 28 minutes east 408.1 feet, north 39 degrees 10 minutes east 282.2 feet, north 35 degrees 20 minutes east 341.6 feet, north 22 degrees 16 minutes east 198.8 feet, north 23 minutes east 361.4 feet, north 20 degrees 45 minutes west 243.3 feet, north 6 degrees 43 minutes east 131.2 feet, north 32 degrees 12 minutes east 277.9 feet, north 57 degrees 48 minutes east 15 feet, north 32 degrees 12 minutes east 100 feet, north 57 degrees 48 minutes west 15 feet, north 32 degrees 12 minutes east 493.3 feet, on a curve of 125 feet radius to the left, 64.4 feet; north 2 degrees 41 minutes east 1,344.4 feet, on a curve of 641.8 feet radius to the left, 114.2 feet; north 7 degrees 31 minutes west 1,355.3 feet, north 24 degrees 17 minutes west 347.6 feet, north 8 degrees 40 minutes east 558.3 feet, north 17 degrees 40 minutes east 558.3 feet, north 21 degrees 57 minutes east 287.1 feet, north 25 degrees 37 minutes east 225 feet, north 2 degrees east 364.6 feet, recrossing the before-mentioned line between the Town of Greenburg and the City of Yonkers; north 59 degrees 6 minutes east 306.4 feet, north 32 degrees 57 minutes east 315.5 feet, north 32 degrees 30 minutes west 275 feet, north 32 degrees 57 minutes east 545 feet, south 33 degrees 30 minutes east 275 feet, and north 32 degrees 57 minutes east 156.9 feet, to the most northerly point of said Parcel No. 1127, in the westerly line of before-mentioned Jackson avenue, said point being also in the westerly line of before-mentioned Parcel No. 1125; thence partly along said parcel line, north 35 degrees 57 minutes east 23.2 feet, to a point in the centre of said Jackson avenue; thence along the centre line thereof, and continuing along the westerly line of Parcel No. 1125, north 34 degrees 1 minute west 378.5 feet, to the northwest corner of said parcel; thence along the northerly line of same, partly along the westerly line of before-mentioned Parcels Nos. 1124, 1123 and 1122, the following courses, distances and curves: North 45 degrees 21 minutes east 22.8 feet, north 45 degrees 52 minutes east 70.4 feet, north 44 degrees 23 minutes east 60.5 feet, north 44 degrees 12 minutes east 116.9 feet, north 41 degrees 23 minutes east 28 feet, north 46 degrees 55 minutes east 57.1 feet, north 51 degrees 39 minutes east 19.9 feet, north 50 degrees 54 minutes east 98.9 feet, on a curve of 791.8 feet radius to the right, 788.4 feet; north 45 degrees 8 minutes east 181.1 feet, on a curve of 641.8 feet radius to the left, 125 feet; north 45 degrees 36 minutes west 50.9 feet, north 31 degrees 44 minutes east 27.7 feet, south 70 degrees 54 minutes east 50.9 feet, on a curve of 641.8 feet radius to the left, 455.9 feet; north 11 degrees 11 minutes west 672.8 feet, north 29 degrees 25 minutes east 781 feet, on a curve of 275 feet radius to the right, 220 feet; north 75 degrees 16 minutes east 474 feet, and north 39 degrees 35 minutes east 82.6 feet, to a point in the southerly line of before-mentioned Platt avenue; thence along said line, and continuing along the westerly line of Parcel No. 1122, north 49 degrees 7 minutes west 149.7 feet, north 46 degrees 13 minutes west 53.4 feet, and north 15 degrees 45 minutes west 80 feet, to the northwest corner of said parcel; thence partly along the northerly lines of same, and before-mentioned Parcel No. 1121, north 67 degrees 45 minutes east 46.3 feet, to the most northerly point of said Parcel No. 1121, in the northerly line of said Platt avenue, said point being also in the westerly line of before-mentioned Parcel No. 1120; thence partly along said parcel line, along the westerly lines of before-mentioned Parcels Nos. 1119, 1117 and 1116, partly along the southerly and westerly lines of before-mentioned Parcel No. 1115, along the westerly line of before-mentioned Parcel No. 1114, and partly along the westerly line of before-mentioned Parcel No. 1113, the following courses, distances and curves: North 67 degrees 45 minutes east 30.7 feet, north 12 degrees 23 minutes east 150 feet, north 77 degrees 37 minutes west 25 feet, north 12 degrees 23 minutes east 209.9 feet, south 77 degrees 37 minutes east 25 feet, north 12 degrees 23 minutes east 508.5 feet, on a curve of 791.8 feet radius to the right, 393.2 feet; north 40 degrees 50 minutes east 33.4 feet, north 28 degrees 5 minutes east 57.4 feet, north 79 degrees 56 minutes west 63 feet, due north 30 feet; north 82 degrees east 65.1 feet, north 13 degrees 16 minutes west 428.7 feet, north 6 degrees 36 minutes east 177.7 feet, south 83 degrees 24 minutes east 20 feet, north 6 degrees 36 minutes east 267.1 feet, north 14 degrees 44 minutes east 307.7 feet, north 61 degrees 43 minutes west 12.9 feet, north 8 degrees 55 minutes east 117.2 feet, north 14 degrees 25 minutes east 19.8 feet, north 1 degree 7 minutes west 431.6 feet, north 32 degrees 53 minutes east 357 feet, north 12 degrees 58 minutes east 75 feet, north 6 degrees 57 minutes west 70.6 feet, on a curve of 290 feet radius to the right, 186.9 feet, and north 12 degrees 14 minutes east 70.6 feet, to a point in the before-mentioned road leading to Greenville; thence partly along the northerly line of said road, and continuing along the westerly line of Parcel No. 1113, north 63 degrees 50 minutes east 27 feet, and north 38 degrees 28 minutes east 90 feet; thence continuing along said westerly line of Parcel No. 1113, and running partly along the westerly line of before-mentioned Parcel No. 1110, along the westerly line of Parcel No. 1112, again partly along the westerly line of Parcel No. 1110, along the westerly line of Parcel No. 1111, and again partly along the westerly line of Parcel No. 1110, the following courses, distances and curve: North 5 degrees 51 minutes west 56.5 feet, north 17 degrees 58 minutes west 60.5 feet, on a curve of 275 feet radius to the right, 219.6 feet; north 37 degrees 59 minutes west 59.8 feet, north 1 degree 45 minutes east 220.4 feet, north 7 degrees 22 minutes east 193.2 feet, north 76 degrees 52 minutes east 17.2 feet, north 61 degrees 25 min-

utes east 22.4 feet, north 37 degrees 34 minutes east 29.8 feet, north 43 degrees 3 minutes east 172.6 feet, north 30 degrees 46 minutes east 76.1 feet, north 31 degrees 35 minutes east 33.7 feet, north 15 degrees 39 minutes east 203.6 feet, north 15 degrees 7 minutes east 60.4 feet, north 13 degrees 15 minutes west 413.6 feet, and north 61 degrees 17 minutes west 115.5 feet, to the southeast corner of Parcel No. 1109, in the easterly line of before-mentioned New Sprain road; thence along the southerly line of said parcel, north 61 degrees 17 minutes west 18 feet, to the southwest corner of same, in the centre of said road; thence along the centre line thereof, and the westerly line of said parcel, north 28 degrees 43 minutes east 124.4 feet, to the southeast corner of before-mentioned Parcel No. 1106; thence along the southerly line of said parcel, north 63 degrees 3 minutes west 18.7 feet, to the southwest corner of same, in the westerly line of said New Sprain road; thence along said road line, and partly along the westerly line of said parcel, north 29 degrees 11 minutes east 117 feet, and north 28 degrees 3 minutes east 181.4 feet, thence continuing along the westerly line of Parcel No. 1106, north 7 degrees 56 minutes east 236.9 feet, north 32 degrees 13 minutes east 238 feet, and north 10 degrees 20 minutes west 135.8 feet, to a point in the centre of Old Sprain road; thence along the centre line of said road, north 34 degrees 18 minutes east 460.4 feet; thence still continuing along the westerly line of Parcel No. 1106, south 83 degrees 55 minutes east 62.9 feet, north 17 degrees 38 minutes east 142.9 feet, north 34 degrees 15 minutes east 431.6 feet, and north 23 degrees 27 minutes west 44.4 feet, to the southwest corner of before-mentioned Parcel No. 1105, in before-mentioned Upper Sprain road; thence partly along the westerly line of said parcel, north 23 degrees 27 minutes west 25 feet, to a point in the northerly line of said road; thence along said road line, the following courses and distances: North 66 degrees 33 minutes east 47.5 feet, north 62 degrees 41 minutes east 29.5 feet, north 55 degrees 27 minutes east 37.7 feet, north 35 degrees 5 minutes east 45.6 feet, north 21 degrees 31 minutes east 70.5 feet, and north 27 degrees 40 minutes east 28.4 feet; thence continuing along the westerly line of Parcel No. 1105, and running partly along the westerly line of before-mentioned Parcel No. 1104, along the westerly line of before-mentioned Parcel No. 1103, and along the southerly and westerly lines of Parcel No. 1101, the following courses, distances and curves: North 43 degrees 5 minutes east 168.2 feet, on a curve of 641.8 feet radius to the left, 223.7 feet; north 23 degrees 14 minutes east 74.5 feet, on a curve of 791.8 feet radius to the right, 225.8 feet; north 39 degrees 35 minutes east 17.2 feet, on a curve of 641.8 feet radius to the left, 159.5 feet; north 25 degrees 20 minutes east 633.1 feet, on a curve of 791.8 feet radius to the right, 173.2 feet; north 37 degrees 52 minutes east 138.6 feet, on a curve of 641.8 feet radius to the left, 254.4 feet; north 54 degrees 25 minutes west 113.3 feet, north 25 degrees 2 minutes east 30 feet, south 64 degrees 57 minutes east 100.4 feet, on a curve of 641.8 feet radius to the left, 370.7 feet; north 22 degrees 34 minutes west 352.6 feet, on a curve of 791.8 feet radius to the right, 180.1 feet; north 88 degrees 20 minutes west 190.1 feet, crossing Sprain Brook, and north 1 degree 40 minutes east 513.7 feet, to the southwest corner of before-mentioned Parcel No. 1100, in the southerly line of before-mentioned road leading from Woodland to Hartsdale; thence along the westerly line of said parcel, north 1 degree 40 minutes east 59.2 feet, to the southwest corner of Parcel No. 1099, in the northerly line of said road; thence along the westerly line of said parcel, along the westerly and partly along the northerly lines of before-mentioned Parcel No. 1097, along the westerly lines of before-mentioned Parcel No. 1096 and Parcel No. 1095, partly along the westerly line of before-mentioned Parcel No. 1093, along the westerly line of Parcel No. 1094, and again partly along the westerly line of Parcel No. 1093, the following courses, distances and curves: North 1 degree 40 minutes east 749.7 feet, north 79 degrees 59 minutes east 153.2 feet, north 1 degree 40 minutes east 962.8 feet, on a curve of 816.8 feet radius to the right, 421.8 feet; north 31 degrees 16 minutes east 304.4 feet, south 58 degrees 44 minutes east 75 feet, and north 31 degrees 16 minutes east 571 feet, to the northwest corner of said Parcel No. 1093, in the southerly line of before-mentioned Landers road; thence along said road line, and partly along said southerly parcel line, south 83 degrees 25 minutes west 27.7 feet, and south 86 degrees 41 minutes west 34.2 feet, to the southwest corner of said parcel; thence along the westerly line of same, north 31 degrees 16 minutes east 64.4 feet, to the southwest corner of before-mentioned Parcel No. 1091, in the northerly line of said road; thence along the westerly lines of said parcel and before-mentioned Parcel No. 1090, partly along the northerly line of said Parcel No. 1090, and along the westerly line of before-mentioned Parcel No. 1089, the following courses and distances: North 31 degrees 16 minutes east 551 feet, north 38 degrees 45 minutes west 292.6 feet, north 31 degrees 16 minutes east 370 feet, north 80 degrees 40 minutes east 229.8 feet, north 7 degrees 30 minutes west 140 feet, north 13 degrees 46 minutes west 687 feet, south 76 degrees 14 minutes west 225 feet, north 13 degrees 46 minutes west 429.5 feet, north 36 degrees east 792.8 feet, south 54 degrees east 75 feet, and north 36 degrees east 1,819.8 feet, to the southwest corner of before-mentioned Parcel No. 1088, in the southerly line of before-mentioned Hartsdale road; thence along the westerly line of said parcel, north 36 degrees east 50.6 feet, to the point or place of beginning.

Second Part.

Beginning at a point in the westerly line of Parcel No. 4, of Real Estate Section No. 1, Southern Aqueduct Department, Hill View Reservoir (the map of which section was filed in the office of the Register of the County of Westchester, at White Plains, N. Y., on the 18th day of February, 1907), said point being the most northerly point of Parcel No. 1161 of the section hereby described, and running thence partly along the easterly line of said Parcel No. 1161, and the westerly line of Parcel No. 4, south 31 degrees 38 minutes east 28.4 feet, to the most easterly point of said Parcel No. 1161; thence continuing along the easterly line of said Parcel No. 1161, and along the easterly lines of Parcels Nos. 1162 and 1163, south 30 degrees 9 minutes west 580 feet, to the most easterly point of Parcel No. 1164, in the easterly line of McLean avenue; thence partly along the easterly line of said parcel, south 30 degrees 9 minutes west 81 feet, to the most easterly point of Parcel No. 1165, in the westerly line of said avenue; thence partly along the easterly line of said parcel, south 30 degrees 9 minutes west 852.5 feet, to the southeast corner of said parcel, in the line between the City of Yonkers and The City of New York; thence along said line, and the southerly line of said parcel, north 68 degrees 36 minutes west 25.3 feet, to the southwest corner of said parcel; thence along the westerly line of same, north

30 degrees 9 minutes east 866.5 feet, to the most westerly point of before-mentioned Parcel No. 1164, in the westerly line of before-mentioned McLean avenue; thence partly along the westerly line of said parcel, north 30 degrees 9 minutes east 81 feet, to the most westerly point of before-mentioned Parcel No. 1163, in the easterly line of said avenue; thence partly along the westerly line of said parcel, and along the westerly line of before-mentioned Parcels Nos. 1162 and 1161, north 30 degrees 9 minutes east 583.2 feet, to the point or place of beginning.

The fee is to be acquired by The City of New York in all the real estate Parcels Nos. 1088 to 1165, both inclusive, contained in the above description, excepting Parcels Nos. 1126, 1135, 1140, 1141, 1142, 1144, 1152 and 1155 to 1165, both inclusive, in which perpetual easement is to be acquired.

The rights sought in Parcels Nos. 1126, 1135, 1140, 1141, 1142, 1144, 1155 to 1165, inclusive, are as follows:

In Parcel No. 1126 a perpetual easement to construct, maintain and use a culvert outlet.

In Parcel No. 1135 the right to construct and forever maintain an aqueduct on, over or through the same.

In Parcels Nos. 1140 and 1141 perpetual easement to build, maintain and use a road.

In Parcel No. 1142 perpetual easement to construct, operate and maintain an aqueduct and appurtenances under the surface, including telephone wires or other methods of communication and electric power wires, or to construct and maintain said wires above surface.

In Parcels Nos. 1144, 1152 and 1155 perpetual easement to construct, operate and maintain an aqueduct and appurtenances under the surface, including telephone wires or other methods of communication and electric power wires, or to construct and maintain said wires above surface.

In Parcels Nos. 1156 to 1165, inclusive, the right to construct, operate and maintain an aqueduct and appurtenances under the surface.

Reference is hereby made to the said map filed as aforesaid in the office of the Register of the County of Westchester for a more detailed description of the real estate to be taken as above described.

The greatest width of the proposed taking along the aqueduct is 650 feet, which occurs across Parcels Nos. 1136 and 1137, and the least width of the said taking is 25 feet, which occurs across Parcels Nos. 1151, 1152, 1153, 1154, 1161, 1162, 1163, 1164 and 1165.

In case any real estate hereinbefore described is used for highway or other public purposes, such use shall continue until such time as The City of New York may acquire the right to close the same.

Dated August 2, 1909.

FRANCIS KEY PENDLETON,

Corporation Counsel.

Office and Post-Office address, Hall of Records, corner of Chambers and Centre streets, Borough of Manhattan, New York City. a14,s25

PROPOSALS FOR BIDS AND ESTIMATES FOR THE CITY OF NEW YORK.

NOTICE TO CONTRACTORS.

GENERAL INSTRUCTIONS TO BIDDERS.

The person or persons making a bid or estimate for any services, work, materials or supplies for The City of New York, or for any of its departments, bureaus or offices, shall furnish the same in a sealed envelope, indorsed with the title of the supplies, materials, work or services for which the bid or estimate is made, with his or their name or names and the date of presentation to the President or Board or to the head of the Department at his or its office, on or before the date and hour named in the advertisement for the same, at which time and place the estimates received will be publicly opened by the President or Board or head of said Department and read, and the award of the contract made according to law as soon thereafter as practicable.

Each bid or estimate shall contain the name and place of residence of the person making the same, and names of all persons interested with him therein, and, if no other person be so interested, it shall distinctly state that fact; also, that it is made without any connection with any other person making an estimate for the same purpose, and is in all respects fair and without collusion or fraud, and that no member of the Board of Aldermen, head of a department, chief of a bureau, deputy thereof, or clerk therein, or other officer of The City of New York is, shall be or become interested, directly or indirectly, as contracting party, partner, stockholder, surety or otherwise in or in the performance of the contract, or in the supplies, work or business to which it relates, or in any portion of the profits thereof. The bid or estimate must be verified by the oath, in writing, of the party or parties making the estimate that the several matters stated herein are in all respects true.

Each bid or estimate shall be accompanied by the consent, in writing, of two householders or freeholders in The City of New York, or of a guaranty or surety company duly authorized by law to act as surety, and shall contain the matters set forth in the blank forms mentioned below.

No bid or estimate will be considered unless, as a condition precedent to the reception or consideration of any proposal, it be accompanied by a certified check upon one of the State or National banks of The City of New York, drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of the bond required, as provided in section 420 of the Greater New York Charter.

The certified check or money should not be inclosed in the envelope containing the bid or estimate, but should be either inclosed in a separate envelope addressed to the head of the Department, President or Board, or submitted personally upon the presentation of the bid or estimate.

For particulars as to the quantity and quality of the supplies, or the nature and extent of the work, reference must be made to the specifications, schedules, plans, etc., on file in the said office of the President, Board or Department.

No bid shall be accepted from or contract awarded to any person who is in arrears to The City of New York upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the City.

The contract must be bid for separately. The right is reserved in each case to reject all bids or estimates if it is deemed to be for the interest of the City so to do.

Bidders will write out the amount of their bids or estimates in addition to inserting the same in figures.

Bidders are requested to make their bids or estimates upon the blank forms prepared and furnished by the City, a copy of which, with the proper envelope in which to inclose the bid, together with a copy of the contract, including the specifications, in the form approved by the Corporation Counsel, can be obtained upon application therefor at the office of the Department for which the work is to be done. Plans and drawings of construction work may also be seen there.