

THE CITY RECORD.

VOL. XXXI.

NEW YORK, THURSDAY, DECEMBER 24, 1903.

NUMBER 9,315

THE CITY RECORD,

OFFICIAL JOURNAL OF THE CITY OF NEW YORK.
Published Under Authority of Section 1526, Greater New York Charter, by the

BOARD OF CITY RECORD.

SETH LOW, MAYOR.

GEORGE L. RIVES, CORPORATION COUNSEL.

EDWARD M. GROUT, COMPTROLLER.

CHARLES S. HERVEY, SUPERVISOR.

Published daily, except legal holidays.

Subscription, \$0.30 per year, exclusive of supplements. Three cents per copy.
SUPPLEMENTS: Civil List (containing names, salaries, etc., of the city employees), 25 cents; Canvass, 10 cents; Registry Lists, 5 cents each Assembly District; Law Department and Finance Department supplements, 10 cents each.

Published at Room 2, City Hall (north side), New York City.

Entered as Second-class Matter, Postoffice at New York City.

TABLE OF CONTENTS.

Aldermen, Board of—	
Minutes of Meeting of December 22, 1903.	10613
An Approved Paper.....	10513
Aqueduct Commission—	
Proposal.....	10638
Army Commissioners, Board of—	
Minutes of Meeting of December 17, 1903.	10631
Proposals.....	10638
Assessors, Board of—	
Public Notices.....	10640
Bellevue and Allied Hospitals, Board of—	
Proposal.....	10634
Board Meetings.....	10634
Bridges, Department of—	
Proposals.....	10634
Brooklyn, Borough of—	
Proposal.....	10635
Changes in Departments.....	10631
City Record, Board of—	
Proposals.....	10639
Correction, Department of—	
Proposals.....	10640
Docks and Ferries, Department of—	
Proposals.....	10634
Education, Department of—	
Proposals.....	10635
Estimate and Apportionment, Board of—	
Public Notices.....	10638
Examiners, Board of—	
Minutes of Meeting of December 15, 1903	10627
Executive Department.....	10631
Finance, Department of—	
Notices to Property Owners.....	10636
Fire Department—	
Proposals.....	10640
Health, Department of—	
Proposals.....	10635

Vital Statistics for week ending December 5, 1903.....	10629
Manhattan, Borough of—	
Proposal.....	10640
Municipal Civil Service Commission—	
Notices of competitive examinations.....	10639
Normal College—	
Public Notice.....	10638
Notice to Contractors.....	10644
Official Borough Papers.....	10638
Official Directory.....	10631
Official Papers.....	10635
Parks, Department of—	
Proposals.....	10639
Police Department—	
Minutes of Meeting of December 16, 1903.	10629
Owners Wanted for Lost Property.....	106 6
Public Charities, Department of—	
Proposals.....	10639
Queens, Borough of—	
Report of Commissioner of Public Works for weeks ending November 4 and 11, 1903.....	10627
Rapid Transit Railroad Commissioners, Board of—	
Minutes of Meeting of November 24, 1903.	10621
Street Cleaning, Department of—	
Ashes, etc., for filling in lands.....	10634
Proposals.....	10634
Supreme Court—	
Acquiring title to lands, etc.....	10641
The Bronx, Borough of—	
Report of Bureau of Buildings for weeks ending December 5 and 12, 1903.....	10631
Water Supply, Gas and Electricity—	
Transactions for weeks ending September 26 and October 3, 1903.....	10628

AN APPROVED PAPER.

IN THE BOARD OF ALDERMEN.

No. 652.

Whereas, Saturday, December 26, 1903, is a half holiday, immediately following Friday, December 25, 1903 (Christmas day); and

Whereas, Saturday, January 2, 1904, is also a half holiday, immediately following Friday, January 1, 1904 (New Year's day); and

Whereas, Many people are desirous of leaving town and do leave on the Thursday evening preceding the dates above given and remain away until the Monday morning following; therefore be it

Resolved, That the heads of the several departments of the Government of The City of New York be and they are hereby requested to close their offices on Saturday, December 26, 1903, and Saturday, January 2, 1904, and all other offices not by law required to be kept open for public business to be kept closed on the said days.

Adopted by the Board of Aldermen December 1, 1903.

Approved by the Mayor December 9, 1903.

P. J. SCULLY, City Clerk.

THE BOARD OF ALDERMEN OF THE CITY OF NEW YORK.

STATED MEETING.

Tuesday, December 22, 1903, 1 o'clock p. m.

The Board met in the Aldermanic Chamber, City Hall.

In the temporary absence of the President, the Vice-Chairman took the chair.

Present:

Hon. Charles V. Fornes, President of the Board of Aldermen.

Aldermen

James H. McInnes, Vice-Chairman;	John D. Gillies, John L. Goldwater, Elias Goodman, John J. Haggerty, Leopold W. Harburger, Philip Harnischleger, Patrick Higgins, Peter Holler, David M. Holmes, Charles P. Howland, William T. James, Samuel H. Jones, Patrick S. Keely, Michael Kennedy, Francis P. Kenney, John C. Klett, Jacob Leitner, John T. McCall, John E. McCarthy, Thomas F. McCaul, Patrick H. Malone, Joseph H. Maloy, Isaac Marks, Armitage Mathews.	Charles Metzger, James Cowden Meyers, Nicholas Nehrbauer, Joseph Oatman, James Owens, Herbert Parsons, William D. Peck, Max J. Porges, Frederick Richter, John A. Schappert, Cornelius A. Shea, David S. Stewart, Timothy P. Sullivan, Noah Tebbetts, John J. Twomey, Moses J. Wafer, Webster R. Walkley, Franklin B. Ware, William Wentz, William J. Whitaker, Henry Willett, John Wirth.
-------------------------------------	---	---

George Cromwell, President Borough of Richmond.

Joseph Cassidy, President Borough of Queens.

Louis F. Haffen, President Borough of The Bronx.

Jacob A. Cantor, President Borough of Manhattan.

The Clerk proceeded to read the minutes of the Stated Meeting of December 15, 1903.

on motion of Alderman Owens, further reading was dispensed with, and the minutes were approved as printed.

COMMUNICATIONS FROM CITY, COUNTY AND BOROUGH OFFICERS.

The Vice-Chairman laid before the Board the following communication from the Corporation Counsel:

No. 2744.

Law Department—Office of the Corporation Counsel,

New York, December 21, 1903.

Hon. JOHN DIEMER, Chairman, Committee on Railroads, Board of Aldermen:

Sir—You called upon me on Friday, the 18th instant, and verbally stated that you desired my opinion on behalf of your Committee, in regard to an application pending before you by the New York and Portchester Railroad Company. The point upon which, as I understood, my opinion was desired, was whether or not this application came within the provisions of chapter 3 title 1 of the Charter (sections 71 to 77).

You did not state to me the facts in regard to the matter; but from other sources I have learned the following:

The New York and Portchester Railroad Company was incorporated under the provisions of Article 1 of the General Railroad Law of 1890, to construct a railroad between a terminal in the Borough of The Bronx, in The City of New York, and a terminal at the State line in the Village of Portchester, in the County of Westchester. Its railroad is to be constructed upon a right of way owned by the company, crossing intersecting streets either above or below the grade thereof, as may be determined by the Board of Railroad Commissioners (Railroad Law, section 60). The railroad will be a general traffic railroad crossing intersecting streets the same as do the New York and Harlem, the New York, New Haven and Hartford and the New York Central and Hudson River Railroad Companies.

The Portchester Company has applied for the assent of The City of New York to the construction of its railroad across the streets that will be intersected by its road. This application is made under section 11 of the Railroad Law.

That act provides (section 4, subdivision 4) that every general traffic railroad shall have power "to construct its road across, along or upon any * * * highway which the route of its road shall intersect or touch." The same act, in section 11, provides that "no railroad corporation shall * * * construct its road in, upon or across any street of any city without the assent of the Corporation of such City."

Certain questions as to the meaning and effect of this act as applied to railroads in The City of New York have recently been before the courts in regard to the very company that is now making application to the Board of Aldermen.

Under the law the New York and Portchester Railroad Company applied to the Board of Railroad Commissioners of the State for a certificate as required by the Railroad Law, that public convenience and necessity required the construction of the proposed railroad. This application was strongly opposed by the New York, New Haven and Hartford Railroad Company, who insisted among other things that since 1860 there had been no law in force under which a railroad such as the applicant seeks to construct could be organized for operation in The City of New York. The Appellate Division of the Supreme Court in the Third Department, after carefully examining the statutes, concluded "that the act of 1890 furnishes authority for the organization of a company to operate a railroad in New York City such as the applicant herein designs to operate."

People ex rel. New York, New Haven and Hartford Railroad Company vs. Railroad Commissioners, 81 Appellate Division, 242; affirmed without opinion, 175 New York, 516.

It may, however, be contended with great force, that the provisions of the present Charter of the City have created in effect a new system by which no right to use a street is to be conferred upon any corporation or individual for a longer period than twenty-five years and upon the payment of compensation to the City; and that this special system, applicable only to The City of New York, is to be regarded as a repeal of and a substitute for the general provisions of the Railroad Law applicable to all other cities in the State.

The question thus suggested is evidently one of the highest importance and of no little difficulty. It was unquestionably the intention of those who framed the Charter to establish a new system of dealing with rights in the City's streets, and to apply this system to all such rights, whether they are within the strict definition of a franchise or not. The Charter Commission of 1897, in their report to the Legislature, said:

"As to franchises and their disposition, the Charter proposes a radical change of the highest importance and value. The streets of the City belong of right to the whole people. Their use for the public benefit and their control in the public interest ought never to be permanently parted with in favor of any private interests whatever. The Charter therefore declares that they are inalienable, and that no rights therein shall hereafter be granted by the Municipal Assembly except upon the approval of the Board of Estimate and Apportionment, and then only for limited periods, and upon provision being made for periodical revaluations."

I incline, however, to the opinion that it was not the intention of the Legislature in adopting the Greater New York Charter to deal with the subject of what I have called general traffic railroads originating in other parts of the State and merely entering The City of New York and incidentally crossing certain streets, but not using the streets as a portion of their right of way. The Appellate Division, in the case to which I have already referred, called attention to the distinction between ordinary railroads and railroads whose purpose is to utilize the streets or public places of the City as and for their right of way.

To the latter class of railroads, the Charter provisions undoubtedly extend, and it is my opinion, which I have expressed on several occasions, that the Charter provisions also apply to companies organized under the Transportation Act such as water works, telegraph and telephone corporations which intend to make use of public streets as and for a right of way for their pipes or conduits or wires.

On referring to the Charter it will be found that section 72 provides that "every grant of or relating to a franchise of any character" must be by ordinance.

Section 73 provides that "after the approval of this Act, no franchise or right to use the streets, avenues, waters, rivers, parkways or highways of the City shall be granted by the Board of Aldermen to any person or corporation for a longer period than twenty-five years," etc.

It will be observed that both of these sections refer to a grant to be made by the Board of Aldermen, and it may, perhaps, be justly said that the section refers and is intended to apply to cases where the authority to use a street originates with and is derived from the City authorities.

It will be observed that the Charter provisions are not limited to franchises, but include any "franchise or right to use the streets." I have not therefore thought it worth while to consider whether the right that this railroad company seeks is, strictly speaking, to be termed a franchise or not.

The act provides that the road shall not be constructed "without the assent of the corporation." Assuming that the act applies, these words unquestionably mean the assent of the Board of Aldermen, approved by the Mayor.

I therefore beg to advise you and through you the Railroad Committee of your Honorable Board, that in my judgment the assent now asked for is not a grant of a franchise or other right to use a street; that it does not fall within any of the provisions of the Charter; and that your Honorable Board may act without any reference to the Board of Estimate and Apportionment.

I have the less hesitation in so holding, because if my views on this subject are incorrect and your Honorable Board should see fit to grant your assent to the construction of the road, it would undoubtedly be open to any person who may conceive that his rights are injuriously affected, to appeal to the courts for an injunction to restrain the construction of the railroad across the City's streets, and in that way an authoritative decision might be obtained from the courts.

Although the foregoing answers what I understood to be the point upon which your Committee desired advice, it is perhaps proper for me to add that in my opinion there is no doubt that in granting the assent of the corporation to cross the streets of this City, your Honorable Board has the power in their discretion to impose such conditions as they see fit.

Judge Dillon says, in the second volume of his *Municipal Corporations*, page 849: "Where, under the General Statutes of a State a railroad company was forbidden to construct and operate its road upon the streets of an incorporated city, without the assent of the corporate authorities, these are not limited to a simple granting or denial of the right of way, but may prescribe conditions on which they will give their assent, and if these are accepted by the railroad company, they are binding upon the parties, and accordingly where the right of way along a street was granted by a city on condition that the company should build a depot in a certain part of a city and grade, riprap and pave the street it used, and the company agreed to accept it on these terms, it was held that it could not hold and enjoy the grant and not comply with the conditions on which it was made."

Respectfully yours,
G. L. RIVES, Corporation Counsel.

Which was referred to the Committee on Railroads.

The Vice-Chairman laid before the Board the following communication from the Board of Estimate and Apportionment:

No. 2745.

Board of Estimate and Apportionment, The City of New York,
Office of Assistant Secretary, Room 7, City Hall,
New York, December 15, 1903.

Hon. P. J. SCULLY, City Clerk:

Dear Sir—I enclose herewith communication addressed to this Board by the Improvement League of the Thirtieth Ward, Borough of Brooklyn, making an application that no poles for either telegraph, telephone or electric light purposes be erected in the Bensonhurst-Van Pelt Manor District.

As this is a matter which is wholly within the jurisdiction of the Board of Aldermen, I transmit this letter to you for such action as the Board may deem necessary.

Respectfully,
J. H. MOONEY, Assistant Secretary.
Brooklyn, December 14, 1903.

Board of Estimate and Apportionment, City Hall, New York City:

Gentlemen—I beg to notify you that at the meeting of the Bensonhurst-Van Pelt Manor District of the Improvement League of the Thirtieth Ward, held on December 7 last, the following resolution was passed:

"Resolved, That this association make application to the Board of Estimate and Apportionment that no poles should be erected in the Bensonhurst-Van Pelt Manor District for either telegraph, telephone or electric light purposes."

Kindly let me know what action, if any, you will take thereon.

Yours truly,
LOUIS GRANAT, Secretary.

Which was referred to the Committee on Water Supply, Gas and Electricity.

The Vice-Chairman laid before the Board the following communications from the Board of Estimate and Apportionment, transmitting resolutions:

No. 2746.

Department of Finance, City of New York,
December 19, 1903.

Hon. CHARLES V. FORNES, President, Board of Aldermen:

Dear Sir—I send you herewith certified copy of a resolution adopted by the Board of Estimate and Apportionment December 18, 1903, recommending to the Board of Aldermen the fixing of the salaries of the positions of Examiner of Dependent Children and Examiner of Charitable Institutions in the Department of Public Charities, at the rate of \$1,200 per annum each, together with copy of communication from the Commissioner of said Department relative thereto.

I also send form of resolution for adoption by the Board of Aldermen to indicate its concurrence therein.

Very truly yours,
J. W. STEVENSON, Deputy Comptroller.

Department of Public Charities of The City of New York,
Foot of East Twenty-sixth Street.

Hon. JAMES W. STEVENSON, Secretary, Board of Estimate and Apportionment:

Dear Sir—I respectfully request that the Board of Estimate and Apportionment, with the concurrence of the Board of Aldermen, establish the following new grades of salaries in this Department:

Examiner of Dependent Children, \$1,200 per annum.

Examiner of Charitable Institutions, \$1,200 per annum.

The only salary now pertaining to these positions is \$1,000. There should be an opportunity to promote such of the Examiners as, by reason of length of service or efficiency, are entitled to promotion, and who, for the same reason, are able to perform the more responsible duties pertaining to the positions above mentioned.

I have the honor to remain,

Yours very truly,
(Signed) HOMER FOLKS, Commissioner.

Whereas, The Board of Estimate and Apportionment, at a meeting held December 18, 1903, adopted the following resolution:

"Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, that the salaries of the following positions in the Department of Public Charities, Borough of Manhattan, be fixed as follows:

"Examiner of Dependent Children, per annum..... \$1,200 00
"Examiner of Charitable Institutions, per annum..... 1,200 00"

Resolved, That the Board of Aldermen hereby concurs in said resolution and fixes the salaries of the positions of Examiner of Dependent Children and Examiner of Charitable Institutions in the Department of Public Charities, at the rate of twelve hundred dollars (\$1,200) per annum, each.

The Vice-Chairman put the question whether the Board would agree with said resolution.

Which was unanimously decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Behrmann, Bridges, Chambers, Culkin, Devlin, Dickinson, Diemer, Dietz, Donohue, Downing, Florence, Foley, Gaffney, Gillen, Gillies, Goodman, Haggerty, Harnischfeger, Higgins, Holler, James, McCarthy, Thomas F. McCaul, Malone, Marks, Mathews, Meyers, Nehrbauer, Owens, Parsons, Porges, Richter, Schappert, Stewart, Sullivan, Twomey, Wafer, Ware, Wentz, Whitaker, Willett and the Vice-Chairman of the Board of Aldermen—45.

No. 2747.

Department of Finance—City of New York,
December 18, 1903.

Hon. CHARLES V. FORNES, President, Board of Aldermen:

Dear Sir—I send you herewith certified copy of a resolution adopted by the Board of Estimate and Apportionment December 18, 1903, ratifying and confirming the action of the President of the Borough of Queens, taken and dated September 17, 1903, in fixing the salary of the position of Attendant in his office at the rate of \$3 per diem; also copy of a communication from the President of the Borough of Queens relative thereto.

I also inclose form of resolution for adoption by the Board of Aldermen to indicate its concurrence therein.

Yours very truly,
J. W. STEVENSON, Deputy Comptroller.

(Copy.)

The City of New York—Office of the President of the Borough of Queens,
Long Island City, December 17, 1903.

J. W. STEVENSON, Esq., Secretary, Board of Estimate and Apportionment:

Dear Sir—Herewith I forward you resolution fixing the salary of Attendant in the office of the President of the Borough of Queens, which kindly have placed on the calendar for the next meeting of the Board of Estimate and Apportionment and oblige,

Yours respectfully,
(Signed) GEO. S. JERVIS, Secretary to President.

Resolved, That the Board of Aldermen hereby approves of and concurs in the following resolution adopted by the Board of Estimate and Apportionment December 18, 1903:

"Resolved, That, subject to the concurrence and approval of the Board of Aldermen, the Board of Estimate and Apportionment hereby ratifies and confirms the action of the President of the Borough of Queens, taken and dated September 17, 1903, in fixing the salary of the position of Attendant in the office of the President of the Borough of Queens at the rate of three dollars (\$3) per diem, as of said date."

The Vice-Chairman put the question whether the Board would agree with said resolution.

Which was unanimously decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Behrmann, Bridges, Chambers, Culkin, Devlin, Dickinson, Diemer, Dietz, Donohue, Downing, Foley, Gaffney, Gillen, Gillies, Goodman, Haggerty, Harnischfeger, Higgins, Holler, James, Keely, John T. McCall, McCarthy, Thomas F. McCaul, Malone, Marks, Mathews, Meyers, Nehrbauer, Owens, Parsons, Porges, Richter, Schappert, Sullivan, Tebbets, Twomey, Wafer, Walkley, Ware, Wentz, Whitaker, Willett, the Vice-Chairman of the Board of Aldermen and the President of the Board of Aldermen—49.

GENERAL ORDERS.

Alderman Goodman called up General Order No. 469, being a report and resolution, as follows:

No. 2689.

The Committee on Railroads, to which was referred on December 1, 1903 (Minutes, page 633), the annexed communication from the Board of Rapid Transit Railroad Commissioners, transmitting a certificate in the matter of the construction of a tunnel railroad in The City of New York by the Hudson and Manhattan Railroad Company, respectfully

REPORT:

That, having examined the subject—after a public hearing held thereon—they recommend that the annexed resolution be adopted.

Whereas, The Board of Rapid Transit Railroad Commissioners for The City of New York did on the 24th day of November, 1903, grant to the Hudson and Manhattan Railroad Company a certificate fixing and determining the locations and plans of construction of a certain tunnel railroad in The City of New York and also prescribing such terms, conditions and requirements as to the said Board appeared to be just and proper for the grant thereby made, including the terms, conditions and requirements provided by section 32 of chapter 4 of the Laws of 1891 as amended by chapter 584 of the Laws of 1902; the action taken and the grant made by the said Board, the said locations and plans of the railroad, of the tracks and facilities, the compensation to be paid to the City, the terms, conditions and requirements subject to which the franchise was granted are fully set forth in the certificate dated November 24, 1903, as follows:

Board of Rapid Transit Railroad Commissioners for The City of New York to Hudson and Manhattan Railroad Company.

Certificate, November 24, 1903.

The Board of Rapid Transit Railroad Commissioners for The City of New York does hereby certify as follows:

Whereas, The Hudson and Manhattan Railroad Company (which is hereinafter called the Tunnel Company) is a railroad corporation which has been duly incorporated under the laws of the State of New York for the purpose, so declared in its articles of association, of constructing and operating a tunnel railroad from a point at or near the intersection of Broadway with Cortlandt street in The City of New York (hereinafter called the City), and thence, by a feasible route, beneath the surface in the City and under the bed of the Hudson river to a point under the waters of the Hudson river in the boundary line between the States of New York and New Jersey (opposite a point lying between Liberty and Fulton streets, in the Borough of Manhattan, in the City), where the said railroad is to connect with the railroad of a corporation organized or to be organized under the laws of New Jersey, extending westwardly to a point or points in the city of Jersey City and State of New Jersey, and thereby forming a continuous line for the carriage of passengers and property between a point or points within and a point or points without The City of New York; and

Whereas, The Tunnel Company, pursuant to section 32 of chapter 4 of the Laws of 1891, as amended by chapter 584 of the Laws of 1902 (which entire statute as amended by various acts and as now in force is hereinafter called the Rapid Transit Act), has made application to the Board of Rapid Transit Railroad Commissioners for The City of New York (which is hereinafter called the Board) for authority to lay railroad tracks along a certain route from its terminal in the City westwardly to the Hudson river, and to have and maintain in the City a terminal station and such terminal and other facilities as may be necessary for the accommodation of the traveling public, and to construct and operate its railroad along the said route and under lands, streets, avenues, waters, rivers, highways and public places in the City, with necessary sidings, platforms, stations, facilities for access to the surface and other appurtenances, and with the right to emerge to the surface upon private lands at the terminus thereof in Manhattan Borough, all as hereinafter particularly set forth, and to transport over the said railroad passengers or freight, or both; and

Whereas, The Board by a concurrent vote of at least six of its members has fixed and determined the locations and plans of construction of such railroad of the Tunnel Company upon such route and of such tracks and facilities, the times within which they shall be respectively constructed, and the compensation to be paid thereon to the City by the Tunnel Company; and

Whereas, The Board, by such concurrent vote, has prescribed such terms, conditions and requirements as to the Board appear to be just and proper for the grant hereby made to the Tunnel Company, including the terms, conditions and requirements provided by the Rapid Transit Act, and has included among them a provision that the Tunnel Company shall from the time of the commencement of the operation of such railroad under such determination, annually pay to the City a sum or rental for a period of twenty-five years, beginning with such operation, and also providing for a readjustment of the amount of such sum or rental at the expiration of such period and at intervals thereafter of twenty-five years,—

Now therefore the Board has authorized and does hereby authorize, but subject, however, to the limitations, terms, conditions and requirements hereinafter set forth, the Tunnel Company—

1. To lay down, construct and operate a railway, including two tracks, on a route beginning at the boundary line between the States of New York and New Jersey under the Hudson river at a point nearly opposite the foot of Cortlandt street, in the Borough of Manhattan; thence running eastwardly under the Hudson river and dock or bulkhead property on the easterly bank thereof, whether belonging to the City or to other owners, to the westerly side of West street at a point opposite or nearly opposite or at the foot of Cortlandt street; and thence still eastwardly crossing under West street, and thence still eastwardly under Cortlandt street, crossing under Washington street and Greenwich street, to a point in Cortlandt street west of and at or near the westerly line of Church street, and thence curving northwardly and passing under private property and crossing under Dey street and thence again under private property to Fulton street west of and at or near the westerly line of Church street; thence curving to the west into Fulton street; thence westwardly under Fulton street, crossing under Greenwich street, Washington street and West street, and thence still westwardly to the westerly side of West street, and thence still westwardly, under dock or bulkhead property on the easterly bank of the Hudson river, whether belonging to the City or to other owners; and thence still westwardly under the Hudson river to a point in the boundary line between the States of New York and New Jersey, nearly opposite the foot of Fulton street.

2. To acquire and maintain a terminal and station in the easterly portion of the blocks bounded by Greenwich street, Cortlandt street, Church street and Fulton street, in Manhattan borough, the same being private property, or so much thereof as the Tunnel Company may find necessary and be able to acquire, and also to occupy for said terminal and station all or any parts of the underground portions of Cortlandt, Dey and Fulton streets, in Manhattan Borough, contiguous to its said terminal station in said blocks, and to lay and operate therein such tracks, sidings and connections as may be found convenient for the operation of the railroad.

3. To build, maintain and operate a subway for foot passengers under Dey street, from the said terminal and station at the westerly side of Church street to Broadway, and thence crossing under Broadway to John street, to connect the

terminal and station of said company with the station of the Rapid Transit Subway at Dey street and John street and Broadway, and there connecting with the stairways leading from such subway stations to the surface of Dey and John streets. But nothing in this subdivision contained shall imply any obligation on the part of the City to provide or maintain any such station of the Rapid Transit Subway.

4. To run upon said railways (all of which railways upon the route aforesaid, together with the said terminal stations and facilities, and all their appurtenances, are together hereinafter called the railroad) motors, cars and carriages for the transportation of persons and property, and to use thereon and in connection therewith all suitable railroad appliances.

5. To maintain and operate under the streets of the routes aforesaid and along the lines of the said railways composing the railroad, for the use of the railroad only, telegraph wires and wires, cables, conduits and ways for the distribution of power, heat and light and other appurtenances.

6. To acquire and use for stations or station extensions, power plants, pumping stations, shafts for access to the surface and other necessary purposes of the railroad, private property as the same may be lawfully acquired within the scope of the corporate rights and powers of the Tunnel Company.

The rights hereinbefore granted to maintain and operate the railroad or necessary or convenient for that purpose shall be held by the Tunnel Company in perpetuity, except as may be herein otherwise expressly provided.

Provided, however, and it is expressly agreed that this authorization and the rights and privileges hereby granted are subject to certain limitations, terms, conditions and requirements which appear to the Board to be just and proper, and as so subject are hereinafter called the Franchise hereby granted. The said limitations, terms, conditions and requirements are hereby prescribed as follows, to wit:

I.

This certificate will be executed by the Board in four identical originals, so proved as to be entitled to be recorded in the office of the Register of the County of New York and to be filed in the office of the Secretary of State of the State of New York, all of which will be delivered by the Board to the President, Vice-President, Secretary or Treasurer of the Tunnel Company. The franchise hereby granted shall be inoperative and this certificate shall be void unless within thirty days after such delivery or such further period as shall be prescribed in writing by the Board, the Tunnel Company shall have procured three of the said identical originals to be returned to the Board, each of them having an acceptance of the franchise and all the limitations, terms, conditions and requirements thereof subscribed at the foot thereof by the Tunnel Company, such acceptance being so proved as to entitle it to be recorded and filed as aforesaid.

II.

The franchise hereby granted shall, if the Board shall so determine, become void unless within three calendar months after the time of the delivery to the Board of the acceptance of this certificate by the Tunnel Company, that company shall, in due and lawful form, obtain or receive all the consents and approvals following, to wit:

1. The consent of the Board of Aldermen of the City, being the local authority having the control of the portions of the streets and highways upon or under which it is proposed to construct the railroad, together with the approval of the Mayor of the City.

2. The consents of the Department of Docks and Ferries and the Commissioners of the Sinking Fund of the City, if and so far, if at all, as such consents or either of them may be necessary to the construction, maintenance and operation of the railroad, or any part thereof, under docks or other property belonging to The City of New York.

If it shall appear that any consent herein required is not necessary, the Board shall have power to waive the same, and in such case the franchise hereby granted shall be deemed as effectually granted as if the consent were given. So also if the Tunnel Company shall surrender or waive any right for which a consent cannot or shall not be obtained, then and in such case the Board shall have power to waive the procurement by the Tunnel Company of such consent; and in such case the franchise hereby granted shall not, except as to such right, be prejudiced by the absence of such consent.

The franchise hereby granted shall, if the Board shall so determine, become void unless within one year after the time of the acceptance of this certificate by the Tunnel Company, that company shall further and in due and lawful form, obtain the consent of the owners of one-half in value of the property bounded on the portion of each street under or through which the railroad or any part of the route thereof runs, to the construction and operation of the railroad, or such part thereof, or in case the consent of such property owners cannot be obtained then the determination of commissioners to be appointed pursuant to law by the Appellate Division of the Supreme Court in the First Department that the part of the railroad under or through said street ought to be constructed and operated, the said determination of such commissioners, when confirmed by the Appellate Division which shall have appointed such commissioners to be taken in lieu of such consent of property owners, provided, however, and it is expressly stipulated, that the Board shall have power, upon reasonable cause shown, to extend by written certificate either of the periods hereinbefore in this article prescribed.

If the Tunnel Company shall be diligent in prosecuting applications for the consents aforesaid, and shall not have secured the same other than such, if any, as shall have been so waived, within the period of one year after its acceptance as aforesaid of this franchise, then and in such case the Tunnel Company shall, after a written notice of three months to the Board, be released from its obligations hereunder, unless within such three months such consents shall have been given.

III.

The Tunnel Company shall begin the construction of the railroad within three months after it shall have obtained the consents aforesaid or such of them as shall be necessary as aforesaid and shall not have been waived as aforesaid, and shall complete the construction of the railroad within five years after such construction shall be begun.

In case the Tunnel Company, within the period of three months after it shall have obtained the consents necessary as aforesaid, shall not have begun the actual construction of the railroad, or if, after having begun such construction, it shall suspend the same prior to the completion thereof for a period exceeding three months, or if it shall not complete such construction and begin the operation of the railroad within the said period of five years, then and in either of such cases the Board, upon a written notice to be delivered to the Tunnel Company not less than three months before the action of the Board, may annul the franchise hereby granted as to any part of the railroad not then completed and in operation; provided, however, that the Board shall have the power, upon reasonable cause shown, to extend by written order any of the periods in this article prescribed; and provided, further, that additional time shall be allowed by way of extension of any period for such commencement of construction or for the completion thereof, or for the commencement of operation of the railroad equal to the total period of delay caused by injunction or by necessary proceedings for condemnation of real estate, easements or other property, so far as such proceedings shall necessarily prevent the Tunnel Company from prosecuting such construction, but no delay to be so allowed for unless, during the same, such proceedings shall be diligently prosecuted by or for the Tunnel Company; and provided, further, that in no case shall such delay be deemed to begin until the Tunnel Company shall have given written notice to the Board of the injunction or other occasion of delay and delivered to the Board copies of the injunction or other orders and of the papers upon which the same shall have been granted, and unless, upon the request of the Board, the Tunnel Company shall in writing consent that the Board, either in its own name as a party or in the name of The City of New York as a party, may intervene in any such injunction proceedings, or other suit or proceeding; and provided, further, that in case of annulment of any part of the franchise the Tunnel Company shall have no right to any return of payments which it shall have made to the City by way of rental or otherwise.

IV.

The Tunnel Company shall pay to the City for the rights, franchises and licenses hereinbefore granted to construct and maintain its said railways under the bed of the Hudson river outside of the pierhead lines, or so much of the railway as shall be thereunder, the sum of one hundred dollars (\$100) for each year beginning on the date on which the Tunnel Company shall first commence the actual operation of the railroad

(but such date not to be later than the last day on which the Tunnel Company shall be bound to begin such operation) and ending on the day twenty-five years next thereafter.

The Tunnel Company shall pay to the City for the rights, franchises and licenses hereinbefore granted to construct, maintain and operate its said railways under the docks and bulkheads belonging to the City (and including all space occupied between any pierhead line and the part of West street, Cortlandt street or Fulton street nearest thereto under which said railroad shall be laid) for each year beginning on the date on which the Tunnel Company shall first commence the actual operation of the railroad (but such date not to be later than the last day on which the Tunnel Company shall be bound to begin such operation) and ending on the day ten years next thereafter, a sum equal to fifty cents (50 cents) per annum for each linear foot of single railway track which shall be then constructed or which the Tunnel Company shall be bound to have then constructed under such docks and bulkheads, and the sum of one dollar (\$1) per annum per linear foot of such tracks for the period beginning on the last day of the said period of ten years and ending on the day fifteen years next thereafter.

The Tunnel Company shall pay to the City for the rights, franchises and licenses in and under streets hereinbefore granted from West street to the underground street spaces east of Greenwich street, for which it shall pay a rate per square foot of superficial area as in the next paragraph of this article provided, and for the right to maintain a subway for foot passengers under Dey street and Broadway, the sum of fifty cents (50 cents) per annum for each linear foot of single railway track, or of such subway, which shall be then constructed or which the Tunnel Company shall be bound to have them constructed under any such streets, or parts of streets, within The City of New York during the period beginning on the day when the Tunnel Company shall first commence actual operation of the railroad (but not later than the last day on which the Tunnel Company shall be bound to begin such operation) and ending on the day ten years next thereafter, and the sum of one dollar (\$1) per annum for each linear foot of such tracks and such subway for foot passengers under Dey street and Broadway during the period beginning on the last day of such period of ten years and ending on the day fifteen years next thereafter.

The Tunnel Company shall pay to the City for the underground portions of Cortlandt, Dey and Fulton streets, in Manhattan Borough, contiguous to its terminal station and for the portions of Cortlandt and Fulton streets in which its tunnel shall approach within fifteen feet of the surface of the street a sum equal to forty (40) cents per superficial square foot of space occupied under the streets per annum, such rental to begin on the day of the commencement of construction therein by the Tunnel Company (but such date not to be later than the last day on which the Tunnel Company shall be bound to begin such construction) and to continue during the period of ten years next thereafter, and a sum equal to eighty (80) cents per superficial square foot of space occupied under the streets per annum for the period of fifteen years next after such first period of ten years.

The Tunnel Company shall pay to the City for the right under streets of the City hereinbefore granted the further sum of nine thousand dollars (\$9,000) per annum for each year, beginning on the date on which the Tunnel Company shall first commence the actual operation of the railroad (but such date not to be later than the last day on which the Tunnel Company shall be bound to begin such operation) and ending on the day ten years next thereafter, and the sum of fifteen thousand dollars (\$15,000) per annum (the same being five per cent. per annum on such gross earnings as so fixed) for the period beginning on the last day of the said period of ten years and ending on the day fifteen years next thereafter. Such annual sum of \$9,000 is three (3) per cent., and such annual sum of \$15,000 is five (5) per cent. on the gross earnings of the New York portion of said railroad, said gross earnings being estimated and fixed for the purposes of this grant at three hundred thousand dollars (\$300,000) per annum for the period of twenty-five years from the date on which the Tunnel Company shall first commence the actual operation of the railroad, but such date not to be later than the last day on which the Tunnel Company shall be bound to begin the actual operation of the railroad.

All such payments shall be made to the Comptroller of the City in equal payments at the end of each quarter year on the 1st days of January, April, July and October in each year.

The annual amounts to be paid by the Tunnel Company as aforesaid shall be readjusted at the end of the first period of twenty-five years, and shall thereafter be adjusted at intervals of twenty-five years. The annual amounts to be paid by the Tunnel Company for each and every period of twenty-five years after such first period shall be determined as follows, to wit: Each such determination shall be had upon the application of either the Tunnel Company or 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 years and not later than one year before the expiration of the proceeding period of twenty-five years. The determination shall be sufficient if agreed to in writing by the Tunnel Company and the Board or such other authority in its place. If the Tunnel Company and the Board or such other authority in its place for the City shall not reach such agreement on or before the day one year before the expiration of such preceding twenty-five years period, then the annual rate of compensation for such succeeding twenty-five years period shall be reasonable; and either the City (by the Board or such other authority in its place) or the Tunnel Company shall be bound, upon request of the other, to enter into a written agreement with such other fixing the rate of such compensation at such amount as shall be reasonable; 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 at such amount as shall be determined by the Supreme Court of the State of New York to be reasonable; and either party may in any case apply to the said Court to fix such rate. If, in any case, the annual rate shall not be fixed prior to the commencement of such succeeding twenty-five years period, then the Tunnel Company shall pay the annual rate last 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. But in no case shall any amount so readjusted be less than the corresponding amount in force at any time during the preceding period of twenty-five years.

V.

The railways forming part of the railroad, where the same shall occupy parts of streets, shall be in tunnel or tunnels under the streets, and the Tunnel Company may construct the railways under the Hudson river and under West, Cortlandt and Fulton streets hereinbefore mentioned in tunnels containing one or more tracks, as it may find most advantageous.

No part of the structure of the railroad, except its terminal station, shall approach within 5 feet of the exterior line of any street (except such portions of the streets which it shall cross as are within or between two lines parallel with the centre line of the street along which the route is laid at such cross street, one of such lines being 5 feet from one side and the other of such lines being 5 feet from the other side of such street of the route), unless the abutting property shall be owned by the Tunnel Company, or unless the owner or owners of the property so abutting shall consent. The tunnel or tunnels, except as hereinbefore limited, may be placed in such places under the streets as may be found most convenient. The uppermost part of any tunnel under any of said streets shall not approach nearer than 16 feet and 8 inches to the surface of any street except that in Cortlandt street and Fulton street between the easterly side of Greenwich street and the said terminal station the tunnel may, according to the necessities of its grade, approach within not less than three feet and six inches of the surface, and in the said terminal station and under Dey street the top of the tunnel may approach within not less than 3 feet and 6 inches, and in the portions of Cortlandt, Dey and Fulton streets opposite the said terminal station the top of the tunnel may come within not less than 3 feet and 6 inches of the surface of the roadway or sidewalk.

The Board or the City shall have the right to remove or authorize the removal of any part of the roof of any such tunnel on Greenwich street for convenience in construction of any structure authorized above such tunnel in said street, but in such case such removal shall take place without interference with the operation of the railroad and said roof shall be rebuilt by or under the authority of this Board or City as speedily as possible, and the cost of such removal and rebuilding shall be borne by the City.

Such Subway for foot passengers under Dey street and Broadway shall not exceed in width over all 15 feet; nor shall any part of it approach within nearer than 25 feet of the surface of the street. It shall be placed under such portion of the street as shall be required in writing by the Board. If, after it shall be built, any railroad or other use which the Board or the City shall propose for the portion of Dey street or Broadway

occupied by such subway shall make necessary or convenient an alteration in the position of such subway either laterally or by raising or lowering the same, then such alteration shall, upon the requirement of the Board or City, be forthwith made by the Tunnel Company, or if thereupon the Tunnel Company shall not forthwith make such alteration, then the same may be made by or under the authority of the Board or the City, and in such case the Tunnel Company shall pay the cost of such alteration. Or if any such railroad or other use so proposed by the Board or City shall necessitate the entire closing of such subway, the same may be closed by or under the authority of the Board or the City, and the space occupied thereby applied to such use so proposed by the Board or City. In case of any such alteration or closing of such subway there shall be no reduction in the amounts or rentals to be paid to the City as aforesaid except that in case of total closing, the annual charge of 50 cents or \$1 per linear foot of such subway shall not be made.

Provided, however, and it is expressly stipulated that the Tunnel Company shall in the course of construction at its own expense maintain and care for all underground structures; and any necessary interference with underground structures shall be subject to reasonable regulation by the department of the government of the City in control or charge thereof.

The Tunnel Company shall at all times, by suitable bridging or other supports, maintain and support in an entirely safe condition for their usual service and to the reasonable satisfaction of the owners, all elevated railroad structures, street tramways of whatever character, water and gas mains, steam pipes, pneumatic tubes, electric subways, sewers, drains, and all other surface or subsurface structures encountered during the progress of the work. The sidewalks, curbs, areas and stoops along the line of the work must also be protected from any injury; but should any injury occur to any sidewalk, curb, area or stoop, the Tunnel Company shall fully restore the same to as good a condition as existed before the injury was done. Notice is to be given by the Tunnel Company to all companies or persons and the proper City officials owning or having charge of surface or subsurface structures along any part of the work, of its intention to commence operations along such part of the route, at least one (1) week in advance, and the Tunnel Company shall file with the Board at the same time a copy of said notice; and it shall co-operate with the proper officers or officials or other persons lawfully in charge of such structures and shall furnish them with all reasonable facilities to inspect the methods of caring for their property. Whenever it becomes necessary to cut, move, change or reconstruct any such surface or subsurface structures or connections therewith, such work shall be done according to the reasonable satisfaction of the owners of such pipes or other structures or such persons lawfully in charge thereof, and, should they so desire, by the owners themselves, but at the expense of the Tunnel Company—such expense not to exceed the actual cost of labor and materials used, together with a reasonable allowance for the use of plant and tools not exceeding seven and a half (7½) per cent. All such work of reconstruction or alteration of surface or subsurface structures if performed by the City or owners or persons lawfully in charge thereof, shall be done with reasonable dispatch and facilities are to be provided so that said work shall interfere as little as possible with the practical working and use of the railroad of the Tunnel Company. The failure of the City or other such owners or persons lawfully in charge of such structures to make such alterations within what the Board shall determine to be a reasonable time may be considered by the Tunnel Company as a waiver on the part of the City or other such owners or persons of the priority of right to do said work. In the event of the City or other such owners or persons, being required to make any alteration to their surface or subsurface structures as above provided, or in case the City or such owners or persons shall consider it necessary or desirable to make any further alterations in, or do any work to or in connection with surface or subsurface structures owned by or lawfully in charge of them, or any of them, at the time the work of the Tunnel Company shall be in progress, the Tunnel Company shall give said City or other owners or persons all reasonable opportunity to make such alterations or perform such work.

The Tunnel Company shall at all times keep paved with smooth pavement in such manner as may be reasonably required by the municipal authorities having care of the streets and shall at all times keep in thoroughly good condition that portion of Dey street adjoining or contiguous to the terminal station of the Tunnel Company.

The Tunnel Company shall make good to the City all damage which shall be done to the property of the City by the construction or operation of the railroad and shall make good to every owner of property abutting upon the railroad, or which shall be injured by the work of construction or by operation thereof, all damage which shall be done to such abutting or injured property through any fault or negligence of the Tunnel Company or successor thereof or of any contractor, sub-contractor or other person in the course of any employment upon the construction or operation of the railroad or any part thereof.

The method of construction shall be generally as follows: The tunnels under rivers and streets shall be constructed in whole or in part of masonry or of steel or of iron or any two or more thereof combined. Excavations necessary in the course of construction by the Tunnel Company shall be made without disturbing the surface of the streets, except the portions of Cortlandt, Dey and Fulton streets adjoining the terminal station aforesaid; provided, however, that the Board may, wherever elsewhere local conditions make excavations from the surface necessary for efficient construction, grant the right to make such excavations from the surface, subject to such conditions as the Board may prescribe.

The tracks shall be constructed of the most approved plan so as to avoid noise or tremor.

All plans for, and the method of doing, the work shall from time to time be subject to the approval of the Board.

VI.

The power to be used shall be electricity or such other power (not involving combustion in the tunnel) as may be approved by the Board.

VII.

The plan and profile of the railroad herewith attached are to be deemed a part of this franchise and to be construed with the text hereof. The same shall be substantially followed, but deviations therefrom not inconsistent with the other provisions hereof may be permitted by the Board.

VIII.

The Tunnel Company shall have no power to carry on merely local traffic unless with the approval of the Board and the Board of Aldermen and Mayor of the City, and for such additional consideration to be paid to the City as they shall prescribe. Local traffic shall be deemed to include the carriage of passengers or freight between the terminal station of the Tunnel Company and any point in The City of New York, or between stations within said City.

IX.

The railroad shall be diligently and skilfully operated, with due regard to the convenience of the traveling public, so long as the franchise hereby granted shall remain in force. In case at any time, in the opinion of the Board, the Tunnel Company shall fail to carry out the foregoing provision, in any proceedings which may be instituted by any proper authority to compel a compliance therewith the burden of proof shall be upon the Tunnel Company to show that it is discharging the duties and obligations imposed by this section.

X.

The City shall have a lien upon the franchise and upon the real property of the Tunnel Company under the said river and streets to secure the payment of such compensation and rental.

In case of any failure to make such payments as herein prescribed, the lien aforesaid may be enforced by the Board or by any authority which shall be authorized to act for the City in place of the Board, either by entry, foreclosure or other proper proceeding and by sale of such franchise and real property.

The Board may, in its own name, or in the name and behalf of the City, bring action for specific performance, or may apply by mandamus, to compel the performance by the Tunnel Company of the duties and obligations hereby imposed upon the said company, or any of them. And the Board may, in behalf or in the name of the City, bring action or proceedings to recover possession of any part of the property of the City to be used by the Tunnel Company as aforesaid, or to enforce the said lien of the City, or to enforce any part of this contract in the manner provided by section 9 of the Rapid Transit Act, or any other proper action or proceeding.

XI.

The Tunnel Company will not at any future time oppose, but shall at any time upon the request of the Board consent to, the construction of any railroad over, along or under any portion of any of the said streets to be occupied by the railroad of the Tunnel Company aforesaid, where the same shall not actually interfere with the structure of the Tunnel Company as herein authorized.

The City reserves the right at any time hereafter, but upon the terms and subject to the limitations hereinafter prescribed, to require a readjustment or alteration of the location of the said tunnel of the Tunnel Company within the limits of Cortlandt and Fulton streets and of the location of the portion of the terminal station under Dey street. Such right is to be exercised only when some rapid transit railroad or other municipal use of such streets shall be of materially greater importance than the cost and inconvenience incident to such readjustment or alteration. No such readjustment or alteration shall be so made as to preclude the operation of the railroad of the Tunnel Company, upon the route granted by this franchise, provided, however, that such readjustment or alteration shall be within the right of the City if it involves no more than practicable alteration of grade or other alteration or readjustment which, although involving a less degree of convenience in the operation of the railroad, shall not in any respect substantially, and more than temporarily, obstruct such operation. In case the City shall so require any such readjustment or alteration, the same shall be done at the expense of the City, and the Tunnel Company shall be indemnified by the City against all loss of every character resulting from such alteration or readjustment, including loss from any suspension of traffic, delay or other damage incident thereto.

XII.

The City, the Board and all duly authorized representatives of the City, shall have the right at all reasonable times to inspect the railroad and any part thereof, and to enter thereon when necessary for the examination, supervision or care of any property of the City or for any proper purpose.

XIII.

The Tunnel Company shall, from time to time, maintain and strengthen all parts of the railroad which shall be under any street or avenue, so that the same shall safely support any structure superimposed or which shall be superimposed thereon by the City or under its authority or under any other public authority.

XIV.

The Tunnel Company shall have the right to grant, convey, mortgage, assign or transfer the franchise hereby granted, provided, however, that every grantee, assignee or transferee thereof, not including, however, a mortgagee or mere lienor, but including any purchaser upon foreclosure of or under or by virtue of any provision of any mortgage or lien, shall be a corporation subject to the laws of the State of New York, and shall upon accepting the grant, assignment or transfer and before such grant, assignment or transfer shall be valid, assume and agree to perform all of the obligations which by the provisions hereof are assumed by the Tunnel Company, and that no such grant, conveyance, assignment or transfer shall relieve the Tunnel Company of its obligations hereunder. And provided further that, in case the Tunnel Company or any successor or future owner of the franchise shall be consolidated with or merged into any other corporation, the obligations of the Tunnel Company or such successor or future owner hereunder shall remain unaffected and this franchise shall pass to such new corporation only if the agreement or act of consolidation or merger shall effectively provide that the new consolidated or merging corporation shall assume all such obligations or if such act or agreement shall not so provide, then if and when such new consolidated or merging corporation shall in writing expressly assume such obligations, it being the express intention of this franchise that no change in the incorporation of the Tunnel Company or of any such successor or future owner or in the ownership or control of the franchise hereby granted or of any part thereof, shall diminish or affect the obligations of the holder of the same.

XV.

If, at any time the powers of the Board shall be transferred by law to any other Board, officer or officers, then and in such case such other Board, officers or officer shall have the power, rights and titles herein reserved to or prescribed for the Board.

In witness whereof this certificate has been prepared by the Board of Rapid Transit Railroad Commissioners for The City of New York by and upon the concurrent vote of at least six of the members of the said Board, and is now attested by its seal and by the signature of its president, who is its presiding officer, and by the signature of its secretary, this 24th day of November, 1903.

(Signed)

THE BOARD OF RAPID TRANSIT RAILROAD COMMISSIONERS FOR THE CITY OF NEW YORK,

by A. E. ORR, President.

(Official seal.)

Attest: BION L. BURROWS, Secretary.

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

On this 28th day of November, 1903, in The City of New York, in said county, before me personally appeared Alexander E. Orr and Bion L. Burrows, each to me known and known to me to be the said Alexander E. Orr, the President, and the said Bion L. Burrows, the Secretary, of the Board of Rapid Transit Railroad Commissioners for The City of New York, and the said Alexander E. Orr and Bion L. Burrows, being by me duly sworn, did depose and say, each for himself and not one for the other, the said Alexander E. Orr, that he resided in the Borough of Brooklyn, in the said City; that he was the President of the said Board, and that he subscribed his name to the foregoing certificate by virtue of the authority thereof; and the said Bion L. Burrows, that he resided in the Borough of Manhattan, in the said City; that he was the Secretary of the said Board, and that he subscribed his name thereto by like authority; and both the said Alexander E. Orr and Bion L. Burrows that they knew the seal of the said Board, and that the same was affixed to the foregoing certificate by the authority of the said Board and of a resolution duly adopted by the same, and concurred in by the vote of as many as six members of the said Board.

(Signed) J. W. PORTER, Notary Public, Kings County.

(Seal.)

And Whereas, On the 28th day of November, 1903, the said Hudson and Manhattan Railroad Company duly accepted the said certificate, together with the franchise therein contained, and all the terms, conditions and requirements thereof, by an instrument in writing, as follows:

The Hudson and Manhattan Railroad Company hereby accepts the foregoing franchise and all the terms, conditions and requirements thereof.

Dated New York, November 28, 1903.

(Signed) HUDSON AND MANHATTAN RAILROAD COMPANY.

By W. G. McADOO, President.

Attest:

(Seal.) CHARLES W. KING, Secretary.

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

On this 28th day of November, nineteen hundred and three, at The City of New York, before me personally came William G. McAdoo and Charles W. King, to me known and known to me respectively to be the said William G. McAdoo, the President, and the said Charles W. King, the Secretary of the Hudson and Manhattan Railroad Company, and being by me duly sworn they did depose, each for himself and not one for the other, the said William G. McAdoo, that he resided at Yonkers, in the State of New York, and was the President of the Hudson and Manhattan Railroad Company, the corporation named in and which executed the foregoing consent, and that he subscribed his name to the foregoing consent by like authority of the Board of Directors thereof; and the said Charles W. King that he resided in the Borough of Brooklyn, City of New York, in the State of New York; that he was Secretary of the said Hudson and Manhattan Railroad Company and subscribed his name to the foregoing consent by like authority; and both the said William G. McAdoo and Charles W. King that they knew the seal of the said Hudson and Manhattan Railroad Company; that the seal affixed to such consent was such seal, and that the same was affixed to the foregoing consent by authority of the Board of Directors of the said Hudson and Manhattan Railroad Company and pursuant to a resolution adopted by the said Board.

(Signed) CLARENCE J. S. DEVERE, Notary Public No. 114, New York County.

(Seal.)

And Whereas, On the 1st day of December, 1903, the said certificate and the franchise therein contained, together with all the terms, conditions and requirements thereof and the said instrument of acceptance, were duly transmitted by the said Board of Rapid Transit Railroad Commissioners for The City of New York to this Board:

Resolved, That the Board of Aldermen of The City of New York, by a vote of a majority of all the members of the said Board, does hereby approve the said certificate and the franchise therein contained and all the terms, conditions and requirements thereof, and does hereby consent to the construction and operation of a railroad or railroads, connections, extensions, additional track or tracks and facilities in accordance therewith, and The City of New York does hereby approve the said certificate and the franchise therin contained and all the terms, conditions and requirements thereof, and consents to such construction and operation.

JOHN DIEMER, JAMES OWENS, ROBERT F. DOWNING, JOHN C. KLETT, ELIAS GOODMAN, FREDERICK LUNDY, Committee on Railroads.

The Vice-Chairman put the question whether the Board would agree to accept said report and adopt said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Behrmann, Bennett, Brenner, Bridges, Chambers, Culkin, Devlin, Dickinson, Diemer, Dietz, Donohue, Doull, Dowling, Downing, Florence, Foley, Gaffney, Gillen, Gillies, Goodman, Haggerty, Harburger, Harnischfeger, Holler, James, Jones, Keely, Kenney, Klett, Leitner, McCarthy, Marks, Mathew, Metzger, Meyers, Nehrbauer, Owens, Parsons, Porges, Richter, Schappert, Stewart, Tebbetts, Ware, Wentz, Whitaker, Willett—50.

Alderman Harburger called up General Order No. 231, being a report and resolution, as follows:

No. 756—(S. O. No. 143.)

The Committee on Finance, to whom was referred on June 17, 1902 (Minutes, page 659), the annexed resolution in favor of fixing the salary of Richard Cahill, Fireman in the Department of Bridges, at \$1,000 per annum, respectfully

REPORT:

That, having examined the subject, they believe the proposed resolution to be proper. They are informed that the salary has always been \$1,000 a year; that by a typewriter's error it was recommended at \$1,095, instead of \$1,000, as it should have been, when the Board of Estimate and Apportionment considered the revised schedule of salaries, and that this resolution will fix it properly, where it was before.

They therefore recommend that the said resolution be adopted.

Whereas, The Board of Estimate and Apportionment, at meeting held June 6, 1902, adopted the following resolution:

"Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, as amended by chapter 436 of the Laws of 1902, that the salary of Mr. Richard Cahill, Fireman in the Department of Bridges, be fixed at an annual compensation of one thousand dollars (\$1,000)."

Resolved, That the Board of Aldermen hereby concurs in said resolution and fixes the salary of Richard Cahill, Fireman in the Department of Bridges, at one thousand dollars (\$1,000) per annum.

HERBERT PARSONS, WILLIAM T. JAMES, JAMES H. McINNES, JOSEPH A. BILL, FREDERICK W. LONGFELLOW, JOHN T. McCALL, Committee on Finance.

Which, on motion of Alderman Harburger, was made a Special Order for the next meeting at 2 o'clock p. m.

REPORTS OF STANDING COMMITTEES.

Report of Committee on Salaries and Offices:

No. 2712.

The Committee on Salaries and Offices, to whom was referred, on December 8, 1903 (Minutes, page 720), the annexed resolution in favor of fixing the salary of the Secretary to the President of the College of The City of New York, respectfully

REPORT:

That, having examined the subject, they recommend that the said resolution be adopted.

Whereas, The Board of Estimate and Apportionment at a meeting held December 4, 1903, adopted the following resolution:

"Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, that the salary of the position of Secretary to the President of the College of The City of New York be fixed at the rate of eighteen hundred dollars (\$1,800) per annum."

Resolved, That the Board of Aldermen hereby concurs in said resolution, and fixes the salary of the position of Secretary to the President of the College of The City of New York at the rate of eighteen hundred dollars (\$1,800) per annum.

ROBERT F. DOWNING, SAMUEL H. JONES, JOHN D. GILLIES, PATRICK H. MALONE, JOHN J. HAGGERTY, JOHN H. DONOHUE, Committee on Salaries and Offices.

Alderman Owens asked and obtained immediate consideration for this report.

The Vice-Chairman put the question whether the Board would agree to accept said report and adopt said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Brenner, Chambers, Culkin, Devlin, Dickinson, Dietz, Dowling, Downing, Foley, Gaffney, Gass, Gillen, Gillies, Haggerty, Harburger, Harnischfeger, Jones, Keely, Kennedy, Kenney, John T. McCall, McCarthy, Thomas F. McCaul, Malone, Marks, Mathews, Meyers, Oatman, Owens, Parsons, Porges, Richter, Schappert, Tebbetts, Wafer, Walkley, Ware; the Vice-Chairman of the Board of Aldermen—40.

MOTIONS, ORDINANCES AND RESOLUTIONS.

President Cantor asked and obtained unanimous consent to introduce the following:

No. 2748.

Resolved, That the Commissioner of the Fire Department of The City of New York be and he is hereby directed to cause to be prepared a suitable design for a monument to be erected to the memory of the members of that Department whose lives have been lost while in the performance of their duties as Firemen, and that said Commissioner submit the design, with the approximate cost of the construction of the monument and the proposed site for its location, to this Board at the earliest possible day.

Alderman Wirth moved to refer the resolution to the Committee on Fire.

Which motion was lost.

The Vice-Chairman then put the question whether the Board would agree with said resolution.

Which was unanimously decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Behrmann, Bennett, Brenner, Bridges, Chambers, Culkin, Devlin, Dickinson, Diemer, Dietz, Doull, Dowling, Downing, Florence, Foley, Gaffney, Gass, Gillen, Gillies, Goldwater, Goodman, Haggerty, Harburger, Harnischfeger, Higgins, Holler, Holmes, James, Keely, Kennedy, Kenney, Klett, Leitner, John T. McCall, McCarthy, Thomas F. McCaul, Malone, Marks, Mathews, Meyers, Nehrbauer, Oatman, Parsons, Peck, Porges, Richter, Schappert, Shea, Stewart, Sullivan, Tebbetts, Twomey, Wafer, Walkley, Ware, Wentz, Whitaker, Willett, Wirth; President Cromwell, Borough of Richmond; President Haffen, Borough of The Bronx; President Cantor, Borough of Manhattan, and the Vice-Chairman of the Board of Aldermen—65.

REPORTS OF STANDING COMMITTEES RESUMED.

Report of Committee on Streets, Highways and Sewers:

No. 2547.

The Committee on Streets, Highways and Sewers, to whom was referred on September 29, 1903 (Minutes, page 2214), the annexed ordinance in favor of fixing the width of the roadway of Macomber place, Borough of Brooklyn, respectfully

REPORT:

That, having examined the subject, they believe the proposed improvement to be necessary.

They therefore recommend that the said ordinance be adopted.

Resolved, That the Local Board of the Heights District, Borough of Brooklyn, after hearing had this 21st day of September, 1903, hereby recommends that the following form of ordinance be approved and transmitted to the Board of Aldermen for consideration:

AN ORDINANCE in relation to the width of the roadway and sidewalks of Macomber place, between Fulton street and DeKalb avenue, in the Borough of Brooklyn, City of New York.

Be it Ordained by the Board of Aldermen of The City of New York as follows:

Section 1. The roadway of Macomber place, between Fulton street and DeKalb avenue, in the Borough of Brooklyn, is hereby reduced in width three (3) feet, and the sidewalks of said street are hereby increased three (3) feet.

Sec. 2. This ordinance shall take effect immediately.

Adopted by the Local Board of the Heights District on the 21st day of September, 1903, Commissioner Redfield and Alderman Downing voting in favor thereof.

Attest: Secretary.

Approved this 24th day of September, 1903.

WILLIAM G. REDFIELD,

Acting President of the Borough of Brooklyn.

FRANK L. DOWLING, PATRICK H. MALONE, CHARLES W. CULKIN, CHARLES ALT, DAVID M. HOLMES, Committee on Streets, Highways and Sewers.

Alderman Bridges asked and obtained unanimous consent to introduce the following:

The Vice-Chairman put the question whether the Board would agree to accept said report and adopt said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Behrmann, Brenner, Bridges, Chambers, Culkin, Devlin, Downing, Foley, Gaffney, Gass, Gillen, Gillies, Goldwater, Goodman, Haggerty, Harburger, Holler, Holmes, James, Keely, Klett, Leitner, McCarthy, Thomas F. McCaul, Malone, Marks, Mathews, Metzger, Meyers, Nehrbauer, Oatman, Owens, Parsons, Porges, Richter, Shea, Stewart, Sullivan, Tebbetts, Twomey, Wafer, Walkley, Ware, Wentz, Whitaker, Willett, Wirth; President Cromwell, Borough of Richmond; President Haffen, Borough of The Bronx; President Cantor, Borough of Manhattan; the Vice-Chairman of the Board of Aldermen—53.

Report of Committee on Railroads.

No. 2670.

The Committee on Railroads, to which was referred on November 24, 1903 (Minutes, page 555), the annexed communication and ordinance in favor of granting to the New York and Long Island Traction Company the right or franchise to construct and operate a street surface railway in, upon and along certain streets and highways and bridges in The City of New York, respectfully

REPORT:

That having examined the subject they believe the proposed ordinance granting such right or franchise should be adopted with this amendment: That the word "Jerrico" in the first paragraph of the description of routes be changed so as to read "Jericho," the same being a clerical error.

They therefore recommend that the said ordinance as contained in said communication, with this amendment, be adopted.

Department of Finance—City of New York,

November 20, 1903.

Hon. CHARLES V. FORNES, President, Board of Aldermen:

Dear Sir—I send you herewith certified copy of a resolution adopted by the Board of Estimate and Apportionment at a meeting held this day, fixing the terms of a proposed ordinance granting to the New York and Long Island Traction Company a franchise to use certain streets, highways and bridges for the purpose of a street surface railway in the boroughs of Queens and Brooklyn.

Very truly yours,

J. W. STEVENSON, Deputy Comptroller.

NEW YORK AND LONG ISLAND TRACTION COMPANY.

RESOLVED, That the Board of Estimate and Apportionment, having received from the Board of Aldermen, pursuant to a resolution of such Board, adopted September 29, 1903, a proposed ordinance, granting to the New York and Long Island Traction Company, formerly the Mineola, Hempstead and Freeport Traction Company, the franchise or right to use certain streets and highways and bridges, for the purposes of a street surface railway, and having duly inquired into and considered the matter, does hereby, pursuant to the Greater New York Charter, fix the terms and conditions of the proposed grant of such franchise and the money value of such franchise or rights proposed to be granted as follows:

I.—The New York and Long Island Traction Company, its successors and assigns, shall pay into the treasury of The City of New York for this franchise the following sums of money: During the first term of five years, an annual sum which shall in no case be less than \$1,000, and which shall be equal to three per cent. of the gross annual receipts of such railway company, derived from passenger and freight traffic, within the limits of the City of New York, if such percentage shall exceed the sum of \$1,000; during the remaining twenty years of the term, an annual sum which shall not be less than \$2,000, and which shall be equal to five per cent. of its gross annual receipts as above, if such percentage shall exceed the sum of \$2,000.

In computing the amount of the gross receipts derived from passenger traffic and above referred to, the routes hereinafter mentioned shall be considered, and the persons who are upon the cars of the company at any point upon such routes shall be deemed to have paid the fare provided to be paid by the ordinance granting the franchise aforesaid, whether they enter or leave the car upon such route or upon any other route upon which the grantee or its successors or assigns operates its cars.

The terms hereafter to be fixed for any renewal term of such franchise shall not in any event be less than the minimum amount fixed as the sum to be paid annually during the last five years of the original franchise, and no renewal of such franchise shall provide for a further renewal.

II.—Upon the termination of the said franchise, right or privilege, whether original or renewal, if the Board of Estimate and Apportionment of The City of New York, or its successors in authority, shall so desire, there shall be a fair valuation of the plant and property of the grantee necessary for traction purposes upon the said streets and highways and bridges, and of the land in private ownership upon which the said railway shall be operated or the easements of right of way or other necessary easements in such lands as the case may be, including power-house, equipment, tracks and appurtenances, which plant and property shall be and become the property of The City of New York at the option of the said Board of Estimate and Apportionment, or its successors in authority, on the termination of this grant and the payment to the grantee of such valuation. The valuation shall be based upon a fair appraisal of the property, excluding any value derived from the franchise, and such value shall be determined by the Board of Estimate and Apportionment, or its successors in authority; provided that in the valuation of the land in private ownership, on which such railway is constructed or the easements affecting such land, as the case may be, their value shall not be fixed at an amount in excess of the original cost thereof to the grantee of said franchise, its successors or assigns. A sworn statement of such cost executed by such grantee and verified by the affidavit of one of its officers shall be filed with the Comptroller of the City of New York before any act is done by the grantee, or its successors or assigns, in the construction or operation of the railway upon any route hereinafter mentioned which includes private property.

III.—The ordinance granting such franchise or right should be in substance as to the terms and conditions of such grant, in the words and figures following:

AN ORDINANCE granting to the New York and Long Island Traction Company the right or franchise to construct and operate a street surface railway in, upon and along certain streets and highways and bridges in the City of New York.

Be it Ordained by the Board of Aldermen of The City of New York, as follows:

Section 1. The Board of Aldermen of The City of New York hereby grants to the New York and Long Island Traction Company, subject to the conditions and provisions hereinafter set forth, the franchise, right and privilege to construct and operate a double-track street surface railway, with all connections, turnouts, switches, crossovers and suitable stands necessary for the accommodation and operation of said

railway, by the overhead system of electricity, or any other motive power which may be lawfully employed upon the same, in, upon and along the following named streets and highways and bridges, all situated in the boroughs of Queens and Brooklyn, City and State of New York, set forth in the following descriptions of routes:

First—Beginning at a point on Fulton street (otherwise known as the Hempstead and Jamaica turnpike), at the easterly line of the Borough of Queens, in The City of New York; running thence northwesterly on and along said Fulton street to the intersection of said Fulton street and the Jericho turnpike at or near Queens, in the Borough of Queens.

Second—Beginning at the intersection of said Fulton street and Springfield road (at or near Queens, in the Borough of Queens); running thence southwesterly on and along said Springfield road to a road known as Old Country road; thence generally westerly on and along said Old Country road past the intersection of said Old Country road and South street to a point on said Old Country road about opposite Bryan avenue in Hollis Park; thence generally westerly on and along private property to Bryan avenue in Hollis Park at its intersection with Farmer avenue; thence westerly on and along Bryan avenue to its intersection with South street; thence westerly on and along South street to Puntine street in Jamaica; thence northwesterly on and along Puntine street to Linden street; thence westerly on and along Linden street to New York avenue; thence northerly on and along New York avenue to a point on New York avenue about opposite to Centre street; thence westerly on and over private property, crossing Union Hall street at a point nearly opposite Centre street; thence westerly on and along Centre street to Washington street, crossing Washington street and private property to Prospect street; thence northerly on and along Prospect street to and across the bridge over the tracks of the Long Island Railroad to Fleet street; thence running easterly on and along Fleet street to Washington street; thence westerly on and along Fleet street to Twombly place; thence westerly on and along Twombly place to Division street; thence northerly on and along Division street to Fulton street in Jamaica. Also, from the intersection of Twombly place and Church street; running thence northerly on and along Church street to Fulton street.

Third—Beginning at a point at the boundary line between the City of New York and the Town of Hempstead, Nassau County, New York, on private property contiguous to and lying north of the conduit of the Brooklyn City Water Works, in the Borough of Queens; running thence westerly on and along private property contiguous to and adjoining the property of the Brooklyn City Water Works on the northerly side thereof; crossing Ocean avenue (otherwise known as the road to Wright's Mill), Rosedale avenue, Foster's Meadow road, the property of the Brooklyn City Water Works, known as Conduit Branch, Springfield road, Farmer avenue and New York avenue to the Rockaway turnpike; running thence northerly on and along said Rockaway turnpike to the junction of said Rockaway turnpike and the Rockaway road (formerly known as the Rockaway Plank road); running thence northwesterly on and along said Rockaway road (formerly known as the Rockaway Plank road) to Broadway; running thence westerly on and along Broadway to Liberty avenue, in the Borough of Brooklyn; with a branch line from the intersection of said Rockaway road (formerly known as the Rockaway Plank road) and Water street; running thence westerly on and along Water street to and across Spruce street; also with a branch line from the intersection of said Rockaway road (formerly known as the Rockaway Plank road) and the Rockaway turnpike; running thence northerly on and along said Rockaway turnpike to Fulton street in Jamaica.

Fourth—Beginning at a point on the Jericho turnpike at the extreme easterly boundary line of the City of New York and the Town of North Hempstead, Nassau County, New York, and running thence westerly on and along said Jericho turnpike to a point at the intersection of said Jericho turnpike and the Hempstead and Jamaica turnpike (otherwise known as Fulton street), all in the Borough of Queens.

And with the right or franchise to cross such other streets and highways and bridges (named and unnamed) as may be encountered in said routes.

SECTION 2. The grant of this franchise is subject to the following conditions:

First—The consent in writing of the owners of half in value of the property bounded on said streets and highways and bridges to the construction and operation of said railway shall be obtained by the grantee, or in the event that such consent cannot be obtained, the grantee shall obtain the favorable determination, confirmed by the Court, of three Commissioners, appointed by the Appellate Division of the Supreme Court, in the manner provided by the Railroad Law, before said railway is built or operated.

Second—The said right, privilege and franchise to construct and operate said railway shall be held and enjoyed by said railway company, its lessee or successors, for the term of twenty-five years from the date when this ordinance is signed by the Mayor, with the privilege of renewal of said grant for a further period of twenty-five years upon a fair revaluation of said right, privilege and franchise, but such renewal shall not provide for any further renewal. Such revaluation shall be of the right, privilege and franchise to maintain and operate said railway by itself, and shall not include any valuation derived from the ownership, operation or control of any other railroad by the grantee, its successors or assigns. It shall be made in the following manner:

One disinterested freeholder shall be chosen by the Board of Estimate and Apportionment or its successors in authority; one disinterested freeholder shall be chosen by the railway company; these two shall choose a third disinterested freeholder; and the three so chosen shall act as appraisers and shall make the valuations aforesaid. Such appraisers shall be chosen at least six months prior to the expiration of the grant, and their report shall be filed with the Comptroller or his successor in authority within three 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 the books of the railway company. The valuations so ascertained, fixed and determined shall be conclusive upon both parties, but shall not in any event be less than the minimum amount fixed as the sum to be paid annually for the last five years of the original franchise.

Third—Upon the termination of the said franchise, right or privilege, whether original or renewal, if the Board of Estimate and Apportionment of the City of New York, or its successors in authority shall so desire, there shall be a fair valuation of the plant and property of the grantee necessary for traction purposes upon the said streets and highways and bridges, and of the land in private ownership upon which the said railway shall be operated or the easement of right-of-way or other necessary easements in such lands, as the case may be, including power-house, equipment, tracks and appurtenances, which plant and property shall be and become the property of the City of New York at the option of the said Board of Estimate and Apportionment, or its successors in authority, on the termination of this grant and the payment to the grantee of such valuation. The valuation shall be based upon a fair appraisal of the property, excluding any value derived from the franchise, and such value shall be determined by the Board of Estimate and Apportionment, or its successors in authority; provided that in the valuation of the land in private ownership, on which such railway is constructed, or the easements affecting such land, as the case may be, their value shall not be fixed at an amount in excess of the original cost thereof, to the grantee of said franchise, its successors or assigns. A sworn statement of such cost executed by such grantee and verified by the affidavit of one of its officers shall be filed with the Comptroller of the City of New York, before any act is done by the grantee or its successors or assigns in the construction or operation of the railway upon any route hereinbefore mentioned, which includes private property.

Fourth—The New York and Long Island Traction Company, its successors or assigns, shall pay for this franchise to the City of New York, the following sums of money: During the first term of five years an annual sum which shall in no case be less than \$1,000, and which shall be equal to three per cent. of its gross annual receipts derived from passenger and freight traffic, within the limits of the City of New York, if such percentage shall exceed the sum of \$1,000; during the remaining twenty years of the term, an annual sum which shall not be less than \$2,000, and which shall be equal to five per cent. of its gross annual receipts as above, if such percentage shall exceed the sum of \$2,000.

In computing the amount of the gross receipts derived from passenger traffic and above referred to, the routes hereinbefore mentioned shall be considered, and the persons who are upon the cars of the company at any point upon such routes shall be deemed to have paid the fare provided to be paid by the ordinance granting the franchise aforesaid, whether they enter or leave the car upon such route or upon any other route upon which the grantee or its successors or assigns operates its cars.

Such sums shall be paid into the treasury of The City of New York on November 1, in each year; provided, however, that the first payment shall only be for that proportion

of the above sums as the time from the signing of this ordinance by the Mayor to September 30 next preceding shall bear to the whole of one year. The fiscal year shall end on September 30 next preceding said date of payment and the provisions of the Railroad Law as it existed at the time of the adoption of this ordinance relating to the manner of payments and statements of percentages of gross receipts of street railway companies shall, as to said railway, be strictly followed. The intention of this paragraph is to fix an annual charge to be paid by the grantee, its successors or assigns, to the City of New York for the rights and franchise hereby granted, and it shall not be construed as providing for the payment by the grantee, its successors or assigns, for said franchise, of a percentage of gross receipts within the meaning of any general or special statute.

Fifth—The said annual charge or payments shall continue throughout the whole term of the franchise hereby granted, whether original or renewal, notwithstanding any clause in any statute or in the charter of any other railway company providing for payments for street railway rights or franchises at a different rate, and no assignment, lease or sublease of the rights or franchises 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 grant, and that the assignee or lessee assumes and will be bound by all of said conditions, and especially said condition as to payments, anything in any statute or the charter of such assignee or lessee to the contrary notwithstanding, and that the said assignee or lessee waives, so far as this franchise is concerned, 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 grant.

Sixth—The rights and franchises granted hereby 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 or corporation whatsoever, either by the act of the New York and Long Island Traction Company, its successors or assigns, 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 of New York, acting by the Board of Estimate and Apportionment, or its successors in authority, 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 sub-general or special statute.

Seventh—The said railway may be operated by overhead electrical power, substantially similar to the system of overhead electrical traction now in use by the New York and North Shore Railway Company, or by the underground electric system now in use by the Interurban Street Railway Company in the Borough of Manhattan, and by any other motive power, except locomotive steam power or horse-power, which may be approved by the Board of Railroad Commissioners, and consented to by the owners of property, in accordance with the provisions of the Railroad Law.

Provided that the Board of Estimate and Apportionment, or its successors in authority, upon giving to the grantee, its successors or assigns, one year's notice, in writing, may require it or them to operate its railway upon the whole or upon any portion of its route by underground electrical power substantially according to the system now in use on the railways in the Borough of Manhattan above referred to, and thereupon to discontinue the use of the overhead trolley system, and to remove its poles, wires and other structures used by it for that purpose from the streets and highways and bridges of The City of New York.

Eighth—The said railway shall be constructed, maintained and operated subject to the supervision and control of all the authorities of The City of New York who have jurisdiction in such matters under the Charter of the City.

Ninth—Said railway shall be constructed and operated in the latest improved manner of street railway construction and operation, and the railway and property of said company shall be maintained in good condition throughout the term of this grant.

Tenth—The rate of fare for any passenger upon said railway shall not exceed five cents within the limits of The City of New York; the said company shall not charge any passenger more than said sum 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 of New York. The rates for the carrying of property upon the cars of the grantee shall in all cases be reasonable in amount, and shall be subject to the control of the Board of Estimate and Apportionment, or its successors in authority, and may be fixed by such Board after notice and hearing to the grantee, and when so fixed such rate shall be binding upon said grantee, its successors or assigns, and no greater sums shall be charged for such services than provided for by it.

Eleventh—The cars on the said lines as proposed shall run at intervals of not more than one hour, both day and night, and as much oftener as the reasonable convenience of the public may require or as may be directed by the City ordinances; provided, however, that said railway company during the first five years of this franchise shall not be required to operate its cars on any of its lines within the City of New York between the hours of twelve o'clock midnight and five o'clock A. M. each day, unless the Board of Estimate and Apportionment of said City shall determine after a hearing had thereon that public convenience requires the operation of its cars during said hours.

Twelfth—The said railway company shall apply to each car run over said railway a proper fender and wheelguard in conformity to such laws and ordinances as are now in force or may hereafter be enacted or adopted by the State or City authorities.

Thirteenth—All cars on said railway shall be heated through the cold weather in conformity to such laws and ordinances as are now in force, or may hereafter be enacted or adopted by the State or City authorities, and each car shall be well lighted either by the Pintsch gas system or by electricity, or by some system of lighting equally efficient.

Fourteenth—The said company shall at all times keep the street between its tracks, and for a distance of two feet beyond the rails upon either side of said streets, free and clear from ice and snow.

Fifteenth—The said railway company, as long as it shall continue to use any of the tracks upon said streets and highways and bridges, shall have and keep in permanent repair that portion of the surface of said streets and highways and bridges, between its tracks, the rails of its tracks and two feet in width outside of its tracks, under the supervision of the proper local authorities, and whenever required by them to do so, and in such manner as they may prescribe. And The City of New York shall have the right to change the material or character of the pavement of any street and highway and bridge, and in that event the grantee, its successors or assigns, 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.

Sixteenth—The said railway company, its successors and assigns, so long as it shall continue to use any of the tracks upon the streets and highways and bridges hereby granted, shall cause the entire roadway of each of the same to be watered at least three times in every twenty-four hours when the thermometer is above 35 degrees Fahrenheit, except that when the width of any roadway between curb lines shall exceed 60 feet, then a roadway of but 60 feet shall be watered as above.

Seventeenth—In case of any violation or breach or failure to comply with any of the provisions herein contained this grant may be forfeited and avoided by The City of New York, by a suit brought by the Corporation Counsel on notice of ten days to the said railway company.

Eighteenth—If any of the streets and highways and bridges above referred to, or described, shall not now be open or in use as public highways, no right or franchise therein shall vest in the grantee by virtue of this ordinance until after such streets and highways and bridges shall be legally opened as a public highway, and such right or franchise shall expire at the end of the term created by this ordinance as above set forth. Nothing in this ordinance contained shall be construed as an obligation on The City of New York, in respect to the opening of such streets and highways and bridges, nor as in any manner granting property or rights of any kind in or upon its lands now owned or occupied by it under any title, except only the public streets and highways and bridges in the usual acceptation of such terms, which are specifically referred to above.

SECTION 3. This grant is also upon the further and express condition that the provisions of article 4 of the Railroad Law, as it existed at the time of the adoption of this ordinance applicable thereto, and all laws or ordinances now in force or

which may be adopted hereafter affecting the surface railways operating in The City of New York shall be strictly complied with.

SECTION 4. This grant is also upon the further and express condition that any time after five years from the commencement of the operation of any portion of the railway hereby granted, the Board of Estimate and Apportionment, or its successors in authority, if it deems it necessary in the public interest so to do, may require the grantee, its successors or assigns, in case the railway upon any portion of the routes above described shall consist of a single track, to construct and operate a second track upon any or all of the routes hereby granted, whether on streets, highways and bridges or upon any private property or right of way included in any of such routes so as to make a double-track railway.

SECTION 5. Said grantee shall commence construction within three months from the date when it has obtained complete legal authority to begin construction, including necessary permits from the city officials and departments, and shall complete the construction of at least six miles of single track railway on or before January 1, 1905, otherwise this grant shall be thereupon forthwith and immediately forfeited, without judicial or other proceedings. If upon any of the routes above described, or upon any portion thereof, there shall not be constructed and in actual operation by July 1, 1906, a railway properly equipped and operated as provided by this ordinance, the said route or portion thereof shall be conclusively taken to have been abandoned by the company, and so much of the rights and franchises hereby granted as pertains to such routes, or parts of routes, not then constructed from and after July 1, 1906, shall be thereupon forthwith and immediately forfeited, without judicial or other proceedings. Provided that such time may be extended upon the same conditions as to forfeiture under and for causes specified in section 99 of the Railroad Law, as it now exists, and by a properly executed instrument in writing; and the Board of Estimate and Apportionment may similarly extend such time for a period or periods not exceeding one year, if, in their discretion, it seems best so to do, and that the city officials or departments who or which shall at the time of such construction have authority over the said streets and highways and bridges, may similarly extend, by properly executed instrument in writing, such time for a period or periods not exceeding one year further, if reasonable, in their judgment, by reason of requirements as to the manner of construction imposed by the city officials.

SECTION 6. If for any reason the right or franchise of the grantee in any of the streets, highways and bridges above described shall cease, or if for a period of six successive months the railway tracks upon any of such streets, highways and bridges shall not be operated as provided for in this ordinance, the Comptroller of The City of New York may require the grantee, its successors or assigns, to remove its tracks and other structures upon such streets, highways and bridges within thirty days after notice, and in default of their removal pursuant to such notice, the proper local authorities having jurisdiction may cause them to be removed and The City of New York may recover the cost and expenses of such removal either by deducting them from the fund deposited as required in section 7 hereof, or by action; and the rights and franchises of the grantee, its successors or assigns, in such portion of the streets, highways and bridges, in case any such exist, shall forthwith and immediately cease upon the removal of such tracks or structures and without judicial or other proceedings.

SECTION 7. This grant is upon the express condition that the New York and Long Island Traction Company, within thirty days after the said company has been duly authorized to operate its railway and before anything is done in exercise of the rights conferred thereby, shall deposit with the Comptroller of The City of New York the sum of three thousand dollars, either in money or in securities to be approved by him, which fund shall be security for the performance by such company of the terms and conditions of this grant, especially those which relate to the payment of the annual charge for the franchise, the repairs of the street pavement and the removal of snow and ice, and the quality of construction of the railway and, in case of default in the performance by said company of 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 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 such fund after ten days' notice in writing to the said company. Or in case of failure to keep the said terms and conditions of this grant relating to the headways of cars, fenders and wheel guards and the heating of the cars and the watering of the streets, the said company shall pay a penalty of \$50 a day for each day of violation, and the further sum of \$10 a day for each car which shall not properly be heated or supplied with fenders and wheel guards in case of the violation of the provisions relating to those matters. In case of any drafts so made upon this security fund, the said company 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 three thousand dollars, and in default thereof the grant hereby made may be canceled and annulled at the option of the Comptroller of The City of New York, acting on behalf of said City. No action or proceeding 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.

SECTION 8. This grant shall not become operative until said railway company shall duly execute, under its corporate seal, an instrument in writing wherein said company shall promise, covenant and agree on its part and behalf to conform to and abide by and perform all the terms and conditions and requirements in this ordinance fixed and contained, and file the same in the office of the Comptroller of The City of New York within ten days after the adoption of this ordinance.

SECTION 9. This ordinance shall take effect immediately.

A true copy of resolution adopted at a meeting of the Board of Estimate and Apportionment held November 20, 1903.

J. W. STEVENSON, Secretary.

JOHN DIEMER, JAMES OWENS, JOHN C. KLETT, ELIAS GOODMAN, ROBERT F. DOWNING, Committee on Railroads.

In connection herewith, Alderman Willett introduced the following petition, and moved that it be made part of the report and ordinance:

No. 2749.

District, Borough of Queens.

Hon. HENRY WILLETT, Alderman, New York City:

We, the undersigned taxpayers and residents of your district earnestly request you to use your utmost efforts to have passed by the Board of Aldermen the franchise now before it of the New York and Long Island Traction Company.

That company has already built its line up to the City line, and is giving its patrons excellent service and accommodations.

The territory in Queens Borough which it proposes to traverse is absolutely without railroad facilities, is heavily taxed without corresponding municipal benefits, and is badly in need of such development as a trolley would give. The matter is of great importance to us as taxpayers and inhabitants of your district, and we trust that in view of the unanimous wish of your constituents and your well known desire to do what is best for the people, you will use your influence in favor of the ordinance.

F. K. WINSLOW.

THOMAS COCHRAN.

MARTIN H. VAN SICLEN, and others.

Which motion was adopted.

The Vice-Chairman then put the question whether the Board would agree to accept said report and adopt said ordinance, as amended.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Behrmann, Bennett, Brenner, Chambers, Culkin, Devlin, Dickinson, Diemer, Dietz, Donohue, Doull, Dowling, Downing, Florence, Gaffney, Gass, Gillen, Gillies, Goldwater, Goodman, Haggerty, Harnischfeger, Higgins, Holler, Holmes, James, Jones, Keely, Kennedy, Kenney, Klett, John T. McCall, McCarthy, Thomas F. McCaul, Malone, Marks, Mathews, Metzger, Meyers, Oatman, Parsons, Peck, Porges, Richter, Schappert, Shea, Stewart, Sullivan, Tebbets, Wafer, Walkley, Ware, Wentz, Whitaker, Willett, Wirth; President Cromwell, Borough of Richmond; President Haffen, Borough of The Bronx; President Cantor, Borough of Manhattan; the Vice-Chairman of the Board of Aldermen—62.

MOTIONS, ORDINANCES AND RESOLUTIONS RESUMED.

Alderman Holler asked and obtained unanimous consent to introduce the following:

No. 2750.

Whereas, We recognize the courtesy extended to his Honor the Mayor, the Board of Aldermen and other City officers at the celebration of the opening of the new Williamsburg Bridge on Saturday, December 19, 1903, which was made memorable by the open-handed, generous and dignified hospitality of the Hanover Club of the Borough of Brooklyn; therefore be it

Resolved, That we, the members of the Board of Aldermen for the years 1902-1903, hereby gratefully record our appreciation of the felicitous, kindly and graceful entertainment accorded us by the members of the said Hanover Club of the Borough of Brooklyn, and will ever hold their action in pleasant remembrance; and be it further

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated by the City Clerk, be transmitted to the officers of said club.

Which was adopted.

President Cantor asked and obtained unanimous consent to introduce the following:

No. 2751.

Resolved, That, pursuant to subdivision 8 of section 188 of the amended Greater New York Charter, the Board of Estimate and Apportionment is hereby requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of two thousand six hundred and fifty dollars (\$2,650), for the purpose of defraying the cost of painting the portrait of the late Hon. Andrew H. Green.

The Vice-Chairman put the question whether the Board would agree with said resolution.

Which was unanimously decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Behrmann, Bennett, Brenner, Bridges, Chambers, Culkin, Devlin, Dickinson, Donohue, Doull, Dowling, Downing, Foley, Gaffney, Gass, Gillen, Gillies, Goldwater, Goodman, Haggerty, Harburger, Harnischfeger, Holler, Holmes, Howland, James, Jones, Keely, Kennedy, Kenney, Klett, Leitner, John T. McCall, McCarthy, Thomas F. McCaul, Mathews, Meyers, Nehrbauer, Oatman, Owens, Peck, Porges, Richter, Schappert, Shea, Stewart, Sullivan, Tebbets, Twomey, Wafer, Walkley, Ware, Whitaker, Willett, Wirth; President Cromwell, Borough of Richmond; President Haffen, Borough of The Bronx; President Cantor, Borough of Manhattan; the Vice-Chairman of the Board of Aldermen—61.

REPORTS OF STANDING COMMITTEES AGAIN RESUMED.

Report of Committee on Salaries and Offices—

No. 2714.

The Committee on Salaries and Offices, to whom was referred, on December 8, 1903 (Minutes, page 722), the annexed resolution in favor of fixing certain salaries in the office of the President of the Borough of Richmond respectively

REPORT:

That, having examined the subject, they recommend that the said resolution be adopted.

Whereas, The Board of Estimate and Apportionment at a meeting held December 4, 1903, adopted the following resolution:

"Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, that the salaries of the following positions in the office of the President of the Borough of Richmond be fixed as follows:

"Axeman	\$900 00
"Inspector of Carpentry and Masonry	1,500 00
"Inspector of Carpentry and Masonry	1,800 00"

Resolved, That the Board of Aldermen hereby concurs in said resolution and fixes the salaries of the above positions as set forth therein.

KOBEKI F. DOWNING, JOHN H. BEHRMANN, WILLIAM D. PECK, WEBSTER R. WALKLEY, SAMUEL H. JONES, Committee on Salaries and Offices.

President Cromwell asked and obtained immediate consideration for this report.

The Vice-Chairman put the question whether the Board would agree to accept said report and adopt said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Behrmann, Bennett, Bridges, Chambers, Culkin, Devlin, Dickinson, Donohue, Doull, Dowling, Downing, Florence, Gaffney, Gass, Goldwater, Goodman, Harnischfeger, Holler, Holmes, James, Jones, Keely, Kennedy, Leitner, John T. McCall, McCarthy, Thomas F. McCaul, Marks, Mathews, Meyers, Oatman, Parsons, Richter, Schappert, Shea, Sullivan, Tebbets, Twomey, Walkley, Ware, Wentz, Whitaker, Wirth; President Cromwell, Borough of Richmond; President Haffen, Borough of The Bronx; President Cantor, Borough of Manhattan, and the Vice-Chairman of the Board of Aldermen—49.

Negative—Aldermen Gillen and Water—2.

SPECIAL ORDERS.

Alderman John T. McCall called up Special Order No. 142, being a resolution, as follows:

No. 2738.

Resolved, That the Board of Estimate and Apportionment be and it is hereby requested, in pursuance of subdivision 8 of section 188 of the amended Charter of Greater New York, to authorize the Comptroller to issue Special Revenue Bonds to the amount of five hundred dollars (\$500), to provide for decorations for the City Hall, on January 1, 1904, under the direction of the President of the Borough of Manhattan.

Alderman John T. McCall moved to amend by striking out the words and figures "five (5)" wherever they occur, and inserting in lieu thereof the words and figures "six (6)," and also by adding after the word "decorations," the words "and music."

Which amendment was adopted.

The Vice-chairman then put the question whether the Board would agree with said resolution as amended.

Which was unanimously decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Behrmann, Bennett, Bridges, Chambers, Coggey, Culkin, Devlin, Dickinson, Diemer, Dietz, Donohue, Doull, Dowling, Downing, Florence, Foley, Gaffney, Gass, Gillen, Gillies, Goldwater, Goodman, Haggerty, Harburger, Harnischfeger, Higgins, Holler, Holmes, James, Jones, Keely, Kennedy, Kenney, Klett, Leitner, John T. McCall, McCarthy, Thomas F. McCaul, Malone, Marks, Mathews, Metzger, Meyers, Nehrbauer, Oatman, Parsons, Peck, Porges, Richter, Schappert, Shea, Stewart, Sullivan, Tebbets, Twomey, Wafer, Walkley, Ware, Wentz, Whitaker, Willett, Wirth; President Cromwell, Borough of Richmond; President Haffen, Borough of The Bronx; President Cantor, Borough of Manhattan; the Vice-Chairman of the Board of Aldermen—69.

President Cantor called up Special Order 141, being a resolution, as follows:

No. 2737.

Resolved, That the Board of Estimate and Apportionment be and it is hereby requested in pursuance of subdivision 8 of section 188 of the Amended Charter of the Greater New York, to authorize the Comptroller to issue Special Revenue Bonds to the amount of eight hundred dollars (\$800), for the purpose of defraying expenses of the Andrew H. Green Memorial Services.

The Vice-Chairman put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Behrmann, Bennett, Bridges, Chambers, Culkin, Devlin, Dickinson, Diemer, Dietz, Donohue, Doull, Dowling, Downing, Florence, Foley, Gaffney, Gass, Gillen, Gillies, Goldwater, Goodman, Haggerty, Harburger, Harnischfeger, Higgins, Holler, Holmes, James, Jones, Keely, Kennedy, Kenney, Klett, Leitner, John T. McCall, McCarthy, Thomas F. McCaul, Malone, Marks, Mathews, Metzger, Meyers, Nehrbauer, Oatman, Parsons, Peck, Porges, Richter, Schappert, Shea, Stewart, Sullivan, Tebbets, Twomey, Wafer, Walkley, Ware, Wentz, Whitaker, Willett, Wirth; President Cromwell, Borough of Richmond; President Haffen, Borough of The Bronx; President Cantor, Borough of Manhattan; and the Vice-Chairman of the Board of Aldermen—67.

By Alderman Holler—

No. 2752.

Resolved, That the Comptroller be and he is hereby authorized and requested to draw warrants, as hereinafter set forth, the said warrants, in each instance, to be payment in full for services rendered and materials furnished on account of the celebration of the opening of the new Williamsburg Bridge on December 19, 1903; the said several sums to be charged to and paid out of the amount set aside, by the Board of Estimate and Apportionment, twenty thousand dollars (\$20,000), in accordance with the provisions of a resolution adopted by the Board of Aldermen November 17, 1903, and approved by his Honor the Mayor November 30, 1903, pursuant to subdivision 8, section 188 of the amended Greater New York Charter:

The Metropolitan Equipment Company, for furnishing "decorations," "illumination," "fireworks" and "badges," as per contract, twelve thousand dollars \$12,000 00
 The Metropolitan Equipment Company, for furnishing two hundred badges for guests, fifty dollars 50 00
 P. J. Scully, City Clerk, for postage (amount advanced to Committee on Celebration), ninety dollars and seventy-two cents 90 72
 Chatterton & Hatch, for erecting and removing "grand stand" at Brooklyn entrance of Williamsburg Bridge, as per contract, including guaranteed safety of guests, four thousand dollars 4,000 00
 Tiffany & Co., for plate and printing of cards and envelopes, seven hundred and eighty-four dollars. 784 00
 E. E. Wheeler, for furnishing carriages (26, at \$8 each, and 32, at \$6 each), four hundred dollars 400 00
 W. F. Whitney Chair Company, for furnishing two hundred chairs at grand stand, fifty dollars 50 00
 The Brooklyn Citizen, for printing seven hundred tickets, six dollars and fifty cents 6 50
 Martin B. Brown Company, for printing two hundred and fifty passes to opening of bridge, four dollars and fifty cents. 4 50
 The Vice-Chairman put the question whether the Board would agree with said resolution.

Which was unanimously decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Behrman, Bennett, Brenner, Bridges, Chambers, Culkin, Devlin, Dickinson, Diemer, Dietz, Donohue, Doull, Downing, Florence, Foley, Gaffney, Gass, Gillen, Gillies, Goldwater, Goodman, Haggerty, Harburger, Harnischfeger, Higgins, Holler, Holmes, Howland, James, Jones, Keely, Kennedy, Kenney, Klett, Leitner, John T. McCall, McCarthy, Thomas F. McCaul, Malone, Marks, Mathews, Metzger, Meyers, Nehrbauer, Oatman, Owens, Parsons, Peck, Porges, Richter, Schappert, Shea, Stewart, Sullivan, Twomey, Wafer, Walkley, Wentz, Willett, Wirth, President Haffen, Borough of The Bronx, and the Vice-Chairman of the Board of Aldermen—54.

No. 2753.

By the President—

Resolved, That the following-named persons be, and they are hereby, appointed Commissioners of Deeds:

By the President—
 Joseph F. Kiernan, No. 308 First avenue, Manhattan.

By the Vice-Chairman—
 Robert Stewart, No. 85 Decatur street, Brooklyn.

Frank C. Vaughan, Ninety-fifth street, near Avenue G, Flatbush.

Allan W. Russell, No. 1118 Lorimer street, Brooklyn.

By Alderman Alt—
 William B. Roth, corner Glenmore and Stone avenues, Brooklyn.

Abraham I. Stark, No. 431 Rockaway avenue, Brooklyn.

By Alderman Baldwin—
 John Conville, No. 220 Broadway, Manhattan.

By Alderman Bennett—
 Clifford C. Kewe, Jr., No. 1007 Hancock street, Brooklyn.

Joseph Friedberg, No. 73 Manhattan avenue, Brooklyn.

By Alderman Bridges—
 Thomas Lestrane, No. 303 Adams street, Brooklyn.

By Alderman Donohue—
 Dave Feuerisen, No. 229 Second street, Manhattan.

Leo Lehrfeld, No. 112 Avenue C, Manhattan.

By Alderman Devlin—
 Frank C. Tuthill, No. 131 West One Hundred and Sixteenth street, Manhattan.

By Alderman Downing—
 Frank N. Lang, No. 16 Court court, Brooklyn.

John J. Ryan, No. 168 Montague street, Brooklyn.

John M. Cahill, No. 182 Macon street, Brooklyn.

Thomas J. Hackett, No. 1403 Madison street, Brooklyn.

George H. Lockwood, Fort Hamilton avenue and Ninetieth street, Brooklyn.

George W. Beyers, No. 313 Twenty-third street, Brooklyn.

Martin D. Bradley, No. 307 Thirteenth street, Brooklyn.

Frank R. Burroughs, No. 160 Rutledge street, Brooklyn.

By Alderman Doull—
 John H. Conway, No. 107 East Fifty-fifth street, Manhattan.

By Alderman Florence—
 Henry A. Armstrong, No. 349 East One Hundred and Twenty-fourth street, Manhattan.

By Alderman Foley—
 John J. Meyers, Jr., No. 49 New Bowery, Manhattan.

By Alderman Holler—
 George W. Green, No. 101 Broadway, Brooklyn.

By Alderman Howland—
 John P. Hayden, No. 337 West Seventy-sixth street, Manhattan.

James O. Tryon, New Brighton, Richmond.

By Alderman Marks—
 Joseph P. Joachimsen, No. 320 Broadway, Manhattan.

Abraham A. Kotzen, No. 309 Broadway, Manhattan.

By Alderman Malone—
 Ray K. Hooper, Gravesend avenue and Avenue W, Brooklyn.

John H. Gamgee, No. 206 Seventeenth street, Brooklyn.

Theodore Witte, No. 435 Fifty-fifth street, Brooklyn.

By Alderman Mathews—
 Earl A. Smith, No. 126 East Twenty-third street, Manhattan.

Charles J. Breck, No. 413 West One Hundred and Forty-eighth street, Manhattan.

By Alderman McCaul—
 Vincenzo Garoialo, No. 2125 First avenue, Manhattan.

By Alderman Nehrbauer—
 William H. Siebrecht, Jr., No. 335 Broadway, Astoria, Queens.

By Alderman Parsons—
 A. R. Wrenn, No. 36 West Seventeenth street, Manhattan.

By Alderman Porges—
 George E. McNeil, Nos. 65-67 Irving Bank Building, Manhattan.

By Alderman Richter—
 L. Hensel, No. 38 Park row, Manhattan.

Joseph P. Joachimsen, No. 320 Broadway, Manhattan.

Charles E. Jacobsen, No. 45 Liberty street, Manhattan.

By Alderman Stewart—
 William J. Reid, No. 114 Cambridge place, Brooklyn.

Wm. B. Everett, No. 680 President street, Brooklyn.

By Alderman Sullivan—
 Giuseppe Termini, No. 38 Mulberry street, Manhattan.

By Alderman Tebbetts—
 Ray L. Godfrey, No. 399 Flatbush avenue, Brooklyn.

The Vice-Chairman put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Bennett, Brenner, Bridges, Chambers, Culkin, Devlin, Donohue, Doull, Florence, Foley, Gass, Gillen, Gillies, Goldwater,

Goodman, Haggerty, Harburger, Holler, Holmes, Howland, James, Keely, Kennedy, Kenney, Klett, Leitner, John T. McCall, Thomas F. McCaul, Malone, Marks, Mathews, Metzger, Meyers, Nehrbauer, Oatman, Owens, Parsons, Peck, Porges, Richter, Schappert, Shea, Stewart, Sullivan, Twomey, Wafer, Walkley, Wentz, Willett, Wirth, President Haffen, Borough of The Bronx, and the Vice-Chairman of the Board of Aldermen—54.

No. 2754.

By President Cantor—

An ORDINANCE to amend Part XXVIII., section 144 of the Building Code.

Be It Ordained by the Board of Aldermen of The City of New York, as follows:

NOTE—Matter underscored thus _____ is new matter; matter in brackets thus () is old matter, to be omitted.

Section 1.—Part XXVIII., section 144 of the Building Code is amended to read as follows:

Section 144.—Frame Structures Within the Fire Limits. The provisions, in this section contained, shall apply to buildings and structures, whether temporary or permanent, within the fire limits, as (the said fire limits now are or may hereafter be) established by the Building Code.

(Temporary one-story frame buildings may be erected for the uses of builders within the limits of lots whereon buildings are in course of erection, or on adjoining vacant lots, upon permits issued by the Commissioner of Buildings having jurisdiction.)

Temporary structures, which shall be taken to mean and include temporary platforms, stands, election booths (temporary), buildings and circus tents, may be erected under permits issued by the Superintendent of Buildings. Such permits may be revoked at any time by the Superintendent of Buildings, and the said temporary structure shall be removed upon the expiration of the time mentioned in the said permit or upon the revocation of said permit.

Sheds of wood not over fifteen feet high, open on at least one side, with the sides and roof thereof covered with fireproof material, may also be built, but a fence shall not be used as the back or side thereof. Such sheds shall not cover an area exceeding two thousand five hundred square feet, except by permission of the (Board) Superintendent of Buildings.

Fences, signs or bill boards erected upon uprights or other supports extending into the ground shall not be at any point over ten feet above the adjoining ground, except that when any such fence, sign or bill board shall be constructed entirely of metal (or of wood covered on all sides with sheet metal, including the uprights, supports and braces for same), it shall not be at any point over eighteen feet six inches above the adjoining ground.

Any letter, word, model, sign, device or representation in the nature of an advertisement, announcement or direction supported or attached wholly or in part over or above any wall, building or structure, shall be deemed to be a "sky sign"; if not so supported or attached over or above a wall, building or structure, such letter, word, model, sign, device or representation shall be deemed to be a "sign."

Sky signs shall be constructed entirely of metal, including the uprights, supports and braces for same, and shall not be at any point over 9 feet above the front wall or cornice of the building or structure to which they are attached or by which they are supported.

Any sign or bill board placed or attached to the outside of any building, wall or structure shall be constructed of iron or other incombustible material, except that signs of wood not over 2 feet high may be erected on, above or attached to buildings, walls or structures. No such sign or bill board shall measure more than 10 feet in any part of its smaller dimension, nor cover more than 10 per cent. of the wall surface on which it is placed, attached or secured. No such sign or bill board shall project more than 1 foot from the house line.

All fences, signs, bill boards and sky signs shall be (erected entirely within the building line, and be) properly secured, supported and braced (and shall be) so (constructed) as not to be or become dangerous. All signs, bill boards and sky signs which shall be dangerous in any manner whatever shall be repaired and made safe or taken down.

Before the erection of any fence, sign, bill board or sky sign shall have been commenced, a permit for the erection of the same shall be obtained from the Superintendent of Buildings (having jurisdiction, as provided in Part II., section 4, of this Code). Each application for the erection of any fence, sign, bill board or sky sign shall be accompanied by the written consent of the owner or owners or the lessee or lessees of the property on which it is to be erected. Every fence, sign, bill board and sky sign, or part thereof, erected or placed contrary to the provisions of the Building Code, or without a permit for the erection thereof having first been obtained from the Superintendent of Buildings, shall be deemed to be a public nuisance, and the Superintendent of Buildings may order the same removed. In case the owner or lessee thereof shall neglect or refuse to remove such sign or part thereof within forty-eight hours after service of notice so to do, the Superintendent of Buildings may remove such sign or part thereof, and the expense thereof shall be assessed upon the premises upon which such sign or part thereof was erected or placed.

Piazzas or balconies of wood on buildings other than frame buildings which do not exceed eight feet in width, and which do not extend more than three feet above the second-story floor beams, may be erected, provided a permit from the (Commissioner) Superintendent of Buildings (having jurisdiction) be granted therefor. In connected houses such piazzas or balconies may be built, provided the same are open on the front and have brick ends not less than eight inches thick, carried up above the roof of such piazza or balcony, and coped with stone. The roofs of all piazzas shall be covered with some fireproof material. Frame buildings already erected may have placed on any story piazzas, balconies or bay windows of wood, the roofs of which may be covered with the same material as the roof of the main building.

Exterior privies and wood or coal houses not exceeding one hundred and fifty square feet in superficial area and eight feet high may be built of wood, but the roofs thereof must be covered with metal, gravel or slate.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall take effect immediately.

Which was referred to the Committee on Buildings.

No. 2755.

By Alderman Dowling—

Resolved, That the heads of the various City Departments who close their offices on December 26, 1903, and January 2, 1904, are hereby respectfully requested to secure through the Comptroller full compensation for the per diem men employed by them for the said days above-mentioned.

Which was adopted.

No. 2756.

By Alderman Stewart—

Resolved, That permission be and is hereby given to the Kings County Refrigerating Company to open streets as shown in the accompanying diagram for the purpose of laying pipes under Hall street and across Flushing avenue to Wallabout Market and also across Washington avenue, between Park and Flushing avenues, and across Flushing avenue, between Waverly and Washington avenues, and also across Washington avenue, within the bounds of the Wallabout Market, provided that the said Kings County Refrigerating Company shall pay to The City of New York as compensation for the privilege such amount as may be determined equivalent therefor by the Board of Estimate and Apportionment, and provided that said pipe line shall not be laid three feet below the surface of the street; and further provided that the said Kings County Refrigerating Company shall stipulate with the President of the Borough of Brooklyn to save The City of New York harmless from any damage or loss that may be occasioned during the progress or subsequent to the completion of the work of laying said pipe line.

The work to be done at the expense of the said Kings County Refrigerating Company under the direction of the President of the Borough of Brooklyn; such permission to continue only during the pleasure of the Board of Aldermen.

Which was referred to the Committee on Streets, Highways and Sewers.

No. 2757.

By Alderman Sullivan—

Resolved, That the Comptroller be and he is hereby authorized and requested to draw a warrant in favor of P. H. McDonald for the sum of one hundred and twenty-five dollars (\$125), the said amount to be payment in full for engrossing and framing resolutions to Hon. Jacob A. Cantor, President of the Borough of Manhattan, which were adopted by the Board of Aldermen November 10, 1903, and approved by his Honor the Mayor November 18, 1903; the said amount to be charged to and paid out of the appropriation entitled "City Contingencies, 1903."

The Vice-Chairman put the question whether the Board would agree with said resolution.

Which was unanimously decided in the affirmative by the following vote:

Affirmative—Aldermen Alt, Baldwin, Bennett, Chambers, Culkin, Devlin, Dickinson, Diemer, Donohue, Doull, Dowling, Downing, Foley, Gaffney, Gass, Gillen, Goodman, Haggerty, Harburger, Harnischfeger, Holler, Holmes, James, Jones, Keely, Kennedy, Klett, Leitner, John T. McCall, McCarthy, Thomas F. McCaul, Malone, Maloy, Marks, Mathews, Metzger, Oatman, Owens, Parsons, Porges, Richter, Schappert, Shea, Sullivan, Tebbetts, Twomey, Wafer, Walkley, Ware, Wentz, Whitaker, Willett, Wirth; President Cromwell, Borough of Richmond; President Haffen, Borough of The Bronx; the Vice-Chairman of the Board of Aldermen—56.

REPORTS OF STANDING COMMITTEES AGAIN RESUMED.

Report of Committee on Laws and Legislation—

No. 2278.

The Committee on Laws and Legislation, to whom was referred on July 7, 1903 (Minutes, page 15), the annexed ordinance in regard to public worship in streets and public places in The City of New York, respectfully

REPORT:

That, having examined the subject, they believe the proposed ordinance to be necessary. They therefore recommend that the said ordinance be adopted.

A GENERAL ORDINANCE in regard to public worship in the streets and public places in The City of New York.

Be it Ordained, by the Board of Aldermen of The City of New York, as follows:

Section 1. No person shall be concerned or instrumental in collecting or promoting any assemblage of persons under the pretense of or for public worship or exhortation in the Battery or any of the markets or streets or parks or any public place in The City of New York laid out and appointed for the common use of the citizens under the penalty of twenty-five dollars for each offense.

Section 2. It shall be the duty of all Police Officers of The City of New York to prevent all such assemblies and to prosecute, apprehend and report to the Corporation Counsel all persons concerned or instrumental in promoting the same.

Section 3. Every Police Officer who shall neglect or refuse to perform his duty in the premises shall for every such neglect forfeit and pay the sum of five dollars.

Section 4. Nothing contained in the three preceding sections of this article shall be construed to prevent any clergyman or minister of any denomination or any person responsible to or regularly associated with any church, missionary association or incorporated missionary society located in or working for New York City, or lay-preacher or lay-reader, from preaching in any specified place or places in The City of New York, providing that such person shall have obtained the written permission of either the Mayor, Commissioner of Police or one of the Aldermen of the City therefor.

Section 5. This ordinance shall not be construed to prevent any ministers or people of any church, usually called Baptists, from assembling in proper places in The City of New York for the purpose of performing the rites of baptism according to the ceremonies of such church.

Section 6. No person shall disturb, molest or interrupt any clergyman, minister, missionary, lay-preacher or lay-reader who shall be preaching and have obtained permission according to this ordinance or any minister or people who shall be performing the rites of baptism as permitted by this ordinance, nor shall any person commit any riot or disorder in any such assembly, under the penalty of twenty-five dollars for each offense.

Section 7. Article XLII, and sections 774, 775, 776, 777, 778 and 779 of the Revised Ordinances of 1897 of The City of New York, and all ordinances or parts of ordinances of the former municipal or public corporations consolidated into The City of New York inconsistent and conflicting herewith are hereby repealed.

Section 8. This ordinance shall take effect immediately.

ARMITAGE MATHEWS, NOAH TEBBETTS, JOHN H. BEHRMANN, FRANK L. DOWLING, JAMES COWDEN MEYERS, Committee on Laws and Legislation.

Alderman Parsons asked and obtained immediate consideration for this report.

The Vice-Chairman put the question whether the Board would agree to accept said report and adopt said ordinance.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Bennett, Culkin, Devlin, Dickinson, Diemer, Dietz, Dowling, Downing, Florence, Gass, Goodman, Harnischfeger, Higgins, Holler, James, Jones, Kenney, Klett, John T. McCall, McCarthy, Malone, Maloy, Marks, Meyers, Nehrbauer, Oatman, Owens, Parsons, Shea, Stewart, Sullivan, Tebbetts, Wafer, Ware, Wentz, Whitaker, Willett, President Cromwell, Borough of Richmond; President Cantor, Borough of Manhattan; the Vice-Chairman of the Board of Aldermen—40.

Negative—Aldermen Gillen, Goldwater and Walkley—3.

Excused—Alderman Brenner—1.

MOTIONS, ORDINANCES AND RESOLUTIONS AGAIN RESUMED.

By Alderman John T. McCall—

No. 2758.

Resolved, That when this Board adjourns, it do adjourn to meet on Monday, December 28, 1903, at 11 o'clock a. m.

Which was adopted.

Alderman Owens moved that this Board do now adjourn.

The Vice-Chairman put the question whether the Board would agree with said motion.

Which was decided in the affirmative.

And the Vice-Chairman declared that the Board stood adjourned until Monday, December 28, 1903, at 11 o'clock a. m.

P. J. SCULLY,
City Clerk and Clerk of the Board of Aldermen.

PROCEEDINGS OF THE BOARD OF RAPID TRANSIT RAILROAD COMMISSIONERS.

AT A MEETING OF THE BOARD HELD IN NO. 320 BROADWAY, ON TUESDAY, 24TH NOVEMBER, 1903.

There were present—Alexander E. Orr, President, presiding; John H. Starin, Vice-President; Mayor Seth Low, Comptroller Edward M. Grout and Commissioners Woodbury Langdon, Charles Stewart Smith, Morris K. Jesup and John Clafin.

Edward M. Shepard and Albert B. Boardman, Counsel; William Barclay Parsons, Chief Engineer and George S. Rice, Deputy Chief Engineer, also were present.

The Secretary presented the following authorization for the calling of the meeting:

November 20, 1903.

Mr. BION L. BURROWS, Secretary, Rapid Transit Board, City:

DEAR SIR—Please call a meeting of the Rapid Transit Board for next Tuesday, 24th instant, at 3 p. m., to consider the application of the Hudson and Manhattan Railroad Company for a franchise and other matters.

Yours truly,
(Signed) A. E. ORR, President.

The minutes of the meeting of the 12th November, 1903, were read and it was moved that they be approved:

Ayes—The President, Vice-President, Mayor, Comptroller and Commissioners Langdon, Smith, Jesup and Clafin.

Nays—None.

Carried.

Requisition No. 1 of Rapid Transit Subway Construction for work and materials on Brooklyn-Manhattan Rapid Transit Railroad, with certificate of Chief Engineer, was presented as follows:

RAPID TRANSIT SUBWAY CONSTRUCTION COMPANY, OFFICE OF THE PRESIDENT, NO. 23 NASSAU STREET,

NEW YORK, November 17, 1903.

Requisition No. 1.

For work done and materials furnished under contract dated July 21, 1902, Principal Contract No. 2, for the construction and operation of the Rapid Transit Railroad of The City of New York, to 31st day of October, 1903, as follows:

Total to date, relative to the contract value of the whole work..... \$112,229 86

Less previous requisitions

Balance due, relative to the contract value of the whole work..... \$112,229 86

(Signed) RAPID TRANSIT SUBWAY CONSTRUCTION COMPANY.

By AUGUST BELMONT, President.

Certificate No. 1.

I hereby certify that the work done and materials furnished under contract dated July 21, 1902, Principal Contract No. 2, for the construction and operation of the Rapid Transit Railroad of The City of New York, for which Requisition No. 1 of date November 17, 1903, is made by Rapid Transit Subway Construction Company, the contractor, has been done and furnished in accordance with the terms of the contract to the value of \$112,229.86 (one hundred and twelve thousand two hundred and twenty-nine and 86-100 dollars), that such value has been ascertained relatively to the contract value of the whole work, and that no certificate has previously been made for such work and materials.

(Signed) WM. BARCLAY PARSONS,

Chief Engineer of the Board of Rapid Transit Railroad Commissioners.

The following resolution was moved:

Whereas, Rapid Transit Subway Construction Company, the contractor has made requisition on this Board, dated November 17, 1903, and numbered Requisition No. 1, for work done and materials furnished under contract dated 21st July, 1902, for the construction and operation of the Brooklyn-Manhattan Rapid Transit Railroad of The City of New York, to the 31st day of October, 1903, and amounting to the sum of one hundred and twelve thousand two hundred and twenty-nine and eighty-six-hundredths dollars (\$112,229.86); and

Whereas, Wm. Barclay Parsons, Chief Engineer, has certified that the work done and materials furnished has been done and furnished in accordance with the terms of the said contract; that such value has been ascertained relatively to the contract value of the whole work, and that no certificate has previously been made for such work and materials;

Roselved, That this Board hereby approves the said requisition and directs that a voucher be drawn in due form on the Comptroller for the said amount.

Ayes—President, Vice-President, Mayor, Comptroller and Commissioners Langdon, Smith, Jesup and Clafin.

Nays—None.

Carried.

The following letter of the President of the Pennsylvania, New York and Long Island Railroad Company, asking for an extension of time to obtain certain consents and approvals under the franchise of that company, was presented, as follows:

PENNSYLVANIA, NEW YORK AND LONG ISLAND RAILROAD COMPANY, NO. 85 CEDAR STREET,

NEW YORK, November 17, 1903.

Hon. ALEXANDER E. ORR, President, Board of Rapid Transit Railroad Commissioners, No. 320 Broadway, New York City:

DEAR SIR—The conditions and circumstances hereinafter stated oblige me to ask the Board for a further extension of the time of the Pennsylvania, New York and Long Island Railroad Company to obtain consents and approvals, as provided in paragraph II. of the certificate, dated October 9, 1902. All the consents and approvals referred to in the certificate other than those mentioned in subdivisions 3 and 4 of said paragraph, have been obtained. It will be impossible for us, prior to the 28th instant (when the period of extension heretofore granted by your Board will expire), to secure action by the Board of Estimate and Apportionment, closing Thirty-second street, between Seventh and Ninth avenues.

You will recall that by an act passed at the last session of the New York Legislature the Board of Estimate and Apportionment, with the approval of the Mayor, is invested with the power to close streets. The franchise certificate provides, in substance, that the railroad company may not ask to have the street closed unless it either owns all of the property abutting upon the portions to be closed or has obtained the consent of such owners. The company since its last application to the Board for an extension of time to obtain consents and approvals has been actively engaged in obtaining title to the property included within the four station blocks, and especially to those parcels abutting on Thirty-second street, between Seventh and Ninth avenues.

Owing to legal difficulties and complications, which it is needless to detail, the title to all the Thirty-second street parcels was not obtained until the 12th inst. Application was immediately made by the company to the Board of Estimate and Apportionment to close the street, but the law requires publication of notice of hearing upon such application, and the same has been set down for hearing on December 1.

With reference to the consents referred to in the fourth sub-division of paragraph II. of the franchise certificate respecting the use of portions of streets or avenues in Queens Borough where the company's railways approach to the surface at or near the intersection of Thompson avenue and Purves street, it may be pertinently stated that the company has not yet been able to perfect plans for necessary terminals and facilities required in connection therewith, and, therefore, until such plans shall have been adopted, will be unable to determine whether any, and if so to what extent, consents or procedure as specified in the fourth subdivision of said article will be necessary. While it is expected that the consent of the Board of Estimate and Apportionment to the closing of said portions of Thirty-second street will be obtained during the month of December, it is apparent that further time will be needed to deal with and perfect the necessary plans for the terminal situation at the eastern end of the company's railroad in the Borough of Queens.

For the reasons above given I respectfully request the Board to grant to the Pennsylvania, New York and Long Island Railroad Company a further extension of six months from and after the 28th inst., within which to obtain the further consents and approvals as contemplated and specified by the provisions of paragraph II. of the franchise certificate dated October 9, 1902, if any such be necessary or proper.

(Signed) A. J. CASSATT,

President, Pennsylvania, New York and Long Island Railroad Company.

The following resolution was moved:

Resolved, That the time of the Pennsylvania, New York and Long Island Railroad Company to obtain or receive the various consents and approvals required by the certificate or franchise of this Board to said Pennsylvania, New York and Long Island Railroad Company, dated October 9, 1902, be and the same hereby is extended to the 28th day of May, 1904; and it is further

Resolved, That the President and Secretary of this Board be and they hereby are authorized to execute on behalf of the Board and deliver to said railroad company a written certificate extending the time of said railroad company to obtain or receive such consents and approvals as aforesaid.

Ayes—The President, Vice-President, Mayor, Comptroller, and Commissioners Langdon, Smith, Jesup and Clafin.

Nays—None.

Carried.

The Chief Engineer presented the following letter as to relocation of gas main of Consolidated Gas Company:

NEW YORK, November 20, 1903.

BION L. BURROWS, Esq., Secretary, Rapid Transit Board:

DEAR SIR—The Consolidated Gas Company requests that the Board approve the location of their 30-inch gas main under the sidewalk on the east side of Lenox avenue, from 49 feet south of the south curb to 46 feet north of the north curb of One Hundred and Sixteenth street.

Will you please see that the proper resolution is passed by the Board.

Very truly yours,

(Signed) WM. BARCLAY PARSONS, Chief Engineer.

The following resolution was moved:

Resolved, That this Board hereby consents to the relocation of the 30-inch gas main of the Consolidated Gas Company under the sidewalk on the east side of Lenox avenue, from 49 feet south of the south curb to 46 feet north of the north curb of One Hundred and Sixteenth street.

Ayes—The President, Vice-President, Mayor, Comptroller and Commissioners Langdon, Smith, Jesup and Clafin.

Nays—None.

Carried.

The Committee on Contracts reported that an agreement had been reached with the Hudson and Manhattan Railroad Company on the additional clauses suggested by the Mayor at the time of the report Committee on Contract on the application of that company for a franchise, and the following resolution was moved:

Resolved, That the President and Secretary be and they hereby are authorized and directed forthwith to duly execute, under the seal and in the name of the Board, and deliver to the Hudson and Manhattan Railroad Company in four identical originals a certificate for a franchise in form substantially as follows (the same being hereby adopted by the vote of at least six (6) members of this Board):

BOARD OF RAPID TRANSIT RAILROAD COMMISSIONERS FOR THE CITY OF NEW YORK TO
HUDSON AND MANHATTAN RAILROAD COMPANY.

Certificate, November 24, 1903.

The Board of Rapid Transit Railroad Commissioners for The City of New York does hereby certify as follows:

Whereas, The Hudson and Manhattan Railroad Company (which is hereinafter called the Tunnel Company) is a railroad corporation which has been duly incorporated under the laws of the State of New York for the purpose, so declared in its articles of association, of constructing and operating a tunnel railroad from a point at or near the intersection of Broadway with Cortlandt street in The City of New York (hereinafter called the City), and thence, by a feasible route, beneath the surface in the City and under the bed of the Hudson river to a point under the waters of the Hudson river in the boundary line between the States of New York and New Jersey (opposite a point lying between Liberty and Fulton streets, in the Borough of Manhattan, in the City), where the said railroad is to connect with the railroad of a corporation organized or to be organized under the laws of New Jersey, extending westwardly to a point or points in the City of Jersey City and State of New Jersey, and thereby forming a continuous line for the carriage of passengers and property between a point or points within and a point or points without The City of New York; and

Whereas, The Tunnel Company, pursuant to section 32 of chapter 4 of the Laws of 1891, as amended by chapter 584 of the Laws of 1902 (which entire statute as amended by various acts and as now in force is hereinafter called the Rapid Transit Act) has made application to the Board of Rapid Transit Railroad Commissioners for The City of New York (which is hereinafter called the Board) for authority to lay railroad tracks along a certain route from its terminal in the City westwardly to the Hudson river, and to have and maintain in the City a terminal station and such terminal and other facilities as may be necessary for the accommodation of the traveling public, and to construct and operate its railroad along the said route and under lands, streets, avenues, waters, rivers, highways and public places in the City, with necessary sidings, platforms, stations, facilities for access to the surface and other appurtenances, and with the right to emerge to the surface upon private lands at the terminus thereof in Manhattan Borough, all as hereinafter particularly set forth, and to transport over the said railroad passengers or freight, or both; and

Whereas, The Board by a concurrent vote of at least six of its members has fixed and determined the locations and plans of construction of such railroad of the Tunnel Company upon such route and of such tracks and facilities, the times within which they shall be respectively constructed and the compensation to be paid therefor to the City by the Tunnel Company; and

Whereas, The Board, by such concurrent vote, has prescribed such terms, conditions and requirements as to the Board appear to be just and proper for the grant hereby made to the Tunnel Company, including the terms, conditions and requirements provided by the Rapid Transit Act, and has included among them a provision that the Tunnel Company shall from the time of the commencement of the operation of such railroad under such determination, annually pay to the City a sum or rental for a period of twenty-five years, beginning with such operation, and also providing for a readjustment of the amount of such sum or rental at the expiration of such period and at intervals thereafter of twenty-five years—

Now, therefore, the Board has authorized and does hereby authorize, but subject, however, to the limitations, terms, conditions and requirements hereinafter set forth, the Tunnel Company—

1. To lay down, construct and operate a railway, including two tracks, on a route beginning at the boundary line between the States of New York and New Jersey under the Hudson river at a point nearly opposite the foot of Cortlandt street, in the Borough of Manhattan; thence running eastwardly under the Hudson river and dock or bulkhead property on the easterly bank thereof, whether belonging to the City or to other owners, to the westerly side of West street at a point opposite or nearly opposite or at the foot of Cortlandt street; and thence still eastwardly crossing under West street, and thence still eastwardly under Cortlandt street, crossing under Washington street and Greenwich street, to a point in Cortlandt street west of and at or near the westerly line of Church street, and thence curving northwardly and passing under private property and crossing under Dey street, and thence again under private property to Fulton street west of and at or near the westerly line of Church street; thence curving to the west into Fulton street; thence westwardly under Fulton street, crossing under Greenwich street, Washington street and West street, and thence still westwardly to the westerly side of West street, and thence still westwardly, under dock or bulkhead property on the easterly bank of the Hudson river, whether belonging to the City or to other owners; and thence still westwardly under the Hudson river to a point in the boundary line between the States of New York and New Jersey, nearly opposite the foot of Fulton street.

2. To acquire and maintain a terminal and station in the easterly portion of the blocks bounded by Greenwich street, Cortlandt street, Church street and Fulton street, in Manhattan Borough, the same being private property, or so much thereof as the Tunnel Company may find necessary and be able to acquire, and also to occupy for said terminal and station all or any parts of the underground portions of Cortlandt, Dey and Fulton streets, in Manhattan Borough, contiguous to its said terminal station in said blocks, and to lay and operate therein such tracks, sidings and connections as may be found convenient for the operation of the Railroad.

3. To build, maintain and operate a subway for foot passengers under Dey street from the said terminal and station at the westerly side of Church street to Broadway, and thence crossing under Broadway to John street, to connect the terminal and station of said Company with the station of the Rapid Transit Subway at Dey street and John street and Broadway; and there connecting with the stairways leading from such Subway stations to the surface of Dey and John streets. But nothing in this subdivision contained shall imply any obligation on the part of the City to provide or maintain any such station of the Rapid Transit Subway.

4. To run upon said railways (all of which railways upon the route aforesaid, together with the said terminal stations and facilities, and all their appurtenances, are together hereinafter called the Railroad) motors, cars and carriages for the transportation of persons and property, and to use thereon and in connection therewith all suitable railroad appliances.

5. To maintain and operate under the streets of the routes aforesaid and along the lines of the said railways composing the Railroad, for the use of the Railroad

only, telegraph wires and wires, cables, conduits and ways for the distribution of power, heat and light and other appurtenances.

6. To acquire and use for stations or station extensions, power plants, pumping stations, shafts for access to the surface and other necessary purposes of the Railroad, private property as the same may be lawfully acquired within the scope of the corporate rights and powers of the Tunnel Company.

The rights hereinbefore granted to maintain and operate the Railroad or necessary or convenient for that purpose shall be held by the Tunnel Company in perpetuity, except as may be herein otherwise expressly provided.

Provided, however, and it is expressly agreed that this authorization and the rights and privileges hereby granted are subject to certain limitations, terms, conditions and requirements which appear to the Board to be just and proper, and as so subject are hereinafter called the Franchise hereby granted. The said limitations, terms, conditions and requirements are hereby prescribed as follows, to wit:

I.

This certificate will be executed by the Board in four identical originals, so proved as to be entitled to be recorded in the office of the Register of the County of New York and to be filed in the office of the Secretary of State of the State of New York, all of which will be delivered by the Board to the President, Vice-President, Secretary or Treasurer of the Tunnel Company. The franchise hereby granted shall be inoperative and this certificate shall be void unless within thirty days after such delivery or such further period as shall be prescribed in writing by the Board, the Tunnel Company shall have procured three of the said identical originals to be returned to the Board, each of them having an acceptance of the franchise and all the limitations, terms, conditions and requirements thereof subscribed at the foot thereof by the Tunnel Company, such acceptance being so proved as to entitle it to be recorded and filed as aforesaid.

II.

The Franchise hereby granted shall, if the Board shall so determine, become void unless within three calendar months after the time of the delivery to the Board of the acceptance of this certificate by the Tunnel Company, that company shall, in due and lawful form, obtain or receive all the consents and approvals following, to wit:

1. The consent of the Board of Aldermen of the City, being the local authority having the control of the portions of the streets and highways upon or under which it is proposed to construct the Railroad, together with the approval of the Mayor of the City.

2. The consents of the Department of Docks and Ferries and the Commissioners of the Sinking Fund of the City, if and so far, if at all, as such consents or either of them may be necessary to the construction, maintenance and operation of the Railroad, or any part thereof, under docks or other property belonging to The City of New York.

If it shall appear that any consent herein required is not necessary, the Board shall have power to waive the same, and in such case the franchise hereby granted shall be deemed as effectually granted as if the consent were given. So also if the Tunnel Company shall surrender or waive any right for which a consent cannot or shall not be obtained, then and in such case the Board shall have power to waive the procurement by the Tunnel Company of such consent, and in such case the Franchise hereby granted shall not, except as to such right, be prejudiced by the absence of such consent.

The Franchise hereby granted shall, if the Board shall so determine, become void unless within one year after the time of the acceptance of this certificate by the Tunnel Company, that company shall further and in due and lawful form obtain the consent of the owners of one-half in value of the property bounded on the portion of each street under or through which the Railroad or any part of the route thereof runs, to the construction and operation of the Railroad or such part thereof, or in case the consent of such property owners cannot be obtained then the determination of commissioners to be appointed pursuant to law by the Appellate Division of the Supreme Court in the First Department that the part of the Railroad under or through said street ought to be constructed and operated, the said determination of such commissioners when confirmed by the Appellate Division which shall have appointed such commissioners to be taken in lieu of such consent of property owners, provided, however, and it is expressly stipulated, that the Board shall have power, upon reasonable cause shown, to extend by written certificate either of the periods hereinbefore in this article prescribed.

If the Tunnel Company shall be diligent in prosecuting applications for the consents aforesaid, and shall not have secured the same other than such, if any, as shall have been so waived, within the period of one year after its acceptance as aforesaid of this franchise, then and in such case the Tunnel Company shall, after a written notice of three months to the Board, be released from its obligations hereunder, unless within such three months such consents shall have been given.

III.

The Tunnel Company shall begin the construction of the Railroad within three months after it shall have obtained the consents aforesaid or such of them as shall be necessary as aforesaid and shall not have been waived as aforesaid, and shall complete the construction of the Railroad within five years after such construction shall be begun.

In case the Tunnel Company, within the period of three months after it shall have obtained the consents necessary as aforesaid, shall not have begun the actual construction of the Railroad, or if, after having begun such construction, it shall suspend the same prior to the completion thereof for a period exceeding three months, or if it shall not complete such construction and begin the operation of the Railroad within the said period of five years, then and in either of such cases the Board, upon a written notice to be delivered to the Tunnel Company not less than three months before the action of the Board, may annul the franchise hereby granted as to any part of the Railroad not then completed and in operation; provided, however, that the Board shall have the power, upon reasonable cause shown, to extend by written order any of the periods in this article prescribed; and provided, further, that additional time shall be allowed by way of extension of any period for such commencement of construction or for the completion thereof, or for the commencement of operation of the Railroad equal to the total period of delay caused by injunction or by necessary proceedings for condemnation of real estate, easements or other property, so far as such proceedings shall necessarily prevent the Tunnel Company from prosecuting such construction, but no delay to be so allowed for unless, during the same, such proceedings shall be diligently prosecuted by or for the Tunnel Company; and provided further, that in no case shall such delay be deemed to begin until the Tunnel Company shall have given written notice to the Board of the injunction or other occasion of delay and delivered to the Board copies of the injunction or other orders and of the papers upon which the same shall have been granted, and unless, upon the request of the Board, the Tunnel Company shall in writing consent that the Board, either in its own name as a party or in the name of The City of New York as a party, may intervene in any such injunction proceedings, or other suit or proceeding; and provided further, that in case of annulment of any part of the franchise the Tunnel Company shall have no right to any return of payments which it shall have made to the City by way of rental or otherwise.

IV.

The Tunnel Company shall pay to the City for the rights, franchises and licenses hereinbefore granted to construct and maintain its said railways under the bed of the Hudson river outside of the pier head lines, or so much of the railway as shall be thereunder, the sum of one hundred dollars (\$100) for each year beginning on the date on which the Tunnel Company shall first commence the actual operation of the Railroad (but such date not to be later than the last day on which the Tunnel Company shall be bound to begin such operation) and ending on the day twenty-five years next thereafter.

The Tunnel Company shall pay to the City for the rights, franchises and licenses hereinbefore granted to construct, maintain and operate its said railways under the docks and bulkheads belonging to the City (and including all space occupied between any pier head line and the part of West street, Cortlandt street or Fulton street nearest thereto under which said Railroad shall be laid) for each year, beginning on the date on which the Tunnel Company shall first commence the actual operation of the Railroad (but such date not to be later than the last day on which the Tunnel Company shall be bound to begin such operation) and ending on the day ten years

next thereafter, a sum equal to fifty cents (50c.) per annum for each linear foot of single railway track which shall be then constructed or which the Tunnel Company shall be bound to have then constructed under such docks and bulkheads, and the sum of one dollar (\$1.00) per annum per linear foot of such tracks for the period beginning on the last day of the said period of ten years and ending on the day fifteen years next thereafter.

The Tunnel Company shall pay to the City for the rights, franchises and licenses in and under streets hereinbefore granted from West street to the underground street spaces east of Greenwich street for which it shall pay a rate per square foot of superficial area as in the next paragraph of this article provided and for the right to maintain a subway for foot passengers under Dey street and Broadway, the sum of fifty cents (50c.) per annum for each linear foot of single railway track, or of such subway, which shall be then constructed or which the Tunnel Company shall be bound to have then constructed under any such streets, or parts of streets, within The City of New York during the period beginning on the day when the Tunnel Company shall first commence actual operation of the Railroad (but not later than the last day on which the Tunnel Company shall be bound to begin such operation) and ending on the day ten years next thereafter, and the sum of one dollar (\$1) per annum for each linear foot of such tracks and such subway for foot passengers under Dey street and Broadway during the period beginning on the last day of such period of ten years and ending on the day fifteen years next thereafter.

The Tunnel Company shall pay to the City for the underground portions of Cortlandt, Dey and Fulton streets, in Manhattan Borough, contiguous to its terminal station and for the portions of Cortlandt and Fulton streets in which its tunnel shall approach within fifteen feet of the surface of the street, a sum equal to forty (40) cents per superficial square foot of space occupied under the streets per annum, such rental to begin on the day of the commencement of construction therein by the Tunnel Company (but such date not to be later than the last day on which the Tunnel Company shall be bound to begin such construction) and to continue during the period of ten years next thereafter, and a sum equal to eighty (80) cents per superficial square foot of space occupied under the streets per annum for the period of fifteen years next after such first period of ten years.

The Tunnel Company shall pay to the City for the rights under streets of the City hereinbefore granted the further sum of nine thousand dollars (\$9,000) per annum for each year beginning on the date on which the Tunnel Company shall first commence the actual operation of the Railroad (but such date not to be later than the last day on which the Tunnel Company shall be bound to begin such operation) and ending on the day ten years next thereafter, and the sum of fifteen thousand dollars (\$15,000) per annum (the same being five per cent. per annum on such gross earnings as so fixed) for the period beginning on the last day of the said period of ten years and ending on the day fifteen years next thereafter. Such annual sum of \$9,000 is three (3) per cent. and such annual sum of \$15,000 is five (5) per cent. on the gross earnings of the New York portion of said Railroad, said gross earnings being estimated and fixed for the purposes of this grant at three hundred thousand dollars (\$300,000) per annum for the period of twenty-five years from the date on which the Tunnel Company shall first commence the actual operation of the Railroad, but such date not to be later than the last day on which the Tunnel Company shall be bound to begin the actual operation of the Railroad.

All such payments shall be made to the Comptroller of the City in equal payments at the end of each quarter year on the first days of January, April, July and October in each year.

The annual amounts to be paid by the Tunnel Company as aforesaid shall be readjusted at the end of the first period of twenty-five years, and shall thereafter be readjusted at intervals of twenty-five years. The annual amounts to be paid by the Tunnel Company for each and every period of twenty-five years after such first period shall be determined as follows, to wit: Each such determination shall be had upon the application of either the Tunnel Company or 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 years and not later than one year before the expiration of the preceding period of twenty-five years. The determination shall be sufficient if agreed to in writing by the Tunnel Company and the Board or such other authority in its place. If the Tunnel Company and the Board or such other authority in its place for the City shall not reach such agreement on or before the day one year before the expiration of such preceding twenty-five years period, then the annual rate of compensation for such succeeding twenty-five years period shall be reasonable; and either the City (by the Board or such other authority in its place) or the Tunnel Company shall be bound, upon request of the other, to enter into a written agreement with such other fixing the rate of such compensation at such amount as shall be reasonable; 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 at such amount as shall be determined by the Supreme Court of the State of New York to be reasonable; and either party may in any case apply to the said Court to fix such rate. If, in any case, the annual rate shall not be fixed prior to the commencement of such succeeding twenty-five years period, then the Tunnel Company shall pay the annual rate last 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. But in no case shall any amount so readjusted be less than the corresponding amount in force at any time during the preceding period of twenty-five years.

V.

The railways forming part of the Railroad, where the same shall occupy parts of streets, shall be in tunnel or tunnels under the streets, and the Tunnel Company may construct the railways under the Hudson River and under West, Cortlandt and Fulton streets hereinbefore mentioned in tunnels containing one or more tracks, as it may find most advantageous.

No part of the structure of the Railroad, except its terminal station, shall approach within five feet of the exterior line of any street (except such portions of the streets which it shall cross as are within or between two lines parallel with the centre line of the street along which the route is laid at such cross street, one of such lines being five feet from one side and the other of such lines being five feet from the other side of such street of the route), unless the abutting property shall be owned by the Tunnel Company, or unless the owner or owners of the property so abutting shall consent. The tunnel or tunnels, except as hereinbefore limited, may be placed in such places under the streets as may be found most convenient. The uppermost part of any tunnel under any of said streets shall not approach nearer than sixteen feet and eight inches to the surface of any street except that in Cortlandt street and Fulton street between the easterly side of Greenwich street and the said terminal station the tunnel may, according to the necessities of its grade, approach within not less than three feet and six inches of the surface, and in the said terminal station and under Dey street the top of the tunnel may approach within not less than three feet and six inches, and in the portions of Cortlandt, Dey and Fulton streets opposite the said terminal station the top of the tunnel may come within not less than three feet and six inches of the surface of the roadway or sidewalk.

The Board or the City shall have the right to remove or authorize the removal of any part of the roof of any such tunnel on Greenwich street for convenience in construction of any structure authorized above such tunnel in said street, but in such case such removal shall take place without interference with the operation of the railroad and said roof shall be rebuilt by or under the authority of this Board or City as speedily as possible, and the cost of such removal and rebuilding shall be borne by the City.

Such subway for foot passengers under Dey street and Broadway shall not exceed in width over all fifteen feet; nor shall any part of it approach within nearer than twenty-five feet of the surface of the street. It shall be placed under such portion of the street as shall be required in writing by the Board. If, after it shall be built, any railroad or other use which the Board or the City shall propose for the portion of Dey street or Broadway occupied by such subway shall make necessary or convenient an alteration in the position of such subway either laterally or by raising or lowering the same, then such alteration shall, upon the requirement of the Board or City, be forthwith made by the Tunnel Company, or if thereupon the Tunnel Company shall not forthwith make such alteration, then the same may be made by or under the authority of the Board or the City, and in such case the Tunnel Company shall pay the cost of such alteration. Or if any such railroad or other use so pro-

posed by the Board or City shall necessitate the entire closing of such subway, the same may be closed by or under the authority of the Board or the City, and the space occupied thereby applied to such use so proposed by the Board or City. In case of any such alteration or closing of such subway there shall be no reduction in the amounts or rentals to be paid to the City as aforesaid except that in case of total closing, the annual charge of 50 cents or \$1 per linear foot of such subway shall not be made.

Provided, however, and it is expressly stipulated that the Tunnel Company shall in the course of construction at its own expense maintain and care for all underground structures; and any necessary interference with underground structures shall be subject to reasonable regulation by the department of the government of the City in control or charge thereof.

The Tunnel Company shall at all times, by suitable bridging or other supports, maintain and support in an entirely safe condition for their usual service and to the reasonable satisfaction of the owners, all elevated railroad structures, street tramways of whatever character, water and gas mains, steam pipes, pneumatic tubes, electric subways, sewers, drains, and all other surface or subsurface structures encountered during the progress of the work. The sidewalks, curbs, areas and stoops along the line of the work must also be protected from any injury; but should any injury occur to any sidewalk, curb, area or stoop, the Tunnel Company shall fully restore the same to as good a condition as existed before the injury was done. Notice is to be given by the Tunnel Company to all companies or persons and the proper city officials owning or having charge of surface or subsurface structures along any part of the work, of its intention to commence operations along such part of the route, at least one (1) week in advance, and the Tunnel Company shall file with the Board at the same time a copy of said notice; and it shall co-operate with the proper officers or officials or other persons lawfully in charge of such structures and shall furnish them with all reasonable facilities to inspect the methods of caring for their property. Whenever it becomes necessary to cut, move, change, or reconstruct any such surface or subsurface structures, or connections therewith, such work shall be done according to the reasonable satisfaction of the owners of such pipes or other structures or such persons lawfully in charge thereof, and, should they so desire, by the owners themselves, but at the expense of the Tunnel Company—such expense not to exceed the actual cost of labor and materials used, together with a reasonable allowance for the use of plant and tools not exceeding seven and a half (7 1/2) per cent. All such work of reconstruction or alteration of surface or subsurface structures if performed by the City or owners or persons lawfully in charge thereof, shall be done with reasonable dispatch and facilities are to be provided so that said work shall interfere as little as possible with the practical working and use of the Railroad of the Tunnel Company. The failure of the City or other such owners or persons lawfully in charge of such structures to make such alterations within what the Board shall determine to be a reasonable time may be considered by the Tunnel Company as a waiver on the part of the City or other such owners or persons of the priority of right to do said work. In the event of the City or other such owners or persons being required to make any alteration to their surface or subsurface structures as above provided, or in case the City or such owners or persons shall consider it necessary or desirable to make any further alterations in, or do any work to or in connection with surface or subsurface structures owned by or lawfully in charge of them, or any of them, at the time the work of the Tunnel Company shall be in progress, the Tunnel Company shall give said City or other owners or persons all reasonable opportunity to make such alterations or perform such work.

The Tunnel Company shall at all times keep paved with smooth pavement in such manner as may be reasonably required by the Municipal authorities having care of the streets and shall at all times keep in thoroughly good condition that portion of Dey street adjoining or contiguous to the terminal station of the Tunnel Company.

The Tunnel Company shall make good to the City all damage which shall be done to the property of the City by the construction or operation of the Railroad and shall make good to every owner of property abutting upon the Railroad, or which shall be injured by the work of construction or by operation thereof, all damage which shall be done to such abutting or injured property through any fault or negligence of the Tunnel Company or successor thereof or of any contractor, subcontractor or other person in the course of any employment upon the construction or operation of the Railroad or any part thereof.

The method of construction shall be generally as follows: The tunnels under rivers and streets shall be constructed in whole or in part of masonry or of steel or of iron or any two or more thereof combined. Excavations necessary in the course of construction by the Tunnel Company shall be made without disturbing the surface of the streets, except the portions of Cortlandt, Dey and Fulton streets adjoining the terminal station aforesaid; provided, however, that the Board may, wherever elsewhere local conditions make excavations from the surface necessary for efficient construction, grant the right to make such excavations from the surface, subject to such conditions as the Board may prescribe.

The tracks shall be constructed of the most approved plan so as to avoid noise or tremor.

All plans for, and the method of doing, the work shall from time to time be subject to the approval of the Board.

VI.

The power to be used shall be electricity or such other power (not involving combustion in the tunnel) as may be approved by the Board.

VII.

The plan and profile of the Railroad herewith attached are to be deemed a part of this franchise and to be construed with the text hereof. The same shall be substantially followed, but deviations therefrom not inconsistent with the other provisions hereof may be permitted by the Board.

VIII.

The Tunnel Company shall have no power to carry on merely local traffic unless with the approval of the Board, and the Board of Aldermen and Mayor of the City and for such additional consideration to be paid to the City as they shall prescribe. Local traffic shall be deemed to include the carriage of passengers or freight between the terminal station of the Tunnel Company and any point in the City of New York, or between stations within said City.

IX.

The Railroad shall be diligently and skilfully operated with due regard to the convenience of the traveling public, so long as the Franchise hereby granted shall remain in force. In case at any time, in the opinion of the Board, the Tunnel Company shall fail to carry out the foregoing provision, in any proceedings which may be instituted by any proper authority to compel a compliance therewith the burden of proof shall be upon the Tunnel Company to show that it is discharging the duties and obligations imposed by this section.

X.

The City shall have a lien upon the Franchise and upon the real property of the Tunnel Company under the said river and streets to secure the payment of such compensation and rental.

In case of any failure to make such payments as herein prescribed, the lien aforesaid may be enforced by the Board or by any authority which shall be authorized to act for the City in place of the Board, either by entry, foreclosure or other proper proceeding and by sale of such Franchise and real property.

The Board may, in its own name, or in the name and behalf of the City, bring action for specific performance, or may apply by mandamus, to compel the performance by the Tunnel Company of the duties and obligations hereby imposed upon the said company, or any of them. And the Board may, in behalf or in the name of the City, bring action or proceedings to recover possession of any part of the property of the City to be used by the Tunnel Company as aforesaid, or to enforce the said lien of the City, or to enforce any part of this contract in the manner provided by section 9 of the Rapid Transit Act or any other proper action or proceeding.

XI.

The Tunnel Company will not at any future time oppose, but shall at any time upon the request of the Board consent to, the construction of any railroad over, along or under any portion of any of the said streets to be occupied by the Railroad.

of the Tunnel Company aforesaid, where the same shall not actually interfere with the structure of the Tunnel Company as herein authorized.

The City reserves the right at any time hereafter, but upon the terms and subject to the limitations hereinafter prescribed, to require a readjustment or alteration of the location of the said tunnel of the Tunnel Company within the limits of Cortlandt and Fulton streets and of the location of the portion of the terminal station under Dey street. Such right is to be exercised only when some rapid transit railroad or other municipal use of such streets shall be of materially greater importance than the cost and inconvenience incident to such readjustment or alteration. No such readjustment or alteration shall be so made as to preclude the operation of the railroad of the Tunnel Company upon the route granted by this franchise, provided, however, that such readjustment or alteration shall be within the right of the City if it involves no more than practicable alteration of grade or other alteration or readjustment which, although involving a less degree of convenience in the operation of the railroad, shall not in any respect substantially, and more than temporarily, obstruct such operation. In case the City shall so require any such readjustment or alteration, the same shall be done at the expense of the City, and the Tunnel Company shall be indemnified by the City against all loss of every character resulting from such alteration or readjustment, including loss from any suspension of traffic, delay or other damage incident thereto.

XII.

The City, the Board and all duly authorized representatives of the City shall have the right at all reasonable times to inspect the Railroad and any part thereof, and to enter thereon when necessary for the examination, supervision or care of any property of the City or for any proper purpose.

XIII.

The Tunnel Company shall, from time to time, maintain and strengthen all parts of the Railroad which shall be under any street or avenue, so that the same shall safely support any structure superimposed or which shall be superimposed thereon by the City or under its authority or under any other public authority.

XIV.

The Tunnel Company shall have the right to grant, convey, mortgage, assign or transfer the franchise hereby granted, provided, however, that every grantee, assignee or transferee thereof, not including, however, a mortgagee or mere lienor, but including any purchaser upon foreclosure of or under or by virtue of any provision of any mortgage or lien, shall be a corporation subject to the laws of the State of New York, and shall upon accepting the grant, assignment or transfer and before such grant, assignment or transfer shall be valid, assume and agree to perform all of the obligations which by the provisions hereof are assumed by the Tunnel Company, and that no such grant, conveyance, assignment or transfer shall relieve the Tunnel Company of its obligations hereunder. And provided further that, in case the Tunnel Company or any successor or future owner of the franchise shall be consolidated with or merged into any other corporation, the obligations of the Tunnel Company or such successor or future owner hereunder shall remain unaffected and this franchise shall pass to such new corporation only if the agreement or act of consolidation or merger shall effectively provide that the new consolidated or merging corporation shall assume all such obligations or if such act or agreement shall not so provide, then if and when such new consolidated or merging corporation shall in writing expressly assume such obligations—it being the express intention of this franchise that no change in the incorporation of the Tunnel Company or of any such successor or future owner or in the ownership or control of the franchise hereby granted or of any part thereof, shall diminish or affect the obligations of the holder of the same.

XV.

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

In witness whereof this certificate has been prepared by the Board of Rapid Transit Railroad Commissioners for The City of New York by and upon the concurrent vote of at least six of the members of the said Board, and is now attested by its seal and by the signature of its President, who is its presiding officer, and by the signature of its Secretary, this 24th day of November, 1903.

THE BOARD OF RAPID TRANSIT RAILROAD COMMISSIONERS FOR THE
[SEAL.] CITY OF NEW YORK,
By A. E. ORR, President.

Attest: BION L. BURROWS, Secretary.

STATE OF NEW YORK, COUNTY OF NEW YORK, ss.:

On this 28th day of November, 1903, in The City of New York, in said County, before me personally appeared Alexander E. Orr and Bion L. Burrows, each to me known and known to me to be, the said Alexander E. Orr, the President, and the said Bion L. Burrows, the Secretary, of the Board of Rapid Transit Railroad Commissioners for The City of New York, and the said Alexander E. Orr and Bion L. Burrows, being by me duly sworn, did depose and say, each for himself and not one for the other, the said Alexander E. Orr, that he resided in the Borough of Brooklyn, in the said City; that he was the President of the said Board, and that he subscribed his name to the foregoing certificate by virtue of the authority thereof; and the said Bion L. Burrows, that he resided in the Borough of Manhattan, in the said City; that he was the Secretary of the said Board, and that he subscribed his name thereto by like authority; and both the said Alexander E. Orr and Bion L. Burrows that they knew the seal of the said Board and that the same was affixed to the foregoing certificate by the authority of the said Board and of a resolution duly adopted by the same, and concurred in by the vote of as many as six members of the said Board.

J. W. PORTER, No. 21, Notary Public, Kings County.
[SEAL.] Certificate filed in New York County.

The Hudson and Manhattan Railroad Company hereby accepts the foregoing franchise and all the terms, conditions and requirements thereof.

Dated New York, November 28, 1903.

[SEAL.] HUDSON AND MANHATTAN RAILROAD COMPANY,
By WILLIAM G. McADOO, President.

Attest: CHARLES W. KING, Secretary.

STATE OF NEW YORK, COUNTY OF NEW YORK, ss.:

On this 28th day of November, nineteen hundred and three, at The City of New York, before me personally came William G. McAdoo and Charles W. King, to me known and known to me respectively to be, the said William G. McAdoo, the President, and the said Charles W. King, the Secretary of the Hudson and Manhattan Railroad Company, and being by me duly sworn they did depose, each for himself and not one for the other, the said William G. McAdoo, that he resided at Yonkers, in the State of New York, and was the President of the Hudson and Manhattan Railroad Company, the corporation named in and which executed the foregoing consent, and that he subscribed his name to the foregoing consent by the authority of the Board of Directors thereof and the said Charles W. King that he resided in the Borough of Brooklyn, City of New York, in the State of New York that he was the Secretary of the said Hudson and Manhattan Railroad Company and subscribed his name to the foregoing consent by like authority and both the said William G. McAdoo and Charles W. King that they knew the seal of the said Hudson and Manhattan Railroad Company; that the seal affixed to such consent was such seal, and that the same was affixed to the foregoing consent by authority of the Board of Directors of the said Hudson and Manhattan Railroad Company and pursuant to a resolution adopted by the said Board.

CLARENCE J. S. DE VERE,

Notary Public, No. 114, New York County.

Ayes—The President, Mayor, Comptroller and Commissioners Langdon, Smith, Jesup and Clafin.
Nays—None.

Carried, the Vice-President not voting.

The following letter of Mr. Belmont was read and referred to Counsel and Chief Engineer for report:

RAPID TRANSIT SUBWAY CONSTRUCTION COMPANY, No. 23 NASSAU STREET, NEW YORK CITY,

November 19, 1903.

Hon. ALEXANDER E. ORR, President, Board of Rapid Transit Railroad Commissioners,
No. 320 Broadway, New York, N. Y.:

DEAR SIR—In the matter of the terminal property at Harlem river and One Hundred and Forty-fifth street it will undoubtedly be for the best interests of the rapid transit system, when it is more complete and in full operation, to develop its terminals and shops at some point where property is less expensive and where permanent terminals can be established. With this in view the expenditures on the property at One Hundred and Forty-fifth street are limited in character, such as the company feels it should make without detriment to its interests, having in mind what I have stated above. It may be possible therefore at a reasonably early date in the life of the lease to abandon at least one-half of this property, and when so abandoned the request would be made of the Rapid Transit Commission that the proceeds be devoted to expenditures for the same purposes at another point.

There is nothing in the contract, unfortunately, which provides for this method of treating property of that kind intended to be abandoned and sold, and I think that some understanding should be arrived at with reference to such matters and a definite policy established. There will be changes also in connection with other points where terminals and yards have been located.

I remain,

Very respectfully,

(Signed) AUGUST BELMONT, President.

Application in behalf of Abraham & Straus, Brooklyn, by Carr & Grout, attorneys, for permission to provide an entrance to the station of the Rapid Transit Railroad from their store in Fulton street, with report of the Chief Engineer thereon, was presented as follows:

CARR & GROUT, No. 189 MONTAGUE STREET,
BROOKLYN, N. Y., November 17, 1903.

Rapid Transit Railroad Commissioners, No. 320 Broadway, New York City:

DEAR SIRS—Enclosed please find application of Messrs. Abraham & Straus for leave to construct entrances to certain stations of the Rapid Transit Railroad Company, etc., together with a blue print setting forth what the application covers, and we would thank you to let us know when the matter will be submitted to the Commissioners for their determination.

Yours truly,

(Signed) CARR & GROUT.

In the matter of the application of Abraham Abraham, Isidor Straus, Nathan Straus, Simon F. Rothschild, Edward C. Blum and Lawrence Abraham, composing the firm of Abraham & Straus, for leave to construct entrances to certain stations of the Rapid Transit Railroad Company, etc.

To the Rapid Transit Railroad Commissioners:

First—The undersigned petitioners, doing business under the firm name and style of Abraham & Straus, hereby apply for permission to construct entrances from their property to the station of the Rapid Transit Railroad Company, as the same is now laid out and planned upon Fulton street, in the Borough of Brooklyn, City of New York, on the uptown side thereof, situated on the corner of Hoyt and Fulton streets, and to construct an entrance from their property to the station of the Rapid Transit Railroad Company on the downtown side thereof, as so laid out and planned, situated on the corner of Bridge and Fulton streets, all in the Borough of Brooklyn, City of New York, the connection of said property with the latter station being made by means of a passageway from said station to said property underneath the tunnel of the Rapid Transit Railroad Company passing through said Fulton street in said Borough and City.

Second—Your petitioners are the owners in fee of property on the north side of said Fulton street, distant westerly about ninety-two (92) feet and one-half (1/2) inch from the corner formed by the westerly side of Hoyt street and the southerly side of Fulton street, having a frontage thereon of about one hundred and fifty-seven (157) feet and five (5) inches immediately in front of and abutting the said uptown station of said railroad on the corner of Hoyt and Fulton streets, according to the official survey and plan of the said railroad.

Third—That your petitioners are retail dry goods merchants, having the largest retail dry goods store in said borough, and are daily visited by a great many inhabitants of the said city, residing in the Borough of Brooklyn as well as in the Borough of Manhattan, for the purpose of shopping, and the granting of this application would afford easy, convenient and direct access to said store to the public generally of said City using said railroad and desiring to visit same for said purpose, saving the time and trouble of going to the surface to use the street entrances of said store and the danger to all persons in crossing Fulton street from the downtown station of said railroad.

Fourth—That annexed hereto and made a part hereof is a detailed plan in blue print of the proposed connection with the said stations indicating in dotted lines the said proposed passageway.

Fifth—That your petitioners offer to construct or to have constructed, at their expense, at a figure to be ascertained and fixed later, the said entrances and the said passageway so indicated on said plan, agreeing to maintain the said entrances and the said passageway and keep the latter in good repair and absolutely clean.

Sixth—That your petitioners also ask that permission be granted to them to place and maintain over the aperture or doorway of each of said entrances a suitable electric sign indicating that the same is the entrance to the store or the passageway to the store of your petitioners, and that they be granted the absolute and exclusive right to and control over all advertising matter to be placed in said passageway, and that they be permitted to maintain the two show windows indicated in the said plan abutting on the platform of the uptown station thereof, at the corner of Hoyt and Fulton streets, your petitioners agreeing to undertake to obtain the consent of the operating company to said construction and to pay the terms of compensation for such construction, if any be fixed by your Board and agreed upon by your petitioners, and to hold The City of New York and the said operating company harmless and indemnify them against any damage of whatever kind or nature accruing from the maintenance of the entrances and passageway after their completion.

Seventh—Your petitioners respectfully submit that your Board should charge no compensation for such construction, because the said passageways and entrances are designed to and do meet a public need and are a great convenience to all persons using the said underground railroad stations, and because of the great inconvenience and loss of business which will be occasioned by the obstruction of the said Fulton street and sidewalks thereon in front of said petitioners' premises during the construction of the said tunnel and station; and further, because of the loss of vault space or vault privileges by the construction of the said station in front of petitioners' premises.

Dated November 16, 1903.

(Signed) ABRAHAM & STRAUS.

By A. ABRAHAM, Member of Firm.

NEW YORK, November 23, 1903.

A. E. ORR, President, Rapid Transit Board:

MY DEAR SIR—I return you herewith the communication of Messrs. Carr & Grout, attorneys for Messrs. Abraham & Straus, with an application for an entrance through the rapid transit station to the store of the above firm on Fulton street, Brooklyn. The plan accompanying the application of Messrs. Carr & Grout is a plan that has been developed by the architects of Messrs. Abraham & Straus in consultation with me, and is a plan that, so far as our work is concerned, is entirely satisfactory. This plan covers an entrance to the store of Messrs. Abraham & Straus and underpassage connecting the up and down platforms of the rapid transit station.

Very truly yours,

(Signed) WM. BARCLAY PARSONS, Chief Engineer.

The following resolution was moved by the Mayor:
Resolved. That the matter of a rule for compensation to the City for right to make entrances to rapid transit stations from private property be referred to the Committee on Contracts.

Ayes—The President, Vice-President, Mayor, Comptroller and Commissioners Langdon, Smith, Jesup and Clafin.
Nays—None.

Carried.

The following communication of the Commissioner of Bridges as to rate of compensation for the use of Williamsburg Bridge for the continuous train, with application to him by Schmidt & Gallatin for this right, were presented:

DEPARTMENT OF BRIDGES, CITY OF NEW YORK,
November 17, 1903.

Board of Rapid Transit Railroad Commissioners, No. 320 Broadway, New York:

GENTLEMEN—I send you herewith a copy of a communication from Schmidt & Gallatin, of No. 45 Broadway, Manhattan, dated the 30th of September, 1903, requesting that a contract be entered into between the City and them, for the construction and operation of a continuous railway or moving platform on the Williamsburg Bridge, which shall contain certain provisions therein outlined.

I beg to inform you that if your Board decided to authorize the construction of a subway for continuous trains connecting the Battery with the Williamsburg Bridge, as requested by Messrs. Schmidt & Gallatin, I am willing, as Commissioner of Bridges, to consent to the use of the space provided for the two southerly surface railway tracks on the Williamsburg Bridge for such moving platform upon payment to the City of a rental of \$135,000 per year, which is 4½ per cent. on the sum of \$3,000,000, the contract to be in such form, and to contain such agreements and conditions as may be advised by the Corporation Counsel on behalf of the Department of Bridges.

Respectfully,
(Signed) G. LINDENTHAL, Commissioner of Bridges.

SCHMIDT & GALLATIN, NO. 45 BROADWAY,
NEW YORK, September 30, 1903.

Hon. G. LINDENTHAL, Commissioner of Bridges, New York:

DEAR SIR—We respectfully ask permission to withdraw our letter to you, dated April 17, with inclosures, and to substitute therefor the following:

On June 9, 1903, we made a proposition to the Board of Rapid Transit Commissioners, copy of which is inclosed.

This proposition was referred to the Committee on Plans. After due consideration, the committee, on the 24th instant, instructed its chief engineer to locate the proposed route of the continuous train or moving platform in detail, and the counsellor was requested to prepare the contract as soon as the location had been settled upon.

Inasmuch as the proposition covers bridge territory as well as City streets, we are advised that a separate proposition should be made to the Commissioner of Bridges in order that the whole matter may be in proper form when it reaches the Board of Estimate.

Following this advice we respectfully suggest that a contract be entered into between the City and ourselves for the construction and operation of a continuous railway on the Williamsburg Bridge, the essential features of such proposed contract to be as follows:

First—The railway to consist of a route over the Williamsburg Bridge, between the eastern and western terminals. At the western terminal the route to be connected with a subway extending to the Battery. The location of the said subway to be determined by the Board of Rapid Transit Railroad Commissioners.

Second—The railway to occupy substantially the space now reserved for two tracks on the bridge, or such other space as may be set aside for that purpose by the Commissioner of Bridges.

Third—At the eastern and western terminals of said bridge (commonly referred to as the Bridge Plazas), the Commissioner of Bridges to set aside sufficient space for passenger stations. Such stations to be located in a subway which as near as practicable shall be immediately below the established street grade of said Bridge Plazas.

Fourth—The contractor to completely equip the railway by installing a continuous train of moving platforms. Such platforms between said terminals to run in a housing, the construction of which shall be approved by the Commissioner of Bridges.

Fifth—The continuous train may be placed in service between the bridge terminals as soon as completed, and without reference to the longer time required for the completion of said subway to the Battery.

Sixth—The contractor to have the privilege of charging three cents for single fare and five cents for two tickets bought at the same time.

Seventh—The contractor to maintain and operate the said road for a term of years that shall be equal in duration to the term granted for the lease of said subway to the Battery, and with like privilege of a renewal thereof at the expiration of said term.

Eighth—The contractor to pay to the City interest, also pay into the Sinking Fund a percentage on a sum of \$3,000,000, being the estimated valuation of the bridge territory occupied by said platform; the rate of such interest and percentage to be the same as paid by the contractor for the privilege of occupying said subway.

Ninth—The City, at the termination of the said lease, or renewal thereof, shall acquire the ownership of the property of the contractor employed in and about the equipments, maintenance and operation of the railway upon its valuation in the same manner as said City will acquire ownership of the property of said subway, as in the Rapid Transit Act and the prior contracts provided.

Tenth—All plant and traffic regulations shall have the approval of the Commissioner of Bridges.

After the execution of the contract it is proposed to assign the right and obligation to construct the railway and also to assign the lease to the same company or companies to whom will be assigned the rights and lease covering the construction and operation of said subway.

We shall be glad to occupy whatever space on the bridge you may designate, provided such space gives us sufficient room for the continuous train. From a personal examination of the bridge by our engineers we are of the opinion that the two southern so-called trolley tracks will form the most available route.

Yours respectfully,
SCHMIDT & GALLATIN.

The Mayor said he had asked the Commissioner of Bridges to ascertain what Schmidt & Gallatin would be willing to pay for the use of the Williamsburg Bridge alone, without the subway connection to the Battery. Counsel stated that they had received an argument from Counsel of Schmidt & Gallatin that the Rapid Transit Board had power to lay out a route across a bridge belonging to the City. Counsel suggested that it might be wise to request the Legislature so to amend the Rapid Transit Act as to set at rest any doubt there might be on this point. The Mayor moved the following resolution:

Resolved, That the matter of amending the Rapid Transit Act as above suggested be referred to the Committee on Plans, with a request that the Counsel submit to the Committee an opinion on the law.

Ayes—The President, Vice-President, Mayor, Comptroller and Commissioners Langdon, Smith, Jesup and Clafin.

Nays—None.

Carried.

The President reported progress on behalf of the Committee on Contract on the application of the New York Connecting Railroad Company for a franchise.

The President reported progress on behalf of the Committee on Plans on negotiations with the Brooklyn Rapid Transit Company for connecting the boroughs of Manhattan and Brooklyn over Brooklyn, Williamsburg and Manhattan bridges.

The following resolution was moved:

Resolved, That the President be and he hereby is authorized to execute contract for renewal of telephone service in the sub-station of the Chief Engineer's office at Bryant Park for 1,800 local messages for \$141 per annum.

Ayes—The President, Vice-President, Mayor, Comptroller and Commissioners Langdon, Smith, Jesup and Clafin.

Nays—None.

Carried.

The following resolution was moved:

Resolved, That the resolution of this Board, dated 29th October, 1903, appointing George Murgatroyd Assistant Engineer at a salary of \$1,200 per annum, to take effect from 20th October, 1903, be and the same is hereby rescinded; and it is further

Resolved, That this Board hereby accepts the following resignation, consents to the following transfer to the Aqueduct Commission, and makes the following appointments on the staff of its Chief Engineer:

Name.	Title.	Salary.	To Take Effect.
<i>Resignation.</i>			
Oscar William Horne.	Inspector Masonry.		11 Nov.
<i>Death.</i>			
James Brogan.	Axeman (died of pneumonia on Nov. 16).		
<i>Transfer.</i>			
Wm. Hauck.	Assistant Engineer to Aqueduct Commission.		
<i>Appointments.</i>			
George Murgatroyd.	Rodman.	\$600.	20 Oct.
Edward H. Hopson.	Rodman.	\$600.	19 Nov.
Herbert Spencer.	Rodman.	\$600.	19 Nov.
Joseph Brady.	Rodman.	\$600.	18 Nov.

Ayes—The President, Vice-President, Mayor, Comptroller and Commissioners Langdon, Smith, Jesup and Clafin.

Nays—None.

Carried.

Counsel reported verbally on the matter of the protection of the subway from injury through other subsurface construction, and the following resolution was moved:

Resolved, That the Chief Engineer be and he hereby is authorized and required, until the rapid transit railroads now under construction shall be severally ready for operation, to protect the same and all their structures and parts from encroachment, interference or injury from or by any company, person or authority whatsoever and to permit no interference with or encroachment upon any part of any such rapid transit railroad or of its structures or appurtenances without the express consent of this Board.

Ayes—The President, Vice-President, Mayor, Comptroller and Commissioners Langdon, Smith, Jesup and Clafin.

Nays—None.

Carried.

On the matter of cancellation of continuing bond of Perry Belmont, and the substitution of surety companies as sureties in place of \$1,000,000 in securities now deposited with the Comptroller as a continuing bond, the following resolution was moved:

Resolved, That the President and Secretary be and they hereby are authorized and directed to duly execute and deliver an agreement with John B. McDonald, contractor, and Interborough Rapid Transit Company, substantially in the form following, provided, however, that the approval of this form of agreement by the Comptroller and Corporation Counsel shall be had before the same shall be executed and delivered:

The City of New York by its Rapid Transit Board, with John B. McDonald, Contractor, and Interborough Rapid Transit Company.

AGREEMENT modifying contract for construction and operation of Rapid Transit Railroad. Continuing bond. Dated November 24, 1903.

Agreement made this 24th day of November, in the year nineteen hundred and three, between The City of New York (hereinafter called the City), acting by the Board of Rapid Transit Railroad Commissioners for The City of New York (hereinafter called the Board), party of the first part, and John B. McDonald, of The City of New York (hereinafter called the Contractor), and Interborough Rapid Transit Company (hereinafter called the Interborough Company), parties of the second part, Witneseth:

Whereas, Heretofore and on or about the 21st day of February, 1900, the City, acting by the Board, entered into a contract with the Contractor for the construction and operation of the Rapid Transit Railroad in The City of New York and otherwise, as therein mentioned, the said contract being hereinafter styled the contract for construction and operation; and

Whereas, On or about the 21st day of February, 1900, and immediately after the execution of the contract for construction and operation, the City, acting by the Board, entered into a contract with the Contractor modifying the said contract for construction and operation, the said modifying contract being hereinafter styled the agreement for modification of contract; and

Whereas, Upon entering into said contract for construction and operation and said agreement for modification of contract, the Contractor gave a bond to the City for the performance of the said contract for construction and operation, with Perry Belmont as surety thereon, known as the continuing bond, and caused to be deposited with the City as collateral security therefor certain securities of the value of more than one million dollars (\$1,000,000); and

Whereas, The Contractor, upon entering into said contract and the said agreement, deposited with the Comptroller of the City certain other security for the performance of the said contract for construction and operation, on his part, and gave a certain other bond as further security for such performance, and upon such bond there are sureties as follows: Rapid Transit Subway Construction Company, The United States Fidelity and Guaranty Company, The City Trust, Safe Deposit and Surety Company of Philadelphia, American Surety Company of New York and National Surety Company; and

Whereas, By written instrument bearing date the 10th day of July, 1902, the Contractor, with the written consent of the Board, concurred in by six members thereof, duly assigned the right or obligation to maintain and operate the said Rapid Transit Railroad for the term of years specified in the said contract and all rights included in the leasing provisions of the said contract, together with the obligation to provide equipment for the said railroad, unto Interborough Rapid Transit Company, which company also guaranteed the performance by the Contractor of the provisions of his said contract not so assigned to it; and

Whereas, The Contractor and Perry Belmont, the surety upon said continuing bond, desire, and the Board approves, a modification of the said contract for construction and operation;

Now, therefore, in consideration of the premises, but subject to the consents hereinafter provided, it is agreed that the said contract for construction and operation, and the said agreement for modification of contract, be and the same hereby are modified so as to provide that upon the receipt by the City, acting by the Board, from the Contractor and the Interborough Company of the bond or deposit of cash or securities as hereinafter mentioned, it may consent to the surrender and cancellation of the said continuing bond originally given as aforesaid, with Perry Belmont as surety thereon, and also to the surrender to the Contractor and to the Interborough Company of securities amounting in value to at least one million dollars (\$1,000,000) deposited as aforesaid; provided, however, and it is expressly agreed that this agreement shall take effect when and only when the Contractor and the Interborough Company shall give to the City in lieu of the said continuing bond so to be canceled a bond in amount at least one million dollars (\$1,000,000), upon which the said Contractor and the Interborough Company shall be principals, with sureties approved by the Board. Said bond shall be a continuing security and shall provide for the prompt payment by the said Contractor or the said Interborough Company of the amount of the annual rental specified in the contract for construction and operation and also for the faithful performance by said Contractor and Interborough Company of all the conditions, covenants and requirements specified and provided for in said contract. The said bond shall, except as to names of the sureties, be substantially in the form hereto annexed entitled "Form of Bond." In lieu of said bond the said Contractor or the Interborough Company may, upon the approval of the Board, deposit with the Comptroller of the City cash equal in amount to the entire amount of the said bond or securities which are lawful for the investment of the funds of savings banks within this State and are worth not less than the entire amount of said bond.

And it is further agreed, that the said contract for construction and operation and the said agreement for modification of contract be and the same hereby are modified so as to provide that the Board may, in case any of the sureties upon the said bond so to be given or upon any bond to be given in lieu thereof as hereinafter provided shall become insolvent or unable in the opinion of the Board promptly to pay the amount of such bond to the extent of which such surety might be liable, then the Contractor or the said Interborough Company within thirty days after notice by the Board to the Con-

tractor or said Interborough Company shall, by supplemental bond or otherwise, substitute another and sufficient surety in place of the surety so insolvent or unable. If the Contractor or said Interborough Company shall fail within such thirty days or such further time as the Board may grant to so substitute another and sufficient surety, then the Contractor or the Interborough Company shall be deemed for all the purposes of the contract for construction and operation and its modifications to be in default in the performance of his or its obligations thereunder and the Board may terminate the said contract or may bring any proper suit or proceeding against the Contractor or the said Interborough Company or any of their sureties or either of them or may require to be deducted from any moneys then in or thereafter coming into the hands of the City and due to the Contractor or the said Interborough Company the amount for which the surety insolvent or unable as aforesaid shall have justified on said bond; and the moneys so deducted shall be held by the Comptroller as collateral security for the performance of the conditions of the said bond.

And it is further agreed, that the said contract for construction and operation and the said agreement for modification of contract be and they hereby are modified so as to provide that the Board may, at the request of the Contractor or the Interborough Company and as allowed by law, substitute for any continuing bond or deposit given or made by the Contractor or the Interborough Company another bond or deposit to be approved by the Board, which said bond or deposit shall continue in lieu of said former bond or deposit; provided, however, and it is expressly agreed that this agreement shall take effect when, and only when, the following consents hereto shall be duly had, to wit: The consents, as subjoined, of Rapid Transit Subway Construction Company, The United States Fidelity and Guaranty Company, The City Trust, Safe Deposit and Surety Company of Philadelphia, American Surety Company of New York, National Surety Company and Perry Belmont.

In witness whereof this contract has been executed for The City of New York by its Board of Rapid Transit Railroad Commissioners, under and by resolution duly adopted by said Board, concurred in by more than six of its members, and the seal of the said Board has been hereto affixed and these presents signed by the President and Secretary of the said Board, and the said John B. McDonald has hereto set his hand and seal, and the said Interborough Rapid Transit Company has caused its corporate seal to be hereto affixed and attested by its Secretary and these presents to be signed by its President, all the day and year first above written.

Approval by Comptroller.

The foregoing contract is hereby approved.

Dated New York, December 24, 1903.

Comptroller.

Approval by Corporation Counsel.

The foregoing contract is hereby approved as to form.

Dated New York, December 24, 1903.

Corporation Counsel.

STATE OF NEW YORK, COUNTY OF NEW YORK, ss.:

On this day of December, 1903, at The City of New York, in said County, before me personally appeared Alexander E. Orr and Bion L. Burrows, to me known and known to me to be the said Alexander E. Orr, the President, and the said Bion L. Burrows, the Secretary of the Board of Rapid Transit Railroad Commissioners for The City of New York; and the said Alexander E. Orr and Bion L. Burrows, being by me duly sworn, did depose and say, each for himself and not one for the other, the said Alexander E. Orr, that he resided in the Borough of Brooklyn, in the said City, that he was the President of the said Board and that he subscribed his name to the foregoing contract by virtue of the authority thereof; and the said Bion L. Burrows, that he resided in the Borough of Brooklyn, in the said City of New York, that he was the Secretary of the said Board and that he subscribed his name thereto by like authority; and both the said Alexander E. Orr and Bion L. Burrows that they knew the seal of the said Board and that the same was affixed to the foregoing instrument by the authority of the said Board and of a resolution duly adopted by the same.

STATE OF NEW YORK, COUNTY OF NEW YORK, ss.:

On this day of December, 1903, before me personally appeared John B. McDonald, to me known and known to me to be the person and Contractor named in and who executed the foregoing contract, and acknowledged to me that he executed the same.

STATE OF NEW YORK, COUNTY OF NEW YORK, ss.:

On this day of December, 1903, before me personally appeared to me known, who, being by me first duly sworn, did depose and say that he resided in the County of in the State of New York, that he is of Interborough Rapid Transit Company, the corporation described in and which executed the foregoing contract; that he knew the corporate seal of said Company; that one of the seals affixed to said contract was such corporate seal; that it was affixed thereto by order of the Board of Directors of said Company, and that he signed his name thereto by like authority.

The undersigned, being the sureties of John B. McDonald, the Contractor above mentioned, upon the continuing bond in the penalty of one million dollars (\$1,000,000) and the bond for construction and equipment in the penalty of five million dollars (\$5,000,000), hereby consent to the making of the foregoing instrument.

Dated New York, December 24, 1903.

STATE OF NEW YORK, COUNTY OF NEW YORK, ss.:

On this day of December, 1903, before me personally appeared Perry Belmont, to me known and known to me to be the individual described in and who executed the foregoing consent, and he acknowledged to me that he executed the same.

STATE OF NEW YORK, COUNTY OF NEW YORK, ss.:

On this day of December, 1903, before me personally appeared Andrew Freedman, to me known, who being by me first duly sworn, did depose and say that he was the Vice-President of the United States Fidelity and Guaranty Company, one of the corporations described in and which executed the foregoing consent; that he knew the corporate seal of said company; that one of the seals affixed to said consent was such corporate seal; that it was affixed thereto by order of the Board of Directors of such company, and that he signed his name thereto by like authority. And also on the day of December, 1903, before me personally appeared Adrian T. Kiernan, to me known, who, being by me first duly sworn, did depose and say that he was the Vice-President of the City Trust, Safe Deposit and Surety Company of Philadelphia, one of the corporations described in and which executed the foregoing consent; that he knew the corporate seal of said company; that one of the seals affixed to said consent was such corporate seal; that it was affixed thereto by order of the Board of Directors of such company, and that he signed his name thereto by like authority. And also, on the day of December, 1903, before me personally appeared David B. Sickles, to me known, who being by me first duly sworn, did depose and say that he was the Vice-President of American Surety Company of New York, one of the corporations described in and which executed the foregoing consent; that he knew the corporate seal of said company; that one of the seals affixed to said consent was such corporate seal; that it was affixed thereto by order of the Board of Directors of such company, and that he signed his name thereto by like authority. And also, on the day of December, 1903, before me personally appeared Charles A. Dean, to me known, who being by me first duly sworn, did depose and say that he was the of Rapid Transit Subway Construction Company, one of the corporations described in and which executed the foregoing consent; that he knew the corporate seal of said company; that one of the seals affixed to said consent was such corporate seal; that it was affixed thereto by order of the Board of Directors of such company, and that he signed his name thereto by like authority.

Form of Bond.

Know all men by these presents, that John B. McDonald and Interborough Rapid Transit Company [hereinafter called Interborough Company] (the said John B. McDonald and Interborough Company being hereinafter called the Principals) and the Fidelity and Deposit Company of Maryland and United States Fidelity and Guaranty Company, both corporations of the State of Maryland, carrying on business in the State of New York, and having their respective offices and usual places of business at

No. 35 Wall street and No. 66 Liberty street, in The City of New York [hereinafter called the Sureties], are held and firmly bound unto The City of New York [hereinafter called the City] in the penal sum of one million dollars (\$1,000,000), lawful money of the United States of America, to be paid to the City, for which payment well and truly to be made the said John B. McDonald binds himself, his executors, administrators and assigns and Interborough Company binds itself and its successors, and the said Sureties bind themselves, their successors and assigns, jointly and severally, firmly by these presents, as follows:

The said principals to be so held and bound in the full amount of the said one million dollars (\$1,000,000) and each of the said sureties to be so held and bound, and bound only in the sum of five hundred thousand dollars (\$500,000).

In witness whereof, John B. McDonald has hereto set his hand and seal and Interborough Company and the sureties have caused these presents to be duly executed by their respective officers thereunto duly authorized and their respective corporate seals to be hereunto affixed this day of November, in the year of our Lord one thousand nine hundred and three (1903).

Whereas, The City, by its Board of Rapid Transit Railroad Commissioners (hereinafter called the Board) heretofore entered into a contract with John B. McDonald, bearing date the 21st day of February, 1900, for the construction and equipment, and after such construction and equipment shall be complete, then for the lease and operation of the Rapid Transit Railroad in The City of New York, particularly described in said contract, which contract was thereafter modified by certain amendatory and supplemental agreements; and

Whereas, Upon entering into such contract the said John B. McDonald gave a bond to the City, with Perry Belmont as surety thereon, known as the continuing bond, and deposited with the City as collateral security therefor certain securities of the value of more than one million dollars (\$1,000,000); and

Whereas, On the 10th day of July, 1902, the said John B. McDonald duly assigned to Interborough Company so much of said contract as provided for the maintenance and operation of the said Rapid Transit Railroad (including the equipment thereof) together with the right or obligation to maintain and operate the said road or roads in the Rapid Transit contract described for and during the remainder of the term of years specified in such contract, and all rights with respect to such maintenance and operation or included in the leasing provisions of such contract, subject to all the terms and conditions therein stated, together with all obligations assumed by said McDonald in and by the said Rapid Transit contract with respect to the equipment of said railroad; and

Whereas, By such assignment Interborough Company assumed all the obligations whatsoever of the said McDonald in respect of the portions of the contract affected by said assignment and agreed to carry out and perform the same and also covenanted with the said City that the said McDonald should fully perform all the obligations and comply with all the provisions and terms of the said contract which were not assigned to and assumed by Interborough Company, as above set forth; and

Whereas, The said contract has been modified in writing from time to time in other respects with the consent of both of the parties thereto and of the surety upon said continuing bond by the amendatory and supplemental agreements above referred to; and

Whereas, The said contract has been especially and by agreement between the City, acting by the Board and the said John B. McDonald and Interborough Rapid Transit Company with the consent of Perry Belmont, dated the 24th day of November, 1902, modified so as to provide that the City by the Board may consent to the surrender and cancellation of the said bond originally given as aforesaid with Perry Belmont as surety thereon, and may also surrender to the Contractor and the Interborough Company the securities, amounting in value to at least one million dollars (\$1,000,000), deposited as aforesaid (but such surrender to be made with the written consent of the Rapid Transit Subway Construction Company, which originally made the deposit as aforesaid) and to accept this bond in lieu of such original bond and of such securities; and

Whereas, The sureties on such continuing bond have requested the City by this Board to surrender such original bond and securities; and

Whereas, The City, by the Board, has accordingly consented to so surrender the said bond and securities amounting in value to at least one million dollars (\$1,000,000) deposited as aforesaid, and to accept this bond in lieu of said bond and securities; and

Whereas, Such consent has been given, and such surrender of securities will be made upon and only upon the faith and security of this bond;

Now, Therefore, the condition of this obligation is such that if John B. McDonald and Interborough Company shall promptly pay the amount of the annual rental specified in said contract and shall also faithfully perform all the conditions, covenants and requirements therein and in any modifications thereof, specified and provided, and in case of default on the part of Interborough Company or on the part of the said John B. McDonald, as provided in section 34 of the Rapid Transit Act, Interborough Company or said McDonald shall pay the amount of the deficiency therein mentioned, then this obligation shall be null and void, but else it shall remain in full force and virtue.

It is expressly agreed between the City and the sureties and it is upon such agreement that the City accepts this bond, that the sureties will and do waive any and every notice of default on the part of Interborough Company or of said McDonald; that they will and do permit the City to extend the time of Interborough Company or of said McDonald to make any payment or do any act; that no omission on the part of the City to give any notice or extension of time granted by or on behalf of the City shall be availed of by the sureties as a defense upon this bond; that the sureties shall not set up or have any defense upon this bond by reason of any alteration of the said contract, unless such alteration shall be represented by formal written instrument, duly executed, between the City and Interborough Company or said McDonald, as the case may be, which shall have been duly authorized by a vote of the Board, and that in case of such alteration, however made, the same shall be a defense to the sureties only to the extent of the actual injury or damage caused to the sureties by said alteration.

It is expressly agreed between the City and the sureties that the sureties hereby assume all the obligations prescribed for sureties upon bonds like this by chapter 4 of the Laws of 1891 and the various acts amendatory thereof (all such acts together being known as the "Rapid Transit Act").

This bond shall be a continuing security to The City of New York for the entire term of fifty (50) years after the complete construction and equipment of the Rapid Transit Railroad, as prescribed in the said contract and the several modifications thereof, and the declaration of the Board that the said Railroad and its equipment are so complete; and

Whereas, The said John B. McDonald deposited with the City the sum of one million dollars (\$1,000,000) in cash or securities approved by the Board as security for the performance of the said McDonald of some of the acts and things, the performance of which is secured hereby; and

Whereas, Contemporaneously with the delivery and execution of the Rapid Transit contract above referred to, the said John B. McDonald also delivered to the City a bond in the sum of five million dollars (\$5,000,000) as further security for the performance by him of some of the acts and things, the performance of which is secured hereby;

Now, therefore, it is further expressly agreed between the City and the sureties that the City shall be at liberty, in case of any default by the said John B. McDonald, or by the Interborough Rapid Transit Company, against whom this bond is given as security, to collect the loss or damage to the City caused thereby either from the sureties on this bond or the sureties on such other bond or bonds, or out of the said deposit, or out of all such securities as the City may elect.

INTERBOROUGH RAPID TRANSIT COMPANY,
By

Attest: UNITED STATES FIDELITY AND GUARANTY COMPANY,
By

Attest: FIDELITY AND DEPOSIT COMPANY OF MARYLAND,
By

Attest: Ayes—The President, Vice-President, Mayor, Comptroller and Commissioners Langdon, Smith, Jesup and Clafin.

Nays—None.

Carried.

Counsel reported that application had been made to the Appellate Division, returnable on the 11th of December, 1903, for the appointment of Commissioners in the matter of the validation of the easterly tunnel section in Park avenue.

Many letters were presented from property owners urging the construction of a station on the upper west side, near One Hundred and Ninety-third street, and were ordered transmitted to the contractor.

The Secretary reported that the President had executed a contract, as authorized, for telephone service at No. 13 Astor place and No. 8 Garden place, Brooklyn.

The Board then adjourned.

BION L. BURROWS, Secretary.

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 November 4, 1903.

JOSEPH BERMEL,
Commissioner of Public Works, Borough of Queens.

Public Moneys Received During the Week.

For restoring pavement over street openings.....	\$44 00	For repairs to sewer connections.....	\$46 00
For redemption of obstructions seized.....	110 00	Total.....	\$200 00

Requisitions Drawn on Comptroller.

Bureau of Highways.....	\$10,432 40	Bureau of Topographical Surveys.....	
Bureau of Sewers.....	5,593 53	veys.....	\$372 01
Bureau of Street Cleaning.....	2,195 52	Total.....	\$22,246 02
Bureau of Public Buildings and Offices.....	3,652 57		

Permits Issued.

To open streets to tap water pipes.....	23	For subways, steam mains and various connections.....	13
To open streets to repair water connections.....	1	For railway construction and repairs.....	3
To open streets to make sewer connections.....	12	To repair sidewalks.....	5
To place building material on streets.....	2	For sewer connections.....	11
Special permits.....	27	For sewer repairs.....	3
To cross sidewalks.....	2	Total.....	102

Statement of Work Done for the Week Ending October 31, 1903.

BUREAU OF HIGHWAYS.

Paved Streets—		Gutters—	
Square yards of granite repaired.....	652	Linear feet of gutters cleaned... 61,534	
Square yards of cobble repaired..	357	Loads of dirt hauled from gutters.. 22	
Loads of sand used.....	131	Miscellaneous—	
Loads of stone hauled.....	61	Linear feet of curb reset..... 180	
Square yards of brick.....	1,250	Square feet of flagstones relaid... 747	
Macadamized Streets—		Square feet of weeds mowed..... 600	
Square yards of road repaired....	2,180	Trees cut down..... 9	
Loads of screenings used.....	284	Trees trimmed..... 38	
Loads of broken stone used.....	670	Loads of limbs carted..... 46	
Loads of worn out material hauled away.....	664	Cubic yards of trench dug..... 169	
Square yards of road cleaned....	82,612	Square yards of ditch cleaned... 3,225	
Square yards of dirt wings honed.....	74,430	Feet of pipe taken up and cleaned.. 40	
Loads of sand used.....	942	Loads of dirt used in washouts... 38	
Square yards of roads sanded .. 29,011		Viaducts and Bridges—	
Unpaved Streets—		Yards of retaining wall built.... 7	
Loads of dirt hauled away.....	1,528	Yards of stone pointed up..... 23 1/2	
Square yards of roads graded....	29,460	Yards of stone reset..... 3 1/4	
Square yards of sidewalk graded..	550	Feet of plank used in culverts... 480	
Loads of dirt put on.....	3,244	Feet of joists used in culverts... 99	

BUREAU OF SEWERS.

Linear feet of sewer cleaned.....	1,020	Open drains cleaned, feet.....	
Number of basins cleaned.....	147	Culvert and stone drains cleaned and repaired, feet.....	
Linear feet of sewer examined...	6,145	36	
Number of basins examined.....	5,075	Loads removed from sewers, basins and drains.....	
Number of basins repaired.....	158	5 Loads of stone used.....	
Number of basins relieved.....	5	202 Loads of earth used.....	
Linear feet of sewer relieved....	202	10 Loads of sand used.....	
Number of basins reset.....	5	4 Loads of sand used.....	
Number of manholes cleaned....	94		

Street Sweepings, Garbage, etc., Collected and Disposed of.

Ashes, loads.....	65 1/4	Rubbish, loads.....	73
Sweepings, loads.....	50 1/4	Miles of street swept.....	49.88
Garbage, loads.....	133 1/4		

Bureau of Public Buildings and Offices—Carpenter work, plumbing, plastering, painting, repairs to buildings and cleaning.

Bureau of Topographical Surveys—Making grade map of Ravenswood, plotting draft damage map of William street, tracing final sections and drainage area of Newtown. Making map showing change of grade, Second Ward. Field Work: Locating and resetting monuments, plane table survey of Richmond Hill, taking elevations for contour lines, streets and grades. Established bench marks.

Statement of Laboring Force Employed Week Ending October 31, 1903.

Bureau of Highways—151 Mechanics, 183 Laborers, 48 teams, 144 horses and carts.

Bureau of Sewers—55 Mechanics, 44 Laborers, 14 horses and carts.

Bureau of Street Cleaning—46 Mechanics, 36 Laborers, 14 teams, 32 horses and carts.

Bureau of Public Buildings and Offices—44 Mechanics.

Bureau of Topographical Surveys—8 Assistant Engineers, 10 Draughtsmen, 4 Transitmen, 2 Chainmen, 2 Foremen, 2 Assistants, 3 Drivers, 18 Laborers.

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 November 11, 1903.

JOSEPH BERMEL,
Commissioner of Public Works, Borough of Queens.

Public Moneys Received During the Week.

For restoring pavement over street openings	\$58 00	For repairs to sewer connections.....	\$50 00
For sewer connections.....	60 00	Total.....	\$168 00

Requisitions Drawn on Comptroller.

Bureau of Highways.....	\$11,588 04	Bureau of Topographical Surveys.....	
Bureau of Sewers.....	7,801 08	veys.....	\$313 00
Bureau of Street Cleaning.....	2,391 13	Total	\$22,093 25

Permits Issued.		
To open streets to tap water pipes...	21	To cross sidewalks..... 3
To open streets to repair water connections	3	For subways, steam mains and various connections
To open streets to make sewer connections	12	For railway construction and repairs..... 1
To open streets to repair sewer connections	4	To repair sidewalks..... 5
To place building material on streets	3	For sewer connections..... 6
Special permits	40	For sewer repairs..... 11
		Total..... 110

BUREAU OF HIGHWAYS.

Weekly Report Ending November 7, 1903.

Paved Streets—		
Square yards granite.....	99	Loads of sand used..... 248
Square yards trap rock.....	390	Loads of stone hauled..... 53
Square yards of cobble.....	127	Square yards brick cleaned..... 4,700

Macadamized Streets—		
Loads of screenings used in repairs	17 1/2	Square yards of road repaired..... 6,609
Loads of broken stone used in repairs	369	Square yards of road cleaned..... 52,056
Loads of worn out material hauled away	737	Square yards of dirt wings honed..... 50,806

Unpaved Streets—		
Loads of dirt hauled away	1,035	Square yards of sidewalk graded..... 600
Square yards of roads graded	18,872	Loads of dirt put on..... 2,511

Gutters—		
Linear feet of gutters cleaned	51,908	Linear feet of gutters made..... 600
Miscellaneous—		
Square feet flagstones relaid	280	Cubic yards of trench dug..... 153
Linear feet of crosswalks relaid	65	Loads of dirt used in washout
Trees cut down	6	8 Square yards of washout filled
Trees trimmed	68	Feet of ditch cleaned
Loads of limbs carted	33	

Viaducts and Bridges—		
</tbl_info

tie rods are therefore unnecessary, as only the weight of the concrete slab is to be provided for, which is amply taken care of by the tension rods, making a construction equally as good as if the tie rods were used.

On motion, approved.

Mr. W. C. Smith recorded as voting no.

Appeal No. 241 of 1903, Fireproof Shutter Case No. 47 of 1903, No. 180 Broadway, Manhattan, estate of Charles A. Baudouine, appellant.

On motion, referred to Chief Kruger for examination and report with recommendation.

Appeal No. 242 of 1903, Fireproof Shutter Case No. 48 of 1903, Twelfth avenue, 25 feet south of Fifty-fifth street, George M. McCabe, architect and appellant.

On motion, referred to Chief Kruger for examination and report with recommendation.

Appeal No. 243 of 1903, Fireproof Shutter Case No. 49 of 1903, No. 128 West Forty-ninth street, Manhattan, H. P. Huteling, appellant.

On motion, referred to Chief Kruger for examination and report with recommendation.

Appeal No. 244 of 1903, Fireproof Shutter Case No. 50 of 1903, No. 132 Nassau street, Manhattan, McKim, Mead & White, architects and appellants.

On motion, referred to Chief Kruger for examination and report with recommendation.

Chief Kruger was then excused.

Appeal No. 237 of 1903, New Building No. 519B, 1903, Nos. 1054 and 1056 Simpson street, The Bronx, Harry T. Howell, architect and appellant.

The Superintendent of Buildings for the Borough of The Bronx having disapproved of the application No. 519B, New Building, 1903, with the following objection, viz.: Brick partition walls required when span exceeds 33 feet.

This appeal from the decision of such Superintendent is made on the ground that steel girders are equally as good as the brick walls.

The question which the appellant desires to have passed upon is as follows: To allow of 10-inch steel girder under third, fourth, fifth and roof tier of beams instead of brick walls.

The appellant's reason for desiring a favorable decision on the question to be passed upon is as follows: To allow of as much room as possible in kitchen.

The amount involved in this appeal exceeds \$1,000.

Mr. Harry T. Howell appeared before the Board.

On motion, laid over pending amendment.

Appeal No. 238 of 1903, New Building No. 414 of 1903, southeast corner of Pitt and Stanton streets, Manhattan, A. E. Badt, architect and appellant.

(See Appeal No. 232.)

The Superintendent of Buildings for the Borough of Manhattan having disapproved of the application No. 414, New Building, 1903, with the following objection, viz.: Objection No. 23. Not removed and repeated. "Brick partition wall should be provided in upper stories where span of floor beams exceeds 26 feet."

This appeal from the decision of such Superintendent is made on the ground that to provide brick walls 12 inches and 16 inches thick would make the two adjoining kitchens too small in the width.

The question which the appellant desires to have passed upon is as follows:

It is respectfully requested that the provisions of the Building Code be modified so far as to allow the omission of the brick partition bearing walls in centre of building on the second and upper floors, and to provide instead brick filled fireproof partitions separating each apartment, formed by filling in between the studs with 4-inch brick work, and covering both sides of said partitions with 3-8-inch metal lath securely fastened to each stud with long staples, said partitions to be plastered three good coats of plaster, and floor beams will rest on iron girders on each floor. Chimney breast will be increased 8 inches, as shown, and the construction of these partitions will be supervised by the owner.

The appellant's reasons for desiring a favorable decision on the question to be passed upon are as follows:

To compel the owner to provide a 12-inch and 16-inch wall, as requested by the Building Department, would make the adjoining rooms still smaller than they are at present, and as this is only a short distance of 9 feet 8 inches, it is respectfully asked that this objection be waived.

The amount involved in this appeal exceeds \$1,000.

Mr. G. L. Willis, representing the appellant, and Mr. M. Dworsky, owner, appeared before the Board.

On motion, approved as amended (by substituting the word appellant for the word owner).

Appeal No. 239 of 1903, Fireproof Shutter Case No. 46 of 1903, Nos. 750 and 752 East One Hundred and Thirty-fourth street, The Bronx, Caroline Wiedhopf, owner and appellant.

On motion, referred to Chief Kruger for examination and report.

Appeal No. 240 of 1903, New Building No. 795 of 1903, Nos. 416 and 418 East Tenth street, Manhattan, Sass & Smallheiser, architects and appellants.

The Superintendent of Buildings for the Borough of Manhattan having disapproved of the application No. 795, New Building, 1903, with the following objection, viz.: Brick partition wall should be provided in upper stories where span of floor beams exceeds 26 feet.

This appeal from the decision of such Superintendent is made on the ground that an equally good and more desirable form of construction can be employed.

The question which the appellant desires to have passed upon is as follows: To substitute steel beams to support floor beams on first and upper stories in place of brick walls. The partitions directly under said girder will be built of 4-inch fireproof blocks, and the partitions between and separating the rear apartments will be plastered on metal lath on both sides as marked on plans.

The appellants' reasons for desiring a favorable decision on the question to be passed upon are as follows:

As the span of said girders is very short and sufficient to carry the floor loads imposed on said girders, and as the said brick walls would be impracticable, and the area of the rooms would be reduced considerable. The appellants agree to give their personal supervision to all matters relating to this appeal, and to see that these measures are carried out.

The amount involved in this appeal exceeds \$1,000.

Mr. Smallheiser appeared before the Board, and was directed to indicate more clearly on plans the partitions to be fireproofed, the third paragraph of appeal being changed to read "the partitions between and separating all the apartments will be plastered on metal lath on both sides"; whereupon, on motion, appeal was approved as amended.

Adjourned.

JAMES GAFFNEY, Clerk.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.

In compliance with section 1546 of the Greater New York Charter, the Department of Water Supply, Gas and Electricity makes the following report of its transactions for the week ending September 26, 1903:

Public Moneys Received and Deposited.

BOROUGH OF MANHATTAN.

Receipts for water rents \$44,210 50
Receipts for penalties on water rents 712 03
Receipts for permits to tap water mains 274 00

Total \$45,196 53

BOROUGH OF THE BRONX.

Receipts for water rents \$3,042 60
Receipts for penalties on water rents 117 78
Receipts for permits to tap water mains 110 00

Total \$3,270 38

BOROUGH OF BROOKLYN.

Receipts for water rents \$11,209 81
Receipts for arrears of water rents 2,243 50

Receipts for permits to tap water mains	407 00
Receipts for water for building purposes	339 35
Receipts for miscellaneous work	34 11
Total	\$14,233 77

BOROUGH OF QUEENS.

Receipts for water rents	\$2,983 94
Receipts for penalties on water rents	39 73
Receipts for permits to tap water mains	42 00
Total	\$3,065 67

Changes in Public Lamps.

BOROUGHS OF MANHATTAN AND THE BRONX.
2 new lamps erected, 37 lamps relighted, 8 lamps discontinued, 2 lampposts removed, 7 lampposts reset, 7 lampposts straightened, 3 columns refitted, 7 columns reloaded, 4 columns recaulked, 11 service pipes refitted, 11 stand pipes refitted.

Contracts Entered Into.

For furnishing and delivering materials and supplies, Borough of Brooklyn, dated September 21, 1903; estimated amount, \$1,254.

Contractor: General Chemical Company, No. 25 Broad street, New York.

Surety: American Surety Company, No. 100 Broadway, New York.

For furnishing and delivering hay, oats, fine feed, cornmeal and rock salt, Borough of Brooklyn, dated September 21, 1903; estimated amount, \$746.48.

Contractor: William Gleichman, No. 991 Herkimer street, Brooklyn, N. Y.

Surety: Empire State Surety Company, No. 375 Fulton street, Brooklyn, N. Y. For furnishing and delivering cast-iron water pipes, branch pipes and special castings, boroughs of Manhattan and The Bronx, dated September 21, 1903; estimated amount, \$28,980.60.

Contractor: M. J. Drummond & Co., No. 192 Broadway, New York.

Surety: City Trust and Safe Deposit and Surety Company of Philadelphia, No. 160 Broadway, New York.

Changes in the Working Force.

BOROUGH OF MANHATTAN.

Appointed—Max Blatt, Transitman, \$1,509 per annum; Augustus T. Weiss, Leveler, \$1,200 per annum; 12 Laborers, \$2 per day.	\$1,509 00
Promoted—Emilio Agramonte, Jr., from Transitman to Assistant Engineer, and increased from \$1,500 to \$1,800 per annum.	1,800 00
Resigned—1 Laborer.	202 73

BOROUGH OF BROOKLYN.

Appointed—Benjamin Goldfein, Office Boy, \$300 per annum; Godfrey Branfuer, Rodman, \$1,050 per annum; Charles A. Brushaber, Rodman, \$1,050 per annum; F. L. Aldrich, Laboratory Assistant (temporary), \$750 per annum; Harold N. Cross, Laboratory Assistant (temporary), \$750 per annum.	\$1,050 00
Total	\$81,589 72

BOROUGH OF QUEENS.

Public Moneys Received and Deposited.

Receipts for water rents	\$79,383 96
Receipts for penalties on water rents	1,730 03
Receipts for permits to tap water mains	273 00
Receipts for Meter Setting Fund No. 2	202 73
Total	\$81,589 72

BOROUGH OF THE BRONX.

Receipts for water rents	\$5,624 50
Receipts for penalties on water rents	116 20
Receipts for permits to tap water mains	117 00
Receipts for Meter Setting Fund No. 2	109 88
Total	\$5,967 58

BOROUGH OF BROOKLYN.

Receipts for water rents	\$13,707 78
Receipts for arrears of water rents	2,734 52
Receipts for permits to tap water mains	588 00
Receipts for water for building purposes	524 14
Receipts for miscellaneous work	37 77
Total	\$17,592 21

BOROUGH OF QUEENS.

Receipts for water rents	\$2,504 80
Receipts for penalties on water rents	49 71
Receipts for permits to tap water mains	49 00
Total	\$2,603 51

BOROUGH OF RICHMOND.

Receipts for water rents	\$13 35
--------------------------	---------

Changes in Public Lamps.

BOROUGHS OF MANHATTAN AND THE BRONX.

18 lamps relighted, 13 lamps discontinued, 2 lamp-posts removed, 15 lamp-posts reset, 3 lamp-posts straightened, 1 column refitted, 6 columns reloaded, 16 service pipes refitted, 17 standpipes refitted, 9 columns recaulked.

Contracts Entered Into.

For furnishing and delivering disc type water meters, boroughs of Manhattan and The Bronx, dated September 28, 1903; estimated amount \$3,203.75.

Contractor: Neptune Meter Company, Long Island City.

Surety: American Surety Company, No. 100 Broadway, N. Y.

For furnishing materials and driving wells at Pumping Station No. 3, in the First Ward, Borough of Queens, dated September 29, 1903; estimated amount, \$11,431.

Contractor: Thomas B. Harper, Jenkinson, Pa.

Surety: American Bonding Company of Baltimore, No. 253 Broadway, New York.

For furnishing and delivering caulking lead and caulking yarn, Borough of Queens, dated September 30, 1903; estimated amount \$720.30.

Contractor: F. N. DuBois & Co., No. 245 Ninth avenue, New York.

Surety: American Surety Company, No. 100 Broadway, New York.

For furnishing, delivering, laying and relaying water mains in Cambreling, Clay, Mapes, Morris, Prospect, Ryer and Third avenues, in One Hundred and Seventy-ninth, One Hundred and Eighty-second, Two Hundred and Second, Hoe and Vyse streets, and in Adams and Belmont places, boroughs of Manhattan and The Bronx, dated October 1, 1903; estimated amount, \$38,977.50.

Contractor: Lloyd Collis, Park Row Building, New York.

Surety: Fidelity and Guaranty Company, No. 140 Broadway, New York.

Changes in the Working Force.

BOROUGH OF MANHATTAN.

Appointed—1 Foreman, \$150 per month; 1 Foreman, \$3.25 per day; 2 Foremen, \$3 per day; 1 Foreman, \$2.25 per day; 1 Laborer, \$2 per day; 11 Laborers, \$1.75 per day.

Promoted—1 Laborer to Caulker, and increased from \$2 to \$3 per day.

Increased—1 Foreman, from \$4 to \$5 per day.

BOROUGH OF BROOKLYN.

Appointed—Roger W. Armstrong, Rodman (temporary), \$1,050 per annum; W. L. Wilmarth, Rodman (temporary), \$1,000 per annum; F. R. Ireson, Rodman (temporary), \$960 per annum; W. E. Robbins, Rodman (temporary), \$960 per annum; George A. Loewe, Rodman (temporary), \$960 per annum.

POLICE DEPARTMENT.

New York, December 16, 1903.

The following proceedings were this day directed by Police Commissioner Greene:

Approved—Application of Captain John J. Murtha, 4th Precinct, for detail of additional Patrolmen to his precinct during absence of Patrolmen on sick list. Application of Roundsman Jos. A. Howard, 41st Precinct, for transfer. Recommendation of Second Deputy Commissioner Piper that Patrolman John G. Sheridan, 16th Precinct, be transferred to 3d Precinct and detailed to Crossing Squad. Recommendation of Second Deputy Commissioner Piper that Patrolman John A. Colvin, 75th Precinct, be transferred to the 9th Precinct and detailed at Pier 40, North river. Application of Captain Patrick Byrne, 36th Precinct, to be excused for 12 hours on December 25, 1903. Application of Roundsman Anson H. Weeks, License Squad, for transfer.

Referred to the Chief Inspector—Communication from Major Oliver B. Bridgeman, Squadron A, relative to escort of Mounted Police during ceremonies at opening of Williamsburg Bridge; to make necessary arrangements and to notify writer. Communication from Quan Nick Yam, submitting list of places where he claims "fan-tan" is being played; to Inspector M. F. Schmittberger, through the Chief Inspector, for report. List of candidates who have passed the physical examination for promotion to Roundsman. Communication from Edward Pettus, commanding Patrolman Mallon, 49th Precinct, for stopping a runaway; for report. Communication from Colonel W. G. Bates, relative to Police escort for Seventy-first Regiment during ceremonies of bridge opening, December 19, 1903; to make necessary arrangements and to notify the writer.

Disapproved—Application of Acting Captain John W. Willson, 41st Precinct, for assignment of Patrolman Charles E. Stephens to duty in plain clothes. Application of Patrolman John B. Goldhammer, 38th Precinct, for award from Riot Relief Fund.

Granted—Permission to Patrolman John R. Hawthorn, 31st Precinct, to receive reward of \$20 from David Lubin for recovery of a diamond ring. With usual deduction.

Notice of Death—Sergeant Norman Westervelt, 36th Precinct, 7:15 p. m., December 14, 1903.

Referred to the Chief Inspector (Additional)—Copy of report of Third Deputy Commissioner Davis on complaint of James Taylor Lewis that Police of 31st Precinct were intimidating persons at No. 182 St. Nicholas avenue; to Inspector Albertson, through the Chief Inspector, with statement that same is approved, and that he will be guided thereby in similar cases that may arise in the future. Application of Patrolman Edw. Whalen, 47th Precinct, for transfer to 42d Precinct.

Masquerade Ball Permit Granted—Bernard Goldberg, Sulzer's Harlem Casino, Manhattan, December 19; fee, \$25.

Referred to Civil Service Commission—Letters of Patrolman Cornelius F. O'Brien and John J. Hallahan relative to setting another date for physical examination. Report of Captain Burfeind, 19th Precinct, inclosing notification card of Patrolman Calvin Nash, who is unable to appear for examination on date set for same. Report of Captain John W. Cottrell, 17th Precinct, relative to inability of Patrolman Stinson McIver to appear for physical examination on December 16, 1903.

Referred to Corporation Counsel—Report of Third Deputy Commissioner Davis in the matter of undisposed charges against Patrolman Morty Sullivan, 2d Precinct; see letter of Commissioner. Summons, affidavit and undertaking case of The Chicago, Rock Island and Pacific Railway Company against William Travers Jerome, District Attorney, and Charles D. Blatchford, Property Clerk; for advice or to defend if required.

Referred to the Third Deputy Commissioner—Communication from Dr. U. S. Wood, forwarding bill of \$9.85 against Patrolman John Farnam for professional services; for report. Application of Roundsman Patrick L. Walsh, 75th Precinct, for transfer and detail to Boiler Squad; for report.

Chief Clerk to Answer—Edward H. Fallows, in behalf of W. O'Connor, applicant for reinstatement as Patrolman. Peter R. Van Denburgh, asking to be appointed as Engineer on steamer "Patrol." New York Edison Company, asking copy of report by Captain of 20th Precinct, relative to installation of electric lights. Harry C. Green, asking address of Patrolman Edw. O'Neill. Hoyt King, asking copy of last annual report. Funk & Wagnalls Company, asking address of Roundsman Edgar J. Hearle. W. L. Bell, asking appointment as Veterinary Surgeon in the Police Department.

Referred to the Comptroller—Payroll of John J. Brangan and 32 others, \$124.00. Payroll of John T. McGann and three others, \$10.74.

Ordered, That John A. Miller, whose name appears on eligible list of the Municipal Civil Service Commission, dated September 24, 1903, be and is hereby promoted to Deputy Clerk of the fifth grade, with compensation at the rate of \$1,400 per annum.

On reading and filing eligible list of the Municipal Civil Service Commission, dated December 15, 1903.

Ordered, That George B. Hawthorne be and is hereby promoted to Assistant Bookkeeper in the Police Department, with compensation at the rate of \$2,400 per annum.

Ordered, That the following certificate be forwarded to the Comptroller, viz.:

Hon. EDWARD M. GROUT, Comptroller:

Sir—In conformity with the provisions of section 149 of the Greater New York Charter it is hereby certified that the estimated cost of the services required by the contract with Henry D. Whitfield as architect, made and executed August 14, 1903, for the construction of a station house, prison and stable for the 39th Precinct, amounts to \$4,110, this to include the sum of \$900 already certified for such purpose under such contract, and is chargeable to the appropriation of the Department of Police entitled, "Police Department Fund—Sites and Buildings," to the fund provided by the sale of bonds of Corporate Stock of The City of New York, pursuant to chapter 350 of the Laws of 1892 and chapter 495 of the Laws of 1895, and to resolution of the Board of Estimate and Apportionment adopted July 29, 1903, authorizing the same.

(Signed) F. V. GREENE, Police Commissioner.

Ordered, That the following certificate be forwarded to the Comptroller, viz.:

Hon. EDWARD M. GROUT, Comptroller:

Sir—In conformity with the provisions of section 149 of the Greater New York Charter it is hereby certified that the estimated cost of the services required by the contract with R. Thomas Short, as architect, made and executed May 13, 1903, for the construction of a station house, prison and stable for the 19th Precinct, amounts to \$4,000, this to include the sum of \$1,700 already certified for such purpose under such contract, and is chargeable to the appropriation of the Department of Police entitled, "Police Department Fund—Sites and Buildings," to the fund provided by the sale of bonds of Corporate Stock of The City of New York, pursuant to chapter 350 of the Laws of 1892 and chapter 495 of the Laws of 1895, and to resolution of the Board of Estimate and Apportionment adopted March 13, 1903, authorizing the same.

(Signed) F. V. GREENE, Police Commissioner.

Ordered, That the following named persons be and are hereby appointed as Patrolmen, their term of probation having expired, and assigned to precincts as designated: John F. Archiopoli, 44th Precinct; John C. Boehm, 54th Precinct; Thomas J. Carton, Jr., 12th Precinct; Henry Dettmer, 12th Precinct; Benjamin F. Foster, Jr., 60th Precinct; Thomas B. Goodman, 54th Precinct; David Halpin, 13th Precinct; Charles A. Isaacson, 52d Precinct; John G. Kirk, 18th Precinct; Herman Meyer, 18th Precinct; Charles E. Muller, 18th Precinct; William G. McAndrew, 77th Precinct; Lawrence T. Olvany, 59th Precinct; Charles P. Rogers, 11th Precinct; Lewis J. Valentine, 49th Precinct; Samuel W. E. Beckner, Jr., 18th Precinct; Frank B. Burdick, 22d Precinct; Simon F. Crotty, 7th Precinct; William H. Fielding, 15th Precinct; Edward J. Galvin, 18th Precinct; Jeremiah J. Haggerty, 13th Precinct; James P. Hickey, 14th Precinct; Louis G. Kreutzer, 12th Precinct; John Lenahan, 11th Precinct; William F. Morgan, 61st Precinct; Patrick McMahon, 14th Precinct; Robert McQuade, 8th Precinct; John V. O'Brien, 44th Precinct; Edward C. Sullivan, 7th Precinct; Thomas F. Wynn, 13th Precinct.

Trial was had of charges against members of the Force, and disposition recommended approved by the Commissioner, as follows:

Before First Deputy Commissioner Ebstein—Detective Sergeant Michael I. Rein, Detective Bureau, Manhattan, neglect of duty, complaint dismissed; Detective Sergeant John McCauley, Detective Bureau, Manhattan, neglect of duty, complaint

dismissed; Detective Sergeant John Becker, Detective Bureau, Manhattan, neglect of duty, complaint dismissed; Patrolman Hugh Lynch, 17th Precinct, neglect of duty, complaint dismissed; Patrolman Henry Kenyon, 31st Precinct, neglect of duty, complaint dismissed.

Before Second Deputy Commissioner Piper—Patrolman William E. Wells, 80th Precinct, conduct unbecoming an officer, 20 days; Patrolman Louis R. Matthiess, 80th Precinct, conduct unbecoming an officer, complaint dismissed; Patrolman Lewis Owens, 80th Precinct, conduct unbecoming an officer and neglect of duty, five days.

Before Third Deputy Commissioner Davis—Sergeant Thomas Conboy, 15th Precinct, neglect of duty and violation of rules, five days; Patrolman Thomas J. Curran, 10th Precinct, conduct unbecoming an officer, three days; Patrolman Claud A. Stephens, 36th Precinct, neglect of duty, four days; Patrolman Edward L. Tierney, 36th Precinct, neglect of duty, four days; Patrolman Patrick Ferguson, 9th Precinct, neglect of duty, reprimanded; Patrolman Frank McNulty, 9th Precinct, neglect of duty, reprimanded; Patrolman James Goggins, 14th Precinct, neglect of duty, reprimanded.

Complaint dismissed: Patrolman Michael Crowley, 2d Precinct, neglect of duty; Patrolman James McLaughlin, 5th Precinct, neglect of duty; Patrolman Henry McGough, 7th Precinct, neglect of duty; Patrolman Louis Kogel, 7th Precinct, neglect of duty; Patrolman James O'Connor, 7th Precinct, neglect of duty; Patrolman James O'Connor, 7th Precinct, complaint No. 2, neglect of duty; Patrolman Henry McGough, 7th Precinct, neglect of duty; Patrolman Timothy J. Murphy, 7th Precinct, neglect of duty; Patrolman William P. Dunn, 9th Precinct, neglect of duty; Patrolman Andrew Dagner, 9th Precinct, neglect of duty; Patrolman William Ellwood, 9th Precinct, neglect of duty; Patrolman George Grimshaw, 9th Precinct, neglect of duty; Patrolman William J. Gilkinson, 9th Precinct, neglect of duty; Patrolman Edw. F. Halligan, 9th Precinct, neglect of duty; Patrolman James P. Murphy, 9th Precinct, neglect of duty; Patrolman James J. O'Brien, 9th Precinct, neglect of duty; Patrolman Edw. Ott, 9th Precinct, neglect of duty; Patrolman Archie Wilkinson, 9th Precinct, neglect of duty; Patrolman Alexander Beggs, 9th Precinct, neglect of duty; Patrolman Francis T. Collins, 9th Precinct, neglect of duty; Patrolman Daniel Shine, 9th Precinct, neglect of duty; Patrolman James A. Watson, 9th Precinct, neglect of duty; Patrolman Emit L. Sutting, 9th Precinct, neglect of duty; Patrolman Martin T. Shea, 9th Precinct, neglect of duty; Patrolman James H. Brennan, 9th Precinct, neglect of duty; Patrolman Henry H. Callan, 9th Precinct, neglect of duty; Patrolman Samuel F. Dunston, 9th Precinct, neglect of duty; Patrolman John J. Reilly, 9th Precinct, neglect of duty; Patrolman Edward J. Lennon, 9th Precinct, neglect of duty; Patrolman Bernard F. McCabe, 9th Precinct, neglect of duty; Patrolman John Mullen, 9th Precinct, neglect of duty; Patrolman Andrew Currie, 9th Precinct, neglect of duty; Patrolman David Anderson, 9th Precinct, neglect of duty; Patrolman Joseph E. Brady, 9th Precinct, neglect of duty; Patrolman Frederick F. Dietrich, 9th Precinct, neglect of duty; Patrolman Gilbert Holmes, Jr., 9th Precinct, neglect of duty; Patrolman George H. Ellis, 9th Precinct, neglect of duty; Patrolman James J. Haher, 9th Precinct, neglect of duty; Patrolman Joseph Glennon, 9th Precinct, neglect of duty; Patrolman George Koch, 12th Precinct, neglect of duty; Patrolman John F. Ryan, 12th Precinct, neglect of duty; Patrolman John J. Eaton, 12th Precinct, neglect of duty; Patrolman Joseph F. Bush, 12th Precinct, neglect of duty; Patrolman Edward J. Quinn, 12th Precinct, neglect of duty; Patrolman Godfrey Knoblock, 14th Precinct, neglect of duty; Patrolman Jean C. Fargo, 14th Precinct, neglect of duty; Patrolman John P. Knowles, 17th Precinct, neglect of duty; Patrolman Edw. A. Gillmore, 17th Precinct, neglect of duty; Patrolman James J. Brenick, 17th Precinct, neglect of duty; Patrolman Andrew Foy, 17th Precinct, neglect of duty; Patrolman Martin Nolan, 20th Precinct, neglect of duty; Patrolman Peter T. Murphy, 20th Precinct, neglect of duty; Patrolman Patrick Ryan, 20th Precinct, neglect of duty; Patrolman Frank J. Reilly, 20th Precinct, neglect of duty; Patrolman Frank W. May, 20th Precinct, neglect of duty; Patrolman James Wenham, 20th Precinct, neglect of duty; Patrolman Floyd B. Pitts, 20th Precinct, neglect of duty; Patrolman Martin Nolan, 20th Precinct, neglect of duty; Patrolman Joseph Herzing, 20th Precinct, neglect of duty; Patrolman Gabriel C. Kreutzner, 22d Precinct, neglect of duty.

On File—Reports of commanding officers of all precincts relative to moneys collected from Patrolmen to pay a woman for making the beds. Opinion of the Corporation Counsel as to whether the Police Commissioner is authorized to employ certain detectives who are not residents of New York for special purposes for a limited period, say ninety days, and pay for their services and expenses out of the Contingent Fund of the Police Department. Communication from J. W. Stevenson, Deputy Comptroller, forwarding copy of resolution adopted December 11, 1903, by the Board of Estimate and Apportionment, authorizing the Comptroller to enter into contract for purchase of premises Nos. 220-228 East Twenty-ninth street as a site for station house. Communication from J. W. Stevenson, Deputy Comptroller, forwarding copy of resolution adopted December 11, 1903, by the Board of Estimate and Apportionment, concurring in resolution adopted by the Board of Aldermen, October 13, 1903, relative to expenditure of \$1,000 for collating election returns and authorizing the Comptroller to issue bonds. Report of Captain Henry W. Burfeind, 19th Precinct, relative to alleged violations of law regulating bicycle races at Madison Square Garden. Report of Captain Martin Handy, 22d Precinct, relative to explosions at new building Nos. 134-136 West Forty-third street. Communication from Mrs. James O. Swan, thanking the police for finding whereabouts of her son, Joseph O. Swan, Jr. Acknowledgment from Standard Underground Cable Company of receipt of check for \$172.23. Acknowledgment from William A. Anderson of receipt of report of Sergeant Jones, relative to bridging of Broadway at Fulton street. Communication from Maria Reinhardt, thanking for increase of pension granted to her.

On File, Send Copy—Report of Captain Edward Gallagher, 18th Precinct, relative to final disposition of cases for violation of section 1481 of the Greater New York Charter at Irving Place Theatre. Copy to District Attorney.

The following transfers were ordered by the Commissioner to take effect at 8 a. m., December 17, 1903: Patrolman George O. Clinchy, from 14th to 21st Precinct; Patrolman Edw. Gilson, from 71st Precinct to Brooklyn Headquarters Squad; Patrolman John F. Mulreany, from 44th to 73d Precinct; Patrolman Luke Maxwell, from 62d to 59th Precinct; Patrolman Gerard H. Ryder, from 44th to 69th Precinct; Patrolman Charles M. Taylor, from 70th to 49th Precinct; Patrolman Thomas F. Flynn, from 20th to 10th Precinct, at crossing Broadway and Thirty-fourth street; Patrolman John A. Coleman, from 15th to 11th Precinct, to duty in plain clothes; Patrolman John J. Dunton, from 11th to 15th Precinct, remanded from plain clothes; Patrolman Peter F. O'Hara, from 73d to 43d Precinct, bicycle duty; Patrolman Charles Fritz, from 63d to 43d Precinct, bicycle duty; Patrolman Bryan Gilroy, from 61st Precinct for duty at Greenpoint ferry; Patrolman George F. Smith, from 54th Precinct, for duty at telephone table; Patrolman Patrick Carter, from 61st Precinct for duty at telephone table; Patrolman William F. Limberger, from 63d Precinct for duty at telephone table; Doorman Patrick J. Padian, from 49th to 55th Precinct; Patrolman George E. Holloway, from 17th to 11th Precinct; Patrolman Matthew T. McNamara, from 47th to 73d Precinct; Patrolman George A. Walters, from 63d to 53d Precinct; Patrolman Theo. H. Bahrman, from 44th to 78th Precinct; Patrolman Terence J. Meehan, from 69th to 60th Precinct; Doorman Thomas R. O'Reilly, from 55th to 49th Precinct.

WM. H. KIPP, Chief Clerk.

DEPARTMENT OF HEALTH.

Week Ending Saturday, 12 M., December 5, 1903.

Borough.	Population U. S. Cen- sus 1900.	Estimated Population Middle of Year 1903.	Deaths.		Births.	Mar- riages.	Still births.	Death-rate.		* Cor- rected, 1903.	
			1902.	1903.				1902.	1903.		
Manhattan.....	1,850,093	1,917,676	639	715	634	1,001	676	78	17.59	19.45	18.61
The Bronx.....	200,507	268,341	85	85	80	160	32	7	18.16	16.52	15.55
Brooklyn	1,166,582	1,291,597	392	440	414	566	322	33	16.37	17.77	16.72
Queens	152,999	182,681	54	46	42	74	26	4	16.33	13.14	11.99
Richmond	67,021	72,608	26	27	25	23	14	2	19.17	10.40	17.96
City of New York	3,437,202	3,732,903	1,196	1,313	1,245	1,914	1,070	124	17.18	18.36	17.40

* Non-residents and infants under 1 week old not included.

† The presence of several large institutions, the great majority of whose inmates are residents of the other boroughs, increases considerably the death-rate of this borough.

Cases of Infectious and Contagious Diseases Reported.

	WEEK ENDING—													
	Sept. 5.	Sept. 12.	Sept. 19.	Sept. 26.	Oct. 3.	Oct. 10.	Oct. 17.	Oct. 24.	Oct. 31.	Nov. 7.	Nov. 14.	Nov. 21.	Nov. 28.	Dec. 5.
Tuberculosis	248	251	301	264	279	282	276	322	278	250	314	399	257	306
Pulmonitis														
Diphtheria and Croup	238	198	182	249	284	293	247	285	274	352	423	284	406	4080
Measles	78	94	62	59	69	71	89	108	193	155	246	307	267	326
Scarlet fever	89	49	88	68	85	91	87	86	84	104	163	171	161	211
Small-pox														
Varicella	15	8	12	23	15	24	42	25	23	44	71	82	93	104
Typhoid fever	129	120	102	118	89	122	138	90	100	93	102	68	74	68
Whooping Cough	22	8	16	12	19	8	21	20	26	17	27	8	7	35
Total	819	720	764a	803b	840	895	900	941	979	1,017	1,347	1,323	1,270	1,49

a. Includes one case of small-pox from Barge Office.
 b. Includes one case typhoid fever, S.S. "Kroonland."
 At Immigrant's Hospital, Ellis Island.
 c. Includes one case diphtheria S. S. "Finland."
 d. Two cases of small-pox originated in Pittsburgh, Pa., and two cases contracted from same.
 e. Includes five cases of measles from Barge Office and Ellis Island.
 f. Includes one case of scarlet fever from Barge office.

g. Includes four cases of measles at Barge Office.
 h. Includes two cases of measles and two cases of scarlet fever from Barge Office.
 i. Includes one case scarlet fever at Barge Office.
 j. Includes three cases of measles from Barge Office.
 k. Includes three cases of scarlet fever, three cases of measles and one case of diphtheria at Barge Office.
 l. Includes six cases measles, one case scarlet fever from Barge Office.
 m. Includes three cases of scarlet and six of measles at Barge Office.
 n. Includes one case of typhoid at Ellis Island.
 o. Includes two cases of diphtheria at Governor's Island.

Deaths by Principal Causes, According to Locality and Age.

Boroughs.	Infectious Diseases detailed elsewhere.		Malaria Diseases.	Whooping Cough.	Diarrhetic Diseases.	Tuberculosis	Bronchitis.	Pneumonia.	Congenital Debility.	Suicides.	Homicides.	Accidents.	Under 1 Year.	Under 5 Years.	Under 5 Years.	5-65 Years.	65 Years and over.
	Under 1 Year.	2 and under 5.															
Manhattan	47	1		25	20	81	15	91	30	12	1	35	106	170	424	121	
The Bronx	9		3	3	3	27	1	6	6	2	2	2	14	25	44	16	
Brooklyn	42	1	11	1	1	49	21	56	27	1	1	19	76	133	231	76	
Queens	7		1	1	4	2	7	4		1	1	10	17	18	11		
Richmond	1		1	1	2	1	4	2		1	1	6	6	11	10		
Total	106	2	41	33	163	40	164	69	13	1	57	212	351	728	234		

Deaths According to Cause, Age and Sex.

	Total Deaths.	Deaths in Corresponding Week of 1902	Males.	Females.	Under 1 Year.	1 Year and under 2.	2 and under 5.	Under 5 Years.	5-15.	15-25.	25-45.	45-65.	65 and over.	The Bronx		Manhattan				
														Under 1 Year.	2 and under 5.	Under 5 Years.	5-15.	15-25.	25-45.	45-65.
Total, all causes	1,313	1,196	718	600	212	62	77	351	60	79	297	292	234							
1 Typhoid fever	12	16	10	2					1	2	6	3	3							
3 Malarial fever	2	3	2	2																
4 Small-pox	1	1	1	1																
5 Measles	6	6	4	2	1	4	1	6												
6 Scarlet fever	19	12	9	10		5	10	15	4											
7 Whooping cough	4																			
8 Diphtheria and croup	68	49	32	36	3	11	27	41	25		1	1	1							
9 Influenza	2		1	1																
12 Other epidemic diseases	4		2	2	1															
13 Tuberculosis Pulmonalis	163	164	95	68	4	1	5	2	30	86	35	5	5							
14 Tubercular meningitis	7	6	3	4	3	1	4	4	1	2	1	1	1							
15 Other forms of tuberculosis	6	9	2	4	2	1	1	1	1	1	1	1	1							
16 Cancer, malignant tumor	38	43	14	24		5	10	1	1	1	1	1	1							
17 Simple meningitis	13	15	7	6	3	2	5	10	1	1	1	1	1							
18 Apoplexy, congestion and softening of brain	64	64	32	32	1	1	1	1	1	1	1	1	1							
19 Organic heart diseases	97	104	55	42	2	1	2	2	1	3	16	39	37							
20 Acute bronchitis	40	42	23	17	21	5	4	30	1	1	1	3	3	5						
21 Chronic bronchitis	8	20	1	7										2						
22 Pneumonia (excluding broncho pneumonia)	164	105	82	82	20	9	8	37	3	8	40	41	35							
22a Broncho pneumonia	81	50	39	42	26	11	11	48	2	1	4	17	9							
23 Diseases of the stomach (cancer excepted)	12	12	4	8	2															
24 Diarrhoeas (under 2 years)	32	22	19	13	28	4	1	32												
25 Hernia, intestinal obstruction	10	10	5	5	1															

Telephone 1505 and 1506 Cortlandt. Supply Room, No. 2, City Hall. CHARLES S. HERVEY, Supervisor; HENRY McMILLEN, Deputy Supervisor.

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 5365 Cortlandt.

P. J. SCULLY, City Clerk and Clerk of the Board of Aldermen.

NICHOLAS J. HAYES, First Deputy City Clerk.

MICHAEL F. BLAKE, Chief Clerk of the Board of Aldermen.

JOSEPH V. SCULLY, Deputy City Clerk, Borough of Brooklyn.

THOMAS J. McCABE, Deputy City Clerk, Borough of The Bronx.

WILLIAM R. ZIMMERMAN, Deputy City Clerk, Borough of Queens.

MICHAEL J. COLLINS, Deputy City Clerk, Borough of Richmond.

BOARD OF ALDERMEN.

No. 11, City Hall, 9 A. M. to 4 P. M.; Saturdays, 9 A. M. to 12 M.

Telephone 39 Cortlandt.

CHARLES V. FORNES, President.

P. J. SCULLY, City Clerk.

DEPARTMENT OF FINANCE.

Stewart Building, Chambers street and Broadway, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 noon.

EDWARD M. GROUT, Comptroller.

N. TAYLOR PHILLIPS and JAMES W. STEVENSON, Deputy Comptrollers.

HUBERT L. SMITH, Assistant Deputy Comptroller.

OLIVER E. STANTON, Secretary to Comptroller.

Main Division.

H. J. STORRS, Chief Clerk, Room 11.

Bookkeeping and Awards Division.

JOSEPH HAAG, Chief Bookkeeper, Room 8.

Stock and Bond Division.

JAMES J. SULLIVAN, Chief Stock and Bond Clerk, Room 39.

Bureau of Audit—Main Division.

WILLIAM MCKINNEY, Chief Auditor of Accounts, Room 27.

Law and Adjustment Division.

JAMES F. MCKINNEY, Auditor of Accounts, Room 183.

Investigating Division.

ROBERT B. MCINTYRE, Examiner in Charge.

Charitable Institutions Division.

DANIEL C. POTTER, Chief Examiner of Accounts of Institutions, Room 40.

Bureau of the City Paymaster.

No. 83 Chambers street and No. 65 Reade street.

JOHN H. TIMMERMAN, City Paymaster.

Bureau of Engineering.

Stewart Building, Chambers street and Broadway.

EUGENE E. MCLEAN, Chief Engineer, Room 55.

Real Estate Bureau.

MORTIMER J. BROWN, Appraiser of Real Estate, Room 159.

Bureau for the Collection of Taxes.

Borough of Manhattan—Stewart Building, Room O.

DAVID E. AUSTEN, Receiver of Taxes.

JOHN J. McDONOUGH, Deputy Receiver of Taxes.

Borough of The Bronx—Municipal Building, Third and Tremont avenues.

JOHN B. UNDERHILL, Deputy Receiver of Taxes.

Borough of Brooklyn—Municipal Building, Rooms 2-8.

JACOB S. VAN WYCK, Deputy Receiver of Taxes.

Borough of Queens—Hackett Building, Jackson avenue and Fifth street, Long Island City.

FREDERICK W. BLECKWENN, Deputy Receiver of Taxes.

Borough of Richmond—Bay and Sand streets, Stapleton.

JOHN DE MORGAN, Deputy Receiver of Taxes.

Bureau for the Collection of Assessments and Arrears.

Borough of Manhattan—Stewart Building, Room 81.

EDWARD A. SLATTERY, Collector of Assessments and Arrears.

JOHN B. ADGER MULLALLY, 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—Municipal Building.

SAMUEL M. GARRISON, Deputy Collector of Assessments and Arrears.

Borough of Queens—Hackett Building, Jackson avenue and Fifth street, Long Island City.

PATRICK E. LEARY, Deputy Collector of Assessments and Arrears.

Borough of Richmond—Bay and Sand streets, Stapleton.

GEORGE BRAND, Deputy Collector of Assessments and Arrears.

Bureau for the Collection of City Revenue and of Markets.

Stewart Building, Chambers street and Broadway, Room 139.

WILLIAM T. GOUNDIE, Collector of City Revenue and Superintendent of Markets.

JAMES H. BALDWIN, Deputy Collector of City Revenue.

DAVID O'BRIEN, Deputy Superintendent of Markets.

Bureau of Municipal Accounts and Statistics.

Stewart Building, Chambers street and Broadway.

JOHN R. SPARROW, Supervising Accountant and Statistician, Room 173.

Bureau of the City Chamberlain.

Stewart Building, Chambers street and Broadway, Rooms 63 to 67; and Kings County Court House, Room 14, Borough of Brooklyn.

ELGIN R. L. GOULD, City Chamberlain.

JOHN H. CAMPBELL, Deputy Chamberlain.

LAW DEPARTMENT.

Office of Corporation Counsel.

Staats-Zeitung Building, 2d 3d and 4th floors, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

Telephone 5366 Cortlandt.

GEORGE L. RIVES, Corporation Counsel.

FRANK N. APPLEGATE, Secretary.

THEODORE CONNOLY, CHARLES D. OLENDORF, GEORGE L. STERLING, EDWARD J. MC GUIRE, JAMES M. WARD, GEORGE S. COLEMAN, CHARLES N. HARRIS, CHASE MELLON, CHARLES S. WHITMAN, EDWIN J. FREEDMAN, TERENCE FARLEY, JOHN C. WAIT, JOHN W. HUTCHINSON, JR., OLIVER C. SEMPLE, JAMES T. MALONE, JOHN L. O'BRIEN, CHARLES A. O'NEIL, GEORGE LANDON, ARTHUR SWEENEY, WILLIAM BEERS CROWELL, DAVID RUMSEY, ANDREW T. CAMPBELL, JR., JOHN F. O'BRIEN, FRANKLIN C. HOYT, E. CROSBY KINDEBERGER, MONTGOMERY HARE, LE ROY D. BALL, FREDERICK KERNOCHEAN, Assistants.

JAMES McKEEN, Assistant, in charge of Brooklyn branch office.

GEORGE E. BLACKWELL, Assistant, in charge of Queens branch office.

DOUGLAS MATHEWSON, Assistant, in charge of Bronx branch office.

ALBERT E. HADLOCK, Assistant in charge of Richmond branch office.

ANDREW T. CAMPBELL, Chief Clerk.

Tenement House Bureau and Building Bureau.

No. 61 Irving place, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to noon.

MATTHEW C. FLEMING, Assistant, in charge.

Bureau for Collection Arrears of Personal Taxes.

No. 280 Broadway (Stewart Building). Office hours for the public, 10 A. M. to 2 P. M.; Saturdays 10 A. M. to 12 M.

MARTIN SAXE, Assistant, in charge.

Bureau for the Recovery of Penalties.

No. 119 and 121 Nassau street, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

ARTHUR F. COBY, Assistant, in charge.

Bureau of Street Openings.

No. 90 and 92 West Broadway, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

JOHN P. DUNN, Assistant, in charge.

Bureau of the Recovery of Penalties.

No. 119 and 121 Nassau street, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

ARTHUR F. COBY, Assistant, in charge.

Bureau of Street Openings.

No. 90 and 92 West Broadway, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

JOHN P. DUNN, Assistant, in charge.

Bureau of the Recovery of Penalties.

No. 119 and 121 Nassau street, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

ARTHUR F. COBY, Assistant, in charge.

Bureau of Street Openings.

No. 90 and 92 West Broadway, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

JOHN P. DUNN, Assistant, in charge.

Bureau of the Recovery of Penalties.

No. 119 and 121 Nassau street, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

ARTHUR F. COBY, Assistant, in charge.

Bureau of Street Openings.

No. 90 and 92 West Broadway, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

JOHN P. DUNN, Assistant, in charge.

Bureau of the Recovery of Penalties.

No. 119 and 121 Nassau street, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

ARTHUR F. COBY, Assistant, in charge.

Bureau of Street Openings.

No. 90 and 92 West Broadway, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

JOHN P. DUNN, Assistant, in charge.

Bureau of the Recovery of Penalties.

No. 119 and 121 Nassau street, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

ARTHUR F. COBY, Assistant, in charge.

Bureau of Street Openings.

No. 90 and 92 West Broadway, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

JOHN P. DUNN, Assistant, in charge.

Bureau of the Recovery of Penalties.

No. 119 and 121 Nassau street, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

ARTHUR F. COBY, Assistant, in charge.

Bureau of Street Openings.

No. 90 and 92 West Broadway, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

JOHN P. DUNN, Assistant, in charge.

Bureau of the Recovery of Penalties.

No. 119 and 121 Nassau street, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

ARTHUR F. COBY, Assistant, in charge.

Bureau of Street Openings.

No. 90 and 92 West Broadway, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

JOHN P. DUNN, Assistant, in charge.

Bureau of the Recovery of Penalties.

No. 119 and 121

Borough of Queens—Office, Borough Hall, Fulton street, Jamaica, L. I.
 SAMUEL D. NUTT, LEONARD RUOFF, JR.
 MARTIN MAGER, JR., Chief Clerk.
 Office hours from 9 A. M. to 4 P. M.
 Borough of Richmond—No. 46 Richmond road, Stapleton. Open for the transaction of business all hours of the day and night.
 GEORGE F. SCHAFER.

NEW YORK COUNTY OFFICES.
SURROGATE.

New County Courthouse. Court open from 9 A. M. to 4 P. M., except Saturdays, when it closes at 12 M. During the months of July and August the hours are from 9 A. M. to 2 P. M.
 FRANK T. FITZGERALD, ABNER C. THOMAS, Surrogates; WILLIAM V. LEARY, Chief Clerk.

SHERIFF.

Stewart Building, 9 A. M. to 4 P. M.
 WILLIAM J. O'BRIEN, Sheriff; EDWARD C. MOEN, Under Sheriff.

COUNTY JAIL.

No. 70 Ludlow street, 6 A. M. to 10 P. M. daily.
 WILLIAM J. O'BRIEN, Sheriff.
 THOMAS H. SULLIVAN, Warden.

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.
 WILLIAM TRAVERS JEROME, District Attorney.
 JOHN A. HENNEBERRY, Chief Clerk.

REGISTER.

No. 116 Nassau street. 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.
 JOHN H. J. RONNER, Register; HENRY H. SHERMAN, Deputy Register.

COUNTY CLERK.

Nos. 8, 9, 10 and 11 New County Courthouse. Office hours from 9 A. M. to 2 P. M.
 THOMAS L. HAMILTON, County Clerk.
 HENRY BIRRELL, Deputy.
 PATRICK H. DUNN, Secretary.

COMMISSIONER OF JURORS.

Room 127 Stewart Building, Chambers street and Broadway, 9 A. M. to 4 P. M.
 THOMAS ALLISON, Commissioner.

PUBLIC ADMINISTRATOR.

No. 119 Nassau street, 9 A. M. to 4 P. M.
 WILLIAM M. HOES, Public Administrator.

KINGS COUNTY OFFICES.

COUNTY COURT, KINGS COUNTY.

County Courthouse, Brooklyn, Rooms 10, 19, 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, Courthouse. Clerk's Office, Rooms 19 and 22, open daily from 9 A. M. to 4 P. M.; Saturdays, 12 M.
 JOSEPH ASPINALL and FREDERICK E. CRANE, County Judges.
 CHARLES S. DEVOY, Chief Clerk.

SURROGATE.

Hall of Records, Brooklyn, N. Y.
 JAMES C. CHURCH, Surrogate.
 WILLIAM P. PICKETT, 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.

SHERIFF.

County Courthouse, Brooklyn.
 9 A. M. to 4 P. M.; Saturdays, 12 M.
 W. E. MELODY, Sheriff.

COUNTY JAIL.

Raymond street, between Willoughby street and DeKalb avenue, Brooklyn, New York.
 W. E. MELODY.

DISTRICT ATTORNEY.

Office, County Courthouse, Borough of Brooklyn. Hours, 9 A. M. to 5 P. M.
 JOHN F. CLARKE, District Attorney.

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.
 JOHN K. NEAL, Register.

WARREN C. TREDWELL, Deputy Register.

D. H. RALSTON, Assistant Deputy Register.

COUNTY CLERK.

Hall of Records, Brooklyn, 9 A. M. to 4 P. M.
 CHARLES T. HARTZHEIM, County Clerk.

COMMISSIONER OF JURORS.

5 Courthouse.
 JACOB BRENNER, Commissioner.
 FRANK J. GARDNER, Deputy Commissioner.
 ALBERT B. WALDON, Secretary.
 Office hours from 9 A. M. to 4 P. M.; Saturdays from 9 A. M. to 12 M.

COMMISSIONER OF RECORDS.

Rooms 7, 9, 10 and 11, 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.
 GEORGE E. WALDO, Commissioner.

JOSEPH H. GRENELLE, Deputy Commissioner.

JOHN H. JOHNSON, Secretary.

THOMAS D. MOSSCROFT, Superintendent.

RICHARD S. STEVES, Chief Clerk.

PUBLIC ADMINISTRATOR.

No. 180 Montague street, Brooklyn, 9 A. M. to 4 P. M., except Saturdays in June, July and August, 9 A. M. to 1 P. M.
 WILLIAM B. DAVENPORT, Public Administrator.

QUEENS COUNTY OFFICES.

SURROGATE.

DANIEL NOBLE, Surrogate.
 Office at Jamaica.
 Except on Sundays, holidays and half holidays the office is open between March 31 and October 1, from 8 A. M. to 5 P. M.; on Saturdays from 8 A. M. to 12 M.; between September 30 and April 1, from 9 A. M. to 5 P. M.; on Saturdays from 9 A. M. to 12 M.

Surrogate's Court sits on Thursday and Friday of each week, except during the month of August, when no court is held. Calendar called at 10 A. M.

COUNTY COURT.

County Courthouse, Long Island City.
 County Court opens at 9:30 A. M.; adjourns at 5 P. M.

County Judge's office always open at Flushing, N. Y.
 HARRISON S. MOORE, County Judge.

SHERIFF.

County Courthouse, Long Island City, 9 A. M. to 4 P. M.; Saturdays from 9 A. M. to 12 M.
 JOSEPH H. DE BRAGGA, Sheriff; JOSIAH C. BENNETT, Under Sheriff.

DISTRICT ATTORNEY.

Office, Queens County Courthouse, Long Island City, 9 A. M. to 5 P. M.
 GEORGE A. GREGG, District Attorney.

COUNTY CLERK.

Jamaica, N. Y., Fourth Ward, Borough of Queens.
 Office hours, April 1 to October 1, 8 A. M. to 5 P. M.; October 1 to April 1, 9 A. M. to 5 P. M.; Saturdays, to 12 M.

County and Supreme Court held at the Queens County Courthouse, Long Island City. Court opens at 9:30 A. M., to adjourn 5 P. M.
 JAMES INGRAM, County Clerk.

CHARLES DOWNING, Deputy County Clerk.

COMMISSIONER OF JURORS.

Office hours, 9 A. M. to 4 P. M.; Saturdays, 9 A. M. to 12 M.
 EDWARD J. KNAUER, Commissioner.

H. HOMER MOORE, Assistant Commissioner.

PUBLIC ADMINISTRATOR.

No. 103 Third street, Long Island City, 9 A. M. to 5 P. M.
 CHARLES A. WADLEY, Public Administrator.

RICHMOND COUNTY OFFICES.

COUNTY JUDGE AND SURROGATE.

Terms of Court, Richmond County, 1902:
 County Courts—STEPHEN D. STEPHENS, County Judge.

First Monday of June, Grand and Trial Jury; First Monday of December, 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;—All at the Courthouse at Richmond.

Surrogate's Court—STEPHEN D. STEPHENS, Surrogate.

Mondays, at the First National Bank Building, St. George, at 10:30 o'clock A. M.

Tuesdays, at the First National Bank Building, 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.

Port Richmond, S. I.
 Office hours, from 9 A. M. to 12 M., and from 1 P. M. to 5 P. M.

EDWARD S. RAWSON, District Attorney.

COUNTY CLERK.

County Office Building, Richmond, S. I., 9 A. M. to 4 P. M.
 C. L. BOSTWICK, County Clerk.

County Courthouse, Richmond, S. I., 9 A. M. to 4 P. M.

SHERIFF.

FRANKLIN C. VITT, Sheriff.
 THOMAS H. BANNING, Under Sheriff.

COMMISSIONER OF JURORS.

Village Hall, Stapleton.

CHARLES J. KULLMAN, Commissioner.

J. LOUIS GARRETSON, Commissioner.

Office open from 9 A. M. until 4 P. M.; Saturdays, from 9 A. M. to 12 M.

THE COURTS.

APPELLATE DIVISION SUPREME COURT.

FIRST JUDICIAL DEPARTMENT.

Courthouse, Madison avenue, corner Twenty-fifth street. Court opens at 1 P. M.

CHARLES H. VAN BRUNT, Presiding Justice; EDWARD PATTERSON, MORGAN J. O'BRIEN, GEORGE L. INGRAM, CHESTER B. MC LAUGHLIN, EDWARD W. HATCH, FRANK C. LAUGHLIN, Justices; ALFRED WAGSTAFF, Clerk. WILLIAM LAMB, Jr., Deputy Clerk.

Clerk's Office opens at 9 A. M.

SUPREME COURT—FIRST DEPARTMENT.

County Courthouse, Chambers street. Courts open from 10:15 A. M. to 4 P. M.

Special Term, Part I., (motions), Room No. 12.

Special Term, Part II., (ex parte business), Room No. 15.

Special Term, Part III., Room No. 19.

Special Term, Part IV., Room No. 11.

Special Term, Part V., Room No. 30.

Special Term, Part VI., (Elevated Railroad Cases), Room No. 36.

Trial Term, Part II., Room No. 25.

Trial Term, Part III., Room No. 17.

Trial Term, Part IV., Room No. 18.

Trial Term, Part V., Room No. 16.

Trial Term, Part VI., Room No. 24.

Trial Term, Part VII., Room No. 23.

Trial Term, Part VIII., Room No. 33.

Trial Term, Part IX., Room No. 31.

Trial Term, Part X., Room No. 32.

Trial Term, Part XI., Room No. 22.

Trial Term, Part XII., Room No. 34.

Trial Term, Part XIII., and Special Term, VII., Room No. 26.

Appellate Term, Room No. 31.

Naturalization Bureau, Room No. 38, third floor.

Assignment Bureau, room on third floor.

Clerks in attendance from 10 A. M. to 4 P. M.

Clerk's Office, Special Term, Part I., (motions), Room No. 13.

Clerk's Office, Special Term, Part II., (ex parte business), room southwest corner mezzanine floor.

Clerk's Office, Special Term, Calendar, room southeast corner second floor.

Clerk's Office, Trial Term, Calendar, room northwest corner second floor, east.

Clerk's Office, Appellate Term, room southwest corner third floor.

Trial Term, Part I., (criminal business).

Criminal Courthouse, Centre street.

Justices—CHARLES H. TRUAX, FRANCIS M. SCOTT, CHARLES F. MACLEAN, HENRY BISCHOFF, JR., LEONARD A. GIEGERICH, JOHN J. FREEDMAN, P. HENRY DUGRO, HENRY A. GILDERSLEEVE, JAMES FITZGERALD, DAVID LEVENTRITT, JAMES A. O'GORMAN, GEORGE C. BARRETT, JAMES A. BLANCHARD, JOHN PROCTOR CLARKE, SAMUEL GREENBAUM, EDWARD E. Mc CALL, EDWARD B. AMEND, VERNON M. DAVIS.

SUPREME COURT—SECOND DEPARTMENT.

Kings County Courthouse, Borough of Brooklyn, N. Y.</

BOROUGH OF RICHMOND.

First District—First and Third Wards (Towns of Castleton and Northfield). Courtroom, former Village Hall, Lafayette avenue and Second street, New Brighton.

JOHN J. KENNY, Justice. FRANCIS F. LEMAN, Clerk.

Clerk's Office open from 9 A. M. to 4 P. M.

Court held each day, except Saturdays, from 10 A. M.

Second District—Second, Fourth and Fifth Wards (Towns of Middletown, Southfield and Westfield). Courtroom, 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 held each day from 10 A. M., and continues until close of business.

DEPARTMENT OF BRIDGES.

DEPARTMENT OF BRIDGES, 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 Bridges at the office of the Department of Bridges, Room 1203, Park Row Building, at 12 o'clock noon, on

THURSDAY, JANUARY 7, 1904.

FOR THE CONSTRUCTION OF ASPHALT PAVEMENT, ETC., UNDER THE MANHATTAN APPROACH OF THE WILLIAMSBURG (NEW EAST RIVER) BRIDGE OVER THE EAST RIVER, BETWEEN THE BOROUGHS OF MANHATTAN AND BROOKLYN.

The amount of security to guarantee the faithful performance of the work will be four thousand dollars (\$4,000).

The work must be begun within five (5) days and entirely completed within twenty-five (25) consecutive working days after the contractor receives notice from the Commissioner to begin work.

Blank forms and further information may be obtained at the office of the Department of Bridges.

GUSTAV LINDENTHAL, Commissioner of Bridges.

Dated December 22, 1903. d24,j7

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF BRIDGES, NOS. 13 TO 21 PARK ROW, MANHATTAN, THE CITY OF NEW YORK, BOROUGH OF MANHATTAN.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Bridges at the above office until 12 o'clock noon, on

WEDNESDAY, DECEMBER 30, 1903.

FOR THE CONSTRUCTION OF A BASCULE BRIDGE OVER GOWANUS CANAL, AT HAMILTON AVENUE, BOROUGH OF BROOKLYN.

The work must be entirely completed on or before May 1, 1905.

The amount of security to guarantee the faithful performance of the work will be forty thousand dollars (\$40,000).

Blank forms and further information may be obtained at the Brooklyn office of the Department of Bridges, No. 179 Washington street, Brooklyn.

GUSTAV LINDENTHAL, Commissioner of Bridges.

d16,30

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF BRIDGES, NOS. 13 TO 21 PARK ROW, MANHATTAN, THE CITY OF NEW YORK, BOROUGH OF MANHATTAN.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Bridges at the above office until 12 o'clock noon, on

WEDNESDAY, DECEMBER 30, 1903.

FOR THE CONSTRUCTION OF THREE BASCULE BRIDGES OVER GOWANUS CANAL, AT NINTH STREET, THIRD STREET AND UNION STREET, BOROUGH OF BROOKLYN.

The work must be entirely completed on or before January 1, 1905.

The amount of security to guarantee the faithful performance of the work will be eighty thousand dollars (\$80,000).

Blank forms and further information may be obtained at the Brooklyn office of the Department of Bridges, No. 179 Washington street, Brooklyn.

GUSTAV LINDENTHAL, Commissioner of Bridges.

d16,30

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF BRIDGES, 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 Bridges at the office of the Department of Bridges, Room No. 1203, Park Row Building, at 12 o'clock noon, on

THURSDAY, DECEMBER 24, 1903.

FOR THE CONSTRUCTION OF HOODS OVER THE CABLE SADDLES, ETC., ON TOWERS OF THE WILLIAMSBURG (NEW EAST RIVER) BRIDGE, OVER THE EAST RIVER, BETWEEN THE BOROUGHS OF MANHATTAN AND BROOKLYN.

The work must be begun within ten (10) days and entirely completed within one hundred and twenty (120) consecutive working days after the contractor receives notice from the Commissioner to begin work.

The amount of security to guarantee the faithful performance of the work will be twenty thousand dollars (\$20,000).

Blank forms and further information may be obtained at the office of the Department of Bridges.

GUSTAV LINDENTHAL, Commissioner of Bridges.

d16,30

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF BRIDGES, 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 Bridges at the office of the Department of Bridges, Room 1203, Park Row Building, at 12 o'clock noon, on

THURSDAY, DECEMBER 24, 1903.

FOR FURNISHING AND DELIVERING FIFTEEN HUNDRED NET TONS OF RED ASH ANTHRACITE STOVE COAL TO BRIDGES OVER THE HARLEM RIVER.

The coal will be delivered, from time to time, during the year 1904 in quantities of from one to twenty tons, as required.

The amount of security required is twenty-five hundred dollars (\$2,500).

Bidders will state the price per net ton. The contract will be awarded to the lowest bidder.

Blank forms and further information may be obtained at the office of the Department of Bridges.

GUSTAV LINDENTHAL, Commissioner of Bridges.

Dated December 9, 1903. d10,24

See General Instructions to Bidders on the last page, last column, of the "City Record."

BOARD OF TRUSTEES OF BELLEVUE AND ALLIED HOSPITALS.

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 Board of Trustees at the above office until 3:30 o'clock p. m., on

TUESDAY, DECEMBER 29, 1903.

FOR SURGICAL DRESSINGS.

The surety required shall be not less than 50 per cent. (50%) of the amount of the bid.

The time for the delivery of the articles and the completion of the work is as required, and the full performance of the contract is by or before December 31, 1904.

The bidder will state the price of each article contained in the specification or schedule herein contained or hereto annexed, per pound, gram, dozen, yard or other unit of measure, by which the bids will be tested. The extension must be made, as the bids will be read from the total for each item, and award made to the lowest bidder.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms may be obtained at the office of the Board, Bellevue Hospital, Twenty-sixth street and First avenue, Borough of Manhattan.

JOHN W. BRANNAN, President, Board of Trustees, Bellevue and Allied Hospitals.

Dated December 15, 1903. d16,29

See General Instructions to Bidders on the last page, last column, of the "City Record."

BOARD MEETINGS.

The Board of Estimate and Apportionment meet in the old Council Chamber (Room 16), City Hall, every Friday, at 10:30 o'clock a. m.

JAMES W. STEVENSON,

Deputy Comptroller, Secretary.

The Commissioners of the Sinking Fund meet in the old Council Chamber (Room 16), City Hall, every Wednesday at 2 o'clock p. m., or at call of the Mayor.

N. TAYLOR PHILLIPS,

Deputy Comptroller, Secretary.

DEPARTMENT OF STREET CLEANING.

MAIN OFFICE OF THE DEPARTMENT OF STREET CLEANING, ROOM 1421, NOS. 13-21 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 2 o'clock p. m., on

FRIDAY, JANUARY 8, 1904.

Boroughs of Manhattan and The Bronx.

Contract for Coal.

FOR FURNISHING AND DELIVERING 300 TONS WHITE ASH ANTHRACITE COAL OF THE SIZE KNOWN AS "STOVE COAL."

The time for the delivery of the supplies and the performance of the contract is by or before May 1, 1904.

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 per horse, 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 item and awards made to the lowest bidder 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 Department of Street Cleaning, the Borough of Manhattan, Nos. 13-21 Park Row.

JOHN McG. WOODBURY, Commissioner of Street Cleaning.

Dated November 23, 1903. d11,20

See General Instructions to Bidders on the last page, last column, of the "City Record."

MAIN OFFICE OF THE DEPARTMENT OF STREET CLEANING, ROOM 1421, NOS. 13-21 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 2 o'clock p. m., on

THURSDAY, DECEMBER 24, 1903.

Boroughs of Manhattan and The Bronx.

Contract for Coal.

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 April 1, 1904.

The amount of security required is fifty per cent. (50%) of the amount of bid or estimate.

The bidder will state the price of each item or article contained in the specifications per hundred pounds per horse, 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 item and awards made to the lowest bidder 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 Department of Street Cleaning, the Borough of Manhattan, Nos. 13-21 Park Row.

JOHN McG. WOODBURY, Commissioner of Street Cleaning.

Dated December 9, 1903. d10,24

See General Instructions to Bidders on the last page, last column, of the "City Record."

ASHES, ETC., FOR FILLING IN LANDS.

PERSONS HAVING LANDS OR PLACES IN THE VICINITY OF NEW YORK BAY TO FILM IN CANCER MATERIAL FOR THAT PURPOSE—ASHES, STREET SWEEPINGS, ETC., COLLECTED BY THE DEPARTMENT OF STREET CLEANING—FREE OF CHARGE BY APPLYING TO THE COMMISSIONER OF STREET CLEANING, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN.

JOHN McGAW WOODBURY,

Cleaning at the above office until 2 o'clock p. m.

THURSDAY, DECEMBER 24, 1903.

Borough of Brooklyn.

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 April 1, 1904.

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 per horse, 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 item and awards made to the lowest bidder 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 Department of Street Cleaning, the Borough of Manhattan, Nos. 13-21 Park Row.

JOHN McG. WOODBURY, Commissioner of Street Cleaning.

Dated December 9, 1903. d10,24

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE 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 10 o'clock a. m., on

THURSDAY, DECEMBER 31, 1903.

Borough of Richmond.

Contract No. 830.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR SHOEING THE HORSES OF THE DEPARTMENT OF STREET CLEANING IN THE BOROUGH OF BROOKLYN.

The time for the completion of the work and the full performance of the contract is on or before the expiration of 45 calendar days.

The amount of security required is \$9,000.

</div

OFFICE OF THE 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

THURSDAY, DECEMBER 24, 1903.

Borough of Manhattan.

Contract No. 824.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR FURNISHING AND ERECTING AN ELECTROLIER FOR THE ISLE OF SAFETY AT THE FOOT OF WEST TWENTY-THIRD STREET, NORTH RIVER.

The time for the completion of the work and the full performance of the contract is on or before the expiration of Forty-five calendar days.

The amount of security required is \$600.

The bids will be compared and the contract awarded at a lump or aggregate sum.

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 and the plans and drawings may be seen at the office of the said Department.

MCDOUGALL HAWKES, Commissioner of Docks.

Dated December 12, 1903. d14,24

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF HEALTH.

DEPARTMENT OF HEALTH OF THE CITY OF NEW YORK, SOUTHWEST CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health at the above office until 10 o'clock a. m., on

TUESDAY, JANUARY 5, 1904.

FOR FURNISHING ALL THE LABOR AND FURNISHING AND ERECTING ALL THE MATERIALS NECESSARY OR REQUIRED TO COMPLETE A COAL STORAGE HOUSE AT KINGSTON AVENUE HOSPITAL, KINGSTON AVENUE AND FENNIMORE STREET, BOROUGH OF BROOKLYN, CITY OF NEW YORK.

The time for the completion of the work and the full performance of the contract is ninety 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.

ERNST J. LEDERLE, Ph. D., President;

ALVAH H. DOTY, M. D.,

FRANCIS V. GREENE, Board of Health.

Dated December 16, 1903. d16,30

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF HEALTH OF THE CITY OF NEW YORK, SOUTHWEST CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health at the above office until 10 o'clock a. m., on

THURSDAY, DECEMBER 24, 1903.

FOR FURNISHING AND DELIVERING, AS REQUIRED, CHEMICALS, DISINFECTANTS, DRUGS, HORSE FEED AND LIQUORS, TO THE WILLARD PARKER AND RECEPTION HOSPITALS, AT THE FOOT OF EAST SIXTEENTH STREET, BOROUGH OF MANHATTAN; THE RIVERSIDE HOSPITAL, AT NORTH BROTHER ISLAND, BOROUGH OF THE BRONX; THE KINGSTON AVENUE HOSPITAL, AT KINGSTON AVENUE AND FENNIMORE STREET, BOROUGH OF BROOKLYN; THE LABORATORIES, OFFICE BUILDINGS, DISINFECTION STATIONS AND STABLES OF THE DEPARTMENT IN THE DIFFERENT BOROUGHS, NEW YORK CITY, DURING THE YEAR 1904.

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before December 31, 1904.

The amount of security required shall be 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 line and awards made to the lowest bidder on each class and line as shown in the schedules.

Samples will be on exhibition at the office of the Chief Clerk of the Department of Health, third floor, southwest corner Fifty-fifth street and Sixth avenue, until the bids are opened.

The weight, measure, etc., will be allowed as received at the respective places of delivery.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed at the respective places set forth in the specifications.

Blank forms may be obtained at the office of the Board of Health, the Borough of Manhattan, southwest corner of Fifty-fifth street and Sixth avenue, until the bids are opened.

ERNST J. LEDERLE, Ph. D., President;

ALVAH H. DOTY, M. D.,

FRANCIS V. GREENE, Board of Health.

Dated December 12, 1903. d12,24

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF HEALTH OF THE CITY OF NEW YORK, SOUTHWEST CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health at the above office of the Department of Health until 10 o'clock a. m., on

THURSDAY, DECEMBER 24, 1903.

FOR FURNISHING AND DELIVERING MILK TO THE WILLARD PARKER HOSPITAL, THE RECEPTION HOSPITAL, THE VACCINE LABORATORY AND THE RESEARCH LABORATORY, AT THE FOOT OF EAST SIXTEENTH STREET, BOROUGH OF MANHATTAN; THE RIVERSIDE HOSPITAL, AT NORTH BROTHER ISLAND, BOROUGH OF THE BRONX, AND THE KINGSTON AVENUE HOSPITAL, AT KINGSTON AVENUE AND FENNIMORE STREET, BOROUGH OF BROOKLYN, NEW YORK CITY, DURING THE YEAR 1904.

Delivery to be made daily at the respective hospitals, at the hours, in such quantities and in such manner as may be required by the Board

of Health during the year 1904, any changes in the time or place of delivery, however, may be made in writing by the Board of Health.

The amount of security required is fifty per cent. of the estimated amount of the cost of the milk to be furnished.

The bidder will state the price for furnishing and delivering milk to each of the hospitals and laboratories named, as set forth in the specifications or schedules herein contained or hereto annexed, per quart or other unit of measure, by which the bids will be tested, and awards will be made to the lowest bidder for each hospital.

Any further information can be obtained at the office of the Chief Clerk of the Board of Health, fourth floor, southwest corner of Fifty-fifth street and Sixth avenue, Borough of Manhattan, New York City.

ERNST J. LEDERLE, Ph. D., President;

ALVAH H. DOTY, M. D.,

FRANCIS V. GREENE, Board of Health.

CITY OF NEW YORK, December 12, 1903. d12,24

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF HEALTH, SOUTHWEST CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health at the above office until 10 o'clock a. m., on

WEDNESDAY, DECEMBER 23, 1903.

FOR FURNISHING AND DELIVERING, AS REQUIRED, BREAD, FISH, ICE, MINERAL WATERS, VEGETABLES AND FRUITS, TO THE WILLARD PARKER AND RECEPTION HOSPITALS, AT THE FOOT OF EAST SIXTEENTH STREET, BOROUGH OF MANHATTAN; THE RIVERSIDE HOSPITAL, AT NORTH BROTHER ISLAND, BOROUGH OF THE BRONX; THE KINGSTON AVENUE AND FENNIMORE STREET, BOROUGH OF BROOKLYN, AND THE LABORATORIES AND OFFICE BUILDINGS OF THE DEPARTMENT IN THE DIFFERENT BOROUGHS, NEW YORK CITY, DURING THE YEAR 1904.

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before December 31, 1904.

The amount of security required shall be 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 line and awards made to the lowest bidder on each class and line as shown in the schedules.

Samples will be on exhibition at the office of the Chief Clerk of the Department of Health, third floor, southwest corner Fifty-fifth street and Sixth avenue, until the bids are opened.

The weight, measure, etc., will be allowed as received at the respective places of delivery.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed at the respective places set forth in the specifications.

Blank forms may be obtained at the office of the Board of Health, the Borough of Manhattan, southwest corner of Fifty-fifth street and Sixth avenue.

ERNST J. LEDERLE, Ph. D., President;

ALVAH H. DOTY, M. D.,

FRANCIS V. GREENE, Board of Health.

Dated December 11, 1903. d11,23

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF HEALTH OF THE CITY OF NEW YORK, SOUTHWEST CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health at the above office until 10 o'clock a. m., on

TUESDAY, DECEMBER 29, 1903.

FOR FURNISHING ALL THE LABOR AND FURNISHING AND ERECTING ALL THE MATERIALS NECESSARY OR REQUIRED TO COMPLETE A NURSES' HOME ON THE GROUNDS OF KINGSTON AVENUE HOSPITAL, KINGSTON AVENUE AND FENNIMORE STREET, BOROUGH OF BROOKLYN, CITY OF NEW YORK.

The time for the completion of the work and the full performance of the contract is two hundred 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.

ERNST J. LEDERLE, Ph. D., President;

ALVAH H. DOTY, M. D.,

FRANCIS V. GREENE, Board of Health.

Dated December 9, 1903. d10,29

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF HEALTH OF THE CITY OF NEW YORK, SOUTHWEST CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health until 10 o'clock a. m., on

TUESDAY, DECEMBER 29, 1903.

FOR FURNISHING ALL THE LABOR AND FURNISHING AND ERECTING ALL THE MATERIALS NECESSARY OR REQUIRED TO COMPLETE A FIREPROOF LABORATORY BUILDING ON THE GROUNDS OF THE WILLARD PARKER HOSPITAL, AT THE FOOT OF EAST SIXTEENTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

The time for the completion of the work and the full performance of the contract is two hundred 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 at the office of the Chief Clerk of the Department of Health, southwest corner of Fifty-fifth street and Sixth avenue, Borough of Manhattan.

ERNST J. LEDERLE, Ph. D., President;

ALVAH H. DOTY, M. D.,

FRANCIS V. GREENE, Board of Health.

Dated December 9, 1903. d10,29

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF HEALTH OF THE CITY OF NEW YORK, SOUTHWEST CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health until 10 o'clock a. m., on

MONDAY, DECEMBER 28, 1903.

FOR FURNISHING ALL THE LABOR AND FURNISHING AND ERECTING ALL THE MATERIALS NECESSARY OR REQUIRED TO COMPLETE A LAUNDRY BUILDING AT THE RIVERSIDE HOSPITAL, NORTH BROTHER ISLAND, BOROUGH OF THE BRONX, CITY OF NEW YORK.

The time for the completion of the work and the full performance of the contract is one hundred and fifty 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.

ERNST J. LEDERLE, Ph. D., President;

ALVAH H. DOTY, M. D.,

FRANCIS V. GREENE, Board of Health.

Dated December 8, 1903. d8,28

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF HEALTH OF THE CITY OF NEW YORK, SOUTHWEST CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health until 10 o'clock a. m., on

MONDAY, DECEMBER 28, 1903.

FOR FURNISHING ALL THE LABOR AND FURNISHING AND ERECTING ALL THE MATERIALS NECESSARY OR REQUIRED TO COMPLETE A FIREPROOF ADMINISTRATION BUILDING AT THE WILLARD PARKER HOSPITAL, FOOT OF EAST SIXTEENTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

The time for the completion of the work and the full performance of the contract is two hundred and twenty-five 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.

ERNST J. LEDERLE, Ph. D., President;

ough of Manhattan, southwest corner Park avenue and Fifty-ninth street.

PATRICK JONES, Acting Superintendent of School Supplies.

Dated December 22, 1903. d22,44

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF EDUCATION, CORNER 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 Buildings at the above office of the Department of Education until 11 o'clock a. m. on

MONDAY, JANUARY 4, 1904.

Borough of Manhattan.

No. 1. FOR THE GENERAL CONSTRUCTION (CONTRACT NO. 1) AND PLUMBING AND DRAINAGE (CONTRACT NO. 1) OF NEW PUBLIC SCHOOL 63, ON THIRD AND FOURTH STREETS, ABOUT 213 FEET EAST OF FIRST AVENUE, BOROUGH OF MANHATTAN.

The time allowed to complete the whole work will be 390^o working days, as provided in the contract.

The amount of security required is as follows:

Item 1, \$200,000.

Item 2, \$800.

No. 2. FOR THE ERECTION OF OUTSIDE IRON STAIRS ON PUBLIC SCHOOL 37, NO. 113 EAST EIGHTY-SEVENTH STREET, BOROUGH OF MANHATTAN.

The time of completion is 100 working days.

The amount of security required is \$1,300.

On Contract No. 2 the bids will be compared and the contract awarded in a lump sum to the lowest bidder.

On Contract No. 1 the bidders must state the price of each or any article or item contained in the specifications or schedules herein contained or hereto annexed, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total of each item and award made to the lowest bidder on each item.

Delivery will be required to be made at the time and manner and in such quantities as may be directed.

Blank forms may be obtained and the plans and drawings may be seen at the office of the Superintendent, at Estimating Room, Hall of the Board of Education, Park avenue and Fifty-ninth street, Borough of Manhattan.

C. B. J. SNYDER, Superintendent of School Buildings.

December 22, 1903. d21,44

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF EDUCATION, CORNER 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 Buildings at the above office of the Department of Education, until 11 o'clock a. m. on

MONDAY, DECEMBER 28, 1903.
Borough of Brooklyn.

No. 1. FOR THE GENERAL CONSTRUCTION (CONTRACT NO. 1) AND PLUMBING AND DRAINAGE (CONTRACT NO. 1) OF NEW PUBLIC SCHOOL 86, ON THE WEST SIDE OF WEST SEVENTEENTH STREET, 145 FEET SOUTH OF NEPTUNE AVENUE, BOROUGH OF BROOKLYN.

The time allowed to complete the whole work will be 200 working days.

The amount of security required is as follows:

Item 1, \$35,000.

Item 2, \$600.

No. 2. FOR FURNITURE FOR NEW PUBLIC SCHOOL 91, ON ALBANY AVENUE, BETWEEN EAST NEW YORK AVENUE AND MAPLE STREET, BOROUGH OF BROOKLYN.

The time allowed to complete the whole work will be 60 working days.

The amount of security required is as follows:

Item 1, \$300.

Item 2, \$100.

Item 3, \$800.

Item 4, \$600.

On Contracts Nos. 1 and 2 the bidders must state the price of each or any article or item contained in the specifications or schedules herein contained or hereto annexed, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total of each item and award made to the lowest bidder on each item.

Delivery will be required to be made at the time and manner and in such quantities as may be directed.

Blank forms may be obtained and the plans and drawings may be seen at the office of the Superintendent, at Estimating Room, Hall of the Board of Education, Park avenue and Fifty-ninth street, Borough of Manhattan.

C. B. J. SNYDER, Superintendent of School Buildings.

December 16, 1903. d15,28

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF EDUCATION, CORNER 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 Buildings at the above office of the Department of Education, until 11 o'clock a. m. on

MONDAY, DECEMBER 28, 1903.
Borough of The Bronx.

No. 3. FOR THE GENERAL CONSTRUCTION (CONTRACT NO. 1) AND PLUMBING AND DRAINAGE (CONTRACT NO. 1) OF ADDITION TO AND ALTERATIONS IN PUBLIC SCHOOL 25, ON THE NORTH SIDE OF EAST ONE HUNDRED AND FORTYNINTH STREET, BETWEEN BEACH AND UNION AVENUES.

The time allowed to complete the whole work will be 200 working days.

The amount of security required is as follows:

Item 1, \$60,000.

Item 2, \$500.

Borough of Manhattan.

No. 4. FOR THE GENERAL CONSTRUCTION (CONTRACT NO. 2) AND PLUMBING (CONTRACT NO. 2) OF DE WITT CLINTON HIGH SCHOOL, ON THE WEST SIDE OF FORTYNINTH AVENUE, BETWEEN FIFTY-EIGHTH AND FIFTY-NINTH STREETS, BOROUGH OF MANHATTAN.

The time allowed to complete the whole work will be 360 working days.

The amount of security required is as follows:

Item 1, \$350,000.

Item 2, \$800.

On Contracts Nos. 3 and 4 the bidders must state the price of each or any article or item contained in the specifications or schedules herein contained or hereto annexed, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total of each item and award made to the lowest bidder on each item.

Delivery will be required to be made at the time and manner and in such quantities as may be directed.

Blank forms may be obtained and the plans and drawings may be seen at the office of the Superintendent, at Estimating Room, Hall of the Board of Education, Park avenue and Fifty-ninth street, Borough of Manhattan.

C. B. J. SNYDER, Superintendent of School Buildings.

December 16, 1903. d15,28

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF EDUCATION, CORNER PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Executive Committee of the Normal College of The City of New York at the office of the Department of Education until 11 o'clock a. m. on

MONDAY, DECEMBER 28, 1903.

Borough of Manhattan.

NORMAL COLLEGE.

No. 1. FOR REPAIRS AND ALTERATIONS TO THE NORMAL COLLEGE BUILDINGS, PARK AND LEXINGTON AVENUES, SIXTY-EIGHTH TO SIXTY-NINTH STREET, BOROUGH OF MANHATTAN.

The time allowed to complete the whole work will be 30 working days for each of Items 1 and 2, and 90 working days for Item 3, as provided in the contract.

The amount of security required is as follows:

Item 1, \$1,000.

Item 2, \$500.

Item 3, \$3,000.

On Contract No. 1 the bidders must state the price of each or any article or item contained in the specifications or schedules herein contained or hereto annexed, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total of each item and award made to the lowest bidder on each item.

Delivery will be required to be made at the time and manner and in such quantities as may be directed.

Blank forms may be obtained and the plans and drawings may be seen at the office of the Superintendent of School Buildings, at Estimating Room, Hall of the Board of Education, Park avenue and Fifty-ninth street, Borough of Manhattan.

PATRICK JONES, Acting Superintendent of School Supplies. d14,24

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF EDUCATION, CORNER 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 Buildings at the above office of the Department of Education until 11 o'clock a. m. on

POLICE DEPARTMENT.

POLICE DEPARTMENT—CITY OF NEW YORK, 1899.

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.

CHAS. D. BLATCHFORD,
Property Clerk.

POLICE DEPARTMENT—CITY OF NEW YORK, BOROUGH OF BROOKLYN.

OWNERS WANTED BY THE DEPUTY Property Clerk of the Police Department of The City of New York—Office, No. 16 Smith 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, liquor, etc., also small amount of money taken from prisoners and found by Patrolmen of this Department.

EDWARD E. DOONAN,
Deputy Property Clerk.

DEPARTMENT OF FINANCE.

Sale of lease of city property for the purpose of constructing and operating a double track street surface railway in connection with the line of the New York and Long Island Traction Company.

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 at public auction on

TUESDAY, JANUARY 12, 1904.

at 12 o'clock m., at the Comptroller's office, No. 280 Broadway, Borough of Manhattan, a lease of the right or privilege of occupying certain parcels of land belonging to The City of New York and located in the County of Nassau and in the County of Queens, for the purpose of constructing and operating a double track street surface railway in connection with the line of the New York and Long Island Traction Company, operating under franchise heretofore granted by the Board of Supervisors of Nassau County, and as may be hereafter granted in the application now pending before the Board of Aldermen of The City of New York, by the City of New York to lands and premises in the Borough of Queens and which are herein described as parcel No. 2, the said premises to be leased being described as follows:

BOROUGH OF QUEENS AND COUNTY OF QUEENS.

Parcel 2—Forest Stream Branch Conduit.

All that certain lot, piece or parcel of land, situate, lying and being in The City of New York, Borough of Queens and County of Queens, State of New York, and bounded and described as follows:

Beginning at a stone monument which said monument marks the intersection of the northerly line of the main conduit of the Brooklyn City Water Works and the easterly line of Forest Stream branch conduit, running thence northerly along the easterly line of said branch conduit sixty-one and eight tenths (61 8-10) feet; running thence westerly sixty-one and eight tenths (61 8-10) feet parallel with the northerly line of said main conduit to the westerly line of said branch conduit; running thence southwesterly along the westerly line of said branch conduit sixty-one and eight tenths (61 8-10) feet to a stone monument; running thence easterly along the northerly line of said main conduit sixty-one and three tenths (61 3-10) feet to the place of beginning; being a strip of land fifty (50) feet in width crossing said Forest Stream branch conduit, and extending from the land of the New York and Long Island Traction Company, formerly owned by V. Mount, on the east to other land of said New York and Long Island Traction Company, formerly owned by H. Nostrand on the west, and containing seventy-one-thousandths (70-1000) of an acre, more or less.

TOWN OF HEMPSTEAD, COUNTY OF NASSAU.

Parcel No. 3—Clear Stream Branch Conduit.

All that certain piece or parcel of land, situate, lying and being in the Town of Hempstead, Nassau County, New York, and bounded and described as follows:

Beginning at a point where the northerly line of the main conduit of the Brooklyn City Water Works intersects the easterly line of the Clear Stream branch conduit, said point being eighty-seven and five-tenths (87 5-10) feet westerly from a stone monument located in the center of Clear Stream; running thence northeasterly along the easterly line of said branch conduit fifty-nine (59) feet; running thence westerly on a line parallel with and fifty (50) feet distant from the northerly line of said main conduit fifty-six and five-tenths (56 5-10) feet to the westerly line of said branch conduit; running thence southwesterly along the westerly line of said branch conduit fifty-nine (59) feet to the northerly line of said main conduit; running thence easterly along the northerly line of said main conduit sixty (60) feet to the place of beginning.

Being a strip of land fifty (50) feet in width crossing said Clear Stream branch conduit, and adjoining the northerly line of said main conduit, and containing sixty-seven-one-thousandths (67-1000) of an acre, more or less.

Parcel No. 4—At Valley Stream.

All that certain piece or parcel of land, situate, lying and being at Valley Stream in the Town of Hempstead, Nassau County, New York, and bounded and described as follows:

Beginning at a point where the easterly property line of the Brooklyn City Water Works intersects the northerly line of Milton avenue, as shown on a map entitled "Property of the Royal Land Co., of New York, situated at Valley Stream, Long Island," said point being also two hundred five and nine-tenths (205 9-10) feet southerly and measured along the easterly property line, from a stone monument; thence running southwesterly along the easterly property line fifty-one and five-hundredths (51 5-100) feet; thence running westerly seven hundred and one and two-tenths (701 2-10) feet to a stone monument, said monument being located on the westerly property line of the Brooklyn City Water Works at its intersection with the southerly line of Milton avenue, as shown on the aforesaid map; thence running northerly fifty-one and six-tenths (51 6-10) feet along the westerly property line; thence running easterly seven hundred and twenty-six (726) feet to property of the Royal Land Company, and place of beginning, being a strip of land fifty (50) feet in width, extending from the easterly end of Milton avenue to the westerly end of Madison avenue and containing eight hundred and nine one-thousandths (809-1000) acres, more or less.

Parcels Nos. 5 and 6.

All that certain piece or parcel of land situate, lying and being in the Town of Hempstead, Nassau County, New York, and bounded and described as follows:

Beginning at a point on the easterly side of Horton avenue, said point being sixty and nine-tenths (60 9-10) feet northerly and measured along the easterly side of Horton avenue from a stone monument, which said monument marks the intersection of the northerly property line of the main conduit of the Brooklyn City Water Works and the easterly line of Horton avenue; thence running northerly along the easterly side of Horton avenue fifty and four-tenths (50 4-10) feet, thence running easterly on a line parallel with and one hundred and ten (110) feet distant from the northerly line of said main conduit nine hundred seventeen and four-tenths (917 4-10) feet to the property of George A. Stanley, Trustee, formerly Samuel Lawrence; thence running southwesterly sixty-one and seven-tenths (61 7-10) feet to a point seventy-four and one-tenth (74 1-10) feet northeasterly from a stone monument and measured along the easterly line of property of the Brooklyn City Water Works; thence running westerly on a line parallel with and sixty (60) feet distant from the northerly line of beginning. Being a strip of land fifty (50) feet in width, the southerly line of which

TWENTY-NINTH WARD, SECTION 16.
EAST SEVENTH STREET—OPENING, from Church lane to Caton avenue. Confirmed November 14, 1903; entered December 14, 1903. Area of assessment includes 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 southerly side of Caton avenue and distant 124.75 feet, more or less, westerly of the westerly line of East Seventh street; running thence southerly and parallel with East Seventh street to the northerly side of Church lane; running thence easterly along the northerly side of Church lane to a point distant 139.9 feet, more or less, easterly of the easterly side of East Seventh street; thence northerly and parallel with East Seventh street to the southerly side of Caton avenue; running thence westerly along the southerly side of Caton avenue to the point or place of beginning.

The above-entitled assessment was entered on the date hereinbefore given 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. 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 1006 of the 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 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, in the Municipal Building, Borough of Brooklyn, 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 February 17, 1904, 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 assessment became a lien to the date of payment.

EDWARD M. GROUT, Comptroller.
CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE, December 19, 1903.
d21,j5

NOTICE TO PROPERTY OWNERS.

N 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:

TWENTY-THIRD WARD, SECTION 6.

LEXINGTON AVENUE—FENCING, south side, between Lewis and Stuyvesant avenues. Area of assessment: South side of Lexington avenue, between Lewis and Stuyvesant avenues, on Block 1625, Lots Nos. 12, 14 and 29.

ATLANTIC AVENUE—FENCING, north side, between Schenectady and Utica avenues. Area of assessment: North side of Atlantic avenue, between Schenectady and Utica avenues, on Block 1707, Lot No. 88.

CLIFTON PLACE—FENCING, north side, between Bedford and Nostrand avenues. Area of assessment: North side of Clifton place, between Bedford and Nostrand avenues, on Block 1788, Lot No. 93.

TWENTY-FOURTH WARD, SECTION 5.

PROSPECT PLACE, FENCING, south side, between Franklin and Bedford avenues. Area of assessment: South side of Prospect place, between Franklin and Bedford avenues, on Block 1231, Lots Nos. 32, 33 and 34.

TWENTY-FIFTH WARD, SECTION 6.

FULTON STREET—FENCING, north side, and TRUXTON STREET, south side, between Eastern parkway and Sackman street; EASTERN PARKWAY—FENCING, east side, between Fulton street and Truxton street. Area of assessment: Corner of Eastern parkway and Fulton street, on Block 1545, Lot No. 1.

JEFFERSON AVENUE—FENCING, north side, between Howard and Saratoga avenues. Area of assessment: North side of Jefferson avenue, between Howard and Saratoga avenues, on Block 1480, Lots Nos. 32 and 43.

HOWARD AVENUE—FENCING, east side, between McDougal and Fulton streets; McDougal and GAL STREET—FENCING, south side, between Howard and Saratoga avenues. Area of assessment: East side of Howard avenue, from Fulton to McDougal street, and south side of McDougal street, between Howard and Saratoga avenues, on Block 1531, Lots Nos. 1 and 71.

JEFFERSON AVENUE—FENCING, south side, between Ralph and Patchen avenues. Area of assessment: South side of Jefferson avenue, between Ralph and Patchen avenues, on Block 1658, Lots Nos. 40 and 45.

HERKIMER STREET—FENCING, south side, between Eastern parkway and Sherlock place. Area of assessment: South side of Herkimer street, between Eastern parkway and Sherlock place, on Block 1571, Lots Nos. 19 and 20.

TWENTY-SIXTH WARD.

CRESCENT STREET—LAYING SIDEWALKS, west side, between Jamaica avenue and Etna street. Area of assessment: West side of Crescent street, between Jamaica avenue and Etna street, on Block 536, Lots Nos. 16, 17 and 105.

CRESCENT STREET—LAYING SIDEWALK, east side, between Jamaica avenue and Etna street. Area of assessment: East side of Crescent street, between Jamaica avenue and Etna street, on Block 537, Lots Nos. 10 to 20, inclusive.

CRESCENT STREET—LAYING SIDEWALK, east side, between Etna street and Ridgewood avenue. Area of assessment: East side of Crescent street, between Etna street and Ridgewood avenue, on Block 534, Lots Nos. 5 and 6.

CRESCENT STREET—LAYING SIDEWALK, west side, between Ridgewood avenue and Fulton street. Area of assessment: West side of Crescent street, from Ridgewood avenue to Fulton street, Block 567.

CRESCENT STREET—LAYING SIDEWALK, east side, between Ridgewood avenue and Fulton street. Area of assessment: East side of Crescent street, between Ridgewood avenue and Fulton street, on Block 568, Lot No. 1.

CRESCENT STREET—LAYING SIDEWALK, east side, between Atlantic avenue and Glen street. Area of assessment: East side of Crescent street, between Atlantic avenue and Glen street, on Block 608, Lot No. 53.

CRESCENT STREET—LAYING SIDEWALK, east side, between Glen and Weldon streets. Area of assessment: East side of Cres-

cent street, between Glen and Weldon streets, on Block 609, Lots Nos. 29 to 32, inclusive.

CRESCENT STREET—LAYING SIDEWALK, west side, between Glen and Weldon streets. Area of assessment: West side of Crescent street, between Glen and Weldon streets, on Block 604, Lot No. 36.

CRESCENT STREET—LAYING SIDEWALK, west side, between Weldon and Magenta streets. Area of assessment: West side of Crescent street, between Weldon and Magenta streets, on Block 605, Lots Nos. 18, 19 and 20.

CRESCENT STREET—LAYING SIDEWALK, east side, between Hill street and Liberty avenue. Area of assessment: East side of Crescent street, between Hill street and Liberty avenue, on Block 612, Lots Nos. 33 and 34.

CRESCENT STREET—LAYING SIDEWALK, west side, between Etna street and Ridgewood avenue. Area of assessment: West side of Crescent street, between Etna street and Ridgewood avenue, on Block 553, Lots Nos. 6 to 13, inclusive, and 23.

CRESCENT STREET—LAYING SIDEWALK, east side, between Weldon and Magenta streets. Area of assessment: East side of Crescent street, between Weldon and Magenta streets, on Block 610, Lots Nos. 29 and 30.

BARBEY STREET—LAYING SIDEWALK, northeast side, between Sunnyside and Jamaica streets; SUNNYSIDE AVENUE—LAYING SIDEWALK, southeast side, between Barbey and Warwick streets; JAMAICA AVENUE—LAYING SIDEWALK, northwest side, between Barbey and Warwick streets. Area of assessment: Northeast side of Barbey street, from Jamaica avenue to Sunnyside avenue, on Block 253, Lots Nos. 37, 39, 48, 49 and 50.

TWENTY-EIGHTH WARD.

MADISON STREET—FENCING, northwest side, between Central and Hamburg avenues. Area of assessment: Northwest side of Madison street, between Central and Hamburg avenues, on Block No. 52, Lots Nos. 45 and 47.

THIRTIETH WARD.

FOURTH AVENUE—LAYING SIDEWALKS, west side, between Seventy-third and Seventy-fourth streets. Area of assessment: West side of Fourth avenue, between Seventy-third and Seventy-fourth streets, on Block 938, Lots Nos. 2, 3, 4 and 7.

—that the same were confirmed by the Board of Assessors on December 17, 1903, and entered on December 18, 1903, 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 that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof on 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, Borough of Brooklyn, 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 February 9, 1904, 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.

EDWARD M. GROUT, Comptroller.
CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE, December 14, 1903.
d14,28

NOTICE OF ASSESSMENTS FOR LOCAL IMPROVEMENTS IN THE BOROUGH OF BROOKLYN, CITY OF NEW YORK.

N OTICE IS HEREBY GIVEN THAT THE assessment rolls in the following-entitled matters have been completed and will be due and payable on the 15th instant, and the authority for the collection of the same has been delivered to the Collector of Assessments and Arrears, and all persons liable to pay such assessments are required to pay the same without delay at his office, Rooms 1 and 3, Municipal Building, in the Borough of Brooklyn:

Sewer Map N, District 29—Assessment for sewers in the Eighth Ward, under chapter 365, Laws of 1899; chapter 452, Laws of 1890, and chapter 520, Laws of 1895; ninth installment.

Main sewers in Map S, Drainage District No. 39—Under chapter 516, Laws of 1896, assessed upon the district in the Twenty-sixth Ward and parts of Wards Twenty-four, Twenty-five, Twenty-eight and Twenty-nine; seventh installment.

EXTRACTS FROM THE LAW.

Chapter 583, Laws of 1888, title 7, section 10, as amended by chapter 888, Laws of 1895, and section 937, chapter 328, Laws of 1897, and chapter 466 of the Laws of 1901, amendatory thereof.

On all * * * assessments which shall be paid to the Collector of Assessments and Arrears before the expiration of thirty days from the time the same shall become due and payable, an allowance shall be made to the person or persons making such payments at the rate of seven and three-tenths per centum per annum for the unexpired portion thereof. On all * * * assessments which shall be paid after the expiration of thirty days from the time the same shall have become due and payable, there shall be added to and collected as part of every such * * * assessment * * * interest at the rate of nine per cent. per annum, to be computed from the time the same became due and payable to the date of said payment.

EDWARD M. GROUT, Comptroller.
CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE, December 14, 1903.
d14,28

NOTICE OF ASSESSMENTS FOR LOCAL IMPROVEMENTS IN THE BOROUGH OF BROOKLYN, CITY OF NEW YORK.

N OTICE IS HEREBY GIVEN THAT THE assessment roll in the following-entitled matter has been completed and will be due and payable on the 15th instant, and the authority for the collection of the same has been delivered to the Collector of Assessments and Arrears, and all persons liable to pay such assessments are required to pay the same without delay at his office, Rooms 1 and 3, Municipal Building, in the Borough of Brooklyn:

Assessment for benefit from PROSPECT PARK (FOR LANDS TAKEN), under chapter 244, Laws of 1878; twenty-sixth installment.

EXTRACTS FROM THE LAW.

Chapter 583, Laws of 1888, title 7, section 10, as amended by chapter 888, Laws of 1895; chapter 775, Laws of 1896, and section 937, chapter 328, Laws of 1897, and chapter 466 of the Laws of 1901, amendatory thereof.

On all * * * assessments which shall be paid to the Collector of Assessments and Arrears before the expiration of thirty days from the time the same shall become due and payable, an allowance shall be made to the person or persons making such payments at the rate of seven and three-tenths per centum per annum for the unexpired portion thereof. On all * * * assessments which shall be paid after the expiration of thirty days from the time the same shall have become due and payable, there shall be added to and collected as part of every such * * * assessment * * * interest at the rate of nine per cent. per annum, to be computed from the time the same became due and payable to the date of said payment.

EDWARD M. GROUT, Comptroller.
CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE, December 14, 1903.
d14,28

NOTICE TO PROPERTY OWNERS.

N 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.

FRANKLIN AVENUE—SEWER, extension, from its present terminus to the bulkhead line. Area of assessment: Both sides of Franklin avenue, from Prospect avenue to the Kill von Kull; both sides of Fairview avenue, from a point distant about 270 feet south of Park place to Third street; both sides of Bayview avenue, from Park place to Third street; both sides of Stebbins avenue, from Third street to Second street; both sides of Second street, from York terrace to a point distant about 100 feet west of Minerva place, and both sides of Second street, extending about 216 feet west of Franklin avenue; both sides of Minerva place, from Second street to First street; both sides of First street, extending about 750 feet east of Franklin avenue, and both sides of First street, extending about 330 feet west of Franklin avenue; south side of Richmond terrace, extending about 565 feet west of Franklin avenue; both sides of Third street, from York terrace to Franklin avenue; both sides of Fourth street, extending about 215 feet west of Franklin avenue; block bounded by Prospect avenue, Franklin avenue and Pendleton avenue; both sides of Park place, from Bayview avenue to Franklin avenue.

FIRST WARD.

HAMILTON AVENUE—SEWER, from Westervelt avenue to St. Mark's place. Area of assessment: Both sides of Hamilton avenue, from Westervelt avenue to St. Mark's place.

—that the same were confirmed by the Board of Assessors on December 10, 1903, and entered on December 11, 1903, 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 that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof on 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, 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 February 9, 1904, 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.

EDWARD M. GROUT, Comptroller.
CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE, December 11, 1903.
d14,26

NOTICE TO PROPERTY OWNERS.
N 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:

February 9, 1904, 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.

EDWARD M. GROUT, Comptroller.
CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE, December 11, 1903.
d14,26

NOTICE TO PROPERTY OWNERS.

N 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:

SEVENTEENTH AND EIGHTEENTH WARDS, SECTIONS 2 AND 3.

THIRD AVENUE—SEWER, alteration and improvement, west side, between Thirteenth and Seventeenth streets, and in THIRTEENTH STREET, between Third and Fourth avenues. Area of assessment: West side of Third avenue, from Thirteenth street to Seventeenth street; east side of Third avenue, from Fifteenth street to Sixteenth street

fications, in the form approved by the Corporation Counsel, can be obtained upon application therefor at the office of the architects, Messrs. Hunt & Hunt, No. 28 East Twenty-first street, Borough of Manhattan, where the plans which are made a part of the specifications, can be seen.

THE ARMORY BOARD,
SETH LOW, Mayor;
JAMES MCLEER,
Brigadier-General, Commanding Second Brigade;
GEORGE MOORE SMITH,
Brigadier-General, Commanding First Brigade;
JAMES L. WELLS,
President of the Department of Taxes and Assessments;

CHARLES V. FORNES,
President of the Board of Aldermen.
Dated December 16, 1903. d17,30

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 12 o'clock m., on

MONDAY, DECEMBER 28, 1903.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR THE ADDITION OF AN EAST WING TO THE NEW YORK CITY TRAINING SCHOOL FOR NURSES AT BLACKWELL'S ISLAND.

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 security 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 Renwick, Aspinwall and Owen, Architects, No. 367 Fifth avenue, The City of New York, where plans and specifications may be seen.

HOMER FOLKS, Commissioner.
Dated December 14, 1903. d15,28

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.

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 12 o'clock m., on

MONDAY, DECEMBER 28, 1903.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR ALTERATIONS FOR DORMITORY BUILDING AT THE NEW YORK CITY FARM COLONY, BOROUGH OF RICHMOND.

The time allowed for the completion of the work and full performance of the contract is one hundred (100) consecutive working days.

The security required will be four thousand dollars (\$4,000).

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 Renwick, Aspinwall and Owen, Architects, No. 367 Fifth avenue, The City of New York, where plans and specifications may be seen.

HOMER FOLKS, Commissioner.
Dated December 14, 1903. d15,28

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.

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 12 o'clock m., on

THURSDAY, DECEMBER 24, 1903.

FOR FURNISHING AND DELIVERING ANTHRACITE, BITUMINOUS, BLACK SMITH AND GAS COAL.

The quantities are as follows:

Boroughs of Manhattan and The Bronx.

10,000 tons egg coal.

12,000 tons buckwheat coal.

540 tons pea coal.

25 tons stove coal.

11,000 tons bituminous coal.

600 tons gas coal.

26 tons blacksmith coal.

Boroughs of Brooklyn and Queens.

6,000 tons pea coal.

500 tons stove coal.

The time for the performance of the contract is during the year 1904.

The amount of security required is fifty (50) per cent. of the amount of the bid or estimate.

The bidder will state the price per gross ton, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total and awards made to the lowest bidder on each class as stated in the specifications.

Blank forms and further information may be obtained at the office of the Department, foot of East Twenty-sixth street, Borough of Manhattan, or at the office of Second Deputy Commissioner, No. 126 Livingston street, Borough of Brooklyn.

HOMER FOLKS, Commissioner.
THE CITY OF NEW YORK, December 12, 1903. d12,24

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 12 o'clock m., on

THURSDAY, DECEMBER 24, 1903.

FOR FURNISHING AND DELIVERING FRESH MEATS, FRESH FISH, FRESH MILK AND POULTRY.

The time for the performance of the contract is during the year 1904.

The amount of security required is fifty (50) per cent. of the amount of the bid or estimate.

Deliveries to be made at the New York City Farm Colony, Borough of Richmond.

The bidder will state the price per pound, per quart, etc., by which the bids will be tested.

The extensions must be made and footed up, as the bids will be read from the total and awards made to the lowest bidder on each class, line or item, as stated in the specifications.

Blank forms and further information may be obtained at the office of the Department, foot of East Twenty-sixth street, Borough of Manhattan, or at the New York City Farm Colony, Borough of Richmond.

HOMER FOLKS, Commissioner.

THE CITY OF NEW YORK, December 12, 1903. d12,23

See General Instructions to Bidders on the last page, last column, of the "City Record."

MUNICIPAL CIVIL SERVICE COMMISSION.

MUNICIPAL CIVIL SERVICE COMMISSION, No. 61 ELM STREET, 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.

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.

All notices of examinations will be posted in the office of the Commission, City Hall, Municipal Building, Brooklyn, 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, and to the General Postoffice and stations thereof. The scope of the examination will be stated, but for more general information application should be made at the office of the Commission.

Unless otherwise specifically stated the minimum age requirement for all positions is 21. S WILLIAM BRISCOE, Secretary.

Applications for the following positions will be received until further notice:

Trained Nurse.
Nurse.

MUNICIPAL CIVIL SERVICE COMMISSION, No. 61 ELM STREET, NEW YORK, December 19, 1903.

PUBLIC NOTICE IS HEREBY GIVEN that, in pursuance of a resolution adopted by the Board of Aldermen on December 1, 1903, and approved by the Mayor December 9, 1903, the offices of this Commission will be closed on Saturday, December 26, 1903, and Saturday, January 2, 1904.

S. WILLIAM BRISCOE, Secretary.

the Contractor, whereupon item or items called for must be delivered not later than 30 days after said notice.

The Contractor shall be required, upon order from the Supervisor at any time during the year 1904, to furnish any additional amount of any item on this contract at contract price when called for by requisition from any Department or office of The City of New York, or of the counties included therein. Ten per cent. of the retained percentage under this contract, due June 30, 1904, shall be retained by the Comptroller until December 31, 1904, to guarantee these supplemental deliveries.

The amount of security shall be Twenty-five per cent. of the amount of the bid.

The person or persons making an estimate shall furnish the same in a sealed envelope, indorsed with the title given above, of the work for which the estimate is made, with his or their name or names, and the date of presentation, to the Supervisor of the City Record, at the said office, on or before the date and hour above named, at which time, and in the office of the Mayor, the estimates received will be publicly opened by the Board of City Record and read, and the award of the contract made according to law as soon thereafter as practicable.

The bidder must state the unit price and total item price of each item. The award will be made by schedule and the bids will be tested and the awards made to the lowest bidder on said basis, except that the Board of City Record may, in its discretion, award this contract as a whole to the bidder whose aggregate bid is the lowest for the entire contract.

Delivery will be required to be made at the office of the City Record from time to time and in such quantities as may be directed by the Supervisor.

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 to be had at the office of the Supervisor and on file in the office of the Comptroller.

Blank forms of bids and further information can be obtained at the office of the City Record, Nos. 13-21 Park Row.

SETH LOW, Mayor.
GEORGE L. RIVES, Corporation Counsel.
EDWARD M. GROUT, Comptroller.

Board of City Record.

THE CITY OF NEW YORK, December 14, 1903. d14,28

See General Instructions to Bidders on the last page, last column, of the "City Record."

THE CITY OF NEW YORK, BOARD OF CITY RECORD.

PROPOSALS FOR BIDS OR ESTIMATES.

SEALED BIDS OR ESTIMATES WILL BE received at the office of the Supervisor of the City Record, Room 1637, No. 21 Park Row, in the City of New York, until 11 o'clock a. m., on

THURSDAY, DECEMBER 24, 1903.

FOR FURNISHING ALL THE MATERIALS AND PLANT, AND DOING ALL THE WORK NECESSARY AND PROPER TO PRINT, FURNISH, FOLD, BIND AND DISTRIBUTE THE "CITY RECORD," FOR AND DURING THE YEAR 1904.

The amount of security shall be thirty-seven thousand five hundred dollars (\$37,500).

The person or persons making the estimate shall furnish the same in a sealed envelope, indorsed with the title given above, of the work for which the estimate is made, with his or their name or names and the date of presentation, to the said Supervisor of the City Record, at the said office, on or before the date and hour above named, at which time and in the office of the Mayor the estimates received will be publicly opened by the Board of City Record and read, and the award of the contract made according to law as soon thereafter as practicable.

The bids will be compared and awarded to the lowest bidder for the whole work and all materials required for the complete performance of the contract.

Samples are on exhibition at the office of the Comptroller of The City of New York.

Bidders will write out the total amount of their estimates in addition to inserting the same in figures.

The Board of City Record reserves the right to reject all bids or estimates if it deems it to be for the interest of the City so to do.

Blank forms of bids and further information may be obtained at the office of the City Record, Nos. 13-21 Park Row.

SETH LOW, Mayor.

GEORGE L. RIVES, Corporation Counsel.

EDWARD M. GROUT, Comptroller.

Board of City Record.

THE CITY OF NEW YORK, December 14, 1903.

See General Instructions to Bidders on the last page, last column, of the "City Record."

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 11 o'clock a. m., on

THURSDAY, DECEMBER 31, 1903.

Borough of Manhattan.

NO. 1. FOR THE CONSTRUCTION OF DE WITT CLINTON PARK, BOUNDED BY ELEVENTH AND TWELFTH AVENUES AND FIFTY-SECOND AND FIFTY-FOURTH STREETS.

The date stipulated for the completion of the whole work is September 1, 1904.

The amount of security required is sixty thousand dollars.

No. 2. FOR WORK AND MATERIALS FOR THE ERECTION AND COMPLETION OF A PAVILION, TO BE ERECTED IN DE WITT CLINTON PARK, FIFTY-SECOND TO FIFTY-FOURTH STREET, ELEVENTH TO TWELFTH AVENUE.

The time allowed for doing and completing the work and furnishing the materials will be eight calendar months.

The amount of security required is eighteen thousand dollars.

No. 3. FOR WORK AND MATERIALS FOR THE ERECTION AND COMPLETION OF A PERGOLA, TOOL HOUSE, ETC. TO BE ERECTED IN DE WITT CLINTON PARK, FIFTY-SECOND TO FIFTY-FOURTH STREET, ELEVENTH TO TWELFTH AVENUE.

The time allowed for doing and completing the work and furnishing the materials will be six calendar months.

The amount of security required is ten thousand dollars.

No. 4. FOR CONSTRUCTING THE PUB-

LIC PARK BOUNDED BY FIRST AVENUE, SECOND AVENUE, THIRTY-FIFTH AND THIRTY-SIXTH STREET.

The time allowed for doing and completing the work and furnishing the materials will be until September 1, 1904.

The amount of security required is thirty-five thousand dollars.

The contracts must be bid for separately.

The bids will be compared and the contracts awarded at a lump or aggregate sum for each contract.

Blank forms may be obtained and plans may be seen at the office of the Department of Parks, the Arsenal, Central Park.

DEPARTMENT OF CORRECTION.

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Correction at the above office until 11 o'clock a. m., on

TUESDAY, JANUARY 12, 1904.

Borough of Manhattan.

FOR FURNISHING AND DELIVERING DRY GOODS, NOTIONS, LEATHER, FINDINGS, OILS, ETC.

The time for the delivery of the articles, materials and supplies and the performance of the contract is during the year 1904.

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 item and awards made to the lowest bidder on each item.

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 and the plans and drawings may be seen at the office of the Department of Correction, the Borough of Manhattan, No. 148 East Twentieth street.

THOS. W. HYNES, Commissioner.

Dated December 19, 1903. d22,j12

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Correction at the above office until 11 o'clock a. m., on

TUESDAY, JANUARY 12, 1904.

Borough of Brooklyn.

FOR FURNISHING AND DELIVERING DRY GOODS, HARDWARE, PAINTS, OILS, TIN, TINWARE AND MISCELLANEOUS ARTICLES.

The time for the delivery of the articles, materials and supplies and the performance of the contract is during the year 1904.

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 item and awards made to the lowest bidder on each item.

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 and the plans and drawings may be seen at the office of the Department of Correction, the Borough of Manhattan, No. 148 East Twentieth street.

THOS. W. HYNES, Commissioner.

Dated December 19, 1903. d22,j12

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Correction at the above office until 11 o'clock a. m., on

TUESDAY, JANUARY 5, 1904.

Borough of Manhattan.

NO. 1. FOR FURNISHING AND DELIVERING GROCERIES, PROVISIONS, VEGETABLES, FORAGE, ETC.

The time for the delivery of the articles, materials and supplies and the performance of the contract is during the year 1904.

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 and awards made to the lowest bidder on each item.

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 and the plans and drawings may be seen at the office of the Department of Correction, the Borough of Manhattan, No. 148 East Twentieth street.

THOS. W. HYNES, Commissioner.

Dated December 18, 1903. d19,j5

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Correction at the above office until 11 o'clock a. m., on

TUESDAY, JANUARY 5, 1904.

Borough of Brooklyn.

NO. 2. FOR FURNISHING AND DELIVERING GROCERIES, VEGETABLES, PROVISIONS, YEAST, ICE, FORAGE, ETC.

The time for the delivery of the articles, materials and supplies and the performance of the contract is during the year 1904.

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 and awards made to the lowest bidder on each item.

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 and the plans and drawings may be seen at the office of the Department of Correction, the Borough of Manhattan, No. 148 East Twentieth street.

THOS. W. HYNES, Commissioner.

Dated December 18, 1903. d19,j5

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Correction at the above office until 11 o'clock a. m., on

TUESDAY, DECEMBER 29, 1903.

Borough of Brooklyn.

NO. 1. FOR FURNISHING AND DELIVERING WHITE ASH COAL.

The time for the delivery of the articles, materials and supplies and the performance of the contract is during the year 1904.

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 item and awards made to the lowest bidder on each item.

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 and the plans and drawings may be seen at the office of the Department of Correction, the Borough of Manhattan, No. 148 East Twentieth street.

THOS. W. HYNES, Commissioner.

Dated December 11, 1903. d12,29

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Correction at the above office until 11 o'clock a. m., on

TUESDAY, DECEMBER 29, 1903.

Borough of Brooklyn.

NO. 2. FOR FURNISHING AND DELIVERING MEATS, FRESH AND CONDENSED MILK.

The time for the delivery of the articles, materials and supplies and the performance of the contract is during the year 1904.

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 item and awards made to the lowest bidder on each item.

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 and the plans and drawings may be seen at the office of the Department of Correction, the Borough of Manhattan, No. 148 East Twentieth street.

THOS. W. HYNES, Commissioner.

Dated December 8, 1903. d11,29

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, 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 No. 16, until 11 o'clock a. m., on

TUESDAY, DECEMBER 29, 1903.

Borough of Manhattan.

NO. 1. FOR FURNISHING AND DELIVERING COMPRESSED YEAST AND ICE.

The time for the delivery of the articles, materials and supplies and the performance of the contract is during the year 1904.

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 item and awards made to the lowest bidder on each item.

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 and the plans and drawings may be seen at the office of the President of the Borough of Manhattan, Room No. 16, City Hall, Borough of Manhattan.

JACOB A. CANTOR, Borough President.

THE CITY OF NEW YORK, December 16, 1903.

d16,29

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Correction at the above office until 11 o'clock a. m., on

TUESDAY, JANUARY 5, 1904.

Borough of Brooklyn.

NO. 2. FOR FURNISHING AND DELIVERING GROCERIES, PROVISIONS, VEGETABLES, YEAST, ICE, FORAGE, ETC.

The time for the delivery of the articles, materials and supplies and the performance of the contract is during the year 1904.

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 and awards made to the lowest bidder on each item.

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 and the plans and drawings may be seen at the office of the Department of Correction, the Borough of Brooklyn, No. 148 East Twentieth street.

THOS. W. HYNES, Commissioner.

Dated December 8, 1903. d11,29

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Correction at the above office until 11 o'clock a. m., on

TUESDAY, DECEMBER 29, 1903.

Borough of Manhattan.

NO. 1. FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR ERECTING AND COMPLETING A BUILDING FOR HOOK AND LADDER COMPANY NO. 8, ON THE SOUTHEAST CORNER OF NORTH MOORE AND VARICK STREETS, MANHATTAN.

The time allowed for the completion of the work and the full performance of the contract is 175 days.

The amount of security required is \$40,000.

Bids will be compared and the contract awarded at a lump or aggregate sum.

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 and the plans and drawings may be seen at the office of the Department of Correction, the Borough of Manhattan, No. 148 East Twentieth street.

THOS. W. HYNES, Commissioner.

Dated December 18, 1903. d10,j5

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Correction at the above office until 11 o'clock a. m., on

TUESDAY, DECEMBER 29, 1903.

Borough of Brooklyn.

NO. 1. FOR FURNISHING AND DELIVERING WHITE ASH COAL.

The time for the delivery of the articles, materials and supplies and the performance of the contract is during the year 1904.

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 item and awards made to the lowest bidder on each item.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

objections will be heard and testimony received in reference thereto.

BENJAMIN E. HALL,
HENRY B. KETCHAM,
ENOCH VREELAND,
Board of Assessors.

WILLIAM H. JASPER, Secretary, No. 320 Broadway,
CITY OF NEW YORK, BOROUGH OF MANHATTAN,
December 21, 1903.
d21,j2

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 7642, No. 1. Laying cement sidewalk on the east side of Essex street, between Atlantic and Liberty avenues.

List 7643, No. 2. Laying cement sidewalk on the west side of Essex street, between Atlantic and Liberty avenues.

List 7644, No. 3. Laying cement sidewalk on the east side of Essex street, between Glenmore and Pitkin avenues.

List 7645, No. 4. Laying cement sidewalk on the west side of Essex street, between Glenmore and Pitkin avenues.

List 7646, No. 5. Laying cement sidewalk on the east side of Essex street, between Liberty and Glenmore avenues.

List 7647, No. 6. Laying cement sidewalk on the west side of Essex street, between Liberty and Glenmore avenues.

List 7648, No. 7. Laying cement sidewalk on the northeast side of Evergreen avenue, between De Kalb avenue and Cedar street.

List 7649, No. 8. Laying cement sidewalk on the northeast side of Irving avenue, between Stanhope and Himrod streets.

List 7650, No. 9. Laying cement sidewalk on the east side of Linwood street, between Glenmore and Pitkin avenues.

List 7651, No. 10. Laying cement sidewalk on the east side of Linwood street, between Liberty and Glenmore avenues.

List 7652, No. 11. Laying cement sidewalk on the southeast side of Putnam avenue, between Bushwick and Evergreen avenues.

List 7653, No. 12. Laying cement sidewalk on the southwest side of St. Nicholas avenue, between Bleeker and Ralph streets.

List 7654, No. 13. Laying cement sidewalk on the northeast side of St. Nicholas avenue, between Greene avenue and Bleeker street.

List 7655, No. 14. Laying cement sidewalk on the southwest side of St. Nicholas avenue, between Greene avenue and Bleeker street.

List 7656, No. 15. Laying cement sidewalk on the northeast side of St. Nicholas avenue, between Harman street and Greene avenue.

List 7657, No. 16. Laying cement sidewalk on the southwest side of St. Nicholas avenue, between Harman street and Greene avenue, and on the northwest side of Greene avenue, between Wyckoff and St. Nicholas avenues.

List 7658, No. 17. Flagging sidewalk on the northwest side of Eighth avenue, between Second and Third streets.

List 7659, No. 18. Flagging sidewalk on the southeast side of Eighth avenue, between Second and Third streets.

List 7660, No. 19. Flagging sidewalk on the southeast side of Eighth avenue, between Third and Fourth streets.

List 7661, No. 20. Flagging sidewalks on the northwest side of Eighth avenue, between Fourth and Fifth streets.

List 7662, No. 21. Flagging sidewalks on the southeast side of Eighth avenue, between Fourth and Fifth streets.

List 7663, No. 22. Flagging sidewalks on the northwest side of Eighth avenue, between Fifth and Sixth streets.

List 7664, No. 23. Flagging sidewalks on the southeast side of Eighth avenue, between Fifth and Sixth streets.

List 7665, No. 24. Flagging sidewalks on the southeast side of Eighth avenue, between Seventh and Eighth streets.

List 7666, No. 25. Flagging sidewalk on the north side of High street, between Bridge and Jay streets.

List 7667, No. 26. Flagging sidewalks on the north side of Prospect place, between Grand and Classon avenues.

List 7668, No. 27. Flagging sidewalks on the south side of Sterling place, between Flatbush and Vanderbilt avenues.

List 7669, No. 28. Flagging sidewalks on the east side of Third avenue, between Butler and Douglass streets.

List 7670, No. 29. Flagging sidewalks on the east side of Third avenue, between De Graw and Sackett streets.

List 7671, No. 30. Flagging sidewalks on the west side of Third avenue, between De Graw and Sackett streets.

List 7672, No. 31. Flagging sidewalks on the west side of Washington avenue, between St. Mark's avenue and Prospect place.

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. East side of Essex street, from Liberty avenue to Atlantic avenue.

No. 2. West side of Essex street, between Atlantic and Liberty avenues, on Block 362, Lots Nos. 8, 13, 14, 15, 16, 17, 18, 19, 20 and 21.

No. 3. East side of Essex street, between Glenmore and Pitkin avenues, on Block 405, Lots Nos. 22 to 26, inclusive.

No. 4. West side of Essex street, between Glenmore and Pitkin avenues, on Block 404 Lots Nos. 8 to 16, inclusive.

No. 5. East side of Essex street, between Liberty and Glenmore avenues, on Block 366, Lots Nos. 38, 21, 27, 28, 29.

No. 6. West side of Essex street, between Liberty and Glenmore avenues, on Block 365, Lots Nos. 13 and 14.

No. 7. Northeast side of Evergreen avenue, between De Kalb avenue and Cedar street, on Block 53, Lot No. 98.

No. 8. Northeast side of Irving avenue, between Stanhope and Himrod streets, on Block 84, Lot No. 5.

No. 9. East side of Linwood street, between Glenmore and Pitkin avenues, on Block 404, Lots Nos. 25, 26, 31.

No. 10. East side of Linwood street, between Glenmore and Liberty avenues, on Block 365, Lot No. 27.

No. 11. Southeast side of Putnam avenue, between Bushwick and Evergreen avenues, on Block 143, Lot No. 24.

No. 12. Southwest side of St. Nicholas avenue, between Bleeker and Ralph streets, on Block 107, Lot No. 6.

No. 13. Northeast side of St. Nicholas avenue, between Greene avenue and Bleeker street, on Block 120, Lots Nos. 5 and 9.

No. 14. Southwest side of St. Nicholas avenue, between Greene avenue and Bleeker street, on Block 106, Lot No. 49.

No. 15. Northeast side of St. Nicholas avenue, between Harman street and Greene avenue, on Block 119, Lot No. 11.

No. 16. Southwest side of St. Nicholas avenue, between Harman street and Greene avenue, and northwest side of Greene avenue, between Wyckoff and St. Nicholas avenues, on Block 105, Lots Nos. 54 and 61.

No. 17. Northwest side of Eighth avenue, between Second and Third streets, on Block 1078, Lot No. 37.

No. 18. Southeast side of Eighth avenue, between Second and Third streets, on Block 1079, Lots Nos. 1 and 5.

No. 19. Southeast side of Eighth avenue, between Third and Fourth streets, on Block 1081, Lot No. 1.

No. 20. Northwest side of Eighth avenue, between Fourth and Fifth streets, on Block 1082, Lots Nos. 37 and 41.

No. 21. Southeast side of Eighth avenue, between Fourth and Fifth streets, on Block 1083, Lots Nos. 1 and 5.

No. 22. Northwest side of Eighth avenue, between Fifth and Sixth streets, on Block 1084, Lot No. 44.

No. 23. Southeast side of Eighth avenue, between Fifth and Sixth streets, on Block 1085, Lots Nos. 1 and 6.

No. 24. Southeast side of Eighth avenue, between Seventh and Eighth streets, on Block 1089, Lot No. 1.

No. 25. North side of High street, between Bridge and Jay streets, on Block 88, Lots Nos. 35 and 38.

No. 26. North side of Prospect place, between Grand and Classon avenues, on Block 1155, Lots Nos. 55, 61, 88, 89, 90, 91, 92, 93 and 1.

No. 27. South side of Sterling place, between Flatbush and Vanderbilt avenues, on Block 1169, Lots Nos. 9, 10, 11, 12, 18.

No. 28. East side of Third avenue, between Butler and Douglass streets, on Block 413, Lot No. 7.

No. 29. East side of Third avenue, between De Graw and Sackett streets, on Block 427, Lots Nos. 1 and 4 to 10, inclusive.

No. 30. West side of Third avenue, between De Graw and Sackett streets, on Block 426, Lot No. 38.

No. 31. West side of Washington avenue, between St. Mark's avenue and Prospect place, on Block 1153, Lots Nos. 32 and 37.

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 January 14, 1904, at 3 p.m., at which time and place the said objections will be heard and testimony received in reference thereto.

BENJAMIN E. HALL,
HENRY B. KETCHAM,
ENOCH VREELAND,
Board of Assessors.

WILLIAM H. JASPER, Secretary, No. 320 Broadway,
December 14, 1903.
d14,24

SUPREME COURT.

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 DE RUSSEY STREET, from Eighty-sixth street to Dyker Beach Park, in the Thirtieth Ward, in the Borough of Brooklyn, in The City of New York, on the 6th day of January, 1902, and in the office of the Clerk of the County of Kings, in the Borough of Brooklyn, City of New York, on the 6th day of January, 1902, and in the office of the Clerk of the County of New York, in the Borough of Manhattan, in The City of New York, and in the office of the Clerk of the County of Westchester, in the Village of White Plains, on the 17th day of January, 1902, by excluding therefrom certain property not required for said avenue, and also by including therein certain additional pieces of land.

office of the Clerk of Kings County in the Hall of Records, in the Borough of Brooklyn, in The City of New York, and that said report will be presented for confirmation to the Supreme Court, at a Special Term for the hearing of motions, to be held in the County Courthouse in Kings County, on January 5, 1904, at 10:30 o'clock a.m., or as soon thereafter as counsel can be heard.

Dated BOROUGH OF BROOKLYN, CITY OF NEW YORK, December 22, 1903.

GEORGE L. RIVES, Corporation Counsel.
d22,j4

SECOND DEPARTMENT.

In the matter of the application of The City of New York relative to amending its application heretofore made in the matter of acquiring title, wherever the same has not been heretofore acquired, to WESTCHESTER AVENUE (although not yet named by proper authority), from the Bronx river to Main street, in the Twenty-fourth Ward, Borough of The Bronx, City of New York, by excluding from said proceeding certain property not required for said avenue, and also by including therein certain additional pieces of land.

N O T I C E I S H E R E B Y G I V E N T H A T Andrew J. Peffry, Christian J. Bode and Herman Intermann were appointed by an order of the Supreme Court, made and entered on the 2d day of December, 1903, Commissioners of Estimate and Assessment in the above-entitled proceeding.

Notice is also given that the above-named Commissioners will attend at a Special Term for the hearing of motions appointed to be held at the Kings County Courthouse, in the Borough of Brooklyn, The City of New York, on the 28th day of December, 1903, at 2 o'clock in the afternoon of that day, or as soon thereafter as counsel can be heard; and at said time and place, or at such other time and place as the Court may direct, the said Commissioners may be examined under oath as to their qualifications to act, and are subject to challenge by any party or person interested in this proceeding, as provided by section 973 of title 4 of chapter 17 of the Charter of The City of New York.

Dated NEW YORK, BOROUGH OF BROOKLYN, December 15, 1903.

GEORGE L. RIVES, Corporation Counsel.
d15,26

SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title to EAST THIRTY-FIFTH STREET, from Elders lane to the County line, in the Twenty-sixth Ward, in the Borough of Brooklyn, The City of New York.

N O T I C E I S H E R E B Y G I V E N T H A T William W. Wingate, Harry Jaquillard and Samuel Tobias were appointed by an order of the Supreme Court, made and entered on the 2d day of December, 1903, Commissioners of Estimate and Assessment in the above-entitled proceeding.

Notice is also given that the above-named Commissioners will attend at a Special Term for the hearing of motions appointed to be held at the Kings County Courthouse, in the Borough of Brooklyn, The City of New York, on the 28th day of December, 1903, at 2 o'clock in the afternoon of that day, or as soon thereafter as counsel can be heard; and at said time and place, or at such other time and place as the Court may direct, the said Commissioners may be examined under oath as to their qualifications to act, and are subject to challenge by any party or person interested in this proceeding, as provided by section 973 of title 4 of chapter 17 of the Charter of The City of New York.

Dated NEW YORK, BOROUGH OF BROOKLYN, December 15, 1903.

GEORGE L. RIVES, Corporation Counsel.
d15,26

SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title to GRANITE STREET, from Bushwick avenue to Evergreen avenue, except the land lying within the lines of the land now occupied by the tracks of the Long Island Railroad Company, in the Twenty-eighth Ward, in the Borough of Brooklyn, The City of New York.

N O T I C E I S H E R E B Y G I V E N T H A T James Z. Pearsall, M. C. Hanton and Charles A. O'Malley were appointed by an order of the Supreme Court, made and entered on the 2d day of December, 1903, Commissioners of Estimate and Assessment in the above-entitled proceeding.

Notice is also given that the above-named Commissioners will attend at a Special Term for the hearing of motions appointed to be held at the Kings County Courthouse, in the Borough of Brooklyn, The City of New York, on the 28th day of December, 1903, at 2 o'clock in the afternoon of that day, or as soon thereafter as counsel can be heard; and at said time and place, or at such other time and place as the Court may direct, the said Commissioners may be examined under oath as to their qualifications to act, and are subject to challenge by any party or person interested in this proceeding, as provided by section 973 of title 4 of chapter 17 of the Charter of The City of New York.

Dated NEW YORK, BOROUGH OF BROOKLYN, December 15, 1903.

GEORGE L. RIVES, Corporation Counsel.
d15,26

SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title to SUTTER AVENUE, from Barrett street to East Ninety-eighth street, in the Twenty-sixth, Twenty-ninth and Thirty-second Wards, in the Borough of Brooklyn, The City of New York.

N O T I C E I S H E R E B Y G I V E N T H A T L. L. Fawcett, Edmund Brown and Hugh Moore were appointed by an order of the Supreme Court, made and entered on the 2d day of December, 1903, Commissioners of Estimate and Assessment in the above-entitled proceeding.

Notice is also given that the above-named Commissioners will attend at a Special Term for the hearing of motions appointed to be held at the Kings County Courthouse, in the Borough of Brooklyn, The City of New York, on the 28th day of December, 1903, at 2 o'clock in the afternoon of that day, or as soon thereafter as counsel can be heard; and at said time and place, or at such other time and place as the Court may direct, the said Commissioners may be examined under oath as to their qualifications to act, and are subject to challenge by any party or person interested in this proceeding, as provided by section 973 of title 4 of chapter 17 of the Charter of The City of New York.

Dated NEW YORK, BOROUGH OF BROOKLYN, December 15, 1903.

GEORGE L. RIVES, Corporation Counsel.
d15,26

SECOND DEPARTMENT.

In the matter

of October, 1903, and duly entered in the office of the Clerk of the County of New York, at his office in the Borough of Manhattan, in The City of New York, on the 6th day of November, 1903, a copy of which order was duly filed in the office of the Register of the County of New York, and indexed in the Index of Conveyances, Blocks Nos. 3360 and 3399, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening 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 New York on the 6th day of November, 1903; and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, 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 the said street or avenue, or 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 and Assessment, at our office, fourteenth floor, Nos. 90 and 92 West Broadway, Borough of Manhattan, in The City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 8th day of January, 1904, at 3 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 proofs 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 MANHATTAN, NEW YORK CITY, December 10, 1903.

W. W. NILES,
W. ENDEMANN,
CHARLES LUTZ,

Commissioners.
JOHN P. DUNN, Clerk.

d10,15

FIRST DEPARTMENT.

In 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 WEST ONE HUNDRED AND SEVENTY-THIRD STREET (although not yet named by proper authority), from Broadway to Fort Washington avenue, in the Twelfth Ward, Borough of Manhattan, City of New York.

NOTICE IS HEREBY GIVEN THAT WE, the undersigned, were appointed by an order of the Supreme Court, bearing date the 27th day of October, 1903, and duly entered in the office of the Clerk of the County of New York, at his office in the Borough of Manhattan, in The City of New York, on the 6th day of November, 1903, a copy of which order was duly filed in the office of the Register of the County of New York, and indexed in the Index of Conveyances, Block No. 2142, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening 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 New York on the 6th day of November, 1903; and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, 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 the said street or avenue, or 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 and Assessment, at our office, fourteenth floor, Nos. 90 and 92 West Broadway, Borough of Manhattan, in The City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 8th day of January, 1904, at 4 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 proofs 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 MANHATTAN, NEW YORK CITY, December 10, 1903.

THOMAS P. WICKES,
CHARLES E. BENSEL, JR.

JULIEN M. ISAACS,
Commissioners.

JOHN P. DUNN, Clerk.

d10,15

FIRST DEPARTMENT.

In 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 WEST ONE HUNDRED AND NINETY-THIRD STREET (although not yet named by proper authority), between Audubon avenue and Fort George avenue, in the Twelfth Ward, Borough of Manhattan, City of New York.

NOTICE IS HEREBY GIVEN THAT WE, the undersigned, were appointed by an order of the Supreme Court, bearing date the 29th day of October, 1903, and duly entered in the office of the Clerk of the County of New York, at his office in the Borough of Manhattan, in The City of New York, on the 6th day of November, 1903, a copy of which order was duly filed in the office of the Register of the County of New York, and indexed in the Index of Conveyances, Block No. 2161, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening 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 New York on the 6th day of November, 1903; and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, 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 the said street or avenue, or 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 and Assessment, at our office, fourteenth floor, Nos. 90 and 92 West Broadway, Borough of Manhattan, in The City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty 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 January, 1904, at 12 o'clock noon 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 proofs 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 MANHATTAN, NEW YORK CITY, December 8, 1903.

BANKSON T. MORGAN,
PAUL L. KIERNAN,
JAS. J. FUREY,
Commissioners.

JOHN P. DUNN, Clerk.

d8,31

FIRST DEPARTMENT.

In 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 WEST ONE HUNDRED AND NINETY - SECOND STREET (although not yet named by proper authority), between Audubon avenue and Wadsworth avenue, in the Twelfth Ward, Borough of Manhattan, City of New York.

NOTICE IS HEREBY GIVEN THAT WE, the undersigned, were appointed by an order of the Supreme Court, bearing date the 29th day of October, 1903, and duly entered in the office of the Clerk of the County of New York, at his office in the Borough of Manhattan, in The City of New York, on the 6th day of November, 1903, a copy of which order was duly filed in the office of the Register of the County of New York, and indexed in the Index of Conveyances, Blocks Nos. 2161 and 2169, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening 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 New York on the 6th day of November, 1903; and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, 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 the said street or avenue, or 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 and Assessment, at our office, fourteenth floor, Nos. 90 and 92 West Broadway, Borough of Manhattan, in The City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty 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 January, 1904, at 3 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 proofs 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 MANHATTAN, NEW YORK CITY, December 8, 1903.

EUGENE H. POMEROY,
CHARLES H. HOLLAND,
GUY VAN AMRINGE,
Commissioners.

JOHN P. DUNN, Clerk.

d8,31

FIRST DEPARTMENT.

In 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 EAST ONE HUNDRED AND EIGHTY-FIFTH STREET (although not yet named by proper authority), between Audubon avenue and Fort George avenue, in the Twelfth Ward, Borough of Manhattan, City of New York.

NOTICE IS HEREBY GIVEN THAT WE, the undersigned, were appointed by an order of the Supreme Court, bearing date the 27th day of October, 1903, and duly entered in the office of the Clerk of the County of New York, at his office in the Borough of Manhattan, in The City of New York, on the 6th day of November, 1903, a copy of which order was duly filed in the office of the Register of the County of New York, and indexed in the Index of Conveyances, Block No. 3053, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening 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 New York on the 6th day of November, 1903; and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, 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 the said street or avenue, or 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 and Assessment, at our office, fourteenth floor, Nos. 90 and 92 West Broadway, Borough of Manhattan, in The City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty 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 January, 1904, at 10 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard thereon; and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by the provisions of section 999 of the Greater New York Charter, as amended by chapter 466 of the Laws of 1901.

Dated BOROUGH OF MANHATTAN, NEW YORK, December 23, 1903.

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, to WEST ONE HUNDRED AND SIXTY-FOURTH STREET (although not yet named by proper authority), between Eleventh avenue and Amsterdam avenue, in the Twelfth Ward, Borough of Manhattan, City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

NOTICE IS HEREBY GIVEN THAT THE supplemental and additional bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Courthouse in the Borough of Manhattan, in The City of New York, on the 7th day of January, 1904, at 10:30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard thereon; and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by the provisions of section 999 of the Greater New York Charter, as amended by chapter 466 of the Laws of 1901.

DATED BOROUGH OF MANHATTAN, NEW YORK, December 23, 1903.

HOWARD HAS BROOK,
AUGUST C. NANZ,
REGINALD H. WILLIAMS,
Commissioners.

JOHN P. DUNN, Clerk.

d23,15

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, to EAST ONE HUNDRED AND SEVENTY-FIRST STREET (although not yet named by proper authority), from Jerome avenue to Teller avenue, in the Twenty-fourth Ward, Borough of The Bronx of The City of New York.

NOTICE IS HEREBY GIVEN THAT THE supplemental and additional bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Courthouse in the Borough of Manhattan, in The City of New York, on the 7th day of January, 1904, at 10:30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard thereon; and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by the provisions of section 999 of the Greater New York Charter, as amended by chapter 466 of the Laws of 1901.

DATED BOROUGH OF MANHATTAN, NEW YORK, December 23, 1903.

GEO. C. SCHNEIDER,
WILLIAM TAIT,
JOHN O'CONNELL,
Commissioners.

JOHN P. DUNN, Clerk.

d23,15

FIRST DEPARTMENT.

In the matter of the application of the Mayor, Aldermen and Commonalty of The City of New York for the appointment of Commissioners of Appraisal under chapter 114 of the Laws of 1892, passed March 9, 1892, entitled "An act to provide for settling and establishing permanently the location and boundaries of the avenue known as FORT WASHINGTON RIDGE ROAD, in The City of New York, and in relation to the improvement thereof."

NOTICE IS HEREBY GIVEN, PURSUANT to the provisions of section 10, chapter 114, of the Laws of 1892, that the report of the Commissioners of Appraisal in the above-entitled proceeding was filed in the office of the Clerk of the County of New York on the 31st day of December, 1901, and that the said report will be presented for confirmation to the Supreme Court of the State of New York, First Department, at a Special Term, Part III., thereof, to be held in the New York County Courthouse on the 19th day of January, 1904, at the opening of Court on that day, or as soon thereafter as counsel can be heard.

Dated NEW YORK, December 22, 1903.

GEORGE L. RIVES, Corporation Counsel,
No. 2 Tryon Row, Borough of Manhattan,
City of New York.

d23,19

SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title to the PUBLIC PARK bounded by Fulton street, Chauncy street, Lewis avenue and Stuyvesant avenue; also bounded by Lewis avenue, Fulton street and Chauncy street, in the Twenty-third Ward, in the Borough of Brooklyn, The City of New York.

NOTICE IS HEREBY GIVEN THAT William Vanane, Sylvester L. Brinley and Clarence B. Smith were appointed by an order of the Supreme Court, made and entered on the 2d day of December, 1903, Commissioners of Estimate and Assessment in the above-entitled proceeding.

Notice is also given that the above-named Commissioners will attend at a Special Term for the hearing of motions appointed to be held at the Kings County Courthouse, in the Borough of Brooklyn, The City of New York, on the 28th day of December, 1903, at 2 o'clock in the afternoon of that day, or as soon thereafter as counsel can be heard; and at said time and place, or at such other time and place as the Court may direct, the said Commissioners may be examined under oath as to their qualifications to act, and are subject to challenge by any party or person interested in this proceeding, as provided by section 973 of title 4 of chapter 17 of the Charter of The City of New York.

Dated NEW YORK, BOROUGH OF BROOKLYN, December 15, 1903.

GEORGE L. RIVES, Corporation Counsel.

