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THE CITY RECORD.

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GEORGE B. McCLELLAN, MAYOR

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TABLE OF CONTENTS.

Aqueduct Commissioners—	
Public Auction	11559
Assessors, Board of—	11548
Public Notices	11546
Board Meetings—	
Bronx, Borough of—	
Minutes of Local Board Meetings, Proposals	11505
Report of the President for the Week Ending October 21, 1908	11549
Brooklyn, Borough of—	11505
Proposals	11546
Change of Grade Damage Commission—	11550
Public Notice	11542
Changes in Departments, etc.	11559
Docks and Ferries, Department of—	11547
Sale of Old Material	11506
Valuation, Department of—	11554
Proposals	11559
Estimate and Apportionment, Board of—	
Extract from Minutes of Meeting of October 20, 1908	11547
Public Notices	11506
Finance, Department of—	
Abstract of Transactions of the Bureau of the City Chamberlain for the Week Ending October 10, 1908	11554
Auction Sale of Machinery, etc.	11550
Corporation Sale of Real Estate, etc.	11552
Corporation Sales of Buildings, etc.	11559
Notice of Assessments for Opening Streets and Parks	11553
Notices to Property Owners	11550
Notice to Taxpayers	11553
Sureties Required on Various Classes of Contracts	11554
Fire Department—	
Proposals	11549
Municipal Civil Service Commission—	
Public Notices	11550
Notice to Contractors	11550
Official Borough Papers—	11554
Official Directory—	11553
Official Papers—	11558

Parks, Department of—	
Proposals	11547
Police Department—	
Deaths, Retirements, etc.	11540
Owners Wanted for Lost Property	11547
Proceedings of October 24, 26 and 27, 1908	11537
Report of Sanitary Company (Boiler Squad) for October 22, 1908	11549
Public Administrator, New York County—	11549
Statement and Return of Money Received for the Month of October, 1908	11541
Public Charities, Department of—	11549
Proposals	11549
Report for the Week Ending October 24, 1908	11506
Public Hearing—	
By Committee on Buildings, Board of Aldermen	11543
Public Service Commission for the First District—	
Calendar of Hearings	11505
Queens, Borough of—	
Report of Commissioner of Public Works for the Week Ending June 27, 1908	11541
Richmond, Borough of—	
Proposals	11548
Sinking Fund, Commissioners of—	
Minutes of Meeting of October 21, 1908	11524
Street Cleaning, Department of—	
Ashes, etc., for Filling in Lands	11559
Supreme Court, First Department—	
Acquiring Title to Lands, etc.	11559
Supreme Court, Second Department—	
Acquiring Title to Lands, etc.	11560
Supreme Court, Third Judicial District—	
Acquiring Title to Lands, etc.	11560
Water Supply, Board of—	
Proposals	11554
Water Supply, Gas and Electricity, Department of—	
Proposals	11547

PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT,

No. 154 NASSAU STREET, NEW YORK CITY.

CALENDAR OF HEARINGS.

The following hearings will be held during the remainder of the week beginning Monday, November 2, 1908:

Thursday, November 5—11 a. m.	Room 305—Order No. 796—CENTRAL PARK, NORTH & EAST RIVER R. R. Co., and FREDERICK W. WHITRIDGE, Receiver of The 42d Street, Manhattanville & St. Nicholas Ave. R. R. Co., and Third Ave. R. R. Co.—Transit Reform Committee of One Hundred, Complainants.—"Why companies should not make joint rate for through transportation of passengers."—Whole Commission.
11 a. m.	Room 305—Order No. 786—CENTRAL PARK, NORTH & EAST RIVER R. R. Co., and FREDERICK W. WHITRIDGE, Receiver of The Third Avenue R. R. Co.—Transit Reform Committee of One Hundred, Complainants.—"Why companies should not make joint rate for through transportation of passengers."—Whole Commission.
11 a. m.	Counsel's office—CITY OF NEW YORK & DEGNON CONTRACTING CO.—"Arbitration of Determination of Henry B. Seaman, Chief Engineer."
11 a. m.	Chief Engineer's Office—CITY OF NEW YORK & JOHN B. McDONALD—"Arbitration of Determination of George S. Rice, Chief Engineer."
2:30 p. m.	Room 310—Order No. 780—UNION RY. CO. AND FREDERICK W. WHITRIDGE, RECEIVER—Wm. Henderson & 150 Others, Complainants—Inadequate service on Fort Schuyler Road, Westchester Village to the Eastern Boulevard and proposed extension of line on Eastern Boulevard.—Commissioner Eustis.
2:30 p. m.	Commissioner Bassett's Room—Order No. 430—LONG ISLAND R. R. Co.—"Opening of Chester Street, between Riverdale Avenue and East 88th Street."—Commissioner Bassett.
2:30 p. m.	Order No. 800—FULTON ST. R. R. CO. and Gilbert H. Montague, Receiver—Mallory Steamship Co., et al., Complainants.—"Restoration of Cars on Fulton Street Line"—Commissioner Maltbie.
2:30 p. m.	Commissioner McCarron's Room—Order No. 787—LONG ISLAND R. R. CO.—"To fix routes for connections and extensions, etc., on streets including Atlantic Avenue."—Commissioner McCarron.
3 p. m.	Room 310—Order No. 788—FREDERICK W. WHITRIDGE RECEIVER, UNION RY. CO., AND J. AMISON YOUNG, RECEIVER, WESTCHESTER ELECTRIC R. R. CO.—"Discontinuance of Transfers."—Commissioner Eustis.
Friday, November 6.	Chairman's Room—Order No. 121—INTERURBAN RAPID TRANSIT CO.—"Block Signal System—Local Subway Tracks."—Chairman Willcox.
2:30 p. m.	Room 310—Order No. 739—RICHMOND LIGHT & R. R. CO., AND STATEN ISLAND MIDLAND RY. CO.—Char. H. Blair, Complainant—"Refusal to give transfers."—Commissioner McCarron.
2:30 p. m.	Room 305—Order No. 704—SOUTH BROOKLYN RY. CO.—Alexander Brown, Complainant—"Noisy operation of freight and ash cars through Vanderbilt Avenue."—Commissioner Bassett.

2:30 p. m.—Commissioner Eustis's Room—Order No. 790—NEW YORK, NEW HAVEN & HARTFORD R. R. CO.—South Bronx Property Owners' Association, Complainants.—"Unsanitary manner in which manure cars are loaded at Harlem River Yards."—Commissioner Eustis.

2:30 p. m.—Commissioner Maltbie's Room—Order No. 205—ELECTRIC LIGHT & POWER COMPANIES—General investigation of rates and contracts—meter practices."—Commissioner Maltbie.

4 p. m.—Commissioner Eustis's Room—Order No. 806—PELHAM PARK R. R. CO.—"Application under Section 100 of the Railroad Law for permission to change motive power."—Commissioner Eustis.

4 p. m.—Commissioner Eustis's Room—Order No. 807—CITY ISLAND R. R. CO.—"Application under Section 100 of the Railroad Law for permission to change motive power."—Commissioner Eustis.

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

BOROUGH OF THE BRONX.

In accordance with the provisions of section 1546, chapter 378, Laws of 1897, as amended by chapter 466, Laws of 1901, section 383, I transmit the following report of the transactions of this office for the week ending October 21, 1908, exclusive of Bureau of Buildings:

Permits Issued	
Sewer connections and repairs	38
Water connections and repairs	53
Laying gas mains and repairs	84
Placing building material on public highway	22
Removing building on public highway	2
Crossing sidewalk with team	15
Miscellaneous permits	61
Total	275
Number of permits renewed	34
Money Received for Permits	
Sewer connections	\$456.08
Restoring and repaving streets	414.00
Total deposited with the City Chamberlain	\$870.08

Laboring Force Employed During the Week Ending October 17, 1908.

Bureau of Highways—	
Foremen	54
Assistant Foremen	36
Teams	132
Carts	27
Inspectors	16
Mechanics	60
Laborers	687
Drivers	25
Total	1,037
Bureau of Sewers—	
Foremen	11
Assistant Foremen	12
Carts	26
Mechanics	4
Laborers	117
Drivers	8
Total	178

LOUIS F. HAFFEN,
President of the Borough of The Bronx.

BOROUGH OF THE BRONX.

MINUTES OF THE LOCAL BOARD OF MORRISANIA, TWENTY-SECOND DISTRICT.

Pursuant to call by President Haffen the members of the Local Board of Morrisania, Twenty-second District, were to meet in the office of the President of the Borough of The Bronx, in the Municipal Building, on Thursday, October 15, 1908, at 2 p. m., but owing to the absence of Alderman Brown, and consequently no quorum being present, President Haffen postponed the meeting until October 29, 1908, at 2 p. m.

The following were therefore laid over:

No. 96. Regulating and flagging sidewalks, St. Marys street (north side), from St. Ann's avenue to Robbins avenue.

No. 8. Concord avenue sewer, between One Hundred and Forty-seventh street (Dater street) and One Hundred and Forty-ninth street.

HENRY A. GUMBLETON, Secretary.

MINUTES OF THE LOCAL BOARD OF CHESTER, TWENTY-THIRD DISTRICT.

Pursuant to call by President Haffen the members of the Local Board of Chester, Twenty-third District, met on Thursday, October 15, 1908, at 4 p. m., in the office of the President of the Borough of The Bronx, Municipal Building, Crotona Park.

Present—President of the Borough of The Bronx, Alderman Mulligan and Alderman Corbett.

Laid Over Matters.

No. 113. Regulating and grading, etc., Baychester avenue, from Boston road to Pelham Bay Park.

Title vested in said avenue July 18, 1906.

Laid over awaiting report of the Chief Engineer as to the probable estimate of the cost and the assessed value of the real estate included within the probable area of assessment.

No. 124. Constructing a temporary sewer and appurtenances in Carpenter avenue, between East Two Hundred and Forty-second street and the north line of The City of New York.

No street laid out.

Estimated cost, \$570; assessed value of the real estate included within the probable area of assessment is \$5,700.

Laid over until October 29, 1908, and engineers requested to make further inquiry as to layout of said street or avenue.

No. 87. Regulating, grading, etc., Bartholdi street, from White Plains road to Bronxwood avenue.

Estimated cost, \$31,000; assessed value of the real estate included within the probable area of assessment is \$19,700.

No one appeared in opposition.

On motion, seconded, it was

Resolved, That proceedings be and the same hereby are initiated for regulating and grading, setting curbstones and flagging sidewalks a space four feet wide, laying crosswalks, building approaches and erecting fences where necessary in Bartholdi street, from White Plains road to Bronxwood avenue.

Unanimously adopted.

Vesting title to Bartholdi street, from White Plains road to Bronxwood avenue.

On motion, seconded, it was respectfully recommended that the Board of Estimate and Apportionment fix a date when title would vest in the lands necessary for Bartholdi street, from White Plains road to Bronxwood avenue.

Adopted.

No. 90. Regulating and grading, etc., Rosedale avenue, from West Farms road to Westchester avenue.

Estimated cost, \$106,800. Assessed value of the real estate included within the probable area of assessment is \$222,410.

No opposition.

On motion, seconded, it was

Resolved, That proceedings be and the same hereby are initiated for regulating and grading, setting curbstones and flagging sidewalks a space four feet wide, laying crosswalks, building approaches and erecting fences where necessary in Rosedale avenue, from West Farms road to Westchester avenue.

Unanimously adopted.

Vesting title to Rosedale avenue, from West Farms road to Westchester avenue. On motion, seconded, it was respectfully recommended to the Board of Estimate and Apportionment that said Board fix a date when title would vest in the lands necessary for Rosedale avenue, from West Farms road to Westchester avenue.

Unanimously adopted.

No. 112. Acquiring title to Rhinelander avenue (Mianna street), from Unionport road to White Plains road, at a width of 60 feet.

Petition signed by Michael Varley and three others.

Under date of August 24, 1908, the Principal Assistant Topographical Engineer and the Chief Engineer reported and recommended that no action be taken in the opening proceeding of Rhinelander avenue until it has been decided whether a reduction of width of streets shall take place.

Laid over until October 16, 1908.

No. 92. Constructing a temporary sewer and appurtenances in Mianna street, between White Plains avenue and Unionport road.

Estimated cost, \$1,750; assessed value of the real estate included within the probable area of assessment is \$20,700.

Petition signed by Michael Varley and seven others.

Laid over until street system question was disposed of, which matter is to be taken up on the 16th inst.

On motion, the Board adjourned until October 16, 1908.

HENRY A. GUMBLETON, Secretary.

MINUTES OF THE LOCAL BOARD OF CHESTER, TWENTY-THIRD DISTRICT.

Pursuant to call by President Haffen the members of the Local Board of Chester, Twenty-third District, met in the office of the President of the Borough of The Bronx in the Municipal Building on Friday, October 16, 1908, at 4 p. m.

Present—President Haffen, Alderman Corbett and Alderman Mulligan.

Minutes of previous meeting were adopted as typewritten.

Motion of amending the street system in the Van Nest section, Borough of The Bronx.

Chief Engineer's Report.

When the map of the Van Nest section was approved by the Board of Estimate and Apportionment the Chief Engineer of said Board objected to the lines of Unionport road, and since the approval of the map applications have been made by property owners to close Rhinelander avenue, to lay out a street called Barnett place and to reduce the width of several streets.

These matters were taken up and a study made, trying to reconcile the different interests and especially to restore streets in the former Lott G. Hunt Estate, which are embodied in a map which is herewith submitted for the consideration of the Board.

The map is entitled "General map or plan amending and modifying the street system east of the Bronx River, within the area bounded by Bear Swamp road, Morris Park avenue, White Plains road, Unionport road and Bronx Park," dated August 28, 1908 (Amendment "N").

Respectfully,

F. GREIFFENBERG,
Principal Assistant Topographical Engineer.

Approved August 28, 1908.

Josiah A. Briggs, Chief Engineer of the Borough of The Bronx.

A petition in favor of Rhinelander avenue, 80 feet wide, from the Bronx Zoological Garden to Stillwell avenue, was read, which contained 19 pages and 160 names.

A petition in favor of the map known as Amendment "N" was presented, which contained 19 pages of signatures and contained 153 names (and two typewritten pages of names were requested to be taken out). See first purple typewritten page.

A number of owners appeared for and against the various propositions, and their names, which were written on slips of paper, were handed to the Stenographer, and have been placed in envelopes for future reference, and are marked "A" and "B."

Several lawyers and property owners were heard for and against the map known as Amendment "N," and, on motion, seconded, the hearing was then closed.

No. 112. Acquiring title to Rhinelander avenue, formerly Mianna street, from Unionport road to White Plains road, at a width of 60 feet.

Laid over on request of petitioners until street system in this section is finally established.

No. 92. Constructing a temporary sewer and appurtenances in Mianna street, between White Plains avenue and Unionport road.

Laid over on request of owners until street system in that section is finally established.

On motion, the Board adjourned until October 20, 1908.

HENRY A. GUMBLETON, Secretary.

DEPARTMENT OF PUBLIC CHARITIES.

List of Changes in the Service of the Department of Public Charities During the Week Ending October 24, 1908.

October 11—Anderson, George T., appointed, Trained Nurse, New York City Training School, \$600 per annum; certified October 11.

October 20—Ayres, Robert, appointed, Pilot, steamboats, \$1,400 per annum (temporarily); certified October 20.

October 20—Bardfai, Charles, dropped, Cook, City Hospital, \$480 per annum. Own request.

October 20—Barry, David A., appointed, Hospital Helper, New York City Training School, \$300 per annum; certified October 15.

October 19—Berlin, Luke B., reappointed, Hospital Helper, Metropolitan Hospital, \$180 per annum.

October 20—Biraner, Louis, appointed, Deckhand, steamboats, \$500 per annum; certified October 20.

November 1—Carabine, Mary A., Stenographer and Typewriter, Bureau of Dependent Adults, \$600 per annum; transferred to Central Office roll (General Administration—Office of the Commissioner).

October 1—Clark, Dora B., Trained Nurse, Kings County Hospital, \$600 per annum. Promoted to Supervising Nurse; certified by Civil Service September 23.

October 20—Coffey, Thomas P., appointed, Pilot, steamboats, \$1,400 per annum; certified October 20.

October 20—Coughlan, William, dropped, Deckhand, steamboats, \$500 per annum. For sleeping while on duty.

October 9—Coyle, Charles S., discharged, Hospital Helper, New York City Home, Brooklyn, \$300 per annum. For unbecoming conduct.

October 13—Davis, Eugene, dismissed, Hospital Helper, Bureau of Dependent Adults, \$240 per annum. Intoxication (morgue).

October 21—Delea, Robert, dropped, Hospital Helper, New York City Training School, \$300 per annum. Own request.

October 18—Dunbar, David D., resigned, Clerical Assistant, Metropolitan Hospital, \$360 per annum.

October 19—Gerry, Margaret, salary increased, Hospital Helper, City Hospital, \$144 to \$180 per annum; certified October 19.

October 19—Gilbride, Michael, dropped, Deckhand, steamboats, \$500 per annum. Absence without leave.

October 15—Hartney, William, appointed, Hospital Helper, Metropolitan Hospital, \$180 per annum, certified October 15.

October 10—Hegarty, Joseph, appointed, Hospital Helper, Kings County Hospital, \$180 per annum; certified October 10.

October 15—Horan, John, reappointed, Hospital Helper, storehouse, \$180 per annum.

October 14—Hosford, John, dismissed, Hospital Helper, Metropolitan Hospital, \$180 per annum; absence without leave.

October 22—Johnson, Henry B., appointed, Hospital Helper, New York City Training School, \$240 per annum; certified October 21.

October 19—Koenig, George, reappointed, Hospital Helper, Metropolitan Hospital, \$180 per annum.

October 15—Limbach, William, appointed, Hospital Helper, Metropolitan Hospital, \$240 per annum; certified October 15.

October 18—Lovell, William W., Dismissed, Hospital Helper, New York City Home, Blackwells Island, \$300 per annum; incompetency.

October 10—Mathewson, Charles, appointed, Hospital Helper, Metropolitan Hospital, \$360 per annum; certified October 10.

October 12—Maxwell, Raymond C., appointed, Hospital Helper, Kings County Hospital, \$300 per annum; certified October 12.

October 9—McCann, John, discharged, Hospital Helper, Kings County Hospital, \$180 per annum; incompetency.

October 20—McClintock, Robert, dropped, Engineer (temporary), steamboats, \$1,350 per annum; services no longer necessary.

October 18—Malsne, Sarah, dismissed, Hospital Helper, City Hospital, \$180 per annum; intoxication.

October 13—Matthews, Thos. A., dropped, Hospital Helper, New York City Training School, \$300 per annum; failed to report for duty.

September 30—Murphy, Katherine, dropped, Pupil Nurse, New York City Training School, \$180 per annum; finished course.

October 26—Newmann, Anna Gross, leave granted six days without pay; Stenographer and Typewriter, Bureau of Dependent Adults, Manhattan, \$1,000 per annum.

October 18—Petersen, Chas., dropped, Hospital Helper, New York City Training School, \$300 per annum; illness.

October 19—Raison, George, temporary, Emergency Engineer, Municipal Lodging House, \$450 per diem; appointment continued for seven more days.

October 12—Rover, Charles F., dismissed, Hospital Helper, Metropolitan Hospital, \$240 per annum; overstaying pass.

October 15—Scoulon, Mary, resigned, Waitress, Kings County Hospital, \$192 per annum.

October 20—Spring, Frederick, appointed, Cook, City Hospital, \$480 per annum; certified October 20.

October 10—Sehn, John, promoted, Hospital Helper, steamboats, \$150 to \$300 per annum and title changed to Deckhand; certified October 10.

October 8—Wall, Joseph P., discharged, Hospital Helper, New York City Home, Brooklyn, \$240 per annum; absence without leave.

October 18—Walsh, John J., dropped, Hospital Helper, New York City Farm Colony, \$300 per annum; resigned.

September 30—Williamson, Jessie E., dropped, Pupil Nurse, New York City Training School, \$180 per annum; finished course.

October 4—Yeager, M. Amiette, dropped, Pupil Nurse, New York City Training School, \$180 per annum; finished course.

J. MCKEE BORDEN, Secretary.

Morgue,
Foot of East Twenty-sixth Street,
New York, October 23, 1908.

Description of unknown man from St. Ann's avenue on railroad track—Age, about 30 years; height, 5 feet 9 inches; weight, about 170 pounds; color, white; eyes, brown; hair, brown; mustache, sandy; good teeth. Clothing: Black with blue check sack coat, vest and pants same material; white shirt with black figures, white cotton underwear, brown cotton socks, black laced shoes, black derby hat. Condition of body bad. No. 7858; Coroner McDonald; Geo. W. Meeks, Superintendent.

Morgue,
Foot of East Twenty-sixth Street,
New York, October 23, 1908.

Description of unknown man, from Dover street, East River—Age, about 40 years; height, 5 feet 7 inches; weight, about 160 pounds; color, white; eyes, can't tell; hair, brown; mustache, sandy; good teeth. Clothing: Black cheviot sack coat, black diagonal vest, black diagonal pants, white shirt with check bosom, white linen collar, white cotton underwear, brown cotton socks, black laced shoes, blue and white suspenders. Condition of body bad; No. 7857; Coroner Harburger; Geo. W. Meeks, Superintendent.

Morgue,
Foot of East Twenty-sixth Street,
New York, October 24, 1908.

Description of unknown man from Pier 33, East River—Age, about 45 years; height, 5 feet 4 inches; weight, about 110 pounds; color, white; eyes, can't tell; hair, brown; mustache, brown and gray; two upper front teeth missing. Clothing: Dark striped sack coat, black diagonal pants, red shirt with black and white stripes, celluloid collar, black bow tie, no underwear, black cotton socks, black button shoes. Condition of body bad; No. 7859; Coroner Harburger; Geo. W. Meeks, Superintendent.

BOARD OF ESTIMATE AND APPORTIONMENT.

EXTRACT FROM

MINUTES, BOARD OF ESTIMATE AND APPORTIONMENT, CITY OF NEW YORK,
October 30, 1908.

Union Railway Company of New York City.

The public hearing on the petition of the Union Railway Company of New York City, for franchises to construct, maintain and operate two branches or extensions to its existing system, one from the intersection of Third and Pelham avenues, upon and along Pelham avenue to the Southern boulevard, Borough of The Bronx, and the other from the intersection of Sedgwick avenue and Fordham road, Borough of The Bronx, to and across University Heights Bridge and its approaches, to Broadway, Borough of Manhattan, was opened.

The public hearing was fixed for this day by resolution duly adopted October 2, 1908.

Affidavits of publication were received from the "New York Tribune," the "New York Sun" and the CITY RECORD.

Frederick Rosenkampff appeared in opposition to the Pelham Avenue Extension. The following appeared in favor:

Henry A. Robinson, on behalf of F. W. Whitridge, Receiver for the Company; Hon. William D. Peck, Col. Joseph A. Goulden, W. W. Niles, Paul Halpin.

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

The Secretary presented the following:

No. 3387.

BOARD OF ESTIMATE AND APPORTIONMENT—THE CITY OF NEW YORK,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY,
October 27, 1908.

Mr. NELSON P. LEWIS, Chief Engineer:

Sir—The Union Railway Company of New York City (hereinafter referred to as the Union Company), under date of July 28, 1908, has petitioned the Board of Estimate and Apportionment for the grant of two separate franchises to construct, maintain and operate double track street surface railways as extensions to its existing lines to be operated by the overhead system of electricity, in the Boroughs of The Bronx and Manhattan over the following routes:

1. Beginning at and connecting with the existing double track street surface railway on Third avenue, and running thence easterly along Pelham avenue to the Southern boulevard, in the Borough of The Bronx.

2. Beginning at and connecting with the existing tracks of the petitioner at the intersection of Fordham road and Sedgwick avenue, and running thence over and along Fordham road and West One Hundred and Eighty-fourth street to the approach to the University Heights Bridge; thence over and along said bridge and the approaches thereto to West Two Hundred and Seventh street, Borough of Manhattan; thence westerly in, upon and along said West Two Hundred and Seventh street to the intersection thereof with Amsterdam avenue (Tenth avenue); thence in, upon and along said Amsterdam avenue to Emerson street; thence westerly in, upon and along said Emerson street to Broadway, and connecting with the existing tracks of the Kingsbridge Company in Broadway.

The above routes and connections are shown upon two maps or plans accompanying the petition and entitled, respectively:

1. "Map showing proposed railway of the Union Railway Co., in the Borough of The Bronx, City of New York, to accompany petition to the Board of Estimate and Apportionment, dated July 28, 1908."

2. "Map showing proposed railway of the Union Railway Co., in the Boroughs of The Bronx and Manhattan, City of New York, to accompany petition to the Board of Estimate and Apportionment, dated July 28, 1908."

—and signed by F. W. Whitridge, Receiver. T. F. Mullaney, Chief Engineer, and Edward A. Maher, President.

Copies of these maps are attached hereto.

The approximate length of the Pelham avenue route is 3,000 feet, or 6,000 feet of single track, and of the Fordham road route 4,650 feet, or 9,300 feet of single track.

The petition was presented to the Board at the meeting of September 18, 1908, and referred to the Chief Engineer and also to the President of the Borough of The Bronx.

At a meeting of the Board held October 2, 1908, a resolution was adopted fixing October 30, 1908, as the date for the preliminary public hearing, and requesting the Mayor to designate two daily newspapers in which the notice of such application and hearing should be published, according to law. The "New York Sun" and "New York Tribune" were so designated.

The Union Company is at the present time in the hands of a Receiver, Mr. F. W. Whitridge, who was appointed by an order made in the United States Circuit Court by Judge Lacombe, March 31, 1908. The Third Avenue Railroad Company, which owns the entire capital stock of the Union Company, is also in the hands of the same Receiver.

On September 16, 1908, permission was granted to the Receiver by the above named Judge to inquire into the advisability of obtaining franchises for several extensions, among them being the two here under consideration. The order provided that before such franchises are accepted by the Receiver, their terms shall be submitted to the Central Trust Company, as Trustee of the Third Avenue Railroad Company, and to the bondholders committee for approval.

In reply to an inquiry from this Division, the attorney for the Receiver of the company, in a communication under date of September 29, 1908, states that some years ago consents were obtained for both of the above routes, sufficient to authorize the construction of the extensions, but that no computation has been made from the last assessment roll to ascertain if these consents represent the owners of one-half in value of the abutting property. I am advised by the attorney for the Receiver that cars will be operated over the Pelham avenue route from the existing north and south routes on Third avenue and Webster avenue, and that it is also intended in connection with the Fordham road route to establish a new crosstown line from Broadway, Borough of Manhattan, to the entrance to the Bronx Park, at the Southern boulevard, Borough of The Bronx. The cars of this new crosstown line will not operate over the existing Broadway route for the reason that the latter is equipped with the underground system, while it is proposed to operate the new route entirely by the overhead system of electricity. The effect of this will be to create a stub-end terminal at Emerson street and Broadway.

PELHAM AVENUE ROUTE.

The Union Company, as the successor of the Harlem Bridge, Morrisania and Fordham Railroad Company, has heretofore claimed a franchise on Pelham avenue by virtue of authority granted by chapter 553 of the Laws of 1874, amending section 8 of chapter 361 of the Laws of 1863. The first-mentioned act granted the Harlem Bridge, Morrisania and Fordham Company the right to lay single or double tracks on certain streets, among others the following:

"Along College avenue, from Kingsbridge road to its intersection with the road known as Fordham and Pelham avenue, and through and along said last mentioned avenue to Pelham Bridge, in the town of Westchester" * * *

Pursuant to the provisions of chapter 340 of the Laws of 1892, the Harlem Bridge Company, with three other street surface railway companies, on July 2, 1892, entered into an agreement of consolidation whereby the Union Company was formed.

Under date of May 7, 1908, an application was made by the Union Company to the Commissioner of Water Supply, Gas and Electricity for a permit to erect poles and string overhead wires thereon, on Pelham avenue, between Third avenue and the Southern boulevard, for the purpose of constructing a double track extension from its existing line on Third avenue to the Bronx Park entrance. This application was referred to the Corporation Counsel, with the request that he advise the said Commissioner if the documents submitted with the application showed sufficient proof of the company's right to construct this line, and if the permit requested might properly be issued.

The Corporation Counsel rendered an opinion in this matter reading in part as follows:

"The right to construct on Pelham avenue granted to the Harlem Bridge, Morrisania and Fordham Railroad Company by chapter 553 of the Laws of 1874, expired under the provisions of section 47 of chapter 140 of the Laws of 1890, as amended by section 5 of chapter 582 of the Laws of 1894. Under this act as amended any corporation formed thereunder was compelled to begin the construction of its road and expend ten per cent. of the amount of its capital thereon within five years after its articles of association were filed, and to finish its road and put it in operation within seven years from date of filing the said articles of association, otherwise its corporate existence and powers were to cease." * * *

"In my opinion, therefore, the franchise to construct the railroad on Pelham avenue became void seven years after the passage of the said act of 1874, to wit, on May 22, 1881. * * *

"I therefore advise you the permit applied for on Pelham avenue must be refused by you, and if the Union Railway Company desires to construct and operate on the said avenue, it must secure a new franchise therefor from the Board of Estimate and Apportionment."

In a report of the Bureau of Franchises dated September 11, 1905, upon the application of the Union Company for various extensions, it was pointed out that this was a much needed extension and one that the company should be required to apply for in connection with certain of the extensions then asked for, in order that easy access might be afforded to the Bronx Park Zoological Gardens, from the Fordham station of the Harlem Railroad. This condition would still appear to apply, although the New York City Interborough Railway Company is operating a line on One Hundred and Eighty-ninth street, one block south of Pelham avenue, from Third avenue to the Southern boulevard. The line of the Interborough Company was located on One Hundred and Eighty-ninth street by reason of the claim of the Union Company to the old franchise rights on Pelham avenue.

UNIVERSITY HEIGHTS BRIDGE ROUTE.

Two previous applications have been made to the Board for the right to construct a street surface railway on a portion of this route. The Union Company, by a petition dated May 31, 1905, and presented at the meeting of the Board held June 2, 1905, asked for the consent of the Board to twenty-two extensions, one of which was for a route from the proposed tracks to be constructed on Harlem river terrace over West One Hundred and Eighty-fourth street, the University Heights Bridge, West Two Hundred and Seventh street, Amsterdam avenue and Emerson street to Broadway.

At the meeting of the Board held June 30, 1905, a petition was received from the New York City Interborough Railway Company (hereinafter referred to as the Interborough Company) asking for thirteen extensions, among them being one from the existing tracks of the company on Aqueduct avenue, and thence over West One Hundred and Eighty-eighth street and Fordham road to West One Hundred and Eighty-fourth street, and thence along and over West One Hundred and Eighty-fourth street, the University Heights Bridge and West Two Hundred and Seventh street to Amsterdam avenue.

The Bureau of Franchises made reports to the Comptroller on each of these applications, and said reports were presented to the Board at its meetings of September 15 and September 29, 1905, respectively. These reports contained no suggestions as to the conditions which should be incorporated in any contracts between the City and the companies for the rights applied for, but were confined to a discussion of the routes and to the advisability of granting franchises in the streets petitioned for, or in other nearby streets, which would be better adapted to the purpose. Hearings were held upon both applications, and briefs filed by counsel to the companies for and against the construction of certain of the extensions, and at the meeting of the Board held December 15, 1905, the matter was referred to the Comptroller for conference with representatives of the companies and other interested parties, in order that existing differences might be adjusted, but owing to the consolidation of the two companies just subsequent to this time, the applications were not pressed.

The Interborough Company on July 6, 1905, filed an application for a change of route. The matter was thus reopened, and further conferences were had with representatives of the companies, as a result of which the Bureau of Franchises, at the meeting of February 1, 1907, presented a report to the Board, recommending certain changes and certain extensions in and to the lines of each of the companies, and said report was referred to a Select Committee, consisting of the Comptroller, the President of the Board of Aldermen and the President of the Borough of The Bronx. It was recommended in said report that the Interborough Company amend its previous application for the extension over the University Heights Bridge by applying for a route on Fordham road, between Aqueduct avenue and West One Hundred and Eighty-fourth street, to be operated over the tracks of the Union Company, and it was also suggested that a single track loop be added from Amsterdam avenue through Emerson street, Broadway, Isham street and Amsterdam avenue.

The report of the Bureau contained an agreement for the proposed alterations to the Interborough routes, and two forms of contract for the extensions to the Interborough and Union companies, respectively. The agreement for the proposed alterations was accepted by the Interborough Company and reported upon favorably by the Select Committee, and the consent of the City was given to such changes by a contract duly executed by the Mayor.

No action was taken by the Select Committee upon the proposed contract for the extensions to the Interborough and Union Companies until the meeting of the Board held February 14, 1908, when said Committee presented a report, stating that a number of property owners have requested the construction and operation of a railway across University Heights Bridge. This report recommended that the Chief Engineer be directed to prepare and submit a report upon the terms and conditions under which such a franchise should be granted.

At the meeting of March 6, 1908, a report and proposed form of contract were presented to the Board, and a resolution adopted requesting the Interborough Company to present a written application within thirty days for a franchise to construct, maintain and operate a street surface railway as an extension to its existing lines on the route as suggested in the report presented February 1, 1907.

The President of the Interborough Company, in a communication under date of March 17, 1908, presented at the meeting of April 3, 1908, stated that the company regretted its inability to apply for or accept the suggested franchise. At the request of the Comptroller the matter was referred to him, but no report thereon has yet been made.

The extension as now applied for by the Union Company will undoubtedly prove a very important connection between the existing surface lines in the Borough of The Bronx and the surface lines and subway system in the Borough of Manhattan.

At the meeting of the Board held October 2, 1908, a petition dated June 26, 1908, signed by about two hundred taxpayers and citizens was presented. This petition recited that the construction of the University Heights Bridge extension, and the operation of a line of cars over said bridge would be a great convenience to a large number of people, residents of the upper part of the City, and would tend to increase the population of the surrounding territory.

Conditions for the Proposed Franchises.

Underground System—Inasmuch as all of the existing lines of the Union Company, in the Borough of The Bronx, are operated by the overhead system of electricity, it would not appear that there is any present necessity for the operation of these extensions by the underground system. I believe, however, that the Board may properly reserve the right to cause the removal of all wires from above the surface of the streets, and thus compel the adoption of the underground system at any time upon one year's notice to the company. I would therefore recommend that the clause herefore used in regard to this be inserted in the contracts.

I have heretofore reported that it was my opinion that any street surface railway extensions in the Borough of Manhattan should be operated only by the underground system, but as the Board has not insisted upon this condition in the only recent franchise granted in that Borough, I have not inserted such a condition in the proposed form of contract attached hereto.

Paving of Streets—Pelham avenue has a roadway sixty feet in width, the centre portion of which for a width of thirty feet has been paved with asphalt block, thus leaving a strip fifteen feet wide on each side of the street, and adjacent to the curb line, unpaved.

The President of the Borough of The Bronx, in a communication under date of September 26, 1908, in reply to an inquiry from this division, requesting to be advised as to whether in his opinion there are any special conditions which should be imposed should the Board grant a franchise, states:

"The tracks, if laid on Pelham avenue, ought to be laid at either side of the present paved roadway (of thirty feet) so as not to interfere with the important through vehicular traffic on this highway. This avenue is the only crosstown connection of this part of the Borough, and has a roadway of sixty feet, and the tracks should be laid from ten to fifteen feet from the north and south curbs."

This would appear to be a condition which might properly be imposed by the President of the Borough of The Bronx at the time application is made for a departmental permit to open the street for the purpose of connecting the railway. It would seem, however, that before tracks are laid on this unpaved portion of the street some form of pavement should be put down between the tracks and outside thereof. I would therefore suggest that should the tracks be located on this unpaved portion of the street that the company be required to pave between its tracks and two feet on each side of the same, under the supervision of the Borough President, and that the character of such pavement be designated by him. A clause to this effect has been inserted in the proposed form of contract for this route.

A portion of Two Hundred and Seventh street, Borough of Manhattan, is also unpaved, and a similar clause has, therefore, been inserted in the form of contract for the University Heights Bridge route.

For the reasons suggested in the report of this Division to the Chief Engineer under date of September 14, 1908, on the application of the New York and North Shore Traction Company, I have inserted in the forms of contract herewith submitted the paving clause heretofore used, in place of the one recently proposed by the Corporation Counsel, allowing the City to make needed repairs, and charge the same to the company, without first giving the company notice that such repairs are necessary.

Protection of Structures—The Commissioner of Bridges, in a communication under date of September 29, 1908, in reply to an inquiry from this Division, transmitted a report of the Principal Assistant Engineer of that Department, in which it is stated:

The proposed extension will not interfere with any plans of the Department, and the right might be granted on condition that the bridge be strengthened by the Union Company wherever necessary to accommodate the concentrated load of its cars.

Clauses have been inserted in the forms of contract requiring the company, before commencing construction, to obtain permits from the President of the Borough, and from the Commissioners of Water Supply, Gas and Electricity, and Bridges, and allowing these officials to impose such conditions as they deem proper, not inconsistent with the contract for the protection of structures under their care. The contracts also provide that any alterations in the sewerage or drainage systems, or any subsurface or surface structures made necessary by the construction and operation of the railway, shall be made at the sole cost of the company in such manner as may be prescribed by the City officials having jurisdiction. A condition has also been inserted requiring the company to comply with the rules of the Department of Water Supply, Gas and Electricity, in regard to the prevention of electrolysis.

Term of Grant—At the present time the traction situation in The City of New York is greatly involved by reason of the separation of different companies from the interests formerly controlling and operating them, and by reason of a number of the larger operating companies, including the Union, being in the hands of Receivers. When this unsettled condition of affairs will be straightened out it is impossible to predict.

The future of the various street surface railway companies in this City is indefinite, both as to their financial standing and as to their relations with other companies. The Board, on the recommendations of the Select Committees to whom the matters were referred, has recently, in several instances in the Boroughs of Brooklyn and Queens, granted franchises solely on the terms and conditions imposed by the Railroad Law, and has not inserted any special provisions in the forms of contract for a more specific protection of the City's interests. This lenient action has been taken by the Board upon the recommendations of its Select Committees, who have stated that it is mainly because of the pressing demands of the public for better, or improved, transit facilities in these Boroughs, and the general disinclination of the companies to build either new roads or extensions. I believe, however, that when the existing traction difficulties have been overcome, and the various roads resume business on a normal basis, all franchise rights now owned or sought to be acquired by the street surface railways in this City will be greatly enhanced in value. Grants similar to those now applied for have in the past been held to be extremely valuable, and I see no reason why they should not again become so. I also believe that the City should take advantage of this condition, and, in making franchise grants to the street surface railway companies during the existing disturbed and unsettled condition of the affairs of the companies, protect its interests by limiting such grants to short terms, and not make such grants for the maximum of fifty years provided by the Charter.

The two extensions under consideration will greatly increase the earning value of the existing crosstown line with which they connect at either end. The Pelham Avenue extension will have its easterly terminus at one of the main entrances to the Bronx Park Zoological Garden, and the University Heights Bridge route will make connections with the subway and the surface lines in the Borough of Manhattan. The existing crosstown line will thus be continued both easterly and westerly by the construction of these extensions, and will thereby acquire new terminals which will greatly enhance its value as a feeder to the present surface lines running northerly and southerly through the Borough of The Bronx.

I would therefore recommend that the grant of the rights applied for be made for a term of ten years, with the privilege of renewal for a further term of fifteen years upon a revaluation.

Compensation and Security Fund—A franchise to an existing company in order to comply with the Railroad Law requires the payment to the City of three per cent. of the gross receipts during the first five years, and five per cent. thereafter, calculated upon the proportion of the total receipts of the company that the length of the extension bears to the total length of line of the company.

For compensation for each of the franchises applied for, I would suggest that the initial sum be fixed at five thousand dollars (\$5,000), and as annual payments for the first ten years of the grant the minimum percentages of the gross receipts required by the Railroad Law. Minimum sums should be required to be paid annually, fixed upon the basis of the present earnings of the company and the length of the extension applied for calculated as outlined above. Upon this basis I have arrived at the following results:

	Pelham Avenue Route.	University Heights Bridge Route.
Initial payment	\$5,000.00	\$5,000.00
Annually—		
First five years	500.00	750.00
Second five years	900.00	1,400.00
Security deposit	5,000.00	5,000.00

The charge proposed for the use of the University Heights Bridge in the same as that heretofore fixed by the Board in all other contracts for the use of bridges over the Harlem River, to wit:

Four thousand dollars (\$4,000) annually during the first term of five years.

Four thousand five hundred dollars (\$4,500) annually during the second term of five years.

Other Conditions—A clause has been inserted in each of the forms of contract reserving to the Board the right to grant a similar privilege to any individual or other corporation over the same route upon payment of an annual sum to the Union Company not exceeding the legal interest on the proportion of the total cost of construction and repairs as the number of cars operated by the company or individual bears to the number operated by the Union Company.

The other conditions inserted in the proposed forms of contract appended hereto, are those which have been employed in former grants to street surface railway companies, and need, therefore, no discussion.

In general, the proposed forms of contract have been drawn in accordance with the provisions of the ordinance of the Board of Aldermen, approved by the Mayor September 14, 1903, granting a franchise to the company for a route over Macombs Dam Bridge, the form of which was adopted by the Board of Estimate and Apportionment, and it is respectfully submitted that this form should be adhered to in any additional grants made to the Union Company.

ARREARS FOR PERCENTAGES OF GROSS RECEIPTS.

The charter of the Union Company, chapter 340, of the Laws of 1892, provides for the following payment of compensation to the City:

"Whenever such earnings shall during any period of six months exceed an average of seventeen hundred dollars per day, then and in that event the said Company shall thereafter annually on the first day of December pay into the treasury of the city of New York to the credit of the sinking fund of said city, a sum equaling in the aggregate one per cent. of its gross earnings, and an additional annual payment of one per cent. of such gross earnings shall be made by said company in like manner for each multiple of seventeen hundred dollars per day of such average gross earnings."

The Union Company failed to make a proper return to the City in 1904, and demand was made upon said Company by the Comptroller for the sum of seventeen thousand one hundred and seven dollars and fifty-nine cents, with interest thereon. The Company declined to pay this amount unless it should be deducted from the franchise tax then due and unpaid, and the Corporation Counsel was thereupon requested to bring suit for the recovery of the same.

Such suit was subsequently brought by the Corporation Counsel, and the Company demurred to the complaint, on the ground that it did not state facts sufficient to constitute a cause of action, and in such demurrer contended that the true interpretation of the above quoted provision of its charter was that if during any six months' period wholly within one fiscal year from June 30 to June 30, the daily receipts average thirty-four hundred dollars, then for that particular fiscal year the Company must pay a tax of two per cent. upon its gross earnings. The demurrer of the Company was overruled by Mr. Justice MacLean of the Supreme Court, who in an opinion as reported in the "New York Law Journal" of October 22, 1907, held:

"It is the direct obligation of the defendant itself, expressly so declared in the act irrespective of verified statements and detailed accounts, to pay into the treasury of the City a certain percentage of its gross earnings whenever its gross earnings shall during any period of six months exceed a certain average, and does not arise in consequence of any act, action or computation of the Comptroller to whom it must furnish evidence, statements and detailed accounts, subject, however, to further inquiry if need be as to the correctness of its report as to its gross earnings." In a word, the Company becomes indebted and obligated by the act to pay a certain percentage of its actual gross earnings whenever the gross receipts exceed a certain daily average "during any period of six months," and not by virtue merely of its report thereof."

An appeal was taken by the Company from the above judgment overruling the demurrer to the complaint, and in March, 1908, a decision was handed down by the Appellate Division affirming the judgment appealed from, with leave to the defendant to withdraw said demurrer, and to answer the complaint on payment of costs in the two courts.

The Company is also in arrears for the percentages of its gross receipts for the year 1907. Judgment was obtained by the City for both of the above amounts with interest and costs in the respective sums of twenty thousand three hundred and eighty-five dollars and eight cents (\$20,385.08), and thirty-one thousand seven hundred and fifty-eight dollars and eighty-seven cents (\$31,758.87), and said judgments were entered in the office of the County Clerk of New York County on February 3, 1908, but before they could be collected the Company went into the hands of a receiver. These judgments were subsequently proved before a Special Master for the receiver of the Company, and allowed in full by him on September 29, 1908, but have not yet been paid.

It would appear that before any further privileges are granted to the Company these arrears should be paid and that the City should not be obliged to sue for compensation legally due, and that the company should meet its obligations by the payment of the above amounts which are due in return for the valuable public utilities and privileges enjoyed by it under its charter.

Clauses have accordingly been inserted in each of the proposed forms of contract submitted herewith, requiring the payment of these amounts within thirty (30) days from the date on which these contracts are signed by the Mayor.

As has been before stated, the traction situation in New York City is at this time greatly involved and in an unsettled condition. The applicant company is in the hands of a receiver and by the order of the court appointing such receiver, transfer privileges between this company and other companies, with which it was formerly on intimate relations, have been discontinued. It has also been shown that this company is in arrears for percentages on its gross receipts amounting to over fifty thousand dollars.

I believe the Board should exercise great caution in making any grants during the existence of the conditions outlined above, and that, as has already been mentioned, such grants should be for limited periods and not for the maximum time allowed by the Charter, so that the City may, upon their termination, take advantage of the more favorable conditions which will probably then exist.

A form of proposed contract was drawn up, as outlined above, and submitted to the attorney for the receiver, examined by him, and subsequently was the basis of a conference between Mr. F. W. Whitridge, Receiver, Mr. Edward A. Maher, President of the Union Railway Company, and members of this Division.

As I have outlined in the report on the Bronx Traction Company, this day presented to the Board, the receiver set forth the crippled condition of the company at the present time, and felt that the only money that could be expended would be that sufficient to cover the cost of construction. However, after a lengthy discussion between Mr. Maher and myself, he finally agreed to recommend to the Receiver for his approval a modification of the two contracts proposed, substantially as follows:

	Pelham Avenue Route.	University Heights Bridge Route.
Initial payment	\$5,000.00	\$5,000.00
Minimums—		
First five years	500.00	750.00
Second five years	900.00	1,400.00
Third five years	1,300.00	1,950.00
Security deposit	5,000.00	5,000.00
Use of bridge—		
First five years	500.00	750.00
Second five years	900.00	1,400.00
Third five years	1,300.00	1,950.00
Term of grant	15 and =	15 and =

The condition requiring the change of motive power to the underground system upon one year's notice to the company has, as a result of the conference, been omitted. It has been represented to me that with this condition in the franchise, it would be extremely difficult to finance the proposed extensions, particularly since the contract limits the term of grant to a period considerably shorter than that for which franchises have been recently granted. While I believe such a condition is important in giving the City control of the situation should it become desirable to remove the overhead wires, it is believed that the same result may be obtained by the exercise of the police power of the City, though possibly not without litigation. It is believed that a franchise which limits the term of grant to a short period is much more important than the retention of the conditions requiring the operation by the underground system, and in consequence this condition, which the Receiver declined absolutely to accept, has been omitted.

The payment of the judgments was agreed to, but the Receiver asked that he be allowed more than thirty (30) days, and suggested three (3) months for the 1904 arrears, and six (6) months for the other amount, and I have modified the proposed contract accordingly.

As stated in my report on the Bronx Traction Company, I have agreed to recommend these reductions from those heretofore proposed, largely in view of the present situation in traction matters, and the desire of the property owners (of whom many I have called at this office) to secure these additional transit lines.

When the contracts had been amended, in accordance with the terms agreed upon at the conference, they were again submitted to Mr. Maher, and by him to Mr. Whitridge, who, in a communication under date of October 26, 1908, states:

"As amended they are acceptable to me, and they will be executed in the form proposed."

The forms of contract submitted are such as have heretofore been approved by the Corporation Counsel, and are in the standard form which was recommended by the Law Department some two years ago.

I would therefore recommend that the Board tentatively approve the proposed forms of contract and forward the same to the Corporation Counsel for his approval as to form.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Synopsis of Provisions of Contract.

Section 1. Grant. Description of route and map referred to.

Sec. 2. Conditions of grant.

First—Consent of property owners must be obtained within six months or an appeal to the courts must be made within one month thereafter; otherwise rights to cease.

Second—Term of grant fifteen years, and renewal of twenty years upon revaluation.

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

Fourth—When rights cease, property to become City's.

Fifth—Annual charges to be maintained throughout the term of contract.

Sixth—Rights not to be assigned.

Seventh—Right not exclusive.

Eighth—Motive power.

Ninth—Commencement and completion of construction.

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

Eleventh—Railway to be constructed and operated in the latest improved manner.

Twelfth—Rate of fare.

Thirteenth—No freight cars to be operated.

Fourteenth—Headway of cars.

Fifteenth—Fenders and wheel guards to be provided.

Sixteenth—Cars to be heated.

Seventeenth—Streets to be watered.

Eighteenth—Cars to be lighted.

Nineteenth—Snow and ice to be removed.

Twentieth—Company to pave and keep in repair the surface of the street between tracks.

Twenty-first—Expense of alteration to sewers or drainage system to be borne by Company.

Twenty-second—Permission to construct to be obtained from administrative officers.

Twenty-third—Company to comply with rules to prevent electrolysis.

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

Twenty-fifth—Company to change railway if grades of streets are changed.

Twenty-sixth—Substitution of single for double track on bridge.

Twenty-seventh—Annual reports to the Board.

Twenty-eighth—Company to keep accurate books of account. Reports to Comptroller.

Twenty-ninth—City may sue for forfeiture.

Thirty—Fine of \$100 for inefficient public service.

Thirty-first—Company to assume all liability of damages.

Thirty-second—Security deposit, \$3,500.

Thirty-third—Grant subject to rights of abutting property owners.

Thirty-fourth—Definition of words "Notice" and "Direction."

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

Sec. 3. Provisions of Railroad Law to be complied with.

Sec. 4. Company agrees to abide by all terms and conditions.

PROPOSED FORM OF CONTRACT.

This contract, made this day of 1908, by and between The City of New York (hereinafter called the City), party of the first part, by the Mayor of said City, acting for and in the name of said City, under and in pursuance of the authority of the Board of Estimate and Apportionment of said City (hereinafter called the Board), and the Union Railway Company of New York City (hereinafter called the Company), party of the second part, witnesseth:

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

Section 1. The City hereby grants to the Company, subject to the conditions and provisions hereinafter set forth, the right and privilege to construct, maintain and operate an extension to its present street surface railway, with the necessary wires and equipment, for the purpose of conveying persons and property in the Boroughs of The Bronx and Manhattan, in The City of New York, upon the following route:

Beginning at and connecting with the existing tracks of the Company at or near the intersection of Sedgwick avenue and Fordham road, in the Borough of The Bronx, and running thence southwesterly in, upon and along said Fordham road and Hampden place to West One Hundred and Eighty-fourth street, and thence southwesterly and westerly in, upon and along said West One Hundred and Eighty-fourth street to its intersection with the easterly approach to the University Heights Bridge, thence westerly upon and over said Bridge, and the easterly and westerly approaches thereto, to West Two Hundred and Seventh street, in the Borough of Manhattan, and thence westerly in, upon and along said West Two Hundred and Seventh street to Amsterdam or Tenth avenue, thence southerly in, upon and along said Amsterdam or Tenth avenue to Emerson street, thence westerly in, upon and along said Emerson street to Broadway, and connecting with the existing double track railway in said Broadway. The said route with turnouts, switches and crossovers hereby authorized is shown upon a map entitled:

"Map shewing proposed railway of the Union Railway Co. in the Boroughs of The Bronx and Manhattan, City of New York, to accompany petition to the Board of Estimate and Apportionment, dated July 28, 1908," and signed by F. W. Whitridge, Receiver; T. F. Mullaney, Chief Engineer, and Edward A. Maher, President, a copy of which is attached hereto, is to be deemed a part of this contract, is to be construed with the text thereof, and is to be substantially followed, provided that deviations therefrom and additional turnouts, switches and crossovers which are consistent with the foregoing description and the other provisions of this contract may be permitted by resolution of the Board.

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

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

Second—The said right to construct, maintain and operate said railway shall be held and enjoyed by the Company for the term of fifteen (15) years from the date upon which this contract is signed by the Mayor, with the privilege of renewal of said contract for the further period of twenty (20) years, upon a fair revaluation of such right and privilege.

If the Company shall determine to exercise its privilege of renewal it shall make application to the Board, or any authority which shall be authorized by law to act for the City in place of the Board. Such application shall be made at any time not

earlier than two years and not later than one year before the expiration of the original term of this contract. The determination of the revaluation shall be sufficient if agreed to in writing by the Company and the Board, but in no case shall the annual rate of compensation to the City be fixed at a less amount than that sum required to be paid during the last year of this original contract.

If the Company and the Board shall not reach such agreement on or before the day one year before the expiration of the original term of this contract, then the annual rate of compensation for such succeeding twenty (20) years shall be reasonable, and either the City (by the Board) or the Company shall be bound, upon request of the other, to enter into a written agreement with each other fixing the rate of such compensation at such amount as shall be reasonable, but in no case shall the annual rate so fixed be less than the sum required to be paid for the last year prior to the termination of the original term of this contract, and if the parties shall not forthwith agree upon what is reasonable, then the parties shall enter into a written agreement fixing such annual rate, and at such amount as shall be determined by three disinterested freeholders selected in the following manner:

One disinterested freeholder shall be chosen by the Board; one disinterested freeholder shall be chosen by the Company; these two shall choose a third disinterested freeholder, and the three so chosen shall act as appraisers and shall make the revaluation aforesaid. Such appraisers shall be chosen at least six months prior to the expiration of this original contract, and their report shall be filed with the Board 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 any of the books of the Company and its officers under oath. The valuations so ascertained, fixed and determined shall be conclusive upon both parties, but no annual sum shall, in any event, be less than the sum required to be paid for the last year of this original contract. If, in any case, the annual rate shall not be fixed prior to the termination of the original term of this contract, then the Company shall pay the annual rate theretofore prevailing until the new rate shall be determined, and shall then make up to the City the amount of any excess of the annual rate then determined over the previous annual rate. The compensation and expenses of the said appraisers shall be borne jointly by the City and the Company, each paying one-half thereof.

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

(a) The sum of three thousand five hundred dollars (\$3,500) in cash, within thirty (30) days after the date on which this contract is signed by the Mayor.

(b) During the first term of five years an annual sum which shall in no case be less than seven hundred and fifty dollars (\$750), and which shall be equal to three (3) per cent. of its gross annual receipts, if such percentage shall exceed the sum of seven hundred and fifty dollars (\$750).

During the second term of five years an annual sum which shall in no case be less than fourteen hundred dollars (\$1,400), and which shall be equal to five (5) per cent. of its gross annual receipts, if such percentage shall exceed the sum of fourteen hundred dollars (\$1,400).

During the third term of five years an annual sum which shall in no case be less than fifteen hundred and fifty dollars (\$1,550), and which shall be equal to five per cent. (5%) of its gross annual receipts if such percentage shall exceed the sum of fifteen hundred and fifty dollars (\$1,550).

The gross annual receipts mentioned above shall be that portion of the gross receipts of the company as shall bear the same proportion to its whole gross receipts as the length of the extension hereby granted shall bear to the entire length of the line of the company in operation.

The payment of such minimum sums shall begin from the day on which this contract is signed by the Mayor.

(c) For the use of the University Heights Bridge during the first term of five years the annual sum of \$2,000, during the second term of five years the annual sum of \$2,250, and during the third term of five years the annual sum of \$2,500. The compensation herein reserved shall commence from the date of the signing of this contract by the Mayor.

All such sums as above shall be paid into the treasury of the City on November 1 of each year, and shall be for the amount due to September 30 next preceding.

Whenever the percentage required to be paid shall exceed the minimum amount as above, such sum over and above such minimum shall be paid to the said Comptroller on or before November 1 in each year for the year ending September 30 next preceding. The fiscal year shall end on September 30 next preceding said date of payment, and provisions of the Railroad Law as it now exists, or as it may hereafter be amended, relating to the matter of payments and statements of percentages of gross receipts of street railway companies not inconsistent with this contract, shall be strictly complied with.

The intention of this paragraph is to fix an annual charge to be paid by the Company, its successors or assigns, to The City of New York for the rights and franchises hereby granted, and it shall not be construed as providing for the payment by the Company, its successors or assigns, of a percentage of gross receipts within the meaning of any general or special statute, referring particularly to chapter 340 of the Laws of 1892.

Before any rights hereby conferred are exercised by the Company, and within three (3) months from the date on which this contract is signed by the Mayor, the Company shall pay to The City of New York the sum of twenty thousand three hundred and eighty-five dollars and eight cents (\$20,385.08) and within three (3) months thereafter the further sum of thirty-one thousand seven hundred and fifty-eight dollars and eighty-seven cents (\$31,758.87); said amounts being due under the franchise of the Company granted to it by the Legislature by chapter 340 of the Laws of 1892.

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

Fourth—Upon the termination of this original contract, or if the same is renewed, then at the termination of the said renewal term, or upon the termination of the rights hereby granted for any other cause, or upon the dissolution of the Company before such termination, the tracks and equipment of the Company constructed pursuant to this contract, within the streets, avenues and highways and upon the bridge, shall become the property of the City without cost, and the same may be used or disposed of by the City for any purpose whatsoever, or the same may be leased to any company or individual. If, however, at the termination of this grant as above the City (by the Board or its successors in authority) shall so order by resolution, the Company shall, upon thirty (30) days' notice from the Board, remove any and all of the tracks and other equipment constructed pursuant to this contract, and the said streets, avenues and highways and the bridge shall be restored to their original condition at the sole cost and expense of the Company.

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

Sixth—The rights and privileges hereby granted shall not be assigned, either in whole or in part, or leased or sublet in any manner, nor shall title thereto, or right, interest or property therein, pass to or vest in any other person or corporation whatsoever, either by the act of the company, 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, acting by the Board, 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

waving of any one or more of such consents shall not render unnecessary any subsequent consent or consents.

Seventh—Nothing in this contract shall be deemed to affect in any way the rights of the City to grant to any individual or other corporation a similar right or privilege upon the same or other terms and conditions over the same streets, avenues, highways or bridge, hereinabove described in Section 1.

The use of said railway, which shall be constructed by the Company under this contract, including the tracks, wires and other equipment, or any structures in public streets and avenues owned by the Company and used in connection therewith shall be permitted by the Company to any individual or corporation to which the City may have granted, or may hereafter grant, the right or privilege to use such streets, avenues or highways, hereinabove described in Section 1, for street railway purposes, upon payment of an annual sum by such individual or corporation to the Company, which shall not exceed the legal interest on such proportion of the whole cost of the construction of such railway and structures and of the cost of keeping the tracks and track equipment in repair, as the number of cars operated by such company or individual shall bear to the number of cars operated by the companies then using the same, together with the actual cost of the power necessary for the operation of the cars thereon of such individual or corporation and the cost of laying and repairing of pavement and removal of snow and ice, and all the other duties imposed upon the Company by the terms of this contract, in connection with the maintenance or the operation of the said railway so used. Provided, however, that if in the opinion of the Company the legal rate of interest of the cost of such railway shall be an insufficient sum to pay for the use of such tracks, it may appeal to the Board, and the Board may fix a percentage of the cost to be paid to the Company at a sum in excess of the legal rate of interest, if in its opinion such action is justified.

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

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

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

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

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

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

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

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

Thirteenth—No cars shall be operated upon the railway hereby authorized other than passenger cars, cars for the transportation of express matter and cars necessary for the repair or maintenance of the railway, and no freight cars shall be operated upon the tracks of said railway; and the tracks hereby authorized shall not be used for the storage of cars.

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

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

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

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

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

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

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

Twentieth—The Company shall cause to be paved that portion of the street between its tracks, the rails of its tracks and two feet in width outside of its tracks, upon and along the streets, avenues and highways of the routes hereby authorized, which are now unpaved. The work of such paving shall be done under the supervision of the municipal authorities having jurisdiction in such matters, and such authorities shall designate the character of the pavement to be laid.

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

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

Twenty-second—Before any construction shall be commenced upon any portion of the route, written permits shall be obtained from the Presidents of the Boroughs of Manhattan and The Bronx, and the Commissioners of Water Supply, Gas and Electricity and Bridges, and the Company shall comply with any conditions which those officials may impose as a condition upon which such permit is granted, provided such conditions are imposed for the purpose of protecting the structures over which those officials have jurisdiction.

Twenty-third—The Company agrees to comply with any and all the rules which may be made by the Commissioner of Water Supply, Gas and Electricity for the purpose of preventing the destruction of the pipes or structures in the street by electrolysis, which may be caused by the electric current used by the Company, whether such rules affect the method of the original construction of said railway or any reconstruction, maintenance or repairs upon such railway at any time during the term of this contract.

Twenty-fourth—It is agreed that the right hereby given to operate a street surface railway shall not be in preference or in hindrance to public work of the City, and should the said railway in any way interfere with the construction of public works in the streets, or upon the bridge, whether the same is done by the City directly or by a contractor for the City, the Company shall at its own expense protect or move the tracks and appurtenances in a manner as directed by the President of the Borough in which said tracks are situated, or by the Commissioner of Bridges.

Twenty-fifth—Should the grades or lines of the streets in which franchises are herein granted be changed at any time during the term of this contract, the Company shall change its tracks to conform with such new grades and lines, and during the construction of any public improvement upon said streets the Company shall take care of and protect the track and appurtenances at its own expense; all to be done subject to the direction of the President of the Borough in which such change is made or work done.

Twenty-sixth—The Board may at any time require the Company to remove one track from the University Heights Bridge and approaches thereto, and to place the remaining track in the centre of the roadway of said bridge and operate the railway by means of said single track upon said bridge and its approaches.

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

1. The amount of stock issued, for cash, for property.
2. The amount paid in as by last report.
3. The total amount of capital stock paid in.
4. The funded debt by last report.
5. The total amount of funded debt.
6. The floating debt as by last report.
7. The total amount of floating debt.
8. The total amount of funded and floating debt.
9. The average rate per annum of interest on funded debt.
10. Statement of dividends paid during the year.
11. The total amount expended for same.
12. The names of the directors elected at the last meeting of the corporation held for such purpose.
13. Location, value and amount paid for real estate owned by the Company as by last report.
14. Location, value and amount paid for real estate now owned by the Company.
15. Number of passengers carried during the year.
16. Total receipts of Company for each class of business.
17. Amounts paid by the Company for damage to persons or property on account of construction and operation.
18. Total expenses for operation, including salaries.

—and such other information in regard to the business of the Company as may be required by the Board.

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

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

Thirtieth—If the Company shall fail to give efficient public service at the rates herein fixed, or fail to maintain its structures in good condition throughout the whole term of this contract, the Board may give notice to the Company specifying any default on the part of the Company, and requiring the Company to remedy the same within a reasonable time; and upon failure of the Company to remedy such default within a reasonable time, the Company shall for each day thereafter during which the default or defect remains, pay to the City the sum of one hundred dollars (\$100) as fixed or liquidated damages, or the Board, in case such structures which may affect the surface of the streets or of the bridge shall not be put in good condition within a reasonable time after notice by the Board as aforesaid, shall have the right to make all needed repairs at the expense of the Company, in which case the Company shall pay to the City the amount of the cost of such repairs with legal interest thereon, all of which sums may be deducted from the fund hereinafter provided.

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

Thirty-second—This grant is upon the express condition that the Company within thirty (30) days after the signing of this contract by the Mayor, and before anything is done in exercise of the rights conferred hereby, shall deposit with the Comptroller of The City of New York the sum of three thousand five hundred dollars (\$3,500), either in money or securities to be approved by him, which fund shall be security for the performance by the Company of all of the terms and conditions of this contract, especially those which relate to the payment of the annual charges for the privilege hereby granted, the efficiency of the public service rendered, the repairs of the street and bridge pavement, the removal of snow and ice and the quality of construction of the railroad; and in case of default in the performance by the Company of such terms and conditions the City shall have the right to cause the work to be done and the materials to be furnished for the performance thereof after due notice, and shall

collect the reasonable cost thereof from the said fund without legal proceedings; or after default in the payment of the annual charges, shall collect the same with interest from the said fund after ten days' notice in writing to the Company; or in case of failure to keep the said terms and conditions of this contract relating to the headway, heating and lighting of cars, fenders, wheel-guards and watering of street pavements, the Company shall pay a penalty of fifty dollars (\$50) per day for each day of violation, and the further sum of ten dollars (\$10) per day for each car that shall not be properly heated, lighted or supplied with fenders or wheel-guards, in case of the violation of the provisions relating to those matters.

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

The Comptroller of the City, on complaint made, shall, in writing, notify the Company, through its president, to appear before him on a certain day not less than ten (10) days after the date of such notice, to show cause why it should not be penalized in accordance with the foregoing provisions. If the Company fails to make an appearance, or, after a hearing, appears in the judgment of the Comptroller to be in fault, said Comptroller shall forthwith impose the prescribed penalty, or where the amount of the penalty is not prescribed herein, such amount as appears to him to be just, and without legal procedure withdraw the amount of such penalty from the security fund deposited with him. In case of any drafts made upon the security fund the Company shall, upon ten (10) days' notice in writing, pay to the Comptroller of the City a sum sufficient to restore said security fund to the original amount of three thousand five hundred dollars (\$3,500), and in default thereof this contract shall be canceled and annulled at the option of the Board, acting in behalf of the City. No action or proceeding or right under the provisions of this contract shall affect any other legal rights, remedies or causes of action belonging to the City.

Thirty-third—The grant of this privilege is subject to whatever right, title or interest the owners of abutting property or others may have in and to the streets, avenues and highways in which the Company is authorized to operate.

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

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

Sec. 3. This contract is also upon the further and express condition that the provisions of the Railroad Law, applicable thereto, and all laws or ordinances now in force, or which may be adopted affecting the surface railways operating in the City, not inconsistent with the terms and conditions hereinbefore fixed, shall be strictly complied with by the Company.

Sec. 4. The Company promises, covenants and agrees on its part and behalf to conform to and abide by and perform all the terms, conditions and requirements in this contract fixed and contained.

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

THE CITY OF NEW YORK,
By Mayor.

[CORPORATE SEAL]

Attest:

City Clerk.

UNION RAILWAY COMPANY OF NEW YORK CITY,
By President

[CORPORATE SEAL]

Attest:

Secretary.

(Here add acknowledgments.)

Synopsis of Provisions of Contract.

Section 1. Grant. Description of route and map referred to.

Sec. 2. Conditions of grant:

First—Consent of property owners must be obtained within six months or an appeal to the courts must be made within one month thereafter; otherwise rights to cease.

Second—Term of grant fifteen (15) years, and renewal of twenty (20) years upon revaluation.

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

Fourth—When rights cease, property to become City's.

Fifth—Annual charges to be maintained throughout the term of contract.

Sixth—Rights not to be assigned.

Seventh—Right not exclusive.

Eighth—Motive power.

Ninth—Commencement and completion of construction.

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

Eleventh—Railway to be constructed and operated in the latest improved manner.

Twelfth—Rate of fare.

Thirteenth—No freight cars to be operated.

Fourteenth—Headway of cars.

Fifteenth—Fenders and wheel guards to be provided.

Sixteenth—Cars to be heated.

Seventeenth—Streets to be watered.

Eighteenth—Cars to be lighted.

Nineteenth—Snow and ice to be removed.

Twentieth—Company to pave between tracks.

Twenty-first—Company to keep in repair the pavement, and must pave between the tracks and two feet outside.

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

Twenty-third—Expense of alteration to sewers or drainage system to be borne by Company.

Twenty-fourth—Company to comply with rules to prevent electrolysis.

Twenty-fifth—Company to change railway if grades of streets are changed.

Twenty-sixth—Annual report to the Board.

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

Twenty-eighth—City may sue for forfeiture.

Twenty-ninth—Fine of \$100 for inefficient public service.

Thirtieth—Company to assume all liability of damages.

Thirty-first—Security deposit, \$3,500.

Thirty-second—Grant subject to right of abutting property owners.

Thirty-third—Definition of the words "notice" and "direction."

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

Sec. 3. Provisions of Railroad Law to be complied with.

Sec. 4. Company agrees to abide by all terms and conditions.

PROPOSED FORM OF CONTRACT.

This contract made this day of , 190 , by and between The City of New York (hereinafter called the City), party of the first part, by the Mayor of said City, acting for and in the name of said City, under and in pursuance of

the authority of the Board of Estimate and Apportionment of said City (hereinafter called the Board), and the Union Railway Company of New York City (hereinafter called the Company), party of the second part, witnesseth:

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

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

Beginning at and connecting with the existing double track road of the Company in Third avenue at the intersection of said avenue with Pelham avenue, and running thence easterly in, upon and along said Pelham avenue to the Southern Boulevard. The said route with turnouts, switches and crossovers hereby authorized is shown upon a map entitled:

"Map showing proposed railway of the Union Railway Co., in the Borough of The Bronx, City of New York, to accompany petition to the Board of Estimate and Apportionment, dated July 28, 1908."

—and signed by F. W. Whitridge, Receiver, T. F. Mullaney, Chief Engineer, and Edward A. Maher, President, a copy of which is attached hereto, is to be deemed a part of this contract, is to be construed with the text thereof, and is to be substantially followed, provided that deviations therefrom and additional turnouts, switches and crossovers which are consistent with the foregoing description and the other provisions of this contract may be permitted by resolution of the Board.

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

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

Second—The said right to construct, maintain and operate said railway shall be held and enjoyed by the Company for the term of fifteen (15) years from the date upon which this contract is signed by the Mayor, with the privilege of renewal of said contract for the further period of twenty (20) years upon a fair revaluation of such right and privilege.

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

If the Company and the Board shall not reach such agreement on or before the day one year before the expiration of the original term of this contract, then the annual rate of compensation for such succeeding twenty (20) years shall be reasonable, and either the City (by the Board) or the Company shall be bound, upon request of the other, to enter into a written agreement with each other fixing the rate of such compensation at such amount as shall be reasonable, but in no case shall the annual rate so fixed be less than the sum required to be paid for the last year prior to the termination of the original term of this contract, and if the parties shall not forthwith agree upon what is reasonable, then the parties shall enter into a written agreement fixing such annual rate, and at such amount as shall be determined by three disinterested freeholders selected in the following manner:

One disinterested freeholder shall be chosen by the Board; one disinterested freeholder shall be chosen by the Company; these two shall choose a third disinterested freeholder, and the three so chosen shall act as appraisers and shall make the revaluation aforesaid. Such appraisers shall be chosen at least six months prior to the expiration of this original contract, and their report shall be filed with the Board 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 any of the books of the Company and its officers under oath. The valuations so ascertained, fixed and determined shall be conclusive upon both parties, but no annual sum shall in any event be less than the sum required to be paid for the last year of this original contract. If, in any case, the annual rate shall not be fixed prior to the termination of the original term of this contract, then the Company shall pay the annual rate theretofore prevailing until the new rate shall be determined, and shall then make up to the City the amount of any excess of the annual rate then determined over the previous annual rate. The compensation and expenses of the said appraisers shall be borne jointly by the City and the Company, each paying one-half thereof.

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

(a) The sum of three thousand dollars (\$3,000) in cash within thirty (30) days after the date on which this contract is signed by the Mayor.

(b) During the first term of five years an annual sum which shall in no case be less than five hundred dollars (\$500), and which shall be equal to three (3) per cent. of its gross annual receipts, if such percentage shall exceed the sum of five hundred dollars (\$500).

During the second term of five years an annual sum which shall in no case be less than nine hundred dollars (\$900), and which shall be equal to five (5) per cent. of its gross annual receipts, if such percentage shall exceed the sum of nine hundred dollars (\$900).

During the third term of five years, an annual sum which shall in no case be less than one thousand dollars (\$1,000), and which shall be equal to five (5) per cent. of its gross annual receipts if such percentage shall exceed the sum of one thousand dollars (\$1,000).

The gross annual receipts mentioned above shall be that portion of the gross receipts of the company as shall bear the same proportion to its whole gross receipts as the length of the extension hereby granted shall bear to the entire length of the line of the company in operation.

The payment of such minimum sums shall begin from the day on which this contract is signed by the Mayor.

All such sums as above shall be paid into the treasury of the City on November 1 of each year, and shall be for the amount due to September 30 next preceding.

Whenever the percentage required to be paid shall exceed the minimum amount as above, such sum over and above such minimum shall be paid to the said Comptroller on or before November 1 in each year for the year ending September 30 next preceding. The fiscal year shall end on September 30 next preceding said date of payment, and provisions of the Railroad Law as it now exists, or as it may hereafter be amended, relating to the matter of payments and statements of percentages of gross receipts of street railway companies not inconsistent with this contract shall be strictly complied with.

The intention of this paragraph is to fix an annual charge to be paid by the Company, its successors or assigns, to The City of New York for the rights and franchises hereby granted, and it shall not be construed as providing for the payment by the Company, its successors or assigns, of a percentage of gross receipts within the meaning of any general or special statute, referring particularly to chapter 340 of the Laws of 1892.

Before any rights hereby conferred are exercised by the Company, and within three (3) months from the date on which this contract is signed by the Mayor, the Company shall pay to The City of New York the sum of twenty thousand three hundred and eighty-five dollars and eight cents (\$20,385.08) and within three (3) months thereafter the further sum of thirty-one thousand seven hundred and fifty-eight dollars and eighty-seven cents (\$31,758.87), said amounts being due under the franchise of the Company granted to it by the Legislature by chapter 349 of the Laws of 1892.

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

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

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

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

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

Seventh—Nothing in this contract shall be deemed to affect in any way the right of the City to grant to any individual or other corporation a similar right or privilege upon the same or other terms and conditions, over the same streets, avenues or highways, hereinabove described in section 1.

The use of said railway which shall be constructed by the Company under this contract, including the tracks, wires and other equipment or any structure in public streets and avenues owned by the Company and used in connection therewith, shall be permitted by the Company, to any individual or corporation to which the City may have granted, or may hereafter grant, the right or privilege to use such streets, avenues or highways, hereinabove described in section 1, for street railway purposes, upon payment of an annual sum by such individual or corporation to the Company, which shall not exceed the legal interest on such proportion of the whole cost of the construction of such railway and structures, and of the cost of keeping the tracks and track equipment in repair, as the number of cars operated by such company or individual shall bear to the number of cars operated by the companies then using the same, together with the actual cost of the power necessary for the operation of the cars thereon of such individual or corporation and the cost of laying and repairing of pavement and removal of snow and ice, and all the other duties imposed upon the Company by the terms of this contract, in connection with the maintenance or the operation of the said railway so used. Provided, however, that if in the opinion of the Company the legal rate of interest of the cost of such railway shall be an insufficient sum to pay for the use of such tracks, it may appeal to the Board, and the Board may fix a percentage of the cost to be paid to the Company at a sum in excess of the legal rate of interest, if in its opinion such action is justified.

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

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

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

Tenth—Said railway shall be constructed, maintained and operated subject to the supervision and control of all the authorities of the City who have jurisdiction in such matters, as provided by the Charter of the City. Before any construction shall be commenced upon any portion of the route, written permits shall be obtained from the President of the Borough of The Bronx and the Commissioner of Water Supply, Gas and Electricity, and the Company shall comply with any conditions which those officials may impose as a condition upon which such permit is granted, provided such conditions are imposed for the purpose of protecting the structures over which those officials have jurisdiction.

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

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

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

The rate for the carrying of property over the railway hereby authorized shall in all cases be reasonable in amount, subject to the control of the Board, or its successors in authority, and may be fixed by such Board after notice to the Company and a hearing had thereon, and when so fixed such rates shall be binding upon the

Company, its successors or assigns, and no greater sums shall be charged for such service than provided for by it.

Thirteenth—No cars shall be operated upon the railway hereby authorized, other than passenger cars, cars for the transportation of express matter and cars necessary for the repair or maintenance of the railway, and no freight cars shall be operated upon the tracks of said railway; and the tracks hereby authorized shall not be used for the storage of cars.

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

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

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

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

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

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

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

Twentieth—The Company shall cause to be paved that portion of the street between its tracks, the rails of its tracks and two feet in width outside of its tracks, upon and along the streets, avenues and highways of the routes hereby authorized, which are now unpaved. The work of such paving shall be done under the supervision of the municipal authorities having jurisdiction in such matters, and such authorities shall designate the character of the pavement to be laid.

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

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

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

Twenty-fourth—The Company agrees to comply with any and all the rules which may be made by the Commissioner of Water Supply, Gas and Electricity for the purpose of preventing the destruction of the pipes or structures in the street by electrolysis, which may be caused by the electric current used by the Company, whether such rules affect the method of the original construction of said railway or any reconstruction, maintenance or repairs upon such railway at any time during the term of this contract.

Twenty-fifth—Should the grades or lines of the streets in which franchises are herein granted be changed at any time during the term of this contract, the Company shall, at its own expense, change its tracks to conform with such new grades and lines, and during the construction of any public improvement upon said street the Company shall take care of and protect the track at its own expense, all to be done subject to the direction of the President of the Borough of The Bronx.

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

1. The amount of stock issued, for cash, for property.
2. The amount paid in as by last report.
3. The total amount of capital stock paid in.
4. The funded debt by last report.
5. The total amount of funded debt.
6. The floating debt as by last report.
7. The total amount of floating debt.
8. The total amount of funded and floating debt.
9. The average rate per annum of interest on funded debt.
10. Statement of dividends paid during the year.
11. The total amount expended for same.
12. The names of the directors elected at the last meeting of the corporation held for such purpose.
13. Location, value and amount paid for real estate owned by the Company as by last report.
14. Location, value and amount paid for real estate now owned by the Company.
15. Number of passengers carried during the year.
16. Total receipts of Company for each class of business.
17. Amounts paid by the Company for damage to persons or property on account of construction and operation.
18. Total expenses for operation, including salaries.

—and such other information in regard to the business of the Company as may be required by the Board.

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

Twenty-eighth—In case of any violation or breach or failure to comply with any of the provisions herein contained, this contract may be forfeited by a suit brought by the Corporation Counsel, on notice of ten days to the Company, or at the option of the Board by resolution of said Board, which said resolution may contain a provision to the effect that the railroad constructed and in use by virtue of this contract shall thenceforth become the property of the City without proceedings at law or in equity.

Provided, however, that such action by the Board shall not be taken until the Board shall give notice to the Company to appear before it on a certain day not less

than ten (10) days after the date of such notice, to show cause why such resolution declaring the contracts forfeited should not be adopted. In case the Company fails to appear, action may be taken by the Board forthwith.

Twenty-ninth—If the Company shall fail to give efficient public service at the rates herein fixed, or fail to maintain its structures in good condition throughout the whole term of this contract, the Board may give notice to the Company specifying any default on the part of the Company, and requiring the Company to remedy the same within a reasonable time, and upon failure of the Company to remedy such default within a reasonable time, the Company shall for each day thereafter during which the default or defect remains pay to the City the sum of one hundred dollars (\$100) as fixed or liquidated damages, or the Board, in case such structures which may affect the surface of the streets, shall not be put in good condition within a reasonable time after notice by the Board as aforesaid, shall have the right to make all needed repairs at the expense of the Company, in which case the Company shall pay to the City the amount of the cost of such repairs, with legal interest thereon, all of which sums may be deducted from the fund hereinafter provided for.

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

Thirty-first—This grant is upon the express condition that the Company, within thirty (30) days after the signing of this contract by the Mayor, and before anything is done in exercise of the rights conferred hereby, shall deposit with the Comptroller of the City the sum of three thousand five hundred dollars (\$3,500), either in money or securities, to be approved by him, which fund shall be security for the performance by the Company of all of the terms and conditions of this contract, especially those which relate to the payment of the annual charges for the privilege hereby granted, the efficiency of the public service rendered, the repairs of the street pavement, the removal of snow and ice and the quality of construction of the railway; and in case of default in the performance by the Company of such terms and conditions, the City shall have the right to cause the work to be done and the materials to be furnished for the performance thereof after due notice, and shall collect the reasonable cost thereof from the said fund without legal proceedings; or after default in the payment of the annual charges, shall collect the same, with interest, from the said fund after ten days' notice in writing to the Company; or in case of failure to keep the said terms and conditions of this contract relating to the headway, heating and lighting of cars, fenders, wheel guards and watering of street pavements, the Company shall pay a penalty of fifty dollars (\$50) per day for each day of violation, and the further sum of ten dollars (\$10) per day for each car that shall not be properly heated, lighted or supplied with fenders or wheel guards, in case of the violation of the provisions relating to those matters.

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

The Comptroller of the City, on complaint made, shall, in writing, notify the Company, through its president, to appear before him on a certain day not less than ten (10) days after the date of such notice, to show cause why it should not be penalized in accordance with the foregoing provisions. If the Company fails to make an appearance, or, after a hearing, appears in the judgment of the Comptroller to be in fault, said Comptroller shall forthwith impose the prescribed penalty, or where the amount of the penalty is not prescribed herein, such amount as appears to him to be just, and without legal procedure withdraw the amount of such penalty from the security fund deposited with him. In case of any drafts made upon the security fund the Company shall, upon ten (10) days' notice in writing, pay to the Comptroller of the City a sum sufficient to restore said security fund to the original amount of three thousand five hundred dollars (\$3,500), and in default thereof this contract shall be cancelled and annulled at the option of the Board, acting in behalf of the City. No action or proceeding or right under the provisions of this contract shall affect any other legal rights, remedies or causes of action belonging to the City.

Thirty-second—The grant of this privilege is subject to whatever right, title or interest the owners of abutting property or others may have in and to the streets, avenues and highways in which the Company is authorized to operate.

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

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

Sec. 3. This contract is also upon the further and express condition that the provisions of the Railroad Law applicable thereto, and all laws or ordinances now in force, or which may be adopted affecting the surface railways operating in the City, not inconsistent with the terms and conditions hereinbefore fixed, shall be strictly complied with by the Company.

Sec. 4. The Company promises, covenants and agrees on its part and behalf to conform to and abide by and perform all the terms and conditions and requirements in this contract fixed and contained.

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

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

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

UNION RAILWAY COMPANY OF NEW YORK CITY,
By..... President

[SEAL]
Attest:
..... Secretary.
(Here add acknowledgments.)

THIRD AVENUE RAILROAD COMPANY,
SIXTY-FIFTH STREET AND THIRD AVENUE,
NEW YORK, October 26, 1908.

HARRY P. NICHOLS, Esq., Engineer, Division of Franchises, No. 277 Broadway, New York City:

DEAR SIR—I am in receipt of your favor of October 24, 1908, enclosing proposed forms of franchises for the Union Railway Company of New York City for two extensions. The first upon Pelham avenue and the second upon University Heights Bridge, and the form of Bronx traction franchise for Clason's Point road.

I understand that the forms contain the amendments discussed with you by Mr. Edward A. Maher on Saturday last. As amended they are acceptable to me, and they will be executed in the form proposed.

Yours truly,
F. W. WHITRIDGE, Receiver.

The President of the Borough of Manhattan moved that the matter be referred to a Select Committee consisting of the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan and The Bronx.

Which motion was adopted.

Bronx Traction Company

The public hearing on the petition of the Bronx Traction Company for a franchise to construct, maintain and operate a street surface railway as an extension to its existing system from the intersection of Clason's Point road and Westchester avenue, upon and along Clason's Point road to Long Island Sound, Borough of The Bronx, was opened.

The hearing was fixed for this day by resolution duly adopted October 2, 1908.

Affidavits of publication were received from the "New York Tribune," the "New York Sun" and the "City Record."

No one appeared in opposition to the proposed grant.

The following appeared in favor:

Col. Joseph A. Goulden, and Henry A. Robinson, on behalf of F. W. Whitridge, receiver for the Union Railway Company.

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

The Secretary presented the following:

No. 3386.

BOARD OF ESTIMATE AND APPORTIONMENT—THE CITY OF NEW YORK,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY.
October 27, 1908.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—The Bronx Traction Company (hereinafter referred to as the Traction Company), under date of July 28, 1908, has petitioned the Board of Estimate and Apportionment for the grant of a franchise to construct, maintain and operate a double track street surface railway, to be operated by the overhead system of electricity, as an extension to its existing routes in the Borough of The Bronx, beginning at and connecting with the existing double track railway on Westchester avenue at Clason's Point road, and running thence along and upon said Clason's Point road and the public place at the easterly terminus of said Clason's Point road, to Long Island Sound. The route and connections are shown upon a map and plan accompanying the petition, which map is entitled:

"Map showing proposed railway of the Bronx Traction Co. in the Borough of The Bronx, City of New York, to accompany petition to the Board of Estimate and Apportionment, dated July 28, 1908."

—signed by Edward A. Maher, President, and T. F. Mullaney, Chief Engineer.

The approximate length of the route applied for is 12,000 feet or 2.27 miles, equal to about 4.54 miles of single track.

The petition was presented to the Board at the meeting of September 18, 1908, and referred to the Chief Engineer and also to the President of the Borough of The Bronx.

At a meeting of the Board held October 2, 1908, a resolution was adopted fixing October 30, 1908, as the date for the preliminary public hearing, and the Mayor requested to designate two daily newspapers in which the notice of such application and hearing should be published according to law. The "New York Sun" and "New York Tribune" were so designated.

In reply to an inquiry from this Division, the attorney for the receiver of the Company in a communication under date of September 15, 1908, states that the consents of the owners of one-half in value of the abutting property have not yet been obtained, and that no certificate of extension has been filed. But I am advised that this matter will be attended to as soon as a meeting of the Board of Directors of the Company can be held. Such certificate should be filed prior to the time when the grant is made by the Board.

The construction of the proposed extension will enable the petitioner in connection with the Union Railway Company, hereinafter referred to as the "Union Company," which operates the lines of the Traction Company, to operate a continuous line of railway, by way of Third and Westchester avenues, from the Harlem River to Clason's Point, as well as connecting said point with the northerly portions of the Borough and the adjacent territory outside of the City limits.

Proceedings for opening Clasons Point road, from Westchester avenue to the East River, were initiated by the Board on April 14, 1905, and title vested August 1, 1906. The regulating and grading of the street was authorized June 15, 1906. The street has been graded for its entire width, and sidewalks laid and curbs set between the above named limits. It is at present an unpaved street.

The President of the Borough of The Bronx in a communication under date of September 26, 1908, states that the proposed extension will not interfere with any contemplated improvements and that property owners and citizens desire the immediate construction of this road.

HISTORY OF THE COMPANY.

The Bronx Traction Company was formed on May 12, 1904, by a consolidation agreement entered into between the directors of the Suburban Traction Company, the Van Nest, West Farms and Westchester Traction Company, the Wakefield and Westchester Traction Company, the West Farms and Westchester Traction Company and the Williamsbridge and Westchester Traction Company. This agreement was filed in the office of the County Clerk of New York County on May 16, 1904, and in the office of the Secretary of State on May 20, 1904. Each of the above named companies was a street surface railway corporation organized under the Railroad Law, and pursuant thereto each filed a certificate of incorporation in the office of the Secretary of State on April 28, 1892, for the purpose of constructing and operating a street surface railway in what was then Westchester County, but is now embraced within the limits of the Borough of The Bronx.

The consolidation agreement recites that each of the said five corporations is the owner of one or more municipal consents and franchise rights to construct, maintain and operate a street surface railway in and upon various streets; that the railways of two or more of said corporations have been actually constructed and are in operation on part of the streets named in the franchises owned by them, and that when railways shall have been constructed on all of the streets designated in said franchises they will form a continuous or connected line. This agreement provided that the Traction Company was to accept and receive the property of the other corporations, subject to all the charges thereon, and the debts and liabilities incurred by each of said corporations, and that the Traction Company should have a capital stock of \$585,000, equivalent to the total capital stock of the five companies forming it. Of this amount \$58,100 has been paid in and is owned by the Union Company, whose stock is held by the Third Avenue Railway Company. The Traction Company claims to have constructed and leased to the Union Company over 14 miles of single track road. The presumption is, therefore, that the money for the construction of this road was furnished by the Union Company.

On June 7, 1892, the Town Board of the Town of Westchester granted permission to the several above named companies to construct and operate street surface railways over the following routes:

1. To the Suburban Traction Company on the Southern turnpike (now Westchester avenue) and Main street, in the Village of Westchester, from the Bronx River to Westchester Creek, with a branch on Clasons Point road, as then laid out, from the said Southern turnpike to the East River. The total length of this grant was about 4.75 miles of street. The only portion of this route on which a street surface railway has been constructed is along Westchester avenue, from West Farms to Westchester Village, a distance of about 2.5 miles.

Under date of June 16, 1892, the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards issued a departmental permit to this company to open the Southern turnpike from the Bronx River to Main street, in Westchester Village, for the purpose of constructing a single track railway as an extension or branch of its existing railway, authorized as above, and to erect the necessary poles, wires and overhead construction for the proper operation of electric street surface cars on the said Southern turnpike.

2. To the Van Nest, West Farms and Westchester Traction Company, on West Farms road, Silver lane and Main street, from the Bronx River at West Farms to Westchester Creek, with a branch northerly along Bear Swamp road to what is now

Morris Park avenue, and a second branch from said Morris Park avenue, along Unionport road, the Southern turnpike road and Avenue C to Second street, Unionport, approximately 4.2 miles of street in length. A street surface railway has been constructed on about two miles of this route.

3. To the Wakefield and Westchester Traction Company:

"Beginning at Fifteenth avenue and Third street, in the Village of Williamsbridge, thence along said Third street to White Plains road, thence along said White Plains road to Briggs avenue, thence along said Briggs avenue to the old Boston road, thence along said Boston road to the road leading from Williamsbridge to Westchester Village, thence along said road to Main street, in Westchester Village; thence along said Main street to the road to Fort Schuyler, thence along said road to the Eastern boulevard, thence along said boulevard to the new road on Long Island Sound, and thence along said new road to Long Island Sound."

This grant covered about six miles of street, and a street surface railway has been constructed on approximately two miles of the above described route.

4. To the West Farms and Westchester Traction Company, on West Farms road, from the Bronx River to Watsons lane (now Morris Park avenue), and thence along said last named street to Bear Swamp road, and thence along Bear Swamp road, West Farms road, Silver lane and Main street to Westchester Creek. Said grant covered about 2.5 miles of street, on approximately two miles of which a railway has been constructed.

5. To the Williamsbridge and Westchester Traction Company, from the Bronx River, in the Village of Williamsbridge, along Olin avenue, White Plains road, Bear Swamp road, West Farms road, Silver lane and Main street, to Westchester Creek, in the Village of Westchester, embracing approximately 3.75 miles of street. A street surface railway has been constructed on all of this route except the portion on Bear Swamp road, between Morris Park avenue and West Farms road. The constructed portion is about 3.3 miles in length.

Inasmuch as the companies forming the Traction company never made reports to the State Board of Railroad Commissioners and as all construction was apparently done prior to the formation of the Traction company in 1904, it was impossible to determine under the charter of which company the various portions as now in operation had been built. A request was therefore made of the attorney for the company for the desired information, who, in a reply thereto, states he finds it impossible to furnish the data, and that the permits under which the construction was done cannot be found, nor can it be ascertained to whom such permits were issued, but that the assumption is that they were issued in the name of the Union Company, and that such company did the work. Upon receipt of this information I requested the President of the Borough of The Bronx to cause a search to be made of the records of his office, and to furnish me with copies of any permits issued for the construction of the several routes.

Upon examination of the permits found as the result of such search, it appears that with the exception of the one to the Suburban Traction Company in 1896, said permits were all issued in the name of the Union Railway Company, and only covered a comparatively small portion of the routes of the Traction company. This would seem to bear out the statement made above, that the Union Company constructed the existing lines of the Traction company.

The search made in the office of the President of the Borough of The Bronx shows that the following permits were issued:

By the Commissioner of Highways, under dates of December 28, 1898, and May 10, 1899. The first of these was for the purpose of constructing a second track parallel to the existing single track on West Farms road from a point about two hundred and fifty feet west of Bronx Park avenue to a point about one hundred and fifty feet east of Morris Park avenue, and upon Morris Park avenue, from West Farms road to Bear Swamp road and Morris Park Racetrack, and upon Bear Swamp road for a distance of about two hundred feet northerly from Morris Park avenue. The second included Olin avenue, from Webster avenue to White Plains road.

Sectional permits Nos. 2549, 2576 and 3748 were issued on December 5, 1899, December 16, 1899, and December 11, 1901, under the provisions of a general permit issued by the Commissioner of Highways on December 1, 1899. The permit of December 5, 1899, allowed the company to open Westchester avenue, between the Unionport road and Clasons Point road, and that of December 16, 1899, was for the purpose of opening said Westchester avenue, from Clasons Point road to the easterly end of the approach to the bridge over the Bronx River.

The permit of December 11, 1901, authorized the company to open the streets for the purpose of laying tracks from the terminus of existing tracks at Main street and Westchester avenue to and along the Fort Schuyler road to the Eastern boulevard, and specifically stated that no permission was given to lay tracks across the three bridges crossing Westchester Creek.

On November 2, 1904, the Bronx Traction Company entered into an agreement with the Union Company by which the last named company was granted the right to use for the operation of its cars the tracks, structures and appliances of the Traction company, then constructed or to be constructed, and to receive for its own use all compensation for carrying passengers, freight or mail over said tracks, and was given permission to generally extend and transact its business as a common carrier over such tracks and with the appliances of the Traction company at all times and for all purposes, provided that in the joint use of the tracks, etc., the cars of the Traction company should at all times have right of way over those of the Union Company.

The consideration of the contract was fixed at six thousand dollars per annum, and the Union Company agreed to keep the tracks, etc., in repair, and to remove snow and ice therefrom, and to fulfill all statutory requirements as to the repair of the streets lying between and two feet outside of such of the tracks of the Traction Company, as should be used. This agreement was by its terms retroactive in force and effect, so as to govern the relations of the parties thereto, from the date of the formation of the Traction Company on May 12, 1904, and may be terminated on thirty days' notice by either party. Under this agreement, the Union Company has since the above named date operated the constructed lines acquired by the Traction Company from the several companies consolidated to form it. The lines thus operated are as follows:

On West Farms road, from the Bronx River to Westchester Creek; on Westchester avenue, from the Bronx River to Westchester Village; on Fort Schuyler road, from Main street to the Eastern boulevard, and on Bear Swamp road, Morris Park avenue and White Plains road, from West Farms to Williamsbridge.

Under date of February 24, 1908, a petition was presented to the Public Service Commission for the First District, requesting an increase of service by the Union Company on Fort Schuyler road, and that the Commission order said company to extend its tracks on the Eastern boulevard, from Fort Schuyler road to Pelham Park. The Commission held a number of hearings on the petition and as a result thereof on May 8, 1908, issued an order directing the Union Company to construct this extension and the matter was thus brought to my attention.

In a report to the Chief Engineer of the Board under date of June 8, 1908, this Division discussed the above orders of the Commission and pointed out that although the Traction Company might claim an old franchise on the route in question under the grant to the Wakefield and Westchester Traction Company in 1892, it would appear that such rights had been forfeited by reason of the failure to construct the road within the time specified in the Railroad Law. This report also called attention to the doubt existing as to the location of the "new road on Long Island Sound," and that while the order of the Commission was given to the Union Company there seemed to be a question as to whether or not such order should not have been made to the Traction Company.

The matter was referred to the Corporation Counsel for an opinion as to the points outlined above, and in an opinion dated July 21, 1908, and addressed to the Board, it was held that all rights to the route in question had been lost by the failure of the company to construct its road and expend thereon 10 per cent. of its capital within five years from the date of filing its certificate of incorporation. In relation to the location of the route the opinion held that the road known as Town Dock road was the one intended to be described in the original grant to the company.

The Public Service Commission was furnished with a copy of the Corporation Counsel's opinion and the matter is now held in abeyance.

CONDITIONS FOR THE PROPOSED FRANCHISE.

Underground System—The company states in its petition that it proposes to operate the extension by the overhead system of electricity similar in all respects to that now in use on the other lines of its roads.

There appears to be no necessity at the present time for the operation of this road by the underground system, such construction in the section through which the road is to run would be uncalled for, and involve an unnecessary expense. I believe, however, that the Board may properly reserve the right to cause the removal of all wires from above the surface of the streets, thus compelling the adoption of the underground system at any time upon six months' notice, during the term of the contract, when such construction seems advisable and necessary. I, therefore, would recommend that a clause similar to that which was inserted in the grant to the New York City Interborough Railway Company be inserted in the contract, to wit, that upon one year's notice the company shall remove all overhead wires and operate by the underground system.

Paving of Streets—Clason's Point road is at present an unpaved street. Before a street surface railway operates thereon, there should be some form of pavement laid between the tracks and outside thereof. I would, therefore, suggest that the street be paved by the railway company, between its tracks and two feet on each side of the same, under the supervision of the Borough President, and that the character of the pavement be designated by him. Such a clause has been inserted in the proposed form of contract. A condition should also be made to require the company to bear its share of the cost of pavement when new pavement is laid on any portion of the route.

Wires and Conduits—Inasmuch as practically all of the abutting property on Clason's Point road is undeveloped, it does not seem necessary to require the company to place feed wires in conduits at present. It is recommended, however, that a clause be inserted in the contract reserving to the Board the authority to require the company upon six months' notice to remove any or all of its feed or other wires used in the operation of the railway, with the exception of the overhead trolley wires, and place the same in conduits underneath or alongside the railway tracks.

Tracks in Public Place—The easterly end of Clason's Point road terminates in a public place extending from where said road will be intersected by Bronx River avenue and Beets avenue, when such streets are opened, to the bulkhead line. The proposed extension has its easterly terminus within the lines of this public place, where it is proposed to construct a single track loop having at its easterly end a short piece of second track to be used as a car stand. A bulkhead has been constructed around the public place, but on both sides of such public place where streets have been laid out on the city maps, but which have not been opened, there is at present open water. While the proposed loop must, under the existing conditions, be located in the public place, it may be that, with the future development of the adjacent land, the presence of the tracks therein may become objectionable. I would, therefore, suggest that a clause be inserted in the form of contract reserving to the Board the right, upon one year's notice to the company, to cause the removal of the tracks from within the lines of the public place, and the company to apply for a franchise over some of the adjacent streets.

Loop Not to be Used for the Storage of Cars—The property in the neighborhood of the above mentioned public place is at the present time but little built up. It is impossible, however, at this writing, to say what this property will eventually become. It would seem advisable, therefore, to provide that the tracks within the public place shall not be used for the storage of cars, and a clause to this effect has been inserted in the form of contract herewith submitted.

Term of Grant—For the reasons adduced in the report on the applications of the Union Railway Company this day presented to the Board, I do not believe that at the present time any long term grants should be made to companies involved in the existing traction difficulties. It will probably be several years before the Clasons Point road extension becomes a profitable one to the company, both by reason of the undeveloped territory through which it will run, and that the bulk of its business during the early years of its operation will be derived from the patrons of the hotels and bathing pavilions, etc., at its easterly terminus.

It would therefore appear that the grant to this company should be for a longer term than that recommended for the Union Railway Company in the report presented this day upon the applications of said last named company.

In view of the above, I would recommend that this grant be made for a term of fifteen years, with the privilege of renewal for a further term of twenty years upon a revaluation.

COMPENSATION.

The several consents of the Town Board of Westchester to the companies consolidated to form the Traction Company, each contain the following provision: That the consent of the Board is given upon the express condition that the provisions of article 4 of the Railroad Law pertinent thereto, shall be complied with.

As has already been stated, these franchises have all been acquired by the Bronx Traction Company, which is leased to and operated by the Union Company.

I am informed at the office of the Collector of City Revenue that the statements of gross receipts made by the Union Company include the receipts from the lines of the Traction Company, and that payment is made thereon as provided in the special charter of the Union Company, to wit: chapter 340 of the Laws of 1892.

It would seem, therefore, that the provisions of article 4 of the Railroad Law were not being complied with in this particular, and that the percentage of gross receipts paid on the lines of the Traction Company should be 3 per cent. during the first five years and 5 per cent. thereafter, instead of the percentages named in the charter of the Union Company.

A franchise to an existing company, in order to comply with the Railroad Law, requires the payment to the City of 3 per cent. of the gross receipts during the first five years, and 5 per cent. thereafter, calculated upon the proportion of the total receipts of the company as the length of the extension bears to the total length of line of the company.

As has been previously shown, the lines of the Traction Company have been operated by the Union Company since the formation of the first named, and by the terms of the operating agreement, the Union Company has received for its own use all compensation for carrying passengers, freight or mail over such tracks. Inasmuch as the reports of the Union Company to the State Board of Railroad Commissioners and to the Public Service Commission do not show the gross earnings of individual lines, it has been necessary in determining the minimum annual sums to be paid for this extension, to assume that the earnings of that company are proportional for all parts of the system, and also to assume that the earnings on the lines of the Traction Company are the same proportion of the total gross earnings of the Union Company as the length of line in operation belonging to the Traction Company is to the total length of line operated by the Union Company.

Upon the basis of a thirty-five year grant, I would suggest that the compensation be fixed at the following:

Initial payment \$5,000 00

Annual payments of 3 per cent. of the gross receipts for the first five years, and 5 per cent. thereafter, with minimum amounts to be paid each year based upon the present earnings of the Union Company, unless the Traction Company shall keep separate accounts and make separate reports, which has not heretofore been done.

Security deposit \$10,000 00

Other Conditions—The other conditions which have been incorporated in the form of contract hereto appended, including those for the maintenance of street pavement, the protection of structures in the street, and the prevention of electrolysis are in the form used in former grants to street surface railway companies, and approved by the Corporation Counsel, and need, therefore, no discussion.

As has been shown, the applicant company is controlled by the same interests as the Union Company. This last named company is in arrears to the City for payments upon the percentages of gross receipts provided for in its charter amounting to over \$50,000. As the Union Company is the sponsor for the Traction Company, I do not believe any grant should be made by the Board to the latter until such time as the former shall have met and discharged all of its obligations. The only income of the Traction Company is the \$6,000 a year received from the Union under the before mentioned operating agreement. It would seem questionable, therefore, as to whether the Traction Company is in a satisfactory financial position to assume a grant of this nature.

When a proposed form of contract had been prepared in the form outlined above, the counsel for the company was advised of this fact, and as a result, conferences

were had between Mr. F. W. Whitridge, Receiver of the Union Railway Company; Mr. Edward A. Maher, President of the company, and representatives of this division, when the proposed terms and conditions were discussed, clause by clause.

Mr. Whitridge, speaking generally, stated that on account of the demands of the public for this extension, the company was anxious to construct the same, but did not consider that it would be a paying proposition for several years, with possibly the exception of the summer months, when the travel to the amusement places at Clasons Point would be greatest. He further stated that the company at the present time is not in a position to expend any large sums of money other than those used for construction and improvements, and on this account objected strongly to any security deposit being made, and also to the initial payment and compensation, as proposed, but finally stated in relation to the security deposit that he would be willing to make one, if the amount was reduced.

Mr. Whitridge also stated that on account of the present attitude of the public in regard to street railway investments, that it is particularly hard to finance railway projects at this time, and that any franchise to be accepted by the company would on that account have to be particularly attractive in form.

I thereupon asked the representatives of the company what they would be willing to pay for the grant, and after negotiations, Mr. Maher tentatively agreed to the following terms, subject to the approval of the Receiver.

That the initial payment be fixed at thirty-five hundred dollars (\$3,500); the annual compensation at three hundred and seventy-five dollars (\$375), six hundred and eighty-seven dollars (\$687) and seven hundred and fifty-six dollars (\$756) for the first, second and third terms of five years, respectively, and that the security deposit be reduced to six thousand dollars (\$6,000). The original minimum annual amounts to be paid as compensation by the company were calculated on a basis of the reports made by the Union Company, which includes the receipts from the operation of the Traction Company. Mr. Maher, however, stated that in the future the Traction Company would keep separate books of account, and make separate returns, in order that the percentages required by the Railroad Law may be paid on the gross receipts which will accrue from this extension. In consideration of this, I agreed to recommend these payments. Mr. Maher further objected to the sum of two hundred and fifty dollars (\$250) as liquidated damages for failure to give efficient public service on the ground that such sum was out of proportion to the other conditions of the contract, and in order that an agreement might be reached, I consented to recommend one hundred dollars (\$100).

Mr. Maher stated if the clauses reserving to the Board the right to require the company to operate by the underground system, and to place its feed wires in conduits were retained, he would recommend that the Receiver refuse to accept the grant. I thereupon offered as a substitute for the clause requiring underground construction, a provision that such construction should not be required until one of the other lines of the company, which connected with this proposed extension, should be so equipped. In reply to this, Mr. Maher stated that if these conditions were retained, it would be practically impossible for the company to finance the undertaking. In consequence of the objection, these clauses have been omitted.

While I am still of the opinion that this franchise is worth the sums originally proposed, and which I consider moderate, still, in view of the attitude of the company and their expressed determination not to construct this extension if such conditions were retained on account of the difficulty in financing the proposition, and in view of the urgent need of transit facilities in the territory to be served, I believe that the terms and conditions as now proposed may properly be approved by the Board.

After the form of contract had been amended to agree with the changes made as a result of the conferences, it was sent to Mr. Maher, in order that he might submit it to Mr. Whitridge for his approval. In a communication under date of October 26, 1908, returning the contract as amended, Mr. Whitridge says that it is acceptable to him, and will be executed in the present form, if passed by the Board.

The proposed form of contract should be submitted to the Corporation Counsel for approval as to form, and to advise the Board as to the question raised in the report as to granting a franchise to the Bronx Traction Company.

Respectfully,
HARRY P. NICHOLS, Engineer in Charge.

Synopsis of Provisions of Contract.

Section 1. Grant.

Sec. 2. Conditions of grant:

First—Property owners' consents to be obtained within six months or application must be made to the Court within one month thereafter; otherwise rights to cease and determine.

Second—Term of grant fifteen (15) years; with privilege of renewal for twenty (20) years upon revaluation.

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

Fourth—When rights cease, property to become City's.

Fifth—Annual charges to be maintained throughout the term of contract.

Sixth—Rights not to be assigned.

Seventh—Right not exclusive.

Eighth—Motive power.

Ninth—Commencement and completion of construction.

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

Eleventh—Railway to be constructed and operated in the latest improved manner.

Twelfth—Rate of fare not to exceed five cents on railway or any line or branch operated in connection therewith within the City.

Thirteenth—No freight cars to be operated. Tracks not to be used for storage of cars.

Fourteenth—Headway of cars.

Fifteenth—Fenders and wheel guards to be provided.

Sixteenth—Cars to be heated.

Seventeenth—Streets to be watered.

Eighteenth—Cars to be lighted.

Nineteenth—Snow and ice to be removed.

Twentieth—Company to keep in repair the pavement and must pave between tracks and two feet outside.

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

Twenty-second—Permission to construct to be obtained from administrative officers.

Twenty-third—Company to comply with rules to prevent electrolysis.

Twenty-fourth—Construction or operation not to interfere with any public work.

Twenty-fifth—Company to change railway if grades of streets are changed.

Twenty-sixth—Tracks to be removed from public place.

Twenty-seventh—Annual reports to the Board.

Twenty-eighth—Company to keep accurate books of account. Reports to Comptroller.

Twenty-ninth—City may sue for forfeiture.

Thirtieth—Fine of \$100 for inefficient public service.

Thirty-first—Company to assume all liability of damages.

Thirty-second—Security deposit, \$6,000.

Thirty-third—Grant subject to rights of abutting property owners.

Thirty-fourth—Definition of words "Notice" and "Direction."

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

Sec. 3. Provisions of Railroad Law to be complied with.

Sec. 4. Company agrees to abide by all terms and conditions.

PROPOSED FORM OF CONTRACT.

This contract, made this day of , 1908, by and between The City of New York (hereinafter called the City), party of the first part, by the Mayor of said City, acting for and in the name of said City, under and in pursuance of the authority of the Board of Estimate and Apportionment of said City (hereinafter called the Board), and the Bronx Traction Company (hereinafter called the Company), party of the second part, witnesseth:

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

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

operate a double track extension to its present street surface railway, with the necessary wires and equipment for the purpose of conveying passengers in the Borough of The Bronx, City of New York, upon the following route:

Beginning at and connecting with the existing double track street surface railway on Westchester avenue at the intersection of said avenue with Clasons Point road, and running thence easterly in, upon and along said Clasons Point road to the public place at the easterly terminus thereof, and running thence with a loop in, upon and along said public place. The said route with turnouts, switches and crossovers hereby authorized is shown upon a map entitled:

"Map showing proposed railway of Bronx Traction Co. in the Borough of The Bronx, City of New York, to accompany petition to the Board of Estimate and Apportionment, dated July 28, 1908."

—and signed by Edward A. Maher, President, and T. F. Mullaney, Chief Engineer, a copy of which is attached hereto, is to be deemed a part of this contract, is to be construed with the text thereof, and is to be substantially followed; provided, that deviations therefrom and additional turnouts, switches and crossovers which are consistent with the foregoing description and the other provisions of this contract may be permitted by resolution of the Board.

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

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

Second—The said right to construct, maintain and operate said railway shall be held and enjoyed by the Company for the term of fifteen (15) years from the date upon which this contract is signed by the Mayor, with the privilege of renewal of said contract for the further period of twenty (20) years, upon a fair revaluation of such right and privilege.

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

If the Company and the Board shall not reach such agreement on or before the day one year before the expiration of the original term of this contract, then the annual rate of compensation for such succeeding twenty (20) years shall be reasonable, and either the City (by the Board) or the Company shall be bound upon request of the other to enter into a written agreement with each other fixing the rate of such compensation at such amount as shall be reasonable, but in no case shall the annual rate so fixed be less than the sum required to be paid for the last year prior to the termination of the original term of this contract, and if the parties shall not forthwith agree upon what is reasonable, then the parties shall enter into a written agreement fixing such annual rate and at such amount as shall be determined by three disinterested freeholders selected in the following manner:

One disinterested freeholder shall be chosen by the Board; one disinterested freeholder shall be chosen by the Company; these two shall choose a third disinterested freeholder, and the three so chosen shall act as appraisers and shall make the revaluation aforesaid. Such appraisers shall be chosen at least six months prior to the expiration of this original contract, and their report shall be filed with the Board 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 any of the books of the Company and its officers under oath. The valuations so ascertained, fixed and determined shall be conclusive upon both parties, but no annual sum shall, in any event, be less than the sum required to be paid for the last year of this original contract. If in any case the annual rate shall not be fixed prior to the termination of the original term of this contract, then the Company shall pay the annual rate theretofore prevailing until the new rate shall be determined, and shall then make up to the City the amount of any excess of the annual rate then determined over the previous annual rate. The compensation and expenses of the said appraisers shall be borne jointly by the City and the Company, each paying one-half thereof.

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

The sum of three thousand five hundred dollars (\$3,500), in cash, within thirty (30) days after the date on which this contract is signed by the Mayor.

During the first term of five years an annual sum, which shall in no case be less than three hundred and seventy-five dollars (\$375), and which shall be equal to three per cent. of its gross annual receipts if such percentage shall exceed the sum of three hundred and seventy-five dollars (\$375).

During the second term of five years an annual sum which shall in no case be less than six hundred and eighty-seven dollars (\$687), and which shall be equal to five per cent. of its gross annual receipts if such percentage shall exceed the sum of six hundred and eighty-seven dollars (\$687).

During the third term of five years an annual sum which shall in no case be less than seven hundred and fifty-six dollars (\$756), and which shall be equal to five per cent. of its gross annual receipts if such percentage shall exceed the sum of seven hundred and fifty-six dollars (\$756).

The gross annual receipts mentioned above shall be that portion of the gross receipts of the Company as shall bear the same proportion to its whole gross receipts as the length of the extension hereby granted shall bear to the entire length of the line in operation.

The payment of such minimum sums shall begin from the date on which this contract is signed by the Mayor.

Ali such sums as above shall be paid into the treasury of the City on November 1 of each year, and shall be for the amount due to September 30 next preceding.

Whenever the percentage required to be paid shall exceed the minimum amount as above, such sum over and above such minimum shall be paid to the said Comptroller on or before November 1 in each year for the year ending September 30 next preceding. The fiscal year shall end on September 30 next preceding said date of payment, and provisions of the Railroad Law as it now exists, or as it may hereafter be amended, relating to the matter of payments and statements of percentages of gross receipts of street railway companies not inconsistent with this contract, shall be strictly complied with.

The intention of this paragraph is to fix an annual charge to be paid by the Company, its successors or assigns, to The City of New York for the rights and franchises hereby granted, and it shall not be construed as providing for the payment by the Company, its successors or assigns of a percentage of gross receipts within the meaning of any general or special statute, referring particularly to chapter 340 of the Laws of 1892.

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

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

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

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

Sixth—The rights and privileges hereby granted shall not be assigned, either in whole or in part, or leased or sublet in any manner, nor shall title thereto, or right, interest or property therein, pass to or vest in any other person or corporation whatsoever, either by the act of the Company, 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, acting by the Board, 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 subsequent consent or consents.

Seventh—Nothing in this contract shall be deemed to affect in any way the right of the City to grant to any individual or other corporation a similar right or privilege upon the same or other terms and conditions, over the same streets, avenues or highways herein above described in section 1.

The use of said railway which shall be constructed by the Company under this contract, including the tracks, wires and other equipment, or any structures in public streets and avenues owned by the Company and used in connection therewith, shall be permitted by the Company to any individual or corporation to which the City may have granted, or may hereafter grant, the right or privilege to use such streets, avenues or highways herein above described in section 1, for street railway purposes, upon payment of an annual sum by such individual or corporation to the Company, which shall be equal to the legal interest on such proportion of the whole cost of the construction of such railway and structures and of the cost of keeping the tracks and track equipment in repair, as the number of cars operated by such company or individual shall bear in the number of cars operated by the companies then using the same, together with the actual cost of the power necessary for the operation of the cars thereon of such individual or corporation and the cost of laying and repairing of pavement and removal of snow and ice, and all the other duties imposed upon the Company by the terms of this contract, in connection with the maintenance or the operation of the said railway so used. Provided, however, that if in the opinion of the Company the legal rate of interest of the cost of such railway shall be an insufficient sum to pay for the use of such tracks, it may appeal to the Board, and the Board may fix a percentage of the cost to be paid to the Company at a sum in excess of the legal rate of interest, if in its opinion such action is justified.

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

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

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

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

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

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

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

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

Thirteenth—No cars shall be operated upon the railway hereby authorized, other than passenger cars, cars for the transportation of express matter and cars necessary for the repair or maintenance of the railway, and no freight cars shall be operated upon the tracks of said railway, and the tracks hereby authorized shall not be used for the storage of cars.

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

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

Fifteenth—The Company shall attach to each car run over the said railway proper fenders and wheel guards, in conformity with such laws and ordinances as are now in

force, or may hereafter, during the terms of this contract, be enacted or adopted by the State or City authorities.

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

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

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

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

Twentieth—The Company shall cause to be paved that portion of the street between its tracks, the rails of its tracks and two feet in width outside of its tracks upon and along the streets, avenues and highways of the routes hereby authorized, which are now either unpaved or paved with macadam. The work of such paving shall be done under the supervision of the Municipal authorities having jurisdiction in such matters. Such authorities shall designate the character of the pavement to be laid.

As long as the said railway, or any portion thereof, remains in the street, avenue or highway, the Company shall have and keep in permanent repair that portion of the surface of the street, avenue or highway in which said railway is constructed, between its tracks, the rails of its tracks, and for a distance of two feet beyond the rails on either side thereof, under the supervision of the local authorities, whenever required by them to do so, and in such manner as they may prescribe. And the City shall have the right to change the material or character of the pavement of any street, avenue or highway, and in that event the Company, 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 renewal or altered pavement.

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

Twenty-second—Before any construction shall be commenced upon any portion of the route, written permits shall be obtained from the President of the Borough of The Bronx and the Commissioner of Water Supply, Gas and Electricity, and the Company shall comply with any conditions which those officials may impose, as a condition upon which such permit is granted, provided such conditions are imposed for the purpose of protecting the structures over which those officials have jurisdiction.

Twenty-third—The Company agrees to comply with any and all the rules which may be made by the Commissioner of Water Supply, Gas and Electricity for the purpose of preventing the destruction of the pipes or structures in the street by electrolysis, which may be caused by the electric current used by the Company, whether such rules affect the method of the original construction of said railway or any reconstruction, maintenance or repairs upon such railway at any time during the term of this contract.

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

Twenty-fifth—Should the grades or lines of the streets in which franchises are herein granted be changed at any time during the term of this contract, the Company shall, at its own expense, change its tracks to conform with such new grades and lines, and during the construction of any public improvement upon said street the Company shall take care of and protect the track at its own expense, all to be done subject to the direction of the President of the Borough of The Bronx.

Twenty-sixth—Upon one year's notice from the Board, the Company shall make application to said Board for the right or privilege to lay its tracks upon other streets hereafter to be opened, adjacent to the Public Place at the easterly terminus of Clason's Point road, the same to be in substitution for the loop terminal hereby authorized in the Public Place, and within six months after such right or privilege is obtained, shall, at its own expense, remove all of its tracks and appurtenances from said Public Place.

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

1. The amount of stock issued, for cash, for property.
2. The amount paid in as by last report.
3. The total amount of capital stock paid in.
4. The funded debt by last report.
5. The total amount of funded debt.
6. The floating debt as by last report.
7. The total amount of floating debt.
8. The total amount of funded and floating debt.
9. The average rate per annum of interest on funded debt.
10. Statement of dividends paid during the year.
11. The total amount expended for same.
12. The names of the directors elected at the last meeting of the corporation held for such purpose.
13. Location, value and amount paid for real estate owned by the Company as by last report.
14. Location, value and amount paid for real estate now owned by the Company.
15. Number of passengers carried during the year.
16. Total receipts of Company for each class of business.
17. Amounts paid by the Company for damage to persons or property on account of construction and operation.
18. Total expenses for operation, including salaries.

—and such other information in regard to the business of the Company as may be required by the Board.

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

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

Thirtieth—If the Company shall fail to give efficient public service at the rates herein fixed, or fail to maintain its structures and equipment as herein provided in good condition throughout the whole term of this contract, the Board may give notice to the Company specifying any default on the part of the Company, and requiring the Company to remedy the same within a reasonable time; and upon failure of the Company to remedy such default within a reasonable time, the Company shall, for each day thereafter during which the default or defect remains, pay to the City the sum of one hundred dollars (\$100) as fixed or liquidated damages, or the Board, in case such structures or equipment which may affect the surface of the streets shall not be put in good condition within a reasonable time after notice by the Board as aforesaid, shall have the right to make all needed repairs at the expense of the Company, in which case the Company shall pay to the City the amount of the cost of such repairs, with legal interest thereon, all of which sums may be deducted from the fund hereinafter provided.

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

Thirty-second—This grant is upon the express condition that the Company, within thirty (30) days after the signing of this contract by the Mayor, and before anything is done in exercise of the rights conferred hereby, shall deposit with the Comptroller of The City of New York the sum of six thousand dollars (\$6,000), either in money or securities, to be approved by him, which fund shall be security for the performance by the Company of all of the terms and conditions of this contract, especially those which relate to the payment of the annual charges for the privilege hereby granted, the efficiency of the public service rendered, the repairs of the street pavement, the removal of snow and ice and the quality of construction of the railway, and in case of default in the performance by the Company of such terms and conditions the City shall have the right to cause the work to be done and the materials to be furnished for the performance thereof after due notice, and shall collect the reasonable cost thereof from the said fund without legal proceedings; or after default in the payment of the annual charges, shall collect the same, with interest, from the said fund after ten days' notice in writing to the Company; or in case of failure to keep the said terms and conditions of this contract relating to the headway, heating and lighting of cars, fenders, wheel-guards and watering of street pavements, the Company shall pay a penalty of fifty dollars (\$50) per day for each day of violation, and the further sum of ten dollars (\$10) per day for each car that shall not be properly heated, lighted or supplied with fenders or wheel-guards, in case of the violation of the provisions relating to those matters.

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

The Comptroller of the City, on complaint made, shall, in writing, notify the Company, through its President, to appear before him on a certain day not less than ten (10) days after the date of such notice, to show cause why it should not be penalized in accordance with the foregoing provisions. If the Company fails to make an appearance, or, after a hearing, appears in the judgment of the Comptroller to be in fault, said Comptroller shall forthwith impose the prescribed penalty, or where the amount of the penalty is not prescribed herein, such amount as appears to him to be just, and without legal procedure withdraw the amount of such penalty from the security fund deposited with him. In case of any drafts made upon the security fund the Company shall, upon ten (10) days' notice in writing, pay to the Comptroller of the City a sum sufficient to restore said security fund to the original amount of six thousand dollars (\$6,000), and in default thereof this contract shall be canceled and annulled at the option of the Board, acting in behalf of the City. No action or proceeding or right under the provisions of this contract shall affect any other legal rights, remedies or causes of action belonging to the City.

Thirty-third—The grant of this privilege is subject to whatever right, title or interest the owners of abutting property or others may have in and to the streets, avenues and highways in which the Company is authorized to operate.

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

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

Sec. 3. This contract is also upon the further and express condition that the provisions of the Railroad Law, applicable thereto, and all laws or ordinances now in force, or which may be adopted affecting the surface railways operating in the City, not inconsistent with the terms and conditions hereinbefore fixed, shall be strictly complied with by the Company.

Sec. 4. The Company promises, covenants and agrees on its part and behalf to conform to and abide by and perform all the terms, conditions and requirements in this contract fixed and contained.

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

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

[CORPORATE SEAL.]

Attest:

City Clerk.

BRONX TRACTION COMPANY,

By..... President.

[SEAL.]

Attest:

Secretary.

(Here add acknowledgments.)

Note—The terms and conditions proposed were accepted by the Receiver for the Union Railway Company of New York City. (See communication hereinabove printed in the minutes of this day under the heading "Union Railway Company of New York City.")

The Comptroller moved that the matter be referred to a Select Committee consisting of the Comptroller, the President of the Board of Aldermen and the President of the Borough of The Bronx.

Which motion was adopted.

Third Avenue Railroad Company.

A communication, dated October 20, 1908, was received from the Mayor's office, returning, duly approved, resolution adopted by this Board October 16, 1908, fixing November 13, 1908, as the date for public hearing on the application of the Third Avenue Railroad Company for a franchise to construct, maintain and operate street surface railways over the Manhattan and Queensboro' (Blackwells Island) Bridge, and designating the New York "Tribune" and the New York "Sun" as the daily newspapers in which notice of such hearing shall be published.

Which was ordered filed.

Brooklyn City Railroad Company.

A communication, dated October 20, 1908, was received from the Mayor's office, returning, duly approved, resolution adopted by this Board October 16, 1908, fixing November 13, 1908, as the date for public hearing on the application of the Brooklyn City Railroad Company for a franchise to construct, maintain and operate a street surface railway from Flatbush avenue and Fulton street along Flatbush avenue extension to a point at or about Nassau street, Borough of Brooklyn, and designating the Brooklyn "Daily Eagle" and the Brooklyn "Times" as the daily newspapers in which notice of such hearing shall be published.

Which was ordered filed.

Brooklyn Heights Railroad Company.

A communication, dated October 20, 1908, was received from the Mayor's office, returning, duly approved, resolution adopted by this Board October 16, 1908, fixing November 13, 1908, as the date for public hearing on the application of the Brooklyn Heights Railroad Company for a franchise to use two of the surface railroad tracks upon and across the Manhattan Bridge, and designating the Brooklyn "Daily Eagle" and the Brooklyn "Citizen" as the daily newspapers in which notice of such hearing shall be published.

Which was ordered filed.

New York and Queens County Railway Company.

A communication, dated October 21, 1908, was received from the Mayor's office, designating the New York "Tribune" and the New York "Times" as the daily newspapers in which the notice of public hearing and the form of contract granting a franchise to the New York and Queens County Railway Company to construct, maintain and operate two extensions or branches to its existing street surface railway, in the Borough of Queens, one from Flushing to Whitestone, and one from Ingleside to Bay-side, shall be published, prior to the final hearing on November 27, 1908.

Which was ordered filed.

Long Island Railroad Company.

A communication, dated October 23, 1908, was received from the Mayor's office, returning, duly approved, resolution adopted by this Board, October 16, 1908, adopting and accepting a certain agreement executed by the Long Island Railroad Company, as a supplement to the agreement required to be executed by resolution adopted by this Board June 26, 1908, consenting to the change or relocation of that part of the main line of the Long Island Railroad Company lying in the Second Ward of the Borough of Queens, between a point about four hundred feet west of Ascot avenue and a point about seven hundred feet east of Lefferts avenue.

Which was ordered filed.

New York Institution for the Instruction of the Deaf and Dumb.

A petition was received from the New York Institution for the Instruction of the Deaf and Dumb for permission to remove certain pipes in Fort Washington avenue, below One Hundred and Sixty-fifth street, Borough of Manhattan, and to be released from paying the annual charge for such privilege.

Which was referred to the Chief Engineer.

Union Railway Company of New York City.

In the matter of the resolution adopted by the Board of Aldermen requesting certain information as to the franchise rights of and abandonment of old route by the Union Railway Company of New York City through certain streets and roads in the old Town of Westchester and Village of Williamsbridge.

This resolution was presented to this Board at its meeting of October 16, 1908, and was referred to the Chief Engineer.

The Secretary presented the following:

BOARD OF ESTIMATE AND APPORTIONMENT—THE CITY OF NEW YORK,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY,
October 28, 1908.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—At the meeting of the Board of Estimate and Apportionment held October 16, 1908, a resolution was presented which had been adopted by the Board of Aldermen October 13, 1908, requesting certain information as to the date when a franchise was granted, and by what right or grant the Union Railway Company of New York City abandoned its route through certain streets and roads in the old Town of Westchester and the incorporated Village of Williamsbridge, and the matter was referred to the Chief Engineer.

This Division caused an investigation to be made to determine the information requested by the Board of Aldermen, and, as a result thereof, a report, dated October 20, 1908, was furnished to said Board, which, it is believed, contains satisfactory information.

I would, therefore, suggest that the Board of Estimate and Apportionment be advised of the action taken in the premises, and would recommend that all papers in connection therewith be ordered placed on file.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Which was ordered filed, together with all papers in connection therewith.

Metropolitan Street Railway Company.

A communication, dated October 23, 1908, was received from the Mayor's office, returning, duly approved, resolution adopted by this Board October 23, 1908, fixing November 13, 1908, as the date for public hearing on the petition of the Metropolitan Street Railway Company for a franchise, and designating the "New York Tribune" and the "New York Times" as the daily newspapers in which notice of such hearing shall be published.

Which was ordered filed.

New York Central and Hudson River Railroad Company.

A communication, dated October 21, 1908, was received from the Acting Secretary of the Eleventh Avenue Track Removal Association, requesting this Board to rescind the resolution adopted October 2, 1908, granting the New York Central and Hudson River Railroad Company an extension of time until January 1, 1909, in which to complete the construction of the foot bridge over the tracks of the company at Tenth avenue and Thirtieth street, Borough of Manhattan, and add thereto a clause to the effect that injuries caused to pedestrians at this point shall not be deemed to be due to contributory negligence should such persons fail to use said bridge.

Which was ordered filed.

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

JOSEPH HAAG, Secretary.

DEPARTMENT OF FINANCE.

Abstract of the Transactions of the Bureau of the City Chamberlain for the Week Ending October 10, 1908.

OFFICE OF THE CITY CHAMBERLAIN,
NEW YORK, October 19, 1908.

Fion. GEO. B. McCLELLAN, Mayor:

SIR.—In pursuance of section 196, chapter 466 of the Laws of 1907, I have the honor to present herewith a report to October 10, 1908, of all moneys received by me and the amount of all warrants paid by me since September 30, 1908, and the amount remaining to the credit of the City on October 10, 1908.

Very respectfully,

JAMES J. MARTIN, City Chamberlain.

Da. THE CITY OF NEW YORK, in account with JAMES J. MARTIN, Chamberlain, during the week ending October 10, 1908.

CIII

Oct. 10	1908. Sept. 30	1908. Sept. 30	By Balance	Oct. 10	1908. Sept. 30	1908. Sept. 30	By Balance
To Additional Water Fund.	\$64,713.51						
American Museum of Natural History, etc.	548.00						
Amitoxin Fund.	1,149.63						
Armory Fund.	446.00						
Athletic Fields Under the Jurisdiction of the Board of Education.	11.42						
Bellevue Hospital Training School for Women Nurses—Acquisition of Land, etc.	166.66						
Block Tax Assessment Map Fund.	3,366.65						
Borough of Queens.	220.99						
Botanical Garden, etc., Borough of The Bronx, Improvement of, etc.	12,860.70						
Bridge over Dutch Kills Creek, Borden Avenue, etc., Borough of Queens.	60.00						
Bridge over Bronx River at One Hundred and Seventy-seventh Street.	199.16						
Bridge over Eastchester Bay, Pelham Bay Park, Borough of The Bronx, Construction of.	11,767.12						
Bridge over East River, between Boroughs of Manhattan and Brooklyn.	293,867.15						
Bridge over East River, between Boroughs of Manhattan and Queens.	1,304.69						
Bridge to Carry Jerome Avenue over the Mosholu Parkway Drive, and Approaches, Borough of The Bronx (Construction of).	174.10						
Brooklyn Bridge—Construction of Trolley Railway Approaches, Borough of Brooklyn.	18.22						
Brooklyn Bridge—New Track Stringers, Safety Signals, and Construction of Track Ladders.	33.37						
Brooklyn Bridge—Reconstruction of Western or Manhattan Terminal.	5,568.27						
Change of Grade Damage Commission, Twenty-third and Twenty-fourth Wards.	603.00						
City Court Building, City Hall Park—Additional Stories.	14,518.00						
College of The City of New York—New Site and Buildings.	250.00						
Construction of Bridge across Harlem River at Madison Avenue.	216.66						
Construction and Equipment of Court House, Borough of The Bronx.	439.35						
Construction and Equipment of Fireboats.	7,481.70						
Construction and Establishment of High Pressure Water System, etc., Borough of Manhattan.	21,062.37						
Construction of New Hospital, Borough of The Bronx.	400.54						
Construction of Sewers, Borough of Brooklyn.	314.50						
Construction of Transverse Roads, Tremont Avenue, etc., Borough of The Bronx.	15.84						
Construction of Webster Avenue Relief Sewer, Borough of The Bronx.	2,575.09						
Croton Water Rents—Refunding Account.	397.58						
Department of Correction—City Prisons, etc., Special Fund.	999.74						
Department of Education—Maintenance of Training Schools.	71.01						
Department of Education—Special High School Fund.	1,871.23						
Department of Finance—Retirement Fund.	125.00						
Department of Health—Building Fund.	697.32						
Department of Parks, Boroughs of Manhattan and Richmond—Chelsea Park.	141.86						
Department of Parks, Borough of The Bronx—Improvement of Bronx and Pelham Parkway.	2,978.75						
Department of Parks, Borough of The Bronx—Improvement of Claremont Park, Clay Avenue Side.	364.87						
Department of Parks, Borough of The Bronx—Improvement of Misholus Parkway.	738.50						
Department of Parks, Borough of The Bronx—Improvement of Pelham Bay Park along Pelham Bay Shore.	1,045.25						
Department of Parks, Borough of The Bronx—Improvement of St. James Park.	177.80						
Department of Parks, Borough of The Bronx—Improvement of Spuyten Duyvil Parkway.	1,207.00						
Department of Public Charities—Building Fund.	49,505.49						
Department of Water Supply, Gas and Electricity—Acquisition Property Ryne Lake, etc.	50.00						
Department of Water Supply, Gas and Electricity—Selecting Site for Filtering Plant, etc.	18.08						
Dock Fund.	280,180.91						
Drainage and Sewerage District Plans, Borough of The Bronx.	1,212.30						
Education, Department of—Boys' High School, Borough of Brooklyn, Construction, Additional.	764.66						
Education, Department of—Parental School, Interior Construction and Equipment, Borough of Queens.	24,348.25						
Electric Meter Test Deposits.	1.00						
Excise Taxes, New York County.	1,085.27						
Excise Taxes, Kings County.	1,392.07						
Excise Taxes, Queens County.	58.73						
Expenses of Commissioners of Estimate and Appraisal for Clerks, etc.	1,505.92						
Extension of Riverside Drive to Boulevard Lafayette.	96.00						
Fire Department—Sites and Buildings.	1,369.88						
Fire Department Fund—Sites, Buildings and Telegraph System.							
Boroughs of Brooklyn and Queens.							
Forfeited Recognizances, New York County.	103.00						
Fund for Gratuatory Vaccination.	957.82						
Fund for Street and Park Openings.	275,771.47						
Fund for Topographical Bureau, Borough of The Bronx.	149.00						
Fund for Topographical Bureau, Borough of Queens.	2,518.94						
Fund for Topographical Bureau, Borough of Richmond.	13,054.48						
Grand Boulevard and Concourse—Constructing Transverse Roads at East One Hundred and Sixty-fifth Street, etc.	5,532.06						
Highways, Bureau of, Borough of The Bronx—Paving Roadways and Sidewalks of Bridges over Harlem River Branch, New York, New Haven and Hartford Railroad.	125.01						
Improvement and Construction of Parks, Parkways and Playgrounds, Boroughs of Manhattan and Richmond.	12,910.93						
Improvement and Construction of Parks, Parkways and Playgrounds, Borough of The Bronx.	1,338.50						
Improvement and Construction of Parks, Parkways and Playgrounds, Boroughs of Brooklyn and Queens.	225.50						
Improvement of Parks, Parkways and Drives, Borough of The Bronx.	418.00						
Improvement of Parks, Parkways and Drives, Boroughs of Brooklyn and Queens.	9,385.40						
Improvement of Sanitary Condition of Gowanus Canal, Borough of Brooklyn.	238.00						
Improvement of Sewerage System, Sewer District 33 K-4, Borough of The Bronx.	15.84						
Maintenance and Distribution of Water Supply, Borough of Brooklyn, 1908.	42,602.02						
Metropolitan Museum of Art in Central Park, Construction and Completion of Extension.	867.46						
Metropolitan Sewerage Commission of New York, etc.	127.07						
Museum of Arts and Sciences, Erection of Extension, Borough of Brooklyn.	125.00						
New Bellevue Hospital, Construction of.	2,540.79						
New East River Bridge Fund.	11,410.32						
New Harken Hospital Fund.	3,480.05						
New Water Supply, City of New York.	142,482.33						
New York and Brooklyn Bridge.	9,527.06						
New York Public Library Fund.	7,441.00						
New York Zoological Garden Fund.	1,065.00						
Parks, Department of, Boroughs of Manhattan and Richmond—Construction and Repairs, etc.	192.86						
Parks, Department of, Construction and Repairing Drives, etc., under contract, Borough of The Bronx.	8,236.50						
Police Department Fund—Sites and Buildings.	1,101.06						
Public Baths Fund, Borough of Manhattan.	1,859.48						
Public Baths Fund, Borough of The Bronx.	10,442.60						
Public School Library Fund.	1,030.00						
Rapid Transit Construction Fund, Boroughs of Brooklyn and Manhattan.	100.00						
1908. Sept. 30			By Balance				
			CITY OF NEW YORK.				
			Taxes:				
			Borough of Manhattan, Austen.	\$4,949,354.86			
			Borough of The Bronx.	549,582.30			
			Borough of Brooklyn.	1,010,085.74			
			Borough of Queens.	372,195.11			
			Borough of Richmond.	106,307.90			
							\$7,125,512.97
			Interest on Taxes:				
			Borough of Manhattan, Austen.	\$341.23			
			Borough of The Bronx.	45.10			
			Borough of Brooklyn.	50.20			
			Borough of Richmond.	5.30			
							487.33
			Water Meter Fund, No. 2, Borough of Manhattan.	Austen.			
							1,487.45
			Water Meter Fund, Borough of Brooklyn.				
							285.82
			Water Meter Fund, Borough of Queens.				
			Water Rents, Borough of Brooklyn.				
			Water Rents, Borough of Queens.				
							5,404.35
							1,157.45
			Arrears of Taxes, 1898, etc.:				
			Borough of Manhattan, Collector Assessments.	\$15,506.34			
			Borough of The Bronx.	25,607.75			
			Borough of Brooklyn.	102,803.52			
			Borough of Queens.	34,507.76			
			Borough of Richmond.	7,003.04			
							325,860.26
			Interest on Taxes, 1898, etc.:				
			Borough of Manhattan, Collector Assessments.	\$15,435.83			
			Borough of The Bronx.	2,677.62			
			Borough of Brooklyn.	26,047.48			
			Borough of Queens.	6,046.34			
			Borough of Richmond.	1,083.11			
							53,693.00
			Street Improvement Fund—January 1, 1898:				
			Borough of Manhattan, Collector Assessments.	\$81,302.84			
			Borough of The Bronx.	48,557.93			
			Borough of Brooklyn.	61,080.33			
			Borough of Queens.	23,320.04			
			Borough of Richmond.	1,393.65			
							151,663.79
			Interest on Assessments—Street Improvement Fund:				
			Borough of Manhattan, Collector Assessments.	\$618.80			
			Borough of The Bronx.	2,625.97			
			Borough of Brooklyn.	3,221.63			
			Borough of Queens.	1,137.21			
			Borough of Richmond.	90.01			
							7,761.64
			Fund for Street and Park Openings:				
			Borough of Manhattan, Collector Assessments.	\$20,717.76			
			Borough of The Bronx.	81,872.18			
			Borough of Brooklyn.	10,602.07			
			Borough of Queens.	1,260.93			
			Borough of Richmond.	713.43			
							124,175.31
			Interest on Assessments—Street and Park Openings:				
			Borough of Manhattan, Collector Assessments.	\$1,312.74			
			Borough of The Bronx.	3,235.55			
			Borough of Brooklyn.	393.80			
			Borough of Queens.	174.20			
			Borough of Richmond.	20.64			
							5,130.42
			Water Meter Fund No. 2, Borough of Manhattan.				
			Collector of Assessments.				
							1,342.86
			Interest on Water Meter Fund, No. 2.				
							104.99
			Williamsbridge Sewer Fund, Borough of The Bronx, Cash Account, etc.				
			Interest on Twenty-sixth Ward Bonds, Borough of Brooklyn.				
			Interest on Interest on Twenty-sixth Ward Bonds, Borough of Brooklyn.				
			Principal and Interest on Twenty-sixth Ward Bonds, Borough of Brooklyn.				
			Interest on Principal and Interest on Twenty-sixth Ward Bonds, Borough of Brooklyn.				
			Sewer Assessments, Twenty-ninth Ward, Installments, Borough of Brooklyn.				
			Opening and Grading Assessments, Thirty-first Ward, Installments, Borough of Brooklyn.				
			Flatbush Avenue Improvement, Twenty-ninth Ward, Borough of Brooklyn.				
			Interest on Assessments, Borough of Brooklyn.				
			Arrears of Water Rents, 1898, etc.				
			Interest on Water Rents, 1898, etc., Borough of Brooklyn.				
			Interest on Water Rents, Long Island City, Borough of Queens.				
			Interest on Water Rents, Long Island City, Borough of Queens.				
			Water Rents, Village of College Point, Borough of Queens.				
			Interest on Water Rents, Village of College Point, Borough of Queens.				
			Water Rents, Village of Flushing, Borough of Queens.				
			Interest on Water Rents, Village of Flushing, Borough of Queens.				
			Water Rents, Village of Flushing, Borough of Queens.				
			Water Rents, Village of Flushing, Borough of Queens.				
			Water Rents, Village of Flushing, Borough of Queens.				
			Interest on Water Rents, Village of Flushing, Borough of Queens.				
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			Water Rents, Village of Flushing, Borough of Queens.				
			Interest on Water Rents, Village of Flushing, Borough of Queens.		</		

Oct. 10	To Rapid Transit Construction Fund—Brooklyn Loop Lines, Borough of Manhattan.	\$15,720.50	1908.	Oct. 10	By Sundry Licenses, Borough of Brooklyn.	Kinsella.	\$1,025.50	
	Redemption of Sewers, Borough of Manhattan.	6,089.00			Sundry Licenses, Borough of Queens.	Corbett.	356.00	
	Refunding Assessments Paid in Error, Borough of The Bronx.	48,200.00			Sundry Licenses, Borough of Richmond.	Woolfie.	89.00	
	Refunding Assessments Paid in Error, Borough of Brooklyn.	58.15			Register's Fees, New York County.	Gass.	11,611.30	
	Refunding Taxes Paid in Error, Borough of Manhattan.	46,022.60			Sheriff's Fees, New York County.	Foley.	5,044.00	
	Refunding Taxes Paid in Error, Borough of Brooklyn.	301.48			County Clerk's Fees, New York County.	Dooling.	3,424.99	
	Refunding Taxes Paid in Error, Borough of Richmond.	442.43			Register's Fees, Kings County.	Prendergast.	11,368.61	
	Repaving—Chapter 35, Laws of 1907.	13.13			Sheriff's Fees, Kings County.	Hobley.	322.10	
	Repaving—Chapter 475, Laws of 1895.	9,060.37			County Clerk's Fees, Kings County.	Ehlers.	1,822.05	
	Repaving—Chapter 27, Laws of 1897.	27,002.04			Excise Taxes, New York County.	McKee.	\$342,148.75	
	Repaving Roads, Streets and Avenues, Twenty-third and Twenty-fourth Wards.	18,326.50			Excise Taxes, Kings County.	Kindell.	124,250.00	
	Repaving Streets, Borough of Manhattan.	1,603.86			Excise Taxes, Queens County.	Dowling.	22,810.00	
	Repaving Streets, Borough of The Bronx.	10,391.20			Restoring and Repaving, Borough of Manhattan.	Cloughen.	189,448.75	
	Repaving Streets, Borough of Brooklyn.	1,631.03			Restoring and Repaving, Borough of The Bronx.	Haffen.	8,054.45	
	Repaving Streets, Borough of Queens.	10,080.92			Restoring and Repaving, Borough of Brooklyn.	Farnell.	1,520.14	
	Repaving Streets, Borough of Richmond.	5,811.13			Restoring and Repaving, Borough of Queens.	Denton.	4,570.56	
	Restoring and Repaving—Special Fund, Borough of Manhattan.	7,132.82			Restoring and Repaving, Borough of Richmond.	Cromwell.	300.67	
	Restoring and Repaving—Special Fund, Borough of The Bronx.	193.59			Water Meter Fund No. 2, Borough of Manhattan.	Padden.	263.89	
	Restoring and Repaving—Special Fund, Borough of Brooklyn.	6,024.70			Tapping, Borough of Manhattan.	Padden.	149.50	
	Restoring and Repaving—Special Fund, Borough of Queens.	141.97			Tapping, Borough of The Bronx.	Lynch.	451.00	
	Restoring and Repaving—Special Fund, Borough of Richmond.	508.34			Forfeited Recognizances, New York County.	Jerome.	1,015.00	
	Revenue Bonds of 1904.	516,000.00			Unsafe Building Fund, Borough of Manhattan.	Murphy.	524.42	
	Revenue Bonds of 1903.	1,275,000.00			Sewer Inspection and Repairs, Borough of Richmond.	Cromwell.	45.00	
	Revenue Bond Fund—Bellevue and Allied Hospitals—Salaries of Enginemen, Increase, 1908.	1,012,400.00			Construction of Private Sewers, Borough of Brooklyn.	Comptroller.	112.00	
	Revenue Bond Fund—Board of Health—Drainage, etc., Staten Island, 1907 and 1908.	225.00			Common Land Fund, Late Town of Gravesend.	Gray.	26.00	
	Revenue Bond Fund—Board of Health—Necessary Expenses Preserving Health of the City, etc.	1,138.75			City Chamberlain—Commissions.	Martin.	923.33	
	Revenue Bond Fund—Buildings, Bureau of, Borough of Manhattan—Salaries of Additional Inspectors and Clerks, 1908.	678.34			Department of Correction—City Prisons, etc., Interest on Bond and Mortgage.	Gray.	1,051.24	
	Revenue Bond Fund—Carnegie Library, East Houston Street Branch, Maintenance, 1908.	519.67			New Water Supply, The City of New York.	Buncke.	180.00	
	Revenue Bond Fund—Carnegie Library, High Bridge Branch, Maintenance, 1908.	558.75			Intestate Estates, New York County.	Comptroller.	700.00	
	Revenue Bond Fund—Carnegie Library, Thirty-sixth Street Branch, Maintenance, 1908.	714.10			Dock Fund.	Spooner.	19.92	
	Revenue Bond Fund—Carnegie Library, One Hundred and Fifteenth Street Branch, Maintenance, 1908.	754.26			Comptroller.	\$9,470.94		
	Revenue Bond Fund—Carnegie Library, One Hundred and Sixty-ninth Street Branch, Maintenance, 1908.	706.31			Bogart.	275.00		
	Revenue Bond Fund—Carnegie Library, Brooklyn, Bushwick Branch, Maintenance, 1908.	29.33			Gray.	4,481.41		
	Revenue Bond Fund—Carnegie Library, Brooklyn, City Park Branch, Maintenance, 1908.	46.33			Cloughen.	1,781.15		
	Revenue Bond Fund—Carnegie Library, Brooklyn, Leamore Branch, Maintenance, 1908.	135.00			Haffen.	940.43		
	Revenue Bond Fund—Carnegie Library, Brooklyn, Saratoga Branch, Maintenance, 1908.	25.00			Padden.	355.20		
	Revenue Bond Fund—Charter Revision Commission, Expenses of.	1,048.32			Scully.	4,310.32		
	Revenue Bond Fund—Claims—Back Salaries.	687.10			Stevenson.	384.50		
	Revenue Bond Fund—Claims—Interest on Bonds.	173,545.12			Coyney.	14,084.57		
	Revenue Bond Fund—Claims, Miscellaneous.	208.33			Butler.	350.00		
	Revenue Bond Fund—College of The City of New York—Expenses of Ceremonies of Dedication.	18.00			Dowdney.	600.00		
	Revenue Bond Fund—Compilation of Arrears of Taxes and Assessments.	2,956.75			Martin.	269,356.60		
	Revenue Bond Fund—Correction, Department of—Salaries of Enginemen, Increase, 1908.	325.00			Austin.	4.00		
	Revenue Bond Fund—Department of Parks, Boroughs of Brooklyn and Queens—Maintenance of Parks, etc., 1907.	2,430.00			Farrell.	2,702.94		
	Revenue Bond Fund—Education, Department of, Borough of Manhattan—Improvements and Repairs, Deficiency in Appropriation, 1908.	1,741.59			Moore.	67.70		
	Revenue Bond Fund—Expenses of Making Exact Triangulation, City of New York.	195.00			Scully.	1,028.14		
	Revenue Bond Fund—Health, Department of—Tuberculosis Exhibit, Washington, D. C., 1908.	18.00			Prendergast.	133.00		
	Revenue Bond Fund—Health, Department of, Borough of Brooklyn—Kingston Avenue Hospital, Measles Pavilion, Salaries, 1908.	3,227.31			Burke.	310.00		
	Revenue Bond Fund—Judgments.	592.20			Cromwell.	60.00		
	Revenue Bond Fund—Milk Stations in Public Parks, Erection of.	4.16			Scully.	51.00		
	Revenue Bond Fund—Municipal District Courts—Alterations, Repairs, etc.	670.58			Training School, 1908.	Timmerman.	25.61	
	Revenue Bond Fund—Parks, Department of, Boroughs of Manhattan and Richmond—Broadway, between Fifty-ninth and Manhattan Streets, Caring for Parkways, 1908.	787.79			Department of Education—General School Fund, 1908.		354.96	
	Revenue Bond Fund—Parks, Department of, Boroughs of Manhattan and Richmond—Maintenance of Parks, etc., 1908.	1,508.49			Department of Education—Special School Fund, Board of Education, Care of School Buildings, etc., 1908.		855.83	
	Revenue Bond Fund—Parks, Department of, Boroughs of Manhattan and Richmond—Maintenance of Playgrounds, etc., 1908.	6,256.56			Department of Finance—Salaries of Deputies, etc., 1908.		5.84	
	Revenue Bond Fund—Payment of County Charges and Expenses.	6,061.25			Fire Department—General Administration, Boroughs of Manhattan, The Bronx and Richmond—Salaries and Wages of Building Superintendents, 1908.		28.25	
	Revenue Bond Fund—President of the Borough of Manhattan—Bureau of Highways—Maintenance, etc., Pavements.	20,895.84			Maintenance and Distribution of Water Supply, Borough of Brooklyn, 1908.		34.26	
	Revenue Bond Fund—President of the Borough of The Bronx—Bureau of Sewers—Emergent Sewer Repairs.	5,288.26			President of the Borough of Queens—Bureau of Sewers—Salaries of Superintendents, etc., 1908.		66.67	
	Revenue Bond Fund—Public Comfort Station, Willis Avenue Bridge, Salaries, 1908.	189.00			Tenement House Department—Salaries, 1908.		155.43	
	Revenue Bond Fund—Public Bath, Avenue A, between East Twenty-third and East Twenty-fourth Streets, Salaries, 1908.	299.00			Sheriff, Richmond County—Disbursements, 1908.		15.43	
	Revenue Bond Fund—Public Charities, Department of—Deficiency in Salaries and Wages, 1908.	8,568.92			Proceeds of 3 per cent. Corporate Stock for Various Municipal Purposes.		Reimbursement.	26.00
	Revenue Bond Fund—Public Service Commission, First District, New York—Expenses of.	14,279.93			Comm'r's Sinking Fund.	100,000.00		
	Revenue Bond Fund—Scarlet Fever Hospital Attached to Willard Parker Hospital, Purchase of Supplies.	121.90			I. Von Hoffmann.	500,000.00		
	Revenue Bond Fund—Sewers, Bureau of, Borough of Manhattan—Cleaning, Equipment, etc.	1,062.92						
	Revenue Bond Fund—Supreme and County Courts, Richmond County, Salary of Chief Clerk, 1908.	166.66						
	Revenue Bond Fund—Tuberculosis Clinics, Boroughs of Manhattan, The Bronx and Brooklyn—Purchase of Supplies.	140.55						
	School Building Fund.	181,468.70						
	School Building Fund—Construction and Improvement, Contingencies.	22,103.13						
	School Building Fund—Interior Construction and Equipment, Borough of Manhattan.	27,942.50						
	School Building Fund—Interior Construction and Equipment, Borough of The Bronx.	1,275.00						
	School Building Fund—Interior Construction and Equipment, Borough of Brooklyn.	4,080.00						
	School Building Fund—Interior Construction and Equipment, Borough of Queens.	3,060.00						
	School Building Fund—Interior Construction and Equipment, Borough of Richmond.	1,375.00						
	School Buildings, Providing Fire Protection, Borough of Manhattan.	7,376.00						
	School Buildings, Providing Fire Protection, Borough of The Bronx.	294.09						
	School Buildings, Providing Fire Protection, Borough of Brooklyn.	4,397.08						
	School Buildings, Providing Fire Protection, Borough of Queens.	799.75						
	School Buildings, Providing Fire Protection, Borough of Richmond.	477.00						
	Sewer, Forty-second Street and Hudson River, Borough of Manhattan, Reconstruction of.	7,398.00						
	Sewer Inspection and Repairs, Borough of Richmond.	175.00						
	Sheriff's Fees, New York County.	223.67						
	Shore Road, between First Avenue and Fort Hamilton, Borough of Brooklyn, Completion of.	468.50						
	Storage Yard, Park Avenue and East One Hundred and Eightieth Street, etc., Borough of The Bronx.	30.00						
	Street Improvement Fund.	213,098.26						
	Unclaimed Salaries and Wages.	802.07						
	Unsafe Building Fund, Borough of Manhattan.	25.00						
	Washington Irving High School, Erection of, Borough of Manhattan.	1,830.83						
	Water Fund, Boroughs of Manhattan and The Bronx.	25,176.63						
	Water Fund, Borough of Brooklyn.	13,647.93						
	Water Fund, Borough of Queens.	1,001.92						
	Water Fund, Borough of Richmond.	1,077.50						
	Water Meter Fund, No. 2.	5,888.26						
	Water Meter Fund, Borough of Queens.	179.47						
	Williamsburg Bridge Maintenance Fund.	2,007.25						
		\$5,831,332.61						
	1899 and Previous Years.							
	Department of Highways.	\$395.71						
	Repaving Streets and Avenues.	2,059.66						
	1904.							
	Department of Water Supply, Gas and Electricity, Borough of Brooklyn.	5,635.34						
	1905.							
	President of the Borough of Manhattan—Bureau of Sewers.	12.72						
	1906.							
	Department of Education—General School Fund.	3.05						

Total Oct. 30	1905.		1906. Oct. 10	1906. Oct. 10	
	By Borough of Queens— Long Island City:	Collector of Assessments.		By Borough of Queens— Long Island City:	Collector of Assessments.
To Department of Education—Special School Fund—Borough of Brooklyn:	846.91			Arrears of Taxes, 1897, etc.	\$262.02
Department of Health.	4,549.19			Interest on Taxes, 1897, etc.	554.51
President of the Borough of Brooklyn—Topographical Bureau— 1897.	258.45			Arrears of Water Taxes, 1897, etc.	26.58
Department of Correction.	203.75			Interest on Water Taxes, 1897, etc.	184.68
Department of Education—General School Fund.	770.99			Sales for Arrears of Taxes.	144.79
Department of Education—Special School Fund—Borough of Manhattan.	322.49			Interest on Sales for Arrears of Taxes.	107.29
Department of Education—Special School Fund—Borough of The Bronx.	206.89			General Improvement Commission, Installments.	139.44
Department of Education—Special School Fund—Borough of Brooklyn.	1,687.30			Interest on General Improvement Commission, Installments.	12.76
Department of Education—Special School Fund—Borough of Queens.	75.60			General Improvement Commission, Full Payment.	140.09
Department of Education—Special School Fund—Borough of Richmond.	36.04			Town of Newtown:	
Department of Health.	1,425.83			Arrears of Taxes, 1897, etc.	34.37
Department of Water Supply, Gas and Electricity, Boroughs of Manhattan and The Bronx.	1,513.81			Interest on Taxes, 1897, etc.	20.25
Department of Water Supply, Gas and Electricity, Borough of Queens.	126.57			Arrears of School Taxes, 1897, etc.	2.70
Department of Water Supply, Gas and Electricity, Borough of Richmond.	242.13			Interest on School Taxes, 1897, etc.	2.04
Fire Department.	495.45			Sales for Arrears of Taxes.	93.21
Law Department.	56.00			Interest on Sales for Arrears of Taxes.	261.10
Police Department.	15.75			Town of Flushing:	
President of the Borough of Manhattan— Bureau of Highways.	1,404.60			Arrears of Taxes, 1897, etc.	10.35
Bureau of Public Buildings and Offices.	143.52			Interest on Taxes, 1897, etc.	7.84
General Administration.	262.10			Arrears of School Taxes, 1897, etc.	2.30
President of the Borough of Brooklyn— Bureau of Public Buildings and Offices.	24.82			Interest on School Taxes, 1897, etc.	3.00
Topographical Bureau.	65.00			Sales for Arrears of Taxes.	98.34
President of the Borough of Queens— Bureau of Street Cleaning.	130.00			Interest on Sales for Arrears of Taxes.	173.84
1906.				Notices of Sales for Arrears of Taxes.	8.00
Advertising.	3,806.35			Village of Whitestone:	
Annual Compensation, John T. Mayers, etc.	66.66			Arrears of Taxes, 1897, etc.	12.12
Armory Board, General Administration.	3.55			Interest on Taxes, 1897, etc.	10.35
Armory Board, Boroughs of Manhattan and The Bronx.	744.40			Assessments for Local Improvements.	15.00
Armory Board, Boroughs of Brooklyn and Queens.	220.61			Interest on Assessments for Local Improvements.	9.00
Bellview and Allied Hospitals.	53,809.97			Town of Jamaica:	
Beth Israel Hospital.	3,126.03			Arrears of Taxes, 1897, etc.	41.86
Board of Building Examiners.	31.00			Interest on Taxes, 1897, etc.	33.91
Board of City Record.	53,303.06			Arrears of School Taxes, 1897, etc.	1.97
Board of Elections.	45,720.07			Interest on School Taxes, 1897, etc.	1.46
Board of Estimate and Apportionment.	166.50			Arrears of Water Taxes.	1.78
Brooklyn Children's Aid Society.	1,289.00			Interest on Water Taxes.	1.37
Brooklyn Disciplinary Training School.	952.19			Arrears of Light Taxes.	2.34
Brooklyn Home for Consumptives.	1,497.20			Interest on Light Taxes.	1.26
Brooklyn Industrial School Association, etc.	2,500.07			Sales for Arrears of Taxes.	14.44
Children's Court, First Division.	285.18			Interest on Sales for Arrears of Taxes.	20.81
Children's Court, Second Division.	25.30			Notices of Sales for Arrears of Taxes.	2.00
City Magistrates' Courts, First Division.	163.40			Village of Jamaica:	
Civil Service Commission.	237.07			Arrears of Taxes, 1897, etc.	12.78
College of The City of New York.	1,071.41			Interest on Taxes, 1897, etc.	93.87
Commissioners of Licenses.	103.91			Town of Hempstead:	
Commissioners of Accounts.	463.04			Tax Arrears Commission.	
Coroners, Borough of Brooklyn.	32.63			Interest on Tax Arrears Commission.	3.79
Coroners, Borough of Queens.	125.37			Village of Far Rockaway:	
Court of Special Sessions, First Division.	933.33			Arrears of Taxes, 1897, etc.	1.75
Court of Special Sessions, Second Division.	145.54			Interest on Taxes, 1897, etc.	2.34
Department of Bridges, General Administration.	78.87			Borough of Richmond— State, Town and County Taxes:	
Department of Bridges, Borough of Manhattan.	1,842.91			Northfield.	5.58
Department of Bridges, Borough of The Bronx.	150.73			Middletown.	31.00
Department of Bridges, Borough of Brooklyn.	641.06			Castleton.	11.57
Department of Bridges, Borough of Queens.	273.00			Village Taxes, Edgewater.	5.34
Department of Bridges—Maintenance of and Repairs to Bridges over Newtown Creek, Borough of Queens.	1,541.04			Village Taxes, New Brighton.	7.50
Department of Bridges, Borough of Richmond.	100.00			Lump Taxes, Edgewater.	2.55
Department of Correction.	40,582.01			School Taxes, Twenty-nine Districts.	6.58
Department of Education—General School Fund.	1,850,133.62			Interest on Taxes.	29.45
Department of Education—Special School Fund—Board of Education.	73,435.95				\$18,996,612.78
Department of Education—Special School Fund—Borough of Manhattan.	39,302.86				
Department of Education—Special School Fund—Borough of The Bronx.	14,510.68				
Department of Education—Special School Fund—Borough of Brooklyn.	45,724.29				
Department of Education—Special School Fund—Borough of Queens.	12,928.63				
Department of Education—Special School Fund—Borough of Richmond.	4,240.72				
Department of Finance.	3,643.97				
Department of Finance—Chamberlain's Office.	1,000.00				
Department of Health, General Administration.	22,842.48				
Department of Health—Borough Administration of Sanitation and Prevention of Contagious Diseases, Manhattan.	41,820.41				
Department of Health—Borough Administration, Sanitation and Prevention of Contagious Diseases, The Bronx.	8,061.41				
Department of Health—Borough Administration, Sanitation and Prevention of Contagious Diseases, Brooklyn.	23,937.72				
Department of Health—Borough Administration, Sanitation and Prevention of Contagious Diseases, Queens.	5,018.69				
Department of Health—Borough Administration, Sanitation and Prevention of Contagious Diseases, Richmond.	3,150.74				
Department of Health—Division of Communicable Diseases.	10,273.79				
Department of Health—Hospitals.	57,569.03				
Department of Health—Laboratories.	7,823.08				
Department of Health—Miscellaneous.	4,075.99				
Department of Parks, Boroughs of Manhattan and Richmond.	36,480.99				
Department of Parks, Borough of The Bronx.	24,107.46				
Department of Parks, Boroughs of Brooklyn and Queens.	48,040.13				
Department of Public Charities—General Administration.	123,088.87				
Department of Public Charities, Borough of Manhattan.	41,483.18				
Department of Public Charities, Borough of Brooklyn.	12,007.22				
Department of Public Charities, Borough of Richmond.	1,226.49				
Department of Street Cleaning, Borough of Manhattan.	112,827.64				
Department of Street Cleaning, Borough of The Bronx.	13,434.79				
Department of Street Cleaning, Borough of Brooklyn.	26,100.34				
Department of Taxes and Assessments.	20,326.06				
Department of Water Supply, Gas and Electricity—General Administration.	1,920.17				
Department of Water Supply, Gas and Electricity—Water Supply, Boroughs of Manhattan and The Bronx.	17,105.30				
Department of Water Supply, Gas and Electricity—Water Supply, Borough of Queens.	2,361.91				
Department of Water Supply, Gas and Electricity—Water Supply, Borough of Richmond.	2,304.66				
Department of Water Supply, Gas and Electricity—Bureau of Electrical Inspection, Boroughs of Manhattan and The Bronx.	140.96				
Department of Water Supply, Gas and Electricity—Bureau of Electrical Inspection, Borough of Brooklyn.	55.51				
Department of Water Supply, Gas and Electricity—Bureau of Electrical Inspection, Borough of Queens.	67.97				
Department of Water Supply, Gas and Electricity—Heat, Light and Power, Boroughs of Manhattan and The Bronx.	237.78				
Department of Water Supply, Gas and Electricity—Heat, Light and Power, Borough of Brooklyn.	115.46				
Department of Water Supply, Gas and Electricity—Heat, Light and Power, Borough of Queens.	43.81				
Department of Water Supply, Gas and Electricity—Heat, Light and Power, Borough of Richmond.	602.75				
Examining Board of Plumbers.	56.95				
Fire Department—General Administration.	25,651.37				
Fire Department, Borough of Manhattan.	122,359.45				
Fire Department, Borough of The Bronx.	40,092.61				
Fire Department, Borough of Brooklyn.	152,205.57				
Fire Department, Borough of Queens.	38,021.26				
Five Points House of Industry.	23,013.25				
German Hospital and Dispensary.	2,400.21				
Hebrew Infant Asylum, City of New York.	1,036.05				
Hebrew Sheltering Guardian Society.	7,118.02				
Hope Farm.	1,053.49				
House of St. Giles the Cripps.	1,038.26				
Hudson-Fulton Celebration Commission, Expenses of.	83.34				
Installments Payable in 1905.	5,629,747.35				
Interest on the City Debt.	18,780.23				
Interest on Revenue Bonds of 1904.	25,759.82				
Interest on Revenue Bonds of 1908.	16,265.26				
Law Department.	3,730.65				
Lebanon Hospital Association.	3,180.93				
Mary Immaculate Hospital.	1,004.60				
Mayrality.	1,030.99				
Mayrality—Bureau of Licenses.	1,415.56				

Oct. to	Description	Amount	1908.	Oct. 16
			Oct. 16	
To Methodist Episcopal Hospital, City of Brooklyn		\$692.05		
Missionary Sisters, Third Order of St. Francis		122.70		
Mission of the Immaculate Virgin, etc.		6,042.50		
Mount Sinai Hospital of The City of New York		5,012.01		
Municipal Courts, City of New York, Borough of Brooklyn		7.30		
Municipal Courts, City of New York, Borough of Richmond		3,560.62		
Municipal Explosives Commission		18.88		
New York Catholic Protectorate		14,543.33		
New York Foundling Hospital		25,768.00		
New York Homoeopathic Medical College and Hospital		1,168.55		
New York Infirmary for Women and Children		385.55		
New York Polyclinic Medical School and Hospital		359.90		
New York Public Library (Astor, etc., Foundation)		17,868.29		
New York Society for Prevention of Cruelty to Children		4,166.00		
Normal College of The City of New York		23,262.66		
Norwegian Lutheran Deaconesses' Home and Hospital		858.50		
Nursery and Children's Hospital		326.95		
Orphanage Home, Borough of Brooklyn		7,580.25		
Oceanam Home for Friendless Women		735.44		
Police Department		1,046,572.37		
President of the Borough of Manhattan—				
General Administration		917.50		
Bureau of Buildings		73,165.32		
Bureau of Engineer of Street Openings		30.05		
Bureau of Highways		32,134.26		
Bureau of Incumbrances		1,448.00		
Bureau of Public Buildings and Offices		34,329.07		
Bureau of Sewers		9,000.55		
President of the Borough of The Bronx—				
General Administration		1.80		
Bureau of Buildings		95.70		
Bureau of Highways		40,362.43		
Bureau of Public Buildings and Offices		2,009.95		
Bureau of Sewers		9,342.23		
President of the Borough of Brooklyn—				
General Administration		150.70		
Topographical Bureau		257.95		
Bureau of Buildings		23.70		
Bureau of Highways		27,541.89		
Bureau of Incumbrances		303.00		
Bureau of Public Buildings and Offices		13,646.56		
Bureau of Sewers		15,076.78		
President of the Borough of Queens—				
General Administration		87.50		
Topographical Bureau		36.00		
Bureau of Buildings		4,174.16		
Bureau of Highways		22,413.25		
Bureau of Public Buildings and Offices		700.00		
Bureau of Sewers		8,264.00		
Bureau of Street Cleaning		9,203.41		
President of the Borough of Richmond—				
General Administration		2,346.53		
Bureau of Buildings		1,654.15		
Bureau of Engineering		1,010.43		
Bureau of Highways		5,970.15		
Bureau of Public Buildings and Offices		2,710.45		
Bureau of Sewers		2,056.05		
Bureau of Street Cleaning		8,106.31		
Queens Borough Public Library		5,794.85		
Redemption of the City Debt		1,400,350.00		
Rents		44,596.87		
St. Catharine's Hospital		2,394.10		
St. Christopher's Hospital for Babies		440.10		
St. Gregory's Emergency Hospital		637.00		
St. Malachy's Home		8,334.43		
St. Mark's Hospital, New York City		388.40		
St. Mary's General Hospital, City of Brooklyn		1,770.05		
St. Michael's Home		1,834.07		
St. Vincent's Hospital, Borough of Richmond		100.00		
Sanitarium for Hebrew Children		625.10		
Tenement House Department		665.40		
Washington Square Home for Friendless Girls		107.59		
Widows' and Orphans' Fund of the Volunteer Fire Departments				
Borough of Brooklyn		3,500.00		
New York County				
Armories and Drill Rooms		1,038.00		
Board of City Record		1,038.05		
County Contingent Fund		237.50		
Court of General Sessions		19.50		
District Attorney		126.15		
Preserving Public Records, Surrogates' Office		00.00		
Sheriff		1,178.86		
Supreme Court, First Department		2,574.99		
Kings County				
Board of City Record		2,788.72		
Commissioner of Jurors		31.20		
County Clerk		104.00		
Law Library, Borough of Brooklyn		450.00		
Register		10.90		
Stenographer to Grand Jury		159.70		
Queens County				
Board of City Record		39.94		
Commissioner of Jurors		127.00		
County Clerk		79.96		
District Attorney's Office		244.05		
Sheriff		7,632.91		
Supreme Court and County Court		1,025.00		
Richmond County				
Commissioner of Jurors		325.00		
County Clerk		470.52		
County Contingent Fund		2.75		
County Court and Surrogate's Court		1,208.32		
District Attorney		740.49		
Fees and Expenses of Jurors		452.00		
Sheriff		1,087.98		
		915,688,328.37		
Balance		\$20,159,386.16		
		20,748,152.43		
		\$41,262,012.61		

Oct. 10, 1908. By Balance..... \$20,742,152.43

E & O. E., A. J. GALLIGAN, Bookkeeper.

JAMES J. MARTIN, City Chamberlain.

THE COMMISSIONERS OF THE SINKING FUNDS OF THE CITY OF NEW YORK, in account with JAMES J. MARTIN, Chamberlain, for the week ending October 10, 1908.

1908. Oct. 18				Sinking Fund for the Redemption of the City Debt.		Sinking Fund for the Payment of Interest on the City Debt.		Sinking Fund, Redemption No. 2.		Sinking Fund, Brooklyn.		Sinking Fund, City of New York.	
				Dr.	Cr.	Dr.	Cr.	Dr.	Cr.	Dr.	Cr.	Dr.	Cr.
	By Dock and Slip Rents, Borough of Manhattan Dock and Slip Rents, Borough of Brooklyn. Dock and Slip Rents— Borough of Queens.	Spooner... \$73,750 55 " 4,007 21 " 100 14	\$76,878 90										
	Street Vaults, Borough of Manhattan.....	Cloughen... \$46,498 19											
	Street Vaults, Borough of Brooklyn.....	Farrell.... 388 00	24,580 70										
	Sale of Corporate Stock to Sinking Fund, City of New York.....		4,050,000 00										
	Sale of Corporate Stock to Sinking Fund, City of Brooklyn.....		96,875 00										
	Sale of Corporate Stock to Water Sinking Fund, City of New York.....		995,795 54										
	Redemption of Special Revenue Bonds.....		1,150,000 00										
	Revenue from Invest- ments.....		34,400 00										
	Interest on City Treasury Balances.....		14,604 44										
	Interest on Deposits.....		5,457 00										
	Arrears of Croton Water Rents, City of New York.....												
	Arrears of Croton Water Rents, City of New York.....	Austen.....	630,040 52										
	Interest on Croton Water Rents, City of New York.....	Collector Assessments	5,122 25										
	Arrears of Croton Water Rents, 1867, etc.....												
	Interest on Croton Water Rents, 1867, etc.....		744 72										
	Croton Rents and Pen- alties, Borough of Man- hattan.....		45 25										
	Croton Rents and Pen- alties, Borough of The Bronx.....		40 88										
	House Rents, Borough of Manhattan.....	Padden... \$50,174 22											
	House Rents, Borough of Brooklyn.....	Lynch.... 9,245 09	39,419 31										
	House Rents, Borough of Queens.....	Gray.... \$5,511 75											
	House Rents, Borough of Richmond.....	" 743 56											
	Ground Rents, Borough of Manhattan.....	" 218 00											
	Ground Rents, Borough of Brooklyn.....	" 89 00	6,612 31										
	Ground Rents, Borough of Richmond.....	" 170 66											
	Ferry Rents, Borough of Manhattan.....	" 29 00											
	Ferry Rents, Borough of Brooklyn.....	" 18 33	217 99										
	Ferryages, Staten Island Ferry.....	Spooner... \$13,373 00											
	Ferryages, Thirty-ninth Street Ferry.....	" 125 00	13,300 00										
	Water Lot Rents.....												
	Stenographers' Fees.....	Gray.... \$12,058 90											
	Fines and Penalties, Boroughs of Manhat- tan and The Bronx.....	" 3,879 01	15,037 91										
	Fines and Penalties, Bor- ough of Brooklyn.....	Dooling.... 100 97	100 97										
	Fines and Penalties, Bor- ough of Richmond.....	Fox.... \$136 00	4,353 00										
	Interest on Deposits.....	Flynn.... 21 50											
	Court Fees and Fines, Boroughs of Manhat- tan and The Bronx.....	Coggey.... 2,155 00											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Stiebel.... 349 90											
	Court Fees and Fines, Bor- ough of Richmond.....	McLaughlin... 692 00											
	Court Fees and Fines, Borough of The Bronx.....	Barth.... 24 00	4,708 40										
	Court Fees and Fines, Borough of Brooklyn.....	Valgenau.... 953 00	18,363 00										
	Court Fees and Fines, Borough of Queens.....	Bernard.... 287 00											
	Court Fees and Fines, Borough of Richmond.....	Bloch.... 790 89											
	Court Fees and Fines, Bor- ough of The Bronx.....	Kennedy.... 345 00											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Smith.... 1,296 25											
	Court Fees and Fines, Bor- ough of Richmond.....	Demarest.... 325 75											
	Court Fees and Fines, Bor- ough of The Bronx.....	Chamberlain.... 1,317 00											
	Court Fees and Fines, Bor- ough of Brooklyn.....	O'Connell.... 4,645 00											
	Court Fees and Fines, Bor- ough of Richmond.....	Devlin.... 2,318 00											
	Court Fees and Fines, Bor- ough of The Bronx.....	Gilloon.... 2,028 25											
	Court Fees and Fines, Bor- ough of Brooklyn.....	McCabe.... 675 45											
	Court Fees and Fines, Bor- ough of Richmond.....	Richter.... 1,047 00											
	Court Fees and Fines, Bor- ough of The Bronx.....	Wagstaff.... 665 92											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Culkin.... 4,150 00											
	Court Fees and Fines, Bor- ough of Richmond.....	Skelly.... 525 00											
	Court Fees and Fines, Bor- ough of The Bronx.....	Wilson.... 1,775 00											
	Court Fees and Fines, Bor- ough of Brooklyn.....	McQuade.... 748 00											
	Court Fees and Fines, Bor- ough of Richmond.....	Kennelly.... 400 75											
	Court Fees and Fines, Bor- ough of The Bronx.....	Less... 2,048 32											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Crowley.... 273 00											
	Court Fees and Fines, Bor- ough of Richmond.....	Maher.... 565 00											
	Court Fees and Fines, Bor- ough of The Bronx.....	Collins.... 92 00											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Weiderhold.... 170 00											
	Court Fees and Fines, Bor- ough of Richmond.....	Bible.... 466 00											
	Court Fees and Fines, Bor- ough of The Bronx.....	Nitze.... 62 00											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Dowdell.... 95 00											
	Court Fees and Fines, Bor- ough of Richmond.....	Flanagan.... 110 50											
	Court Fees and Fines, Bor- ough of The Bronx.....	Delaney.... 23 00											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Van Wart.... 417 00											
	Court Fees and Fines, Bor- ough of Richmond.....	King.... 170 00											
	Court Fees and Fines, Bor- ough of The Bronx.....	Moran.... 219 00											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Brothers.... 643 30											
	Court Fees and Fines, Bor- ough of Richmond.....	Kayneil.... 87 00											
	Court Fees and Fines, Bor- ough of The Bronx.....	Hesterberg.... 132 50											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Carpenter.... 685 85											
	Court Fees and Fines, Bor- ough of Richmond.....	Hunter.... 152 00											
	Court Fees and Fines, Bor- ough of The Bronx.....	Ehlers.... 16 00											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Sutherland.... 106 00											
	Court Fees and Fines, Bor- ough of Richmond.....	O'Leary.... 302 00											
	Court Fees and Fines, Bor- ough of The Bronx.....	Haeselung.... 235 00											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Carroll.... 142 00											
	Court Fees and Fines, Bor- ough of Richmond.....	Kerrigan.... 903 00											
	Court Fees and Fines, Bor- ough of The Bronx.....	Damon.... 224 00											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Moran.... 673 00											
	Court Fees and Fines, Bor- ough of Richmond.....	Connerton.... 118 00											
	Court Fees and Fines, Bor- ough of The Bronx.....	Kennedy.... 85 00											
	Court Fees and Fines, Bor- ough of Brooklyn.....	Woodill.... 29 00											
	Court Fees and Fines, Bor- ough of Richmond.....	Hewlett.... 60 00											
	Court Fees and Fines, Bor- ough of The Bronx.....	Conerty.... 43 00											
	Court Fees and Fines, Bor- ough of Richmond.....	Prall.... 56 00	32,150 75</td										

				Sinking Fund for the Redemption of the City Debt.		Sinking Fund for the Payment of Interest on the City Debt.		Sinking Fund, Redemption No. 2.		Sinking Fund, Brooklyn.		Sinking Fund, City of New York.	
1908, Oct. 10	By			Dr.	Cr.	Dr.	Cr.	Dr.	Cr.	Dr.	Cr.	Dr.	Cr.
	By	Installments Payable in 1908.....		\$397,593.71									
		Revenue from Invest- ments.....		4,875.00									
		Interest on Deposits.....		468.50									
		Redemption of Special Revenue Bonds.....		300,000.00									
		Installments Payable in 1908.....		\$4,033,768.34									
		Revenue from Invest- ments.....		10,500.00									
		Interest on Deposits.....		38.30									
	To	Sinking Fund, Redemp- tion.....		\$459.59									
		Sinking Fund, Interest.....				\$72,757.50							
		Sinking Fund, Redemp- tion No. 2.....						\$100,000.00					
		Sinking Fund, City of Brooklyn.....								\$901,875.00			
		Sinking Fund, City of New York.....										\$4,050,000.00	
		Balance.....		\$14,144,361.16		\$8,801,760.24		175,200.90		59,667.82		73,731.53	
				\$14,144,360.75	\$14,144,360.75	\$8,801,767.24	\$8,801,767.24	\$175,200.90	\$175,200.90	\$1,021,642.82	\$1,021,642.82	\$4,122,731.53	\$4,122,731.53
Oct. 10, 1908. By Balances.....				\$14,144,361.16		\$8,801,760.24		\$175,200.90		\$1,021,642.82		\$4,122,731.53	

Oct. 10, 2008. By Balances \$74,714,351.16 \$8,801,760.24 \$875,209.90 \$59,067.82 \$72,731.53

E. & O. E., A. J. GALLIGAN, Bookkeeper.

JAMES J. MARTIN, City Chamberlain.

THE COMMISSIONERS OF THE SINKING FUNDS OF THE CITY OF NEW YORK, in account with JAMES J. MARTIN, Chamberlain, for the week ending October 10, 1908.

Oct. 10, 1908. By Balance..... \$175,574.31 \$457,019.32 \$19,147.33 \$2,695.20 \$2,512.21

E. & Q. E. A. J. GALLIGAN, Bookkeeper.

JAMES J. MARTIN, City Chamberlain.

THE CITY OF NEW YORK, in account with JAMES L. MARTIN, Chamberlain, during the week ending October 10, 1908.

E. & O. E. A. J. GALLIGAN, Bookkeeper

JAMES J. MARTIN, City Chamberlain

THE CITY OF NEW YORK, in account with JAMES J. MARTIN, Chamberlain, during the week ending October 10, 1908.

1008. Oct. 10	To Witness Fees, New York County..... Witness Fees, Richmond County.....	\$528.54 71.34		1008. Sept. 30	By Balance, Witness Fees, New York County..... Balance, Witness Fees, Queens County..... Balance, Witness Fees, Richmond County.....	\$1,594.57 1,009.54 318.52	
			\$649.78				\$2,915.66
	Balance, Witness Fees, New York County..... Balance, Witness Fees, Queens County..... Balance, Witness Fees, Richmond County.....	\$1,016.63 1,009.54 240.28					\$2,915.66
			2,265.85				
			\$2,915.63				

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THE CITY OF NEW YORK, in account with JAMES J. MARTIN, Chamberlain, during the week ending October 10, 1908

1908. Oct. 10	To Interest Registered.....	\$406,051.80	1908. Sept. 30	By Balance.....	\$361,116.50
	Balance.....	25,225.67	Oct. 10	Interest Registered.....	20,162.50
		\$431,273.47			\$431,273.47

第 2 章 2.2.2

..... 325

COMMISSIONERS OF THE SINKING FUND OF THE CITY OF NEW YORK.

Proceedings of the Commissioners of the Sinking Fund, at a Meeting Held in Room 16, City Hall, at 11 o'clock a. m., on Wednesday, October 21, 1908.

Present—George B. McClellan, Mayor; Herman A. Metz, Comptroller; James J. Martin, Chamberlain, and Patrick F. McGowan, President, Board of Aldermen.

The minutes of the meeting held September 23, 1908, were approved as printed.

The following communication was received from the Commissioner of Docks, submitting for approval a form of stipulation for surrender of possession in the matter of the acquisition of property in the vicinity of Whale Creek, in the Borough of Brooklyn:

October 16, 1908.

Hon. George B. McClellan, Mayor, and Chairman of the Commissioners of the Sinking Fund:

Sir—I transmit herewith a form of stipulation which has been submitted to this office by the Corporation Counsel. This form of stipulation was prepared after conference between the Corporation Counsel and the counsel for the claimants, and I understand will be executed by the claimants if approved by the Commissioners of the Sinking Fund.

Under this stipulation the City will enter into possession of the property which is now under condemnation at Whale Creek on November 1, 1908, interest to be paid at the rate of 5 per cent. per annum, beginning November 1, 1908, upon whatever sum may be awarded for the property in the condemnation proceedings.

The form of stipulation is submitted with request that the same be approved.

Yours respectfully,

ALLEN N. SPOONER, Commissioner.

Supreme Court, Second Department.

In the Matter
of

The application of The City of New York, acting by and through the Commissioner of Docks, relative to acquiring right and title to and possession of certain uplands, filled-in lands, lands and lands under water, wharf property, wharfage rights, terms, easements, emoluments and privileges of and to the uplands, filled-in lands, lands and lands under water, and wharf property necessary to be taken for the improvement of the water-front and harbor of The City of New York in the vicinity of Whale Creek, in the Borough of Brooklyn, in The City of New York, pursuant to a certain plan heretofore adopted by the Commissioner of Docks and approved by the Commissioners of the Sinking Fund.

It is stipulated and agreed by and between The City of New York, petitioner herein, and Standard Oil Company and Empire Refining Company, claimants herein,

First—That on the 1st day of November, 1908, The City of New York shall be placed in possession by the respective claimants herein of the premises described as follows:

All the uplands, filled-in lands, lands and lands under water, wharf property, wharfage rights, terms, easements, emoluments and privileges of and to the uplands, filled-in lands, lands and lands under water and wharf property situate, lying and being in the Borough of Brooklyn, in The City of New York, and bounded and described as follows, to wit:

Beginning at a point in the pierhead and bulkhead line on the southerly side of Newtown Creek, in the Borough of Brooklyn, established by the Secretary of War in 1890, where the easterly line of Henry place intersects the same, and running thence southerly and along said easterly line of Henry place and its prolongation until it intersects the easterly line of North Henry street; thence southerly and along said easterly line of North Henry street to the southerly line of Greene street; thence westerly and along said southerly line of Greene street four hundred and sixty-five feet; thence northerly and along the line drawn parallel and distant four hundred and sixty-five feet westerly from the easterly line of said North Henry street, until it intersects a line drawn parallel with and distant five hundred and twenty feet westerly from the easterly line of Henry place; thence still northerly and along said parallel line to the centre line of Paisley avenue; thence westerly and along the centre line of Paisley avenue to a line drawn in the southerly prolongation of the bulkhead on the easterly side of Whale Creek; thence northerly along the said bulkhead and its southerly prolongation to the bulkhead and pierhead line on the southerly side of Newtown Creek, established by the Secretary of War in 1890; thence easterly and along said bulkhead and pierhead line to the place of beginning, and which said property is shown on a certain plan for the improvement of the water-front and harbor of The City of New York in the vicinity of Whale Creek, in the Borough of Brooklyn, City of New York, adopted by the Commissioner of Docks on February 1, 1906, and approved by the Commissioners of the Sinking Fund on March 21, 1906, and which said plan is on file in the office of the Department of Docks and Ferries.

Second—That in consideration of the surrender by the aforesaid claimants of said premises and of their delivery of possession thereof to The City of New York, the award or awards which shall be made hereafter for said premises so surrendered shall bear and draw interest at the rate of five per cent. per annum from said 1st day of November, 1908, to the day of payment thereof.

Dated New York, October, 1908.

In connection therewith the Comptroller offered the following resolution:

Resolved, That the Commissioners of the Sinking Fund hereby approve of the form of stipulation prepared by the Corporation Counsel and transmitted by the Commissioner of Docks with communication dated October 16, 1908, in the matter of the application of The City of New York, acting by and through the Commissioner of Docks, relative to acquiring right and title to and possession of certain uplands, filled-in lands, lands and lands under water, wharf property, wharfage rights, terms, easements, emoluments and privileges of and to the uplands, filled-in lands, lands and lands under water and wharf property necessary to be taken for the improvement of the water-front and harbor of The City of New York in the vicinity of Whale Creek, in the Borough of Brooklyn, in The City of New York, pursuant to a certain plan heretofore adopted by the Commissioner of Docks and approved by the Commissioners of the Sinking Fund.

Which resolution was unanimously adopted.

The following communication was received from the Commissioner of Docks relative to an application of the Long Island Railroad Company for a renewal of the lease

of the franchise for a ferry between East Thirty-fourth street, Manhattan, and Long Island City:

June 4, 1908.

Hon. George B. McClellan, Mayor, and Chairman of the Commissioners of the Sinking Fund:

Sir—The franchise for the ferry between East Thirty-fourth street, Manhattan, and Long Island City expired on May 1, 1908. This franchise was granted May 1, 1898, for a period of ten years at an annual rental of \$12,000. An application has been made by the Long Island Railroad Company, the lessee of the ferry, for a renewal of the lease of this franchise at an annual rental of \$8,000 per annum.

After a careful consideration of the matter I am of the opinion that the interests of the City would not be best promoted by leasing this ferry by public auction and in the manner first directed by section 826 of the Greater New York Charter, and I therefore beg to recommend the adoption by a unanimous vote of the Commissioners of the Sinking Fund of a resolution authorizing the lease of a franchise for a ferry to and from the foot of East Thirty-fourth street, East River, Borough of Manhattan, in The City of New York, and from and to the foot of Borden avenue, Long Island City, Borough of Queens, in The City of New York, by private agreement to the Long Island Railroad Company, together with all that certain wharf property situated in the Borough of Manhattan, in The City of New York, known and described as follows, to wit: Bulkhead at the foot of East Thirty-fourth street, East River, including all other properties and wharf structures belonging to the City which have heretofore been used for the purpose of said ferry, for a term of five years from May 1, 1908, at a rental of \$8,000 per annum.

With the exception of the provisions as to the term of years and the rental to be paid, the remaining conditions of the lease shall be similar to those contained in the indenture dated August 24, 1898, between The City of New York, acting by the Board of Docks, party of the first part, and the Long Island Railroad Company, party of the second part, leasing said ferry franchise.

As above stated, the present rental of the ferry franchise and wharf property in question has been, for the past ten years, \$12,000 per annum, and in considering the reduction to \$8,000 per annum the following points were taken into consideration:

First—The extension of a subway from Borough Hall, Brooklyn, to Atlantic and Flatbush avenues, the terminus of the Long Island Railroad, on May 1 of this year, will cause a diversion of New York travel from Long Island City to the route via Brooklyn. This diversion, the company estimates, will exceed 30 per cent.

Second—The opening of the Belmont tube, so-called, between Manhattan and Long Island City in the near future will divert a very large portion of the local business from Long Island City and adjacent territory.

Third—The opening of the Blackwells Island Bridge will still further draw from the revenue of the ferry line by diverting a large percentage of vehicular travel.

Fourth—The opening of the new Pennsylvania tunnel from the foot of East Thirty-third street to Long Island City.

It is evident, therefore, that in the near future the earning power of this ferry line will be seriously affected.

Yours respectfully,

ALLEN N. SPOONER, Commissioner.

In connection therewith the Comptroller presented the following report:

August 19, 1908.

Hon. Herman A. Metz, Comptroller:

Sir—The Dock Commissioner under date of June 4, 1908, forwarded a recommendation to the Commissioners of the Sinking Fund, that the renewal of the franchise for the ferry between Thirty-fourth street, Borough of Manhattan and Long Island City, be fixed at \$8,000 per annum, for a term of five (5) years.

I would report, that this franchise was granted May 1, 1898, for a period of ten (10) years at an annual rental of \$12,000, hence expired on May 1, 1908.

The reasons set forth by the Commissioner for this reduced rental are as follows:

1. The extension of a subway from Borough Hall, Brooklyn, to Atlantic and Flatbush avenues, the terminus of the Long Island Railroad on May 1, of this year, will cause a diversion of New York travel from Long Island City to the route via Brooklyn. This diversion, the company estimates, will exceed 30 per cent.

2. The opening of the Belmont tube, so-called, between Manhattan and Long Island City in the near future will divert a very large portion of the local business from Long Island City and adjacent territory.

3. The opening of the Blackwells Island Bridge will still further draw from the revenue of the ferry line by diverting a large percentage of vehicular travel.

4. The opening of the new Pennsylvania tunnel from the foot of East Thirty-third street to Long Island City.

Upon a request, the General Auditor of this Department has had the books of the company examined to determine the gross receipts from all sources of this ferry for the period from January 1, 1903, to June 30, 1908, with the following results:

Gross Receipts (All Sources). Thirty-fourth Street (East River) Ferry.	
1903	\$558,412 15
1904	574,798 45
1905	623,052 04
1906	688,878 34
1907	723,190 60
1908 to July 1	311,749 82

—making an average annual gross receipts of \$633,660 for the years 1903 to 1907 inclusive. He also furnished me with a comparative statement showing the gross cash receipts of said ferry for the month of June, 1908, after the opening of the Battery Park tube as compared with the same period of 1907, namely:

June, 1907	\$53,922 25
June, 1908	51,599 06

A loss of.....

\$2,323 19

The diversion of the New York travel by way of the subway up to date has only affected the ferry 4-10 per cent., instead of 30 per cent., as claimed by the company.

It will also be noted that the annual rental of \$12,000 is but a fraction more than 2 per cent. of the gross receipts for the last five (5) years, which rental I consider inadequate.

Taking into consideration all the reasons set forth by the Commissioner why the deduction should be made and the lowness of the present rental, I recommend the following:

That the franchise be given for a term of ten (10) years instead of five (5) years, at the following rentals:

For the first two (2) years, \$12,000 per annum.

For the next three (3) years, \$10,000 per annum.

For the last five (5) years, \$8,000 per annum.

This arrangement I consider fair to the company, as it gives a sliding scale, due to the conditions that, as the Commissioner states, will affect the ferry in the future, but all of these conditions will not be in full operation until four or five years from now.

Respectfully,

CHANDLER WITTINGTON, Chief Engineer.

Approved:

H. A. Metz, Comptroller.

STATEMENT "A."

Gross Cash Receipts of the Thirty-fourth Street (East River) Ferry, from January 1, 1903, to July 1, 1908, Inclusive.

Year.	Passenger.	Vehicle.	Apportionment of Railroad Ticket Sales Applicable to Ferry.	Privileges.	Total.
1903	324,527 46	94,059 49	\$119,725 29	\$20,000 00	\$358,412 15
1904	218,083 15	94,227 72	122,487 38	20,000 00	574,708 25
1905	365,054 59	122,367 06	125,630 39	20,000 00	623,052 04
1906	404,562 47	132,073 36	132,242 31	20,000 00	688,878 34
1907	425,896 78	138,060 27	129,202 64	20,000 00	723,159 60
1908, to July 1	197,880 44	63,043 77	30,825 61	10,000 00	311,719 82
Total	\$2,056,004 89	\$633,931 69	\$690,113 73	\$110,000 00	\$3,480,650 40

COMPARATIVE STATEMENT "B."

Gross Cash Fares, East Thirty-fourth Street Ferry, June 1 to 30, Inclusive, 1908-1907.

	1908.		1907.	
	Passenger.	Vehicle.	Passenger.	Vehicle.
June 1	\$1,423 21	\$440 40	\$1,462 92	\$594 62
June 2	1,237 75	498 11	628 50	146 15
June 3	1,247 89	484 75	1,261 44	441 16
June 4	1,008 43	437 45	1,150 55	917 64
June 5	1,002 33	146 18	1,177 38	493 52
June 6	1,492 41	410 98	1,030 49	498 47
June 7	1,034 81	361 59	1,015 26	496 39
June 8	1,322 58	464 18	1,447 00	811 67
June 9	1,161 38	427 62	1,389 94	818 82
June 10	1,043 32	423 34	1,258 16	495 33
June 11	1,082 61	434 18	1,118 98	607 95
June 12	1,073 97	374 28	1,091 45	464 69
June 13	1,343 82	418 39	1,244 55	405 72
June 14	1,880 81	326 66	1,110 26	397 79
June 15	1,632 26	412 04	1,215 42	406 94
June 16	1,169 00	435 88	1,118 03	315 80
June 17	1,188 92	470 09	1,189 12	300 82
June 18	1,091 30	450 51	1,071 48	100 93
June 19	1,121 22	404 13	1,136 37	818 30
June 20	1,043 10	438 04	1,148 22	450 16
June 21	1,095 27	338 41	1,215 34	574 86
June 22	1,111 32	465 26	1,048 73	458 47
June 23	1,080 75	439 01	1,070 10	298 30
June 24	1,085 70	447 24	1,031 41	308 93
June 25	1,105 74	406 98	1,177 36	587 19
June 26	1,161 86	490 11	1,095 47	446 35
June 27	1,493 67	388 80	1,216 07	554 70
June 28	1,813 40	337 85	1,103 13	504 88
June 29	1,317 89	466 77	1,360 61	397 06
June 30	1,024 49	418 85	1,244 10	438 53
Total	\$38,488 17	\$13,154 89	\$40,527 97	\$13,394 48

Which was referred back to the Commissioner of Docks with a copy of the report.

The following was received from the Commissioner of Docks, relative to a settlement with the New York Contracting and Trucking Company, of the litigation between it and The City of New York, in relation to the use and occupation of the piers at the foot of West Seventy-ninth street, in the Borough of Manhattan:

April 20, 1908.

HON. GEORGE B. MCCORMICK, Mayor, and Chairman of the Commissioners of the Sinking Fund:

SIR.—The following communication has been received from James A. Deering:

HON. ALLEN N. SPOONER, Commissioner of Docks and Ferries of The City of New York:

DEAR SIR.—My client, the New York Contracting and Trucking Company, with a view of bringing to a close the litigation which has been pending between it and the City since 1902, relative to the pier at the foot of West Seventy-ninth street, requests me to submit to you a proposition as to settlement, which, it is believed, if accepted, will be greatly to the interests of the City. So far as the litigation has gone, the company's contention as to the invalidity of the proceedings under which a revocation of its lease was attempted has been sustained by the Supreme Court. The company has, however, heretofore been at all times willing to adjust the controversy and to accept any reasonable basis of settlement.

The company has remained in actual possession of the pier as formerly constructed, but has been able to use it to a limited extent only.

The nature of the river bed, the location and the manner in which the addition to the pier was built, contributed to the rapid deposit at Seventy-ninth street of large quantities of silt and mud. The water at the pier grew appreciably shallower from month to month.

During the occupancy of the company, and so long as it was permitted, annual dredging about the pier was done as a matter of necessity in order to provide water sufficient to permit the use of scows.

As you are aware, no dredging can be done without permits from your Department. No such permits being obtainable, no dredging could be done since 1903, and the availability and usefulness of the pier has been greatly reduced and the expense of operation increased.

The work done by the Department of Docks and Ferries in constructing the new dock involved the driving of piles in such manner that the outer end of the old pier was entirely shut off from use, and the use of the sides of the pier materially interfered with.

The conditions during the past four years have been such, therefore, that the commercial use of the pier has been obstructed and impeded.

The company will be pleased to submit to you a more detailed statement showing in what manner and to what extent the operations incident to building the new pier and the deposit of silt and mud have interfered with the use of the pier. No doubt the Engineers and other officers in your Department can supply you with this information. Such interference by a landlord has been held sufficient to justify a tenant to refuse to pay rent, and not to entitle the landlord to any rent until the interference was stopped. The company for the purpose of settlement is willing to waive this question, and also the question as to whether it is not under its lease entitled, without payment of additional rent, to use the addition to the pier, which has been made by the City without the company's consent, pending the lease, and is willing to pay a fair rental for the period of its occupation.

Under the lease now in force, the company had the right to use both the northerly and southerly sides of the pier as well as the outer end, making an available waterfront of three hundred and forty feet. As it is now proposed to limit the lease of the company to some portion of the southerly front of the new pier, the company should be allowed an equal frontage to compensate it for the three hundred and forty feet of the old pier. The three water-fronts now under lease would be, if usable, much more valuable than equal frontage on one side only.

In order, therefore, that the privilege of the company under a new lease should be approximately equal to those granted under the old lease, the following plan of settlement is suggested:

1. All present litigation, including the proceeding to punish the former Commissioner for contempt for violating the injunction order now in force, to be discontinued without costs.

2. The company to offer no opposition to the completion of the new pier as shown on the amended plans adopted by the Sinking Fund Commission.

3. The present lease of the pier to be surrendered and cancelled and a new lease to be given to the company of the southerly half of the pier, beginning at the bulkhead and extending riverward, distance equal to the water-front on the old pier, as now leased to the company. The company is to have the privilege of erecting, at its own expense, and maintaining a dumping board of size and plan to be approved by the Commissioner of Docks and Ferries. The new lease, as to terms of payment, duration of term, renewals and other conditions, to be the same as the present lease.

4. The City to promptly and with as little interference as possible with the company's occupancy of the old and new pier, complete the new pier, as shown on the amended plans.

5. The company is to pay one-half of all rentals fixed by the present lease since October 31, 1904, and the full rental up to that date.

In view of the facts above set forth showing the decreased value of the pier to the company, and to the further fact that expensive litigation has been borne by it, and that the uncertainty as to the duration of its term has interfered with the securing and carrying on of business, the foregoing proposition is deemed to be fair and worthy of your earnest consideration. Should it be deemed by you as an equitable basis of settlement and in the interest of the City, it is hoped that you will recommend its acceptance by the Commissioners of the Sinking Fund.

I beg to call attention to the fact that the City practically completed the outer portion of this pier in 1903, and since this time the City has been prevented from using the pier built at a cost of \$73,554.48, on account of an injunction preventing the City from its use on the application of the tenant, the New York Contracting and Trucking Company.

From time to time, negotiations have been started looking to the possibility of arranging some settlement of this case, but until the present time nothing has been done. The settlement, however, which is now recommended will give the City the practical use of three-quarters of the pier at the foot of Seventy-ninth street, where at present there is no possibility of collecting any wharfage owing to the fact that the lessees of the pier have the lease of the old pier which occupies the site of the proposed extension inshore of the new pier at this locality.

Taking the above facts into consideration, I therefore beg to recommend the adoption of a resolution by the Sinking Fund Commissioners as follows:

Resolved, That the Commissioners of the Sinking Fund hereby approve of and authorize a settlement of the litigation between the City and the New York Contracting and Trucking Company, with reference to the use and occupation of the pier at the foot of West Seventy-ninth street, North River, by said Company as lessee upon the terms and conditions as recommended by the Commissioner of Docks, and that the Commissioner of Docks be, and he hereby is authorized to execute a new lease in accordance therewith as follows:

1. All litigation between the City and the New York Contracting and Trucking Company in relation to the pier at the foot of West Seventy-ninth street, North River, is to be discontinued without costs to either party as against the other, and the company is to offer no opposition to the continuation of the building and the completion of the new pier at the foot of said street by the City in accordance with the amended plan approved by the Commissioners of the Sinking Fund for the improvement of the water-front thereat.

2. The present lease of the old pier as it formerly existed is to be cancelled and surrendered, and the company is to accept in lieu of the said existing lease a new lease of the right to occupy one-half the length of the southerly side of the West Seventy-ninth street pier as now laid out on the amended plans, with the privilege of maintaining either a covered or uncovered dumping board on the said new area. The portion of the southerly half of the pier to be included by the new lease will be the inner half. The company is to pay the City one-half of all the rentals under the present lease since October 31, 1904, and the full rental up to that date, such payment to be made upon the execution and delivery of the new lease. The new lease is to be upon the same conditions and terms as are contained in the present lease as to rental, duration of term, renewal privileges, etc. (the old lease was granted for a term of ten years from August 1, 1901, at a rental of \$1,200 per annum with the privilege of two renewals of ten years each at advances of five per cent. in the rental on each renewal term).

3. The new dumping board within the new leased area is to be built by the company at its own cost and expense in accordance with plans and specifications to be first submitted to and approved by this Department.

4. During the completion of the pier, the work is to be so conducted by the City as not to interfere any more than is necessary with the operation of the dumping board as it now exists and as it will be built.

In my opinion, the above proposed settlement is for the City a favorable adjustment of this long pending question. It will be noted that the City has not received any rental for the use of the West Seventy-ninth street pier since January 1, 1903.

The terms and conditions of the lease, other than those outlined above, will be similar to those contained in the existing lease of the old pier.

Yours respectfully,

ALLEN N. SPOONER, Commissioner.

June 4, 1908.

HON. HERMAN A. MREZ, Comptroller:

SIR—I am in receipt of a communication from N. Taylor Phillips, Deputy Comptroller, under date of April 30, 1908, transmitting for my information, copy of a letter from Allen N. Spooner, Commissioner of Docks, to the Commissioners of the Sinking Fund, in regard to the settlement of the action of the New York Contracting and Trucking Company.

The communication from the Commissioner of Docks to the Commissioners of the Sinking Fund, states that a communication was received by him from James A. Deering, attorney for the New York Contracting and Trucking Company, submitting a proposition of settlement of the action between said company and the City.

Mr. Deering in his letter states that his client requests him to submit a proposition of settlement of the litigation; that so far as the litigation has gone, the company's contention as to the invalidity of the proceedings under which a revocation of its lease was attempted has been sustained by the courts; that the company has remained in actual possession of the pier as formerly constructed, but has been able to use it to a limited extent only.

the nature of the river bed, the location and manner in which the addition to the pier was built, contributed to the rapid deposit at Seventy-ninth street of large quantities of silt and mud, so that the water at the pier grew appreciably shallower from month to month; that while permitted, annual dredging about the pier was done; that as no permits were obtainable since 1901, no dredging has been done since that time, and therefore the availability and usefulness of the pier has been greatly reduced and the expense of operation increased; that by the construction of the new dock the outer end of the old pier was entirely shut off from use and the use of the sides was materially interfered with; that the commercial use of the pier has been obstructed and impeded; that such interference by a landlord has been held sufficient to justify a tenant to refuse to pay rent and not entitle the landlord to any rent until the interference is stopped; that the company for the purpose of settlement is willing to waive this question and also the question as to whether it is not under its present lease entitled without the payment of additional rent, to the use of the addition to the pier, and is also willing to pay a fair rental for the period of its occupation.

Mr. Deering concludes his letter as follows, to wit:

"In order, therefore, that the privilege of the company under a new lease, should be approximately equal to those granted under the old lease, the following plan of settlement is suggested:

"1. All present litigation, including the proceeding to punish the former Commissioner for contempt for violating the injunction order, now in force, to be discontinued without costs.

"2. The company to offer no opposition to the completion of the new pier as shown on the amended plans adopted by the Sinking Fund Commission.

"3. The present lease of the pier to be surrendered and cancelled and a new lease to be given to the company of the southerly half of the pier, beginning at the bulkhead and extending riverward, a distance equal to the water-front on the old pier as now leased by the company. The company is to have the privilege of erecting at its own expense and maintaining a dumping board of size and plan to be approved by the Commissioner of Docks and Ferries. The new lease, as to terms of payment, duration of term, renewals and other conditions to be the same as the present lease.

"4. The City to promptly and with as little interference as possible with the company's occupancy of the old and new pier, complete the new pier as shown on the amended plans.

"5. The company is to pay one-half of all rentals fixed by the present lease since October 31, 1904, and the full rental up to that date.

"In view of the facts above set forth showing the decreased value of the pier to the company and to the further fact that expensive litigation has been borne by it, and that the uncertainty as to the duration of its term has interfered with the securing and carrying on of business, the foregoing proposition is deemed to be fair and worthy of your earnest consideration. Should it be deemed by you as an equitable basis of settlement and in the interest of the City, it is hoped that you will recommend its acceptance by the Commissioners of the Sinking Fund."

The Commissioner of Docks, in his communication to the Commissioners of the Sinking Fund dated April 20, 1908, states that the City completed the outer portion of this pier in 1903, and since that time the City has been prevented from using the pier built at a cost of \$73,554.48 on account of the injunction obtained by the Company; that from time to time negotiations have been started for some settlement of the action but resulted in nothing; that the present settlement will give the City the practical use of three-quarters of the pier at the foot of Seventy-ninth street, where at present there is no possibility of collecting any wharfage.

Upon these facts the Commissioner of Docks recommends the adoption of a resolution by the Commissioners of the Sinking Fund authorizing a settlement of the litigation as proposed.

He further states that in his opinion the above proposed settlement is for the City a favorable adjustment of this long pending question, and that the City has not received any rental since January 1, 1903.

In reply I would state that in the communication from the Deputy Comptroller no advice is requested, but I suppose that the communications were transmitted for the purpose of obtaining from this office its opinion as to the advisability of accepting the proposition of settlement in question.

It is deemed unnecessary to give a resume of the entire proceedings of the action in question. It is sufficient to state that the action was originally brought for an injunction to restrain interference with the use and possession of the pier at the foot of Seventy-ninth street, North River, by the New York Contracting and Trucking Company under its lease from the Board of Docks. The injunction was continued pendente lite, and the action has not been tried on the merits.

A demurrer to the answer was sustained by the court on the ground that the facts alleged, to win, the determination upon a plan for the improvement of the water-front in that locality by the Board of Docks and its approval by the Commissioners of the Sinking Fund was not authorized by law, and therefore the lease could not be cancelled under the "New Plan" clause therein contained.

In 1904 the Legislature amended sections of the Charter relating to the adoption of plans for the improvement of the water-front of the City by the Commissioner of Docks by and with the approval of the Commissioners of the Sinking Fund.

The Commissioner of Docks determined upon a new plan for the improvement of the water-front in that locality, and it was approved by the Commissioners of the Sinking Fund.

A new notice was served upon the company declaring its lease cancelled for the purpose of improving the water-front, and a motion was made by the company to punish the Commissioner of Docks for contempt of court for violating the terms of the injunction order above referred to.

After argument the Court decided that the Commissioner of Docks in issuing the order cancelling the lease was guilty of contempt of court.

An appeal was taken by this office declaring the Commissioner of Docks in contempt, and such appeal is now pending and may be argued, if desired, in June.

Should the appeal be successful and the order declaring the Commissioner of Docks in contempt be reversed, it is probable that the Company would take an appeal to the Court of Appeals. Such appeal could not be argued and decided before late in the fall.

If the appeal is decided adversely to the City no further appeal would be taken by this office, and the notice of cancellation of the lease would have to be withdrawn; a motion would have to be made for a modification of the old injunction order so as to permit the Commissioner of Docks to serve a new notice of cancellation.

If successful, proceedings would have to be taken by the City to obtain possession of the pier in question and the original litigation would be disposed of.

By the proposed compromise the City will receive in the neighborhood of \$4,400 for rental since January 1, 1903, and dispose of a vexatious litigation which has extended over a period of five years, and is likely to extend over a further period of a year at least.

If the terms proposed are not accepted and the City should be finally successful and succeed in ousting the company from the pier in question, it would be doubtful, in my judgment, whether the City could recover any rent from January 1, 1903, by reason of its acts which interfered with the use of said pier and the refusal to grant permits to dredge.

It seems to me, therefore, that the question of accepting the terms of compromise proposed is a practical one, which the Commissioner of Docks is better qualified to determine than this office.

As he has stated in his communication to the Commissioners of the Sinking Fund, that, in his judgment, the proposed settlement is a favorable adjustment of this long pending litigation, I see no reason why the terms proposed should not be accepted.

Respectfully yours,

F. K. PENDLETON, Corporation Counsel.

June 25, 1908.

CHANDLER WITTINGTON, Esq., Chief Engineer, Department of Finance:

Sir—Referring to a draft of memorandum which you submitted to me relative to the settlement of the action between the City and the New York Contracting and Trucking Company, in regard to the West Seventy-ninth street pier, I beg to state that I have submitted to the New York Contracting and Trucking Company's representative your proposition to cancel the existing lease and to grant a new one, for a

term of ten years, of the one-half of the southerly side of the new pier as extended and widened, with the privilege of maintaining dumping board thereon, and they state that they are unable to accept such a proposition.

In relation to that part of the report which refers to the various dumping board privileges in the City, I would state that the amounts for which these privileges were sold at public sale, as set forth in the memorandum, are correct, but the price bid at the public sales is no criterion of the rental value of the property, for the reason that some of the purchasers at those sales never executed leases. The leases in other cases had to be cancelled for non-payment of rent, and still in other cases, although the leases have expired, the Department has at the present time claims against the lessees for unpaid rent.

The lease quoted to M. J. Fenton for 225 feet of the north side of the pier foot of West Fifty-fifth street, for \$2,650 per annum, was never executed by the said Fenton, and the lease was cancelled by the Dock Commissioner. The same is true of the 130 feet of bulkhead between Seventy-eighth and Seventy-ninth streets, which it is claimed was leased to William Miller, at a rental of \$3,000 per annum, and which lease is quoted in the memorandum in order to show the difference between the rental paid by Miller and that paid by the New York Contracting and Trucking Company close by, as follows: "This dumping board is directly alongside of the pier at Seventy-ninth street, leased as a dumping board since 1901 to the New York Contracting and Trucking Company at \$1,200 per annum." As Miller never occupied the dumping board, never paid a dollar rent to the Department, it may be readily seen how misleading this quotation is.

In the case of the leases made to William J. McGinn for dumping board between Forty-third and Forty-fourth streets, at a rental of \$5,700 per annum, and the foot of Thirtieth street, East River, at a rental of \$6,700 per annum: McGinn was unable to meet his obligations to the City and was driven crazy thereby, and, I believe, died in a lunatic asylum. Both leases were cancelled by the Department.

In the case of the Manhattan Transport Company for dumping board between Ninety-fourth and Ninety-fifth streets, at a rental of \$3,600 per annum: We had no end of trouble in trying to collect our rental from these people, and finally had to cancel the lease on account of inability of the company to pay rent, and had to send our claim for balance due when lease was cancelled—\$1,382.50—to the Corporation Counsel for collection.

With reference to the dumping board leased to M. H. Healy on pier foot of West Thirtieth street, at a rental of \$18,800 per annum: The reason this large rental was assumed by Healy was that he expected to get the excavated material from the Pennsylvania Terminal—Thirty-first to Thirty-third street, Seventh and Ninth avenues. The railroad company, however, arranged to dispose of it itself. A company was organized to operate the dumping board, known as the Independent Contracting Company, which went to pieces a year or so after the lease went into effect. Healy was unable to pay the rental, and the surety company on the bond paid two years' rent, the full amount of its liability. There is still due the Department on this lease \$2,700, the collection of which is very doubtful.

The dumping board leased to A. C. Chenoweth on pier at West Forty-seventh street for \$6,750 was assigned by Chenoweth to the Greater New York Land and Harbor Improvement Company. We had trouble continually endeavoring to collect the rental and have a claim in the hands of the Corporation Counsel at the present time against Chenoweth and the assignee for \$2,463.75.

In regard to the three leases made last year for dumping board privileges on the East River, namely, at the foot of East Twenty-first street; foot of East Sixtieth street and foot of East Ninety-fourth street: Large prices were paid for these three privileges, under the impression that work on the East Side subways would be started early this year and that these dumping boards would have the disposition of the excavated material. As the subways have not materialized, however, and as the business depression has caused a slump in building operations, they are, according to one of the lessees, losing money, and it is only a question of how long they will be able to hold out unless times improve and work on subways begins.

It will be seen from the foregoing that the statement of rentals for dumping boards quoted in the memorandum is misleading, and any deductions based upon the facts stated are therefore erroneous.

Yours respectfully,

ALLEN N. SPOONER, Commissioner.

In connection therewith the Comptroller presented the following report:

July 14, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—Hon. Allen N. Spooner, Commissioner, Department of Docks and Ferries, in communication dated April 20, 1908, requests the Commissioners of the Sinking Fund to authorize him to make a settlement with the New York Contracting and Trucking Company of the litigation between it and The City of New York, in relation to the use and occupation of the piers at the foot of West Seventy-ninth street, New York, upon terms recommended by him.

I would report that on July 22, 1901, the Board of Docks leased to the New York Contracting and Trucking Company, without public letting, the old pier at the foot of Seventy-ninth street, North River, for ten years, at \$1,200 per annum, with the privilege of two renewal terms of ten years each at an advance of 5 per cent. in rental for each renewal.

On November 18, 1902, the Commissioner of Docks gave notice to the lessees that their lease was cancelled in accordance with the terms of their lease on the ground that the City wished to proceed with the improvement of that portion of the water-front under a new plan adopted by the Board of Docks May 11, 1901, and approved by the Commissioners of the Sinking Fund June 20, 1901.

The City immediately commenced the construction of the outer end of the new pier and practically completed the outer section in 1903. The Engineer-in-Chief of the Department of Docks reported the extension complete August 25, 1904.

The lessee of the old pier has, however, successfully prevented all attempts to cancel its lease, and since the beginning of its occupancy, August 1, 1901, has paid only \$1,800 in rental instead of \$8,100, and has also prevented the City from using the extension at the outer end of the pier built at a cost of \$73,554.

The basis of this successful resistance was the opinion rendered by Judge Davis that the plan for the improvement of the water-front was unlawfully adopted. This defense has now been overcome by an amendment to sections 817 and 818 of the Charter, by chapter 741 of the Laws of 1904, and by the adoption of a new plan under the Charter as amended, for the improvement of this portion of the water-front, which plan was approved by the Commissioners of the Sinking Fund on March 13, 1907.

The former Commissioner of Docks served notice of cancellation of this lease after the adoption of this new plan just referred to, and the lessees commenced an action to punish him for contempt of court on the ground that he should have had the permanent injunction granted by Judge Davis vacated before serving the notice of cancellation.

There appears to be now no reason why the City cannot cancel the lease, but I am informed by an Assistant to the Corporation Counsel that the lessee may be able to delay the cancellation for perhaps two years by appealing the case.

The terms of the settlement as proposed by the Dock Commissioner, are as follows:

1. All litigation between the City and the New York Contracting and Trucking Company in relation to the pier at the foot of West Seventy-ninth street, North River, is to be discontinued without costs to either party as against the other, and the company is to offer no opposition to the continuation of the building and the completion of the new pier at the foot of said street by the City in accordance with the amended plan approved by the Commissioners of the Sinking Fund for the improvement of the water-front therat.

2. The present lease of the old pier as it formerly existed is to be cancelled and surrendered, and the company is to accept in lieu of the said existing lease a new lease of the right to occupy one-half the length of the southerly side of the West Seventy-ninth street pier as now laid out on the amended plans, with the privilege of maintaining either a covered or uncovered dumping board on the said area. The portion of the southerly half of the pier to be included by the new lease will be the inner half. The company is to pay the City one-half of all the rentals under the present lease since October 31, 1904, and the full rental up to that date, such payment to be made upon the execution and delivery of the new lease. The new lease is to be upon the same conditions and terms as are contained in the present lease as to rental, duration of term, renewal privileges, etc. (The old lease was granted for a term of ten years from

August 1, 1908, at a rental of \$1,200 per annum, with the privilege of two renewals of ten years each at advances of five per cent. in the rental on each renewal term.)

3. The new dumping board within the new leased area is to be built by the company at its own cost and expense in accordance with plans and specifications to be first submitted to and approved by this Department.

4. During the completion of the pier the work is to be so conducted by the City as not to interfere any more than is necessary with the operation of the dumping board as it now exists and as it will be built.

If the City settles the litigation on October 1, 1908, on the terms now recommended by the Dock Commissioner it will receive all unpaid back rental up to October 31, 1904, in full, and one-half of all rentals since that date, amounting, in all, to about \$4,450. It will also receive during the two years that are estimated to be necessary to conclude the litigation in court \$2,400 for that portion of the pier proposed to be occupied by the New York Contracting and Trucking Company. It will also be able to lease the unoccupied three-fourths of the new pier, which, at the same rate, will be worth \$7,200 for that time, or a total income of \$14,050.

If, however, the City continues its attempts to oust the present lessees and is successful at the end of two years it will lose this \$14,050, as no income will be received.

The City will not be justified in rejecting the terms of the proposed settlement unless at the end of two years it can sell the privilege of a dumping board on one-half of the southerly side of the new pier at public auction for enough more than the proposed rental of \$1,200 per annum, to make up the loss of \$14,050.

For the 232 feet of dumping board the City will therefore receive under the proposed lease \$37,830 in the thirty years of occupancy, provided by the lease, as follows:

10 years, at \$1,200.....	\$12,000 00
10 years, at \$1,260.....	12,600 00
10 years, at \$1,323.....	13,230 00

Total income for dumping board for thirty years under proposed lease \$37,830 00

If the City can, however, cancel the present lease and during these thirty years lease at public auction this dumping board privilege in five-year terms at an average price of \$1,750 per annum, its total income received during the thirty years will be \$1,750 x 30 years, \$52,500.

This exceeds the total income under the proposed lease by \$14,670.

It will therefore be seen that if this dumping board can be leased at public auction at an average price of \$1,750 per annum for the next thirty years, the loss of \$14,050 will be more than made up to the City.

The following is a list of all leases made for dumping boards by public auction since January 1, 1902. It can be seen that the value of the dumping board privilege varies widely for the same location at different times, but that the value, in every case, is far in excess of the \$1,200 per annum rental provided in the proposed lease.

The leases have been awarded in each case to the highest bidder for a term of five years. The dates given are the dates of opening bids:

One Hundred Feet, North Side of Pier, West Thirtieth Street—December, 1902; M. H. Healy, \$18,800 per annum. One other bid, \$13,850 per annum.

Same Premises—January 15, 1908; Albert H. Hastorf, \$9,235 per annum. Two other bids above \$7,000 per annum.

Two Hundred and Thirty-five Feet, South Side of Pier, East Twenty-first Street—April 24, 1907; O'Brien Brothers, \$6,150 per annum. Until above date, leased by revocable permit to New York Contracting and Trucking Company at \$1,200 per annum.

South Side Pier, Foot East Sixtieth Street—November 2, 1907; Bouker Contracting Company, \$8,550 per annum. Other bids, \$6,310 and \$3,525 per annum.

Same Premises—September 4, 1902; Goodwin Brothers, \$5,100 per annum. Two other bids above \$3,000.

Two Hundred Feet, North Side of Pier, West Forty-seventh Street—October 23, 1907; Bouker Contracting Company, \$1,575 per annum. One other bid of \$1,520 per annum.

Same Premises—September 2, 1902; A. C. Chenowith, \$6,570 per annum. Two other bids above \$2,400.

One Hundred and Ninety-seven Feet of Bulkhead Between East Ninety-fourth and East Ninety-fifth Streets—December 16, 1907; George E. Paul, \$4,665 per annum. Other bids, \$4,175, \$3,905 and \$2,400.

Two Hundred and Twenty-five Feet, North Side of Pier, West Fifty-fifth Street—March 11, 1903; M. J. Fenton, \$2,650 per annum. At this time there was another dump on this same pier leased without public letting to Brown & Fleming at \$1,250 per annum.

One Hundred and Ninety-eight Feet of Bulkhead Between East Ninety-fourth and East Ninety-fifth Streets—June 24, 1903; Manhattan Transfer Company, \$3,650 per annum.

One Hundred and Thirty Feet of Bulkhead Between West Seventy-eighth and West Seventy-ninth Streets—December 7, 1902; William Miller, \$3,000 per annum. This dumping board is directly alongside of the pier at Seventy-ninth street, leased as a dumping board since 1901 to the New York Contracting and Trucking Company at \$1,200 per annum.

One Hundred and Twenty-seven Feet of Bulkhead Between West Forty-third and West Forty-fourth Streets—September 5, 1902; William J. McGinn, \$5,700 per annum. Two other bids above \$5,000 per annum. Previously leased without public letting for \$1,800 per annum.

Sixty Feet of Bulkhead, foot of East Thirtieth Street, with Floating Dumping Boards—July 1, 1902; Wm. J. McGinn, \$6,700 per annum. Five other bids above \$3,000. Previously leased without public letting for \$750 per annum.

From the above record it is fair to assume that the dumping board privilege at West Seventy-ninth street, leased in five-year terms at public auction, would bring an average rental during thirty years of \$5,000 per annum. It has been previously shown that an average rental of only \$1,750 per annum is enough higher than the rental under this proposed agreement to compensate the City for any loss it may have owing to loss of use of the pier until the present lease is cancelled.

The difference between \$1,750 and \$5,000 (\$3,250) per annum would be a clear gain to the City in thirty years of \$97,500 which it will lose if it enters into the agreement with the New York Contracting and Trucking Company as proposed by the Commissioner of Docks and Ferries.

As an alternative I would suggest that the proposition submitted by the Dock Commissioner be approved, except that the terms of the new lease be fixed for a term of ten (10) years instead of thirty (30) years as proposed by the Dock Commissioner.

With this settlement I figure that the City will lose \$12,000 or \$14,000 on a basis that the City will win out in two years, and during the next ten (10) years the pier can be leased at an average of \$4,000 per annum.

If this proposition is not accepted by the company I recommend that the Corporation Counsel be requested to continue proceedings to cancel the present lease of the New York Contracting and Trucking Company as soon as possible.

Respectfully,

CHANDLER WITTINGTON, Chief Engineer.

Approved:

H. A. METZ, Comptroller.

Which was referred back to the Commissioner of Docks with a copy of the report, with the request that he ascertain for the Commissioners of the Sinking Fund whether or not the proposition of the Chief Engineer of the Department of Finance, as stated in his report, is acceptable to the Company, and to report the result thereof back to this Board.

The following was received from the Board of Education relative to a renewal of the lease of premises at Nos. 541 and 543 Leonard street, Borough of Brooklyn:

To the Board of Education:

The Committee on Buildings respectfully reports that the lease of the premises at Nos. 541 and 543 Leonard street, Borough of Brooklyn, occupied as an annex to Public School 59, expired October 13, 1908; that the City Superintendent of Schools states that further occupancy of said premises will be necessary, and that the Depart-

ments of Health and Buildings, under dates of October 5 and September 25, 1908, respectively, certified that the sanitary and structural conditions thereof are satisfactory. The following resolution is submitted for adoption:

Resolved, That the Commissioners of the Sinking Fund be and they are hereby respectfully requested to approve of and consent to the execution by the Board of Education of a renewal of the lease to the City of the first floor and part of cellar of the premises Nos. 541 and 543 Leonard street, Borough of Brooklyn, occupied as an annex to Public School 59, for a period from October 13, 1908, to July 1, 1909, with the privilege of renewal for an additional year from said latter date, at an annual rental of \$500, otherwise on the same terms and conditions as contained in the existing lease. Owners, St. Paul's Church of the Evangelical Association.

A true copy of report and resolution adopted by the Board of Education on October 14, 1908.

A. EMERSON PALMER, Secretary, Board of Education.

In connection therewith the Comptroller presented the following report and offered the following resolution:

October 16, 1908.

The rent being the same as heretofore paid, I would respectfully recommend that the Commissioners of the Sinking Fund authorize a renewal of the lease of the first floor and part of cellar of premises Nos. 541 and 543 Leonard street, Borough of Brooklyn, occupied as an annex to Public School 59, for a period from October 13, 1908, to July 1, 1909, with the privilege of renewal for an additional year from said latter date, at an annual rental of \$500, payable quarterly, otherwise upon the same terms and conditions as contained in the existing lease. Lessors, St. Paul's Church of the Evangelical Association.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved, That the Commissioners of the Sinking Fund hereby approve of and consent to the execution by the Board of Education of a renewal of the lease to the City of the first floor and part of the cellar of premises Nos. 541 and 543 Leonard street, Borough of Brooklyn, occupied as an annex to Public School 59, for a period from October 13, 1908, to July 1, 1909, with the privilege of renewal for an additional year from said latter date, at an annual rental of five hundred dollars (\$500), payable quarterly, otherwise upon the same terms and conditions as contained in the existing lease; lessor, St. Paul's Church of the Evangelical Association; the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolution unanimously adopted.

The following was received from the Board of Education relative to a lease of premises on South street, between Union Hall street and New York avenue, Jamaica, Borough of Queens:

September 24, 1908.

Hon. HERMAN A. METZ, Comptroller, New York City:

DEAR SIR—I have the honor to transmit herewith a certified copy of a report and resolution adopted by the Board of Education at a meeting held on September 23, 1908, relative to leasing four buildings on the north side of South street, between Union Hall street and New York avenue, Jamaica, Borough of Queens.

Respectfully yours,

A. EMERSON PALMER, Secretary, Board of Education.

To the Board of Education:

The Committee on Buildings respectfully reports that recommendations regarding the desirability of leasing for school purposes certain premises on South street, between Union Hall street and New York avenue, Jamaica, Borough of Queens, have been received from the Secretary of the Local School Board of District No. 43 and the member of the Board assigned to said district; that, with the exception of some minor requirements, with which the owner has agreed to comply, the Departments of Health and Buildings certify that the sanitary and structural conditions are satisfactory, and that the Deputy Superintendent of School Buildings reports that the rental asked is reasonable and that the premises are suitable for school purposes.

The following resolution is submitted for adoption:

Resolved, That the Commissioners of the Sinking Fund be and they are hereby requested to approve of and consent to the execution by the Board of Education of a lease to the City of the four buildings on the north side of South street, between Union Hall street and New York avenue, Jamaica, Borough of Queens, an an annex to Public School 49, for a period of three years from October 15, 1908, with the privilege of renewal for an additional period of two years, at an annual rental of \$1,100, payable quarterly; the lessor, John J. Bliss, of No. 111 New York avenue, Jamaica, Borough of Queens, to make all exterior repairs, remove partitions, install one additional water closet in each building and coal bin in yard to hold thirty tons, remove fences between yards, hinge transoms, put transom movers on each transom over the front doors, rehang doors to open outwardly, remove washtubs, cut a gateway and furnish gate in fence on New York avenue side; the Board of Education to make all interior repairs, except those hereinbefore specified.

A true copy of report and resolution adopted by the Board of Education on September 23, 1908.

A. EMERSON PALMER, Secretary, Board of Education.

In connection therewith the Comptroller presented the following report and offered the following resolution:

September 30, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—The Board of Education on September 23, 1908, adopted a resolution requesting the Commissioners of the Sinking Fund to approve of and consent to the execution by the Board of Education of a lease to the City of the four buildings on the north side of South street, between Union Hall street and New York avenue, Jamaica, Borough of Queens, as an annex to Public School 49 for a period of three years from October 15, 1908, with the privilege of renewal for an additional period of two years on the same terms and conditions, at an annual rental of \$1,100, payable quarterly; the lessor, John J. Bliss, of No. 111 New York avenue, Jamaica, to make all exterior repairs, remove partitions, install one additional water closet in each building and coal bin in yard to hold thirty tons, remove fences between yards, hinge transoms, put transom movers on each transom over the front doors, rehang doors to open outwardly, remove washtubs, cut a gateway and furnish gate in fence on New York avenue side; the Board of Education to make all interior repairs except those hereinbefore specified.

This is a one-story frame building, 75 feet by 48 feet on a plot 120 feet by 82 feet, fenced in the rear with a tight board fence. The building is divided into four stores, with three living rooms in the rear of each.

It is the intention to remove the partitions in the rear so as to throw the three rooms into one, thus making two classrooms in each building, one 24 feet by 18 feet and one 15 feet by 18 feet, with toilets and cloakroom between. Each store now has one toilet, and the owner will put in another, so that there will be a separate toilet for each classroom.

The building is in good repair, is well lighted front and rear, and the two end stores also have side windows. The building has water and is piped for gas, but has no gas fixtures, and it must be heated by stoves.

The rental asked, \$1,100 a year, is certainly full value, as these four stores, in their present condition, have been in the market for rent during the past year at \$20 a month each for the two inside stores and \$22 a month each for the two end stores, which have side light, but the building is well located and well suited for the purpose intended.

and is, perhaps, the best if not the only building that can be obtained in the neighborhood. When the cost of the alterations and improvements is taken into account, as well as the cost of replacing the partitions, washubs, fences, etc., after the expiration of the lease, and also considering the term of the lease and the renewal period, in Jamaica, where rents are expected to advance within the next few years, the rent cannot be considered excessive.

I would, therefore, respectfully recommend that the Commissioners of the Sinking Fund approve of and consent to the execution by the Board of Education of a lease in the City of the four buildings on the north side of South street, between Union Hall street and New York avenue, Jamaica, Borough of Queens, as an annex to Public School 49, for a period of three years from October 15, 1908, with the privilege of renewal for an additional period of two years, at an annual rental of \$1,500, payable quarterly; the lessor to make all exterior repairs, remove partitions, install one additional water closet in each building and coal bin in yard to hold thirty tons, remove fences between yards, hinge transoms, put transom movers on each transom over the front doors, rehang doors to open outwardly, remove washubs, cut a gateway and furnish gate in fence on New York avenue side; the Board of Education to make all interior repairs except those hereinbefore specified. Lessor, John J. Bliss.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved. That the Commissioners of the Sinking Fund hereby approve of and consent to the execution by the Board of Education of a lease in the City of the four buildings on the north side of South street, between Union Hall street and New York avenue, Jamaica, Borough of Queens, as an annex to Public School 49, for a period of three years from October 15, 1908, with the privilege of renewal for an additional period of two years, at an annual rental of fourteen hundred dollars (\$1,400), payable quarterly; the lessor to make all interior repairs, remove partitions, install one additional water closet in each building and coal bin in yard to hold thirty tons, remove fences between yards, hinge transoms, put transom movers on each transom over the other doors, which doors are to open outwardly; remove washubs, cut a gateway and furnish gate in fence on New York avenue side; the Board of Education to make all interior repairs except those hereinbefore specified; lessor, John J. Bliss; the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution, relative to an amendment to resolution, authorizing a renewal of the lease of premises No. 52 Sands street, Borough of Brooklyn, for the use of the Board of Education (see page 417):

October 15, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR.—The Commissioners of the Sinking Fund at a meeting held April 14, 1908, at the request of the Board of Education authorized a renewal of a lease of premises No. 52 Sands street, Borough of Brooklyn, for use as an annex to Public School 1, for a period of one year from May 1, 1908. Lessor, Asacog Club.

The Board of Education at a meeting held May 13, 1908, adopted a resolution amending their original resolution of March 25, by striking out the words "Asacog Club" and inserting in lieu thereof the "Asacog Neighborhood Association" and request that the lessor's name be changed in that respect.

I would, therefore, respectfully recommend that the Commissioners of the Sinking Fund amend so much of the resolution adopted April 14, 1908, by striking out the words "Lessor, Asacog Club," and inserting "Lessor, Asacog Neighborhood Association."

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved. That the resolution adopted by this Board, at meeting held April 14, 1908, authorizing a renewal of the lease to the City of premises No. 52 Sands street, Borough of Brooklyn, for use by the Board of Education as an annex to Public School 1, be and the same is hereby amended by striking out the words "lessor, Asacog Club" and substituting in place thereof, "lessor, Asacog Neighborhood Association."

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution relative to an amendment to resolution authorizing a lease of premises Nos. 418 to 424 East Sixty-eighth street, Borough of Manhattan, for use of the Board of Education (see page 418):

October 16, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR.—The Commissioners of the Sinking Fund at a meeting held September 23, 1908, adopted a resolution authorizing a lease of premises Nos. 418 to 424 East Sixty-eighth street, Borough of Manhattan, for the use of the Board of Education, for a period of two years from November 1, 1908, at an annual rental of \$6,000. Lessor, Emma Lowe.

It appears that Emma Lowe is deceased and that the property is now owned by William Lowe, who refuses to renew this lease for a shorter period than three years, and as the new school depository, for which the contract has not yet been let, will probably not be finished before three years. I would respectfully recommend that the Commissioners of the Sinking Fund amend their resolution of September 23, 1908, in regard to this lease, by striking out the words "for a period of two years from November 1, 1908," and inserting in lieu thereof the words "for a period of three years from November 1, 1908," and by striking out the words "lessor, Emma Lowe," and inserting in lieu thereof the words "lessor, William Lowe, Seventieth street and East River, New York City."

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved. That the resolution adopted by this Board at meeting held September 23, 1908, approving of and consenting to the execution, by the Board of Education, of a renewal of the lease to the City, of premises Nos. 418 to 424 East Sixty-eighth street, Borough of Manhattan, for a period of two years from November 1, 1908, at an annual rental of six thousand dollars (\$6,000), payable quarterly; the owner to make all outside repairs and to furnish gas and electric light fixtures; the City to pay for water and to make inside repairs; lessor, Emma Lowe, be and the same is hereby amended by making the term of the lease "for a period of three years from November 1, 1908," in place of "two years," and by substituting as the name of the lessor, "William Lowe" in place of "Emma Lowe."

The report was accepted and the resolution unanimously adopted.

The following was received from the Board of Education, relative to an amendment to resolution authorizing a lease of premises at No. 28 Macdougal street, Borough of Manhattan:

Whereas, On April 8, 1908 (see Journal, page 570), a resolution was adopted requesting the Commissioners of the Sinking Fund to authorize a renewal of the lease of the premises at No. 28 Macdougal street, Borough of Manhattan, occupied as an annex to Public School 8, on the same terms and conditions as contained in the lease heretofore existing, with the exception that it contains a clause exempting the owners from liability to taxation by the City on account of said lease; and

Whereas, In the resolution adopted by the Commissioners of the Sinking Fund on May 6, 1908, authorizing the execution of this renewal, there is no mention made of this clause; and

Whereas, The owners have returned the copies of the lease without signature, for the reason that the same is not in accordance with the agreement mutually covenanted between them and the Board of Education; therefore be it

Resolved, That the Commissioners of the Sinking Fund be and they are hereby respectfully requested to amend the resolution adopted May 6, 1908, relative to authorizing a renewal of the said above mentioned lease, by incorporating therein the following: "The City of New York to hold the Richmond Hill House of New York, Incorporated, the owners of said premises, harmless and free from any and all liability which may and shall arise from any tax assessment or taxes levied by the Department of Taxes and Assessments by reason or on account of the said lease of the premises hereinabove described to The City of New York."

A true copy of preamble and resolution adopted by the Board of Education May 27, 1908.

FRED H. JOHNSON,
Assistant Secretary, Board of Education.

In connection therewith the Comptroller presented the following report:

October 15, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR.—At a meeting of the Commissioners of the Sinking Fund held May 6, 1908, a resolution was adopted authorizing a renewal of the lease to the City of the double parlors on the first floor of the premises No. 28 Macdougal street, Borough of Manhattan, for a period of one year from May 1, 1908, at an annual rental of \$420, and upon the same terms and conditions as contained in the existing lease.

The resolution of the Board of Education, upon which the Sinking Fund resolution was adopted, stated that The City of New York was to hold the owners of said premises harmless and free from any and all liability which may or shall arise from any tax assessments or taxes levied by the Department of Taxes and Assessments by reason or on account of the said lease of the premises hereinabove described.

I overlooked this proposition, which is a new one, in relation to the occupation of the premises No. 28 Macdougal street. I do not believe that it would be a proper thing for the City to assume the payment of taxes of an entire building when it uses only the parlors of the first floor, nor would the Tax Department make a distinction in regard to assessing the parlor floors separately.

I therefore respectfully recommend that the proposition of the Board of Education as expressed in their resolution adopted at a meeting held May 27, 1908, be denied, and that the matter be returned to said Board for the purpose of consulting with the owners as to proper adjustment.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

The report was accepted and the matter referred back to the Board of Education in order that a proper adjustment may be arranged with the owners.

The following was received from the President of the Borough of Queens, relative to a lease of premises on Myrtle avenue, 100 feet east of Harmon avenue, Evergreen, Borough of Queens:

September 18, 1908.

Hon. HERMAN A. METZ, Comptroller, City of New York, Stewart Building, Borough of Manhattan:

DEAR SIR.—Referring to my personal conversation with you as of the 15th inst., I beg leave to inclose herewith, copies of correspondence containing full particulars in connection with application of the President of the Borough of Queens, for approval of the Sinking Fund Commission of lease of property for corporation yard purposes on southerly side of Myrtle avenue, distant 100 feet easterly from Harmon avenue, Evergreen, Long Island.

We might further add, that this property has been occupied by the Bureau of Highways since November last. The occupancy of the premises being absolutely necessary for the proper performance of the business of that Bureau in this section.

I would therefore thank you to use your influence toward having this lease consummated as early as possible.

Yours truly,

ALFRED DENTON,
Commissioner of Public Works, Borough of Queens.

November 4, 1907.

Hon. GEORGE B. McCLELLAN, Mayor and Chairman, Sinking Fund Commission, New York:

DEAR SIR—I am desirous of securing the following described property for the use of this Department as a corporation yard; to that end would request that a lease be entered into with the owners for use of same:

First—Full name of owner—Henry J. Glasser.

Second—Description of property, as per sketch inclosed.

Third—Terms of proposed lease, two (2) years.

Fourth—Rental, four hundred and fifty dollars (\$450) per annum, payable quarterly.

Fifth, Sixth and Seventh—Owner to pay for alterations and repairs, water rent, light, heat and janitor service.

Eighth—This property is required for the storing of road building material, such as stone, sewer pipes and tools; and there is no property used for that purpose in the Evergreen section.

Ninth—The premises are the most reasonable and appropriate for the purpose.

Tenth—The rental to be paid from the Sinking Fund Accounts—Rents.

Yours respectfully,

(Signed) JOSEPH BERMEL,
President of the Borough of Queens.

To the President of the Borough of Queens:

I, the undersigned, hereby offer to lease to the Department of Highways of the Borough of Queens, City of New York, all that certain plot, piece or parcel of land, being fifty (50) feet front and rear, by one hundred (100) feet in depth, each side, with a one-story frame building thereon erected, situated on the southerly side of Myrtle avenue, distant one hundred (100) feet easterly from Harmon avenue, Evergreen, Borough of Queens, City of New York, and shown on the following diagram.

Said premises to be used by the said Highway Department of The City of New York as and for a corporation yard.

The terms of said letting to be as follows. The rent shall be four hundred and fifty dollars (\$450) per annum, to be paid

The term of letting to be two years.

Dated, Borough of Queens, October 22, 1907.

(Signed) HENRY J. GLASSER.

Office and Post Office Address,

Myrtle, Corner Harmon Avenue, Evergreen, Queens County, N. Y.

In connection therewith the Comptroller presented the following report and offered the following resolution:

September 23, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—Mr. Alfred Denton, Commissioner of Public Works of the Borough of Queens, in a communication addressed to this Department under date of September 18, 1908, requests that a lease be obtained of the premises 50 feet by 100 feet in size, located on the southerly side of Myrtle avenue, 100 feet easterly of Harmon avenue, Evergreen, Borough of Queens, for the use of the Bureau of Highways, for the term of two years from November 1, 1907, at a rental of \$450 a year, payable quarterly.

The original application of President Joseph Berney, dated November 4, 1907, a copy of which is attached to Mr. Denton's letter, but which original appears never to have reached this Bureau, states that the lessor is to pay for alterations and repairs and water rent, and to furnish light, heat and janitor service.

This is another instance where the officials of the Borough of Queens first take possession of property and then ask for a lease, which is in direct violation of the resolution of the Commissioners of the Sinking Fund.

I find upon examination that this a plot used for the storing of road building material, sewer pipes, tools and machines. The plot has on it a one-story frame building 20 feet by 24 feet, which is cut up into four small rooms. The owner claims to have expended \$160 in fitting up this building for the Bureau. The building is heated by a stove and lighted by lamps. There is no toilet on the premises, but the owner promises to put one in after the lease is signed.

The present fair market value of these premises, including the building, is not above \$4,500, and the rental asked, \$450, is therefore high for what is practically unimproved property. However, as the rental is not excessive and the premises are conveniently located and suitable for the purpose, and have been in the possession of the City since October 26, 1907, I would respectfully recommend that the Commissioners of the Sinking Fund authorize the execution of a lease of the premises 50 feet by 100 feet, on the southerly side of Myrtle avenue, 100 feet easterly of Harmon avenue, Evergreen, Borough of Queens, for a period of two years from November 1, 1907, for the use of the Bureau of Highways, at a rental of \$450 a year, payable quarterly, the lessor to pay for alterations and repairs and to pay water rent and furnish heat, light and janitor service. Lessor, Henry J. Glasser.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved, That the Corporation Counsel be and is hereby requested to prepare a lease to the City, from Henry J. Glasser, of the premises 50 feet by 100 feet on the southerly side of Myrtle avenue, 100 feet easterly of Harmon avenue, Evergreen, Borough of Queens, for the use of the President of the Borough of Queens, for a period of two years from November 1, 1907, at an annual rental of four hundred and fifty dollars (\$450), payable quarterly; the lessor to pay for alterations and repairs and to pay water rent and furnish heat, light and janitor service; and the Commissioners of the Sinking Fund deeming the said rent fair and reasonable, and that it would be for the interests of the City that such lease be made, the Comptroller be and is hereby authorized and directed to execute the same when prepared and approved by the Corporation Counsel, as provided by sections 149 and 217 of the Greater New York Charter.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution, relative to a renewal of the lease of premises in the Post Office Building, Westchester, Borough of The Bronx, occupied by the Police Department:

October 9, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—The Commissioner of the Department of Police in a communication dated September 21, 1908, requests renewals of leases of the two stores on the ground floor, eight rooms on the second floor, and the entire third floor of the premises in the Post Office Building, Westchester, for a station house for the Sixty-ninth Precinct, at an annual rental of \$3,500, for one year from January 1, 1909, and on the same terms and conditions as contained in the present existing leases. The lessor is William Henderson.

These premises were heretofore covered by two existing leases expiring on January 1, 1909.

Upon presenting the facts to you, you deemed it advisable that instead of having two leases, there be only one. You asked that an investigation be made of the matter to see if one lease would not be sufficient.

The premises occupied by the Sixty-ninth Precinct are in a three-story brick building, somewhat irregular in shape, about 72 feet front by 48 feet, on Williamsbridge road, formerly Main street. The building has four stores on the ground floor, two occupied by the post office, Nos. 1419 and 1421 Williamsbridge road, and two others, Nos. 1415 and 1417, occupied by the police station. These two stores have been thrown into one.

The Police Department also occupies all of the two upper floors of the building. The second floor was intended for offices and has eight large rooms and one toilet, besides a bath and toilet in the Captain's room, which was put in by the City. The top floor was intended for apartments, and has twenty small rooms, used as dormitories, and four baths and toilets. The City makes all interior improvements and repairs, including the heating plant. The precinct has seventy men.

The rent being the same as heretofore paid, this being simply a renewal of the premises heretofore occupied, I would respectfully recommend that the Commissioners of the Sinking Fund approve of the request of the Commissioner of the Police Department and authorize a lease of the two stores on the ground floor, eight rooms on the second floor, and the entire third floor in the Post Office Building, Williamsbridge road, Westchester, Borough of The Bronx, for a period of one year from January 1, 1909, at an annual rental of \$3,500, payable quarterly, and upon the same terms and conditions as contained in the existing lease. Lessor, William Henderson.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved, That the Corporation Counsel be and is hereby requested to prepare a lease to the City, from William Henderson, of the two stores on the ground floor, eight rooms on the second floor, and the entire third floor, in the Post Office Building, Williamsbridge road, Westchester, Borough of The Bronx, for use of the Police Department, for a period of one year from January 1, 1909, at an annual rental of three thousand five hundred dollars (\$3,500), payable quarterly, and upon the same terms and conditions as contained in the existing leases, and the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made, the Comptroller be and is hereby authorized and directed to execute the same when prepared and approved by the Corporation Counsel, as provided by sections 149 and 217 of the Greater New York Charter.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution, relative to a renewal of the lease of premises at No. 151 Crosby street, Borough of Manhattan, for use of the Police Department:

October 12, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—Hon. Theodore A. Bingham, Police Commissioner, in two communications addressed to the Commissioners of the Sinking Fund under date of October 6, 1908, requests that the Comptroller be authorized to execute a renewal of the two leases from Josephine M. Carney of the first and second lofts, premises No. 151 Crosby street, Borough of Manhattan, for a term of two years from February 1, 1909, at a total rental of \$2,160 a year.

The Commissioner, as will be seen by the letters herewith, afterwards amended his request by asking that the leases be for one year only. It is expected that these Bureau will be transferred to the new Police Headquarters within a year from this time.

The premises No. 151 Crosby street consist of a six-story brick building, 25 by 79 feet. The City has been occupying the first and second lofts for several years. The price now paid for the first loft is \$1,080 a year, and for the second loft \$960 a year. The lessor, Mrs. Josephine M. Carney, now asks that the rental of the first loft be increased to \$1,200 a year, an increase of \$120, owing to the increased value and increased taxes on the property.

The first loft is occupied as a storeroom by the Police Property Clerk, excepting a room about 14 by 23 feet on the Lafayette street front, which is used as an office for the Italian Branch of the Detective Bureau, which has a force of nineteen men. The second loft is used by the Police Department printing office, with a force of six men. Both of the present leases expire on February 1, 1909, and therefore the renewal may be in the form of a single lease.

The increase in the rent is not excessive, and the rental asked for the two lofts, \$2,160 a year, is in my opinion reasonable. I would therefore respectfully recommend that the Commissioners of the Sinking Fund authorize a renewal in one lease of the two leases for the first and second lofts of the premises No. 151 Crosby street, Borough of Manhattan, for a term of one year from February 1, 1909, at an annual rental of \$2,160, payable quarterly, otherwise upon the same terms and conditions as in the present existing lease. Lessor, Josephine M. Carney.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved, That the Corporation Counsel be and is hereby requested to prepare a lease to the City, from Josephine M. Carney, of the first and second lofts of the premises No. 151 Crosby street, Borough of Manhattan, for use of the Police Department, for a term of one year from February 1, 1909, at an annual rental of twenty-one hundred and sixty dollars (\$2,160), payable quarterly, otherwise upon the same terms and conditions as contained in the existing leases; and the Commissioners of the Sinking Fund, deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made, the Comptroller be and is hereby authorized and directed to execute the same when prepared and approved by the Corporation Counsel, as provided by sections 149 and 217 of the Greater New York Charter.

The report was accepted and the resolution unanimously adopted.

The following communication was received from the Bridge Department relative to a renewal of the lease of lands required for the easterly and westerly approaches to the temporary Madison Avenue Bridge over the Harlem River:

October 9, 1908.

Hon. N. TAYLOR PHILLIPS, Secretary, Commissioners of the Sinking Fund, No. 280 Broadway, New York City:

Sir—The lease between The City of New York and Bradley L. and Vashti G. Eaton, dated May 6, 1908, for "a strip of land running from the west side of Mott avenue westerly to the extreme limit of the United States Pier and bulkhead line, being a strip of land about 30 feet in width," will expire on January 20, 1909.

It is necessary to have this land, which is used for the easterly approach of the temporary bridge across the Harlem River while the new Madison Avenue Bridge is being constructed, for a further period of one year, and I therefore request the Commissioners of the Sinking Fund to authorize a renewal of this lease for one year from January 20, 1909, at a yearly rental of \$21,500, and on the same terms and conditions as contained in the last existing lease of these premises.

Yours truly,

J. W. STEVENSON, Commissioner.

October 9, 1908.

Hon. N. TAYLOR PHILLIPS, Secretary, Commissioners of the Sinking Fund, No. 280 Broadway, New York City:

Sir—The lease between The City of New York and Booth Brothers and the Hurricane Island Granite Company, dated May 6, 1908, for "a part of a strip of land about 28 feet wide, extending from Madison avenue to the Harlem River, between One Hundred and Thirty-seventh and One Hundred and Thirty-sixth streets, in the Borough of Manhattan," will expire on November 20, 1908.

It is necessary to have this land, which is used for temporary bridge purposes, until the completion of the new Madison Avenue Bridge across the Harlem River, and I therefore request the Commissioners of the Sinking Fund to authorize a renewal of this lease for one year from November 20, 1908, at a yearly rental of \$11,000, and on the same terms and conditions as contained in the last existing lease of these premises.

Yours truly,

J. W. STEVENSON, Commissioner.

In connection therewith the Comptroller presented the following report and offered the following resolutions:

October 15, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—The Commissioner of the Department of Bridges, in a communication dated October 9, 1908, states that the departmental lease between The City of New York and Booth Brothers and the Hurricane Island Granite Company, for a part of a strip of land about 28 feet wide, extending from Madison avenue to the Harlem River, between One Hundred and Thirty-sixth and One Hundred and Thirty-seventh streets, Borough of Manhattan, will expire on November 20, 1908. He states that it will be necessary to have this land, which is used for temporary bridge purposes, until the completion of the new Madison Avenue Bridge across the Harlem River, and requests the approval of the Commissioners of the Sinking Fund to a renewal of one year from November 20, 1908, at a yearly rental of \$11,000, and on the same terms and conditions as contained in the existing lease.

This property has been under lease to the City for a number of years past at the same rate and upon the same terms as the Commissioner now requests.

On the other side of the Harlem River the City also has a lease which expires on January 20, 1909, formerly made with the Church E. Gates Company, and now with Bradley L. and Vashti G. Eaton, and under date of October 9, 1908, the Commissioner asks that this lease also be renewed.

The property embodied in the lease is a strip of land running from the west side of Mott avenue westerly to the extreme limit of the United States pier and bulkhead line, about 30 feet in width, for which the rental charged is \$21,500.

During last year, at the time these leases were requested to be renewed, the matter, on being presented to the Commissioners of the Sinking Fund, was referred to the President of the Board of Aldermen, who desired to examine into the same. He reported to the Board and the matter passed at the meeting held May 6, 1908.

The rent in both cases being the same as heretofore charged, I would respectfully recommend that the Commissioners of the Sinking Fund approve of and authorize a

renewal of the lease from Bradley L. and Vashti G. Eaton of a strip of land running from the west side of Mott avenue westerly to the extreme limit of the United States pier and bulkhead line, being about 30 feet in width, Borough of The Bronx, for the use of the Department of Bridges, for the easterly approach of a temporary bridge across the Harlem River, for a period of ten months from January 20, 1908, so that this lease will expire at the same time as the lease of the property across the bridge, at an annual rental of \$21,500, payable quarterly; otherwise on the same terms and conditions as contained in the present existing lease.

I would further respectfully recommend that the Commissioners of the Sinking Fund approve of the renewal of the lease from Booth Brothers and the Hurricane Island Granite Company of a part of a strip of land about 28 feet wide, extending from Madison avenue to the Harlem River, between One Hundred and Thirty-seventh and One Hundred and Thirty-sixth streets, Borough of Manhattan, for the use of the Department of Bridges, for a period of one year from November 20, 1908, at an annual rental of \$11,000, payable quarterly, and upon the same terms and conditions as contained in the present existing lease.

Respectfully submitted for approval.

MORTIMER J. BROWN,

Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved, That the Comptroller be and is hereby authorized and directed to execute a renewal of the lease to the City, from Booth Brothers and the Hurricane Island Granite Company, of a part of a strip of land about 28 feet in width, extending from Madison avenue to the Harlem River, between One Hundred and Thirty-seventh and One Hundred and Thirty-sixth streets, Borough of Manhattan, for use of the Department of Bridges, for a period of one year from November 20, 1908, at an annual rental of eleven thousand dollars (\$11,000), payable quarterly, and upon the same terms and conditions as contained in the existing lease; the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

Resolved, That the Comptroller be and is hereby authorized and directed to execute a renewal of the lease to the City, from Bradley L. and Vashti G. Eaton, of a strip of land running from the west side of Mott avenue westerly to the extreme limit of the United States pier and bulkhead line, being a strip of land about 30 feet in width, Borough of The Bronx, for use of the Department of Bridges for the easterly approach to a temporary bridge across the Harlem River, for a period of ten months from January 20, 1908, at a rental at the rate of twenty-one thousand five hundred dollars (\$21,500) per annum, payable quarterly; otherwise upon the same terms and conditions as contained in the existing lease; the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolutions severally unanimously adopted.

The following communication was received from the Department of Bridges, relative to a renewal of the lease of premises at No. 214 Ely avenue, Borough of Queens:

October 9, 1908.

Hon. N. TAYLOR PHINNEY, Secretary, Commissioners of the Sinking Fund, No. 280 Broadway, New York City:

Sir—The lease between The City of New York and Martin Heilbut, dated November 13, 1907, for the top flat, containing five rooms and bath, in the premises No. 214 Ely avenue, Borough of Queens, will expire November 19, 1908.

These premises are used in connection with the construction of the Blackwells Island Bridge by the Engineer in Charge, and also by the Inspectors on same, and will be required for at least three months longer.

The owner will consent to a further extension of this lease for a period of three months from November 19, 1908, with the privilege of a still further renewal from month to month, at a monthly rental of \$22, and I therefore request the Commissioners of the Sinking Fund to authorize the renewal of said lease for a period of three months from November 19, 1908, with the privilege of renewal for a further period of three months, if found necessary, at a monthly rental of \$22.

Yours truly,

JOHN H. LITTLE, Deputy and Acting Commissioner.

In connection therewith the Comptroller presented the following report and offered the following resolution:

October 12, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—The Commissioners of the Sinking Fund at a meeting held November 13, 1907, approved of the request of the Commissioner of the Department of Bridges and authorized a lease for a period of one year from the date of occupation of the top flat, containing five rooms and bath, in the premises No. 214 Ely avenue, Borough of Queens. The premises were used in connection with the construction of the Blackwells Island Bridge by the Engineer in charge and also by the Inspectors on said bridge.

Under date of October 9, 1908, the Commissioner states that the premises above mentioned will be required for at least a period of three months longer; that the owner will consent to a further extension of the lease for said period of three months from November 19, 1908, with the privilege of a further renewal from month to month, at a monthly rental of \$22. The rent being the same as heretofore paid, I would respectfully recommend that the request of the Commissioner be approved and that a lease be authorized for a period of three months from November 19, 1908, at a monthly rental of \$22, said lease to contain a clause that the City has the privilege of renewing the lease for the period of three months at the same monthly rental. This lease being for a period of three months only, the owner requests that the rental be paid monthly.

The sentiment of the Commissioners of the Sinking Fund during the past year has been that these rents should be paid quarterly. I think on the question of monthly rentals the Commissioners might waive this quarterly clause.

Respectfully submitted for approval.

MORTIMER J. BROWN,
Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved, That the Comptroller be and is hereby authorized and directed to execute a renewal of the lease to the City, from Martin Heilbut, of the top flat in the premises No. 214 Ely avenue, Borough of Queens, for use of the Department of Bridges, for a period of three months from November 19, 1908, at a monthly rental of twenty-two dollars (\$22), with the privilege of further renewal for a like period of three months at the same rental, otherwise upon the same terms and conditions as contained in the existing lease; the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution, relative to a renewal for a period from September 1 to September 17, 1908, of the

lease of premises at the corner of Atlantic avenue and Clinton street, Borough of Brooklyn, occupied by the Court of Special Sessions:

October 16, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—The Commissioners of the Sinking Fund at a meeting held April 14, 1908, adopted a resolution in relation to the lease of premises for the Court of Special Sessions in the Brooklyn Atheneum Company Building, situated on the northeast corner of Atlantic avenue and Clinton street, Borough of Brooklyn. There is a clause in the resolution adopted by the Commissioners of the Sinking Fund reading as follows:

"The present existing lease to hold in force and effect until the building has been thoroughly overhauled and repaired, and certificate therefor given by Judge Wilkins when the new lease to be entered into shall take effect."

The last existing lease authorized by the Commissioners of the Sinking Fund, at a meeting held September 20, 1907, was for a period of one year from September 1, 1907, at an annual rental of \$1,600, payable monthly, the owner to furnish heat, light and janitor service.

Hon. Robert J. Wilkins, Justice of the Court of Special Sessions of the Second Division of The City of New York, in a communication dated October 1, 1908, transmits his certificate of the completion of the alterations of the building, in accordance with the provisions of the resolution adopted by the Commissioners of the Sinking Fund on April 14, 1908. Said communication and certificate are hereto annexed. The Judge's certificate states that the work done in said building was completed and approved by him as of September 17, 1908, and that the term of said lease and the rent to be paid thereunder shall begin from said date—that is, September 17, 1908.

I would therefore respectfully recommend that the Commissioners of the Sinking Fund take the following action:

1. That the Comptroller be authorized to pay the rent to the Brooklyn Atheneum and Reading Room, D. Irving Mead, treasurer, for a period from September 1, 1908, to September 17, 1908, at an annual rental of \$1,600, without the necessity of entering into a lease.
2. That Judge Wilkins' certificate be printed in the Minutes, in order that the beginning of the lease shall be September 17, 1908. Said lease will run, therefore, for a period of five years from September 17, 1908, with the privilege of renewal.

Respectfully submitted for approval.

MORTIMER J. BROWN,
Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved, That the Comptroller be and is hereby authorized to pay to the Brooklyn Atheneum and Reading Room, D. Irving Mead, treasurer, the rental of premises occupied by the Court of Special Sessions, at the corner of Atlantic avenue and Clinton street, Borough of Brooklyn, for a period from September 1 to September 17, 1908, at a rental at the rate of four thousand six hundred dollars (\$4,600) per annum, without the necessity of entering into a lease.

The report was accepted and the resolution unanimously adopted.

The following communication was received from the Fire Department, relative to a renewal of the leases of the following premises:

1. Dock at the foot of Main street, Brooklyn.
2. Dock at the foot of North Eighth street, Brooklyn.
3. Premises on the Boulevard, near Bay View avenue, Rockaway Beach.

October 6, 1908.

The Honorable Commissioners of the Sinking Fund, No. 280 Broadway, New York City:

GENTLEMEN—A communication has been received here from the Deputy Fire Commissioner, Boroughs of Brooklyn and Queens, the same reading as follows:

Brooklyn, October 1, 1908.

Hon. NICHOLAS J. HAYES, Fire Commissioner:

Sir—I beg to advise that the leases on following premises occupied by this Department will expire on the dates enumerated, viz:

How Occupied and Location.	Lessor.	Expires.	Annual Rent.
Quarters of Engine 123, dock foot of Main street, Brooklyn.	Union Ferry Company.	Dec. 31, 1908	\$1,000 00
Quarters of Engine 123, dock foot of North Eighth street, Brooklyn.	Havemeyer & Elder.	Dec. 31, 1908	\$1,000 00
Quarters of Chief of Forty-seventh Battalion, Boulevard, near Bay View avenue, Rockaway Beach.	Frank Baldwin.	Jan. 3, 1909	\$600 00

I would recommend that the Commissioners of the Sinking Fund be requested to renew the aforesaid leases for a period of one year from the date of the expiration thereof, under the best terms they may be able to obtain from the lessors.

Respectfully,

(Signed) CHAS. C. WISE,
Deputy Fire Commissioner, Boroughs of Brooklyn and Queens.

I have the honor to state that I have approved the recommendation contained in the foregoing communication, and to request that you kindly cause action to be taken in conformity therewith.

Respectfully,

NICHOLAS J. HAYES, Commissioner.

In connection therewith the Comptroller presented the following report and offered the following resolutions:

October 16, 1908.

The rent being the same as heretofore paid, I would respectfully recommend that the Commissioners of the Sinking Fund approve of the request of the Commissioner of the Fire Department and authorize a renewal of the following leases for a period of one year from the dates herein set forth and upon the same terms and conditions as contained in the existing leases:

How Occupied and Location.	Lessor.	Expires.	Annual Rent.
Quarters of Engine 123, dock foot of Main street, Brooklyn.	Union Ferry Company.	Dec. 31, 1908	\$1,000 00
Quarters of Engine 123, dock foot of North Eighth street, Brooklyn.	Havemeyer & Elder.	Dec. 31, 1908	\$1,000 00
Quarters of Chief of Forty-seventh Battalion, Boulevard, near Bay View avenue, Rockaway Beach.	Frank Baldwin.	Jan. 3, 1909	\$600 00

Respectfully submitted for approval.

MORTIMER J. BROWN,
Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved, That the Comptroller be and is hereby authorized and directed to execute a renewal of the lease to the City, of the dock at the foot of Main street, Borough of Brooklyn, occupied by the Fire Department, for a period of one year from December 31, 1908, at an annual rental of one thousand dollars (\$1,000), payable quarterly, and upon the same terms and conditions as contained in the existing lease; lessor, Union Ferry Company. The Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

Resolved, That the Comptroller be and is hereby authorized and directed to execute a renewal of the lease to the City, of the dock at the foot of North Eighth street, Borough of Brooklyn, occupied by the Fire Department, for a period of one year, from December 31, 1908, at an annual rental of one thousand dollars (\$1,000), payable quarterly, and upon the same terms and conditions as contained in the existing lease; lessor, Havemeyer & Elder. The Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

Resolved, That the Comptroller be and is hereby authorized and directed to execute a renewal of the lease to the City, of premises on the Boulevard near Bayview avenue, Rockaway Beach, Borough of Queens, occupied by the Fire Department, for a period of one year from January 8, 1909, at an annual rental of six hundred dollars (\$600), payable quarterly, and upon the same terms and conditions as contained in the existing lease; lessor, Frank Baldwin. The Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolutions severally unanimously adopted.

The following communications were received from the Trustees of Bellevue and Allied Hospitals relative to the hiring of the following premises:

1. No. 230 East Twenty-seventh street, Borough of Manhattan.
2. No. 129 Lexington avenue, Borough of Manhattan.

September 24, 1908.

Hon. N. TAYLOR PHILLIPS, Secretary, Commissioners of the Sinking Fund:

Sir—The Trustees of Bellevue and Allied Hospitals have the honor to request permission to rent four rooms from Mrs. Margaret Mary Gilday, No. 230 East Twenty-seventh street, New York, for a period not exceeding six months, at a weekly rental of \$16. This request is necessary in order to house the extra Internes for whom no accommodations can be found in the hospital. The temporary renting of rooms in the Students' Club, at No. 129 Lexington avenue, for a similar purpose, was requested on July 2 last. The making of the structural changes mentioned in that letter has been delayed on account of lack of funds, and the rooms in the Students' Club must be vacated at once. A copy of the letter of July 2, 1908, is enclosed.

Respectfully,

JOHN W. BRANNAN,
President, Board of Trustees.

July 2, 1908.

Hon. N. TAYLOR PHILLIPS, Secretary, Commissioners of the Sinking Fund:

Sir—The Trustees of Bellevue and Allied Hospitals have the honor to request permission to rent three rooms for six men in the Students' Club, No. 129 Lexington avenue, for a period not exceeding three months, at a weekly rental of \$15. This request is necessitated by an increase in the number of Internes in Bellevue Hospital, for which no accommodation can be found in the hospital. Structural changes are to be made as rapidly as possible, so as to provide additional rooms in the hospital. The renting of these rooms in the Students' Club is, therefore, but temporary, although urgent.

Respectfully,

(Signed) JOHN W. BRANNAN,
President, Board of Trustees.

In connection therewith the Comptroller presented the following report and offered the following resolutions:

October 2, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—Dr. John W. Brannan, President, Board of Trustees of Bellevue and Allied Hospitals, in a letter to the Commissioners of the Sinking Fund, under date of September 24, 1908, requests permission to lease four rooms from Mrs. Margaret M. Gilday, No. 230 East Twenty-seventh street, Borough of Manhattan, for a period not exceeding six months, at a weekly rental of \$16, such rooms being required to house the extra Internes of Bellevue Hospital, for whom no accommodations can be found in the hospital during the structural changes now in progress. He also encloses a copy of a letter of July 2, 1908, the original of which does not appear to have ever reached this Bureau, in which he asks that permission be granted to rent three rooms for six men in the Students' Club, No. 129 Lexington avenue, for a period not exceed three months, at a weekly rental of \$15.

The four rooms now wanted at No. 230 East Twenty-seventh street consist of two ordinary bedrooms and two small sitting rooms furnished with folding beds, also to be used as bedrooms, on the third floor of the Laurestelle apartment house. The rooms are of a fair size and are furnished with steam heat, gas and water. The rental asked, \$16 a week, is fair and reasonable.

I would therefore respectfully recommend that the Commissioners of the Sinking Fund grant permission to rent these four rooms for a period not exceeding six months, at a weekly rental of \$16, and that the Comptroller be authorized to pay the rent without the necessity of entering into a lease therefor.

I find as to the rooms in the Students' Club that this club is occupied in the winter by the students of Bellevue and Cornell Medical Schools, who are charged \$3 a week for lodgings, but in the summer the house is comparatively empty.

Dr. Brannan's letter asks for three rooms for six men at \$15 a week, which would be at the rate of \$2.50 for each man. I find that but five men from the hospital occupied rooms in the clubhouse during the past summer, as follows:

	Weeks,
Dr. Boyer, July 7 to September 24.	112-7
Dr. Jackson, July 7 to September 24.	112-7
Dr. Kinbaugh, July 9 to September 24.	11
Dr. Lackey, July 7 to September 25.	112-7
Dr. Fowler, August 11 to September 24.	61-7
 Total	 51

I attach hereto the bill received from the Students' Club, in which it will be seen that for some of these Internes a charge of \$4 a week is made, while for others the charge is only \$3. A letter accompanying the bill says:

"You will notice that we have been compelled to charge at a little higher rate for these men, owing to the fact that they required a change of bed and towels each morning during their entire stay."

Without commenting upon this stated reason for the increase and upon the requirements of these young gentlemen in the matter of bed linen, I would respectfully recommend that the Commissioners of the Sinking Fund approve of the bill at the rate of \$3 a week, the regular charge at the club for lodgings, namely, 51 weeks at \$3 a week, \$153.

Respectfully submitted for approval.

MORTIMER J. BROWN,
Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved, That the Commissioners of the Sinking Fund hereby approve of the hiring, by the Trustees of Bellevue and Allied Hospitals, of three rooms in the Students' Club, No. 129 Lexington avenue, Borough of Manhattan, for a period of 51 weeks, at a rental of three dollars (\$3) per week, and the Comptroller be and is hereby authorized to pay to the Students' Club the sum of one hundred and fifty-three dollars (\$153), being the rental of said premises for said period, without the necessity of entering into a lease.

Resolved, That the Commissioners of the Sinking Fund hereby approve of the hiring, by the Board of Trustees of Bellevue and Allied Hospitals, of four rooms in premises No. 230 East Twenty-seventh street, Borough of Manhattan, for a period not exceeding six months, at a weekly rental of sixteen dollars (\$16), and that the Comptroller be and is hereby authorized to pay said rental to Mrs. Margaret M. Gilday without the necessity of entering into a lease.

The report was accepted and the resolutions severally unanimously adopted.

The Comptroller presented the following report and offered the following resolution, relative to an assignment of Rooms 30 and 32, in the Municipal Building, Borough of Brooklyn, to the Department of Taxes and Assessments:

September 25, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—Hon. Lawson Purdy, Commissioner of the Department of Taxes and Assessments, in a communication dated December 19, 1907, addressed to the Commissioners of the Sinking Fund, states that the rooms on the third floor of the Municipal Building, Borough of Brooklyn, for many years occupied as the headquarters of the Second Brigade, National Guard, will soon be vacated, it being the intention of the Brigade Commander to occupy rooms in the Twenty-third Regiment armory. That his Department has used these rooms jointly with the Brigade headquarters for some time past, and without this privilege the work of his Department would have been seriously embarrassed; that in the interest of the service and for the necessary desk room for Clerks and Deputies, he respectfully asks that the rooms in question, upon the removal of the Brigade headquarters, be assigned to his Department.

Subsequent to the receipt of Mr. Purdy's letter, the President of the Borough of Brooklyn in a communication under date of January 13, 1908, addressed to the Commissioners of the Sinking Fund, requested the assignment of Rooms 30 and 32 in the Municipal Building, occupied by the Second Brigade, to his Bureau of Highways, and he transmitted with his communication a report of Mr. Farrell, Superintendent of Highways, and also of Mr. Sheridan, Chief Engineer.

Under date of January 22, 1908, a communication was transmitted by you to the President of the Borough of Brooklyn, in which, after stating that this office had made an examination, you said that both the Bureau of Highways and the Department of Taxes and Assessments were jointly using rooms 30 and 32, also showing that the Bureau of Highways had three small rooms in the front part of the building on Joralemon street, containing in area about 360 square feet, which if turned Department of Taxes and Assessments all the room that said Department requires; and if the Department of Taxes and Assessments would turn over Rooms 30 and 32, containing about 2,200 square feet, it would show a gain for the Bureau of Highways of about 1,540 square feet.

His attention was called to the fact that prior to his application, the Department of Taxes and Assessments had applied to the Commissioners of the Sinking Fund for the same rooms, and a suggestion was made to him that in order to facilitate the business of the City, he direct the Superintendent of Highways to relinquish the three front rooms on the second floor, front, Joralemon street, to the Department of Taxes and Assessments, and that the Department of Taxes and Assessments would relinquish its right to occupy Rooms 30 and 32 to the Highway Bureau.

Under date of January 31, 1908, the President of the Borough replies, transmitting a report of the Chief Engineer relative to the matter.

Under date of February 7, 1908, we answered the communication of January 31, and called Mr. Coler's attention to the fact that we had many interviews with Mr. Sheridan and Mr. Tully, and unless he was willing to relinquish the three small rooms in the front part of the Municipal Building adjoining the rooms now occupied by the Department of Taxes and Assessments, or relinquish the two rooms in the rear on the same floor, adjoining the Department of Taxes and Assessments, that a recommendation would be made to the Commissioners of the Sinking Fund, suggesting their approval to the request of Mr. Purdy, for the reason that if the Personal Tax Department of the Department of Taxes and Assessments cannot secure suitable room for their needs on the floor where they are now situated, they will be compelled to remove the entire Personal Tax Department to Rooms 30 and 32. No further action was taken thereon.

Under date of June 16, 1908, the President of the Department of Taxes and Assessments again requests the Commissioners of the Sinking Fund for the space formerly asked for in the Municipal Building.

Under date of July 9, 1908, the President of the Department of Taxes and Assessments addresses the Commissioners of the Sinking Fund, stating that he has been informed that the Brigade Commander of the National Guard of the Borough of Brooklyn has this day moved his office from the Municipal Building; that he has occupied that office in part for a number of years, as he has already informed us. He desires to have the room definitely assigned to his Department as he has heretofore requested, and pending such assignment, he will continue to use the rooms.

I would, therefore, respectfully recommend that the Commissioners of the Sinking Fund adopt a resolution assigning Rooms 30 and 32 in the Municipal Building, Borough of Brooklyn, formerly occupied as headquarters of the Second Brigade, National Guard, State of New York, for the use of the President of the Department of Taxes and Assessments in and for said Borough, during the pleasure of said Commissioners of the Sinking Fund, and that whenever it is expedient so to do, so as not to interfere with the proper conduct of his office, he will permit the use of said rooms to the Commissioners of Accounts, or any sub-officer of the President of the Borough of Brooklyn.

Respectfully submitted for approval.

MORTIMER J. BROWN,
Appraiser of Real Estate, Department of Finance.

Approved:

H. A. METZ, Comptroller.

Resolved, That, pursuant to the provisions of section 205 of the amended Greater New York Charter, the Commissioners of the Sinking Fund hereby assign Rooms 30 and 32 in the Municipal Building, Borough of Brooklyn, formerly occupied as headquarters for the Second Brigade, National Guard of New York, for use of the Department of Taxes and Assessments for said Borough, it being understood that the President of the Department of Taxes and Assessments will permit the use of said rooms by the Commissioners of Accounts, and by any subordinate official of the President of the Borough of Brooklyn, whenever it is expedient so to do without interfering with the proper conduct of the Tax Department, said assignment to continue during the pleasure of the Commissioners of the Sinking Fund.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution, relative to an issue of Corporate Stock to the amount of \$6,000, for additions and alterations to the steam heating apparatus in the Sixty-ninth Regiment armory, Borough of Manhattan:

October 5, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—Under date of June 24, 1907, the Secretary of the Armory Board, forwarded to the Commissioners of the Sinking Fund, a copy of the following resolution:

"Resolved, That the sum of \$6,000 be and is hereby appropriated for additions and alterations to the steam heating apparatus in the Sixty-ninth Regiment armory,

Lexington avenue, Twenty-fifth and Twenty-sixth streets, Borough of Manhattan; that the Commissioners of the Sinking Fund be requested to concur therein, and authorize the Comptroller to issue Bonds to provide for the payment thereof, and that the Secretary be directed to advertise for bids or proposals for doing the work."

The matter was referred to this Department and held here for the following reasons:

It will be recalled that the Sixty-ninth Regiment armory had been in use through two winters prior to the date of this letter, but that not all the money due the contractor for its erection had been paid, owing to some unsatisfactory features of the work. This retained money was held in this Department and not by request of the Armory Board. Therefore when the pending request for \$6,000 was made by the Armory Board, it was thought possible that the contractor who had installed the heating plant in the armory might be held responsible for such defects as appeared.

The matter was taken up with the heating contractors and certain modifications and improvements were made, with the hope of successfully heating the armory in the coldest weather, but it was found that with the addition of a considerable amount of radiating surface and minor modifications in the plant itself, it was impossible to heat the building to seventy (70) degrees in the coldest weather, and it seemed to those interested that under the conditions of the present installation it would be impossible to heat it no matter how great an increase were made in the radiating surface.

The fault of the system as installed seems to be, that as designed, it is adapted to the use of high pressure steam through the medium of a reducing valve and was designed for that purpose as stated in the accompanying letter of the architects for the building.

The present situation therefore is that the plant in the armory is insufficient to heat the building in the coldest weather to a proper degree and some modifications must be made.

The modifications necessary are, the removal of the present return lines, changes in the piping at and near the boilers, the removal of certain valves and other changes which will reduce the system to a simple gravity return heating plant.

It is probable that the \$6,000 mentioned in this resolution is quite sufficient to cover the cost, including architects' fees.

The work being necessary, I think the Commissioners of the Sinking Fund may properly concur in the resolution as requested by the Armory Board, and authorize the Comptroller to issue Bonds to the amount of \$6,000 for additions and alterations to the steam heating apparatus in the Sixty-ninth Regiment armory, Lexington avenue, Twenty-fifth and Twenty-sixth streets, Borough of Manhattan.

Respectfully,

W. H. ROBERTS,
Assistant Engineer in Charge of Bureau.

Approved:

H. A. METZ, Comptroller.

Whereas, The Armory Board at meeting held June 24, 1907, adopted the following resolution:

"Resolved, That the sum of six thousand dollars (\$6,000) be and is hereby appropriated for additions and alterations to the steam heating apparatus in the Sixty-ninth Regiment armory, Lexington avenue, Twenty-fifth and Twenty-sixth streets, Borough of Manhattan; that the Commissioners of the Sinking Fund be requested to concur therein, and authorize the Comptroller to issue Bonds to provide for the payment thereof, and that the Secretary be directed to advertise for bids or proposals for doing the work."

Resolved, That the Commissioners of the Sinking Fund hereby concur in said resolution, and that for the purpose of providing means for the payment thereof, the Comptroller be and is hereby authorized and directed, pursuant to the provisions of chapter 312 of the Laws of 1898, to issue Corporate Stock of The City of New York, in the manner provided by section 169 of the Greater New York Charter, to the amount of six thousand dollars (\$6,000), the proceeds whereof to be applied to the payment of the expenses aforesaid.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following statement and offered the following resolutions, relative to a sale of buildings upon property acquired for public purposes:

October 8, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—Pursuant to section 1553 of the Revised Charter, the authority to sell buildings situated upon land owned by The City of New York is vested in the Commissioners of the Sinking Fund.

This office is in receipt of several communications requesting the sale of buildings situated upon City property, to wit:

First—Request from the President of the Borough of Brooklyn to sell buildings situated on the land lying within the lines of Montrose avenue, from Union avenue to Broadway, in the Sixteenth Ward of the Borough of Brooklyn, acquired for street opening purposes.

Second—Request from the Commissioner of the Department of Water Supply, Gas and Electricity to sell buildings situated on land at Wantagh, Long Island, acquired for pipe line purposes.

I would therefore respectfully request that two resolutions for the sale of the said buildings be adopted by the Commissioners of the Sinking Fund, and resolutions are herewith submitted.

Respectfully submitted for approval.

JOHN M. GRAY,
Collector of City Revenue.

Approved:

H. A. METZ, Comptroller.

Whereas, The President of the Borough of Brooklyn has requested the sale of all buildings, parts of buildings, etc., now standing upon property owned by The City of New York, located in the Borough of Brooklyn, acquired by it for street opening purposes, said buildings being situated upon land more particularly described as follows:

Being all those buildings, parts of buildings, etc., situated on the land lying within the lines of Montrose avenue, from Union avenue to Broadway, in the Sixteenth Ward of the Borough of Brooklyn, and which are more particularly described on a certain map on file in the office of the Collector of City Revenue, Department of Finance, No. 280 Broadway, Borough of Manhattan.

Resolved, That the Commissioners of the Sinking Fund, by virtue of the powers vested in them by law, hereby authorize and order the sale at public auction, at the highest marketable prices, of all the buildings, parts of buildings, etc., upon the following terms and conditions:

The buildings and appurtenances thereto will be sold to the highest bidder, who must pay immediately cash or a certified check drawn to the order of the Comptroller of The City of New York, and must also at the time of sale give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of fifty dollars, the sum of fifty dollars shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied by the City to the cost of completing any of the work required under the contract, but unfinished at the expiration of the contract period.

All the material of the buildings, sheds, walks, structures and cellars of whatsoever nature, with their exterior and interior fixtures, appurtenances and foundations of all kinds, except the sidewalk and curb in front of said buildings, extending within the described area and down to the level of the cellar bottom, shall be torn down and removed from the premises. None of the dirt, debris or waste resulting from demolition shall be allowed to remain on the premises, except old mortar or plaster only, which may be left, but not higher at any point than two feet below the curb opposite that point; also the foundation walls of all classes shall be taken down only to a plane whose elevation shall be the level of the curb in front of the building.

The purchaser at the sale shall also withdraw and remove all abandoned water taps and old service mains, and in place thereof cause to be inserted a brass plug in the main water pipe in the street, in compliance with the rules and regulations of the Department of Water Supply, Gas and Electricity, and furnish the Department of Finance with a certificate from the Department of Water Supply, Gas and Electricity that this has been performed.

The purchaser at the sale shall also remove all house sewer connections to the main sewer in the street, and the opening of the main sewer in street shall be properly closed in compliance with the directions of the Bureau of Sewers, Borough of Brooklyn, and furnish the Department of Finance with a certificate from the Bureau of Sewers that the work has been properly performed.

The permit for all opening in the street to be obtained by and at the expense of the purchaser of the building.

Failure to remove said buildings, appurtenances, or any part thereof, within sixty days from the day of sale will work forfeiture of ownership of such buildings, appurtenances, or portion, as shall then be left standing, together with all moneys paid by said purchaser on account thereof at the time of the sale, and the bidder's assent to the above conditions being understood to be implied by the act of bidding, and The City of New York will, without notice to the purchaser, cause the same to be removed, and the costs and expense thereof charged against the security above mentioned.

The work of removal must be carried on in every respect in a thorough and workmanlike manner, and must be completed within sixty days from the day of sale, and the successful bidder will provide and furnish all materials of labor and machinery necessary thereto, and will place proper and sufficient guards and fences and warning signs by day and night for the prevention of accidents, and will indemnify and save harmless The City of New York, its officers, agents and servants, and each of them, against any and all suits and actions, claims and demands of every name and description brought against it, them or any of them, and against and from all damage and costs to which it, they or any of them be put by reason of injury to the person or property of another, resulting from negligence or carelessness in the performance of the work, or in guarding the same, or from any improper or defective materials or machinery, implements or appliances used in the removal of said buildings.

Party walls and fences, when existing against adjacent property not sold, shall not be taken down. All furring, plaster, chimneys, projecting brick, etc., on the faces of such party walls, are to be taken down and removed. The walls shall be made permanently self-supporting, beam-holes bricked up, and the walls pointed and made to exclude wind and rain and present a clean exterior. The roofs of adjacent buildings shall be properly flashed and painted and made watertight where they have been disturbed by the operations of the contractor.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids; and it is further

Resolved, That, while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized to cause the sale to be advertised and to direct the sale thereof as financial officer of the City.

Whereas, The Commissioner of the Department of Water Supply, Gas and Electricity has requested the sale of all buildings, parts of buildings, etc., now standing upon property owned by The City of New York, located in the Village of Wantagh, L. I., acquired by it for pipe line purposes, said buildings being situated upon land more particularly described as follows:

Beginning at a point formed by the intersection of the westerly line of public road known as Jones avenue, Wantagh, L. I., with the southerly line of the property of The City of New York, said point being also 200 feet south of the southerly line of the property of the Long Island Railroad Company, measured in a perpendicular line; thence northerly along the westerly line of public road, Jones avenue, and the easterly line of the property of The City of New York, 111.06 feet; thence easterly, deflecting to the right 87 degrees 7 minutes and 10 seconds, 574.76 feet; thence still easterly, deflecting to the left 18 degrees 47 minutes and 10 seconds, 1,037.67 feet to the southerly line of Seaford avenue; thence still easterly, deflecting to the right 18 degrees 52 minutes and 10 seconds along the southerly line of Seaford avenue and its prolongation, 1,428.1 feet; thence northeasterly, deflecting to the left 51 degrees 27 minutes and 40 seconds, 59.93 feet, to the southerly line of Maple avenue; thence easterly along the southerly line of Maple avenue 93 feet; thence northerly at right angles to Maple avenue, 60 feet; thence easterly along the northerly line of Maple avenue 180 feet; thence southerly at right angles to Maple avenue 60 feet; thence westerly along the southerly line of Maple avenue 123.92 feet; thence southwesterly, deflecting to the left 30 degrees, 172.27 feet; thence westerly, deflecting to the right 28 degrees 42 minutes and 30 seconds, 1,237.80 feet; said course being 100 feet south of and parallel to the third mentioned course; thence still westerly, deflecting to the right 18 degrees 47 minutes and 10 seconds, 562.23 feet; thence still westerly, deflecting to the left 17 degrees 29 minutes and 40 seconds, 36.32 feet, to the point or place of beginning.

All of which are more particularly described on a certain map on file in the office of the Collector of City Revenue, Department of Finance, No. 280 Broadway, Borough of Manhattan.

Resolved, That the Commissioners of the Sinking Fund, by virtue of the powers vested in them by law, hereby authorize and order the sale at public auction, at the highest marketable prices, of all the buildings, parts of buildings, etc., upon the following terms and conditions:

The buildings and appurtenances thereto will be sold to the highest bidder, who must pay immediately cash or a certified check drawn to the order of the Comptroller of The City of New York, and must also at the time of sale give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of fifty dollars, the sum of fifty dollars shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied by the City to the cost of completing any of the work required under the contract, but unfinished at the expiration of the contract period.

All the materials of the buildings, sheds, walks, structures and cellars of whatsoever nature, with their exterior and interior fixtures, appurtenances and foundations

of all kinds, except the sidewalk and curb in front of said buildings extending within the described area and down to the level of the cellar bottom, shall be torn down and removed from the premises. None of the dirt, debris or waste resulting from demolition shall be allowed to remain on the premises, except old mortar or plaster only, which may be left, but not higher at any point than two feet below the curb opposite that point; also the foundation walls of all classes shall be taken down only to a plane whose elevation shall be the level of the curb in front of the building.

Failure to remove said buildings, appurtenances, or any portion thereof, within sixty days from the day of the sale, will work forfeiture of ownership of such buildings, appurtenances, or portion as shall then be left standing, together with all moneys paid by said purchaser on account thereof at the time of the sale, and the bidder's assent to the above conditions being understood to be implied by the act of bidding, and The City of New York will, without notice to the purchaser, cause the same to be removed and the costs and expense thereof charged against the security above mentioned.

The work of removal must be carried on in every respect in a thorough and workmanlike manner and must be completed within sixty days from the day of sale, and the successful bidder will provide and furnish all materials of labor and machinery necessary thereto, and will place proper and sufficient guards and fences and warning signs by day and night for the prevention of accidents, and will indemnify and save harmless The City of New York, its officers, agents and servants, and each of them, against any and all suits and actions, claims and demands of every name and description brought against it, them or any of them, and against and from all damage and costs to which it, they or any of them be put by reason of injury to the person or property of another, resulting from negligence or carelessness in appliances used in the removal of said buildings.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids; and it is further

Resolved, That while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized to cause the sale to be advertised and to direct the sale thereof as financial officer of the City.

The report was accepted and the resolutions severally unanimously adopted.

The Comptroller presented a report relative to application of James Vreeland for a release or quit-claim of the City's interest in and to an old school site in the former Town of Southfield, Staten Island, which was laid over on account of the matter requiring a unanimous vote and there being only four members present.

The Comptroller presented a report relative to an application of Samuel Wiesenfeld for a release or quit-claim of the City's interest in Lots Nos. 69 and 70 on map of Southfield Park, Town of Southfield, Borough of Richmond, which was laid over, on account of the matter requiring a unanimous vote and there being only four members present.

The Comptroller presented a report relative to an application of Mrs. Emily A. Beatty, for a release or quit-claim of the City's interest in property described in the former tax map of the County of Richmond as Richmond County, Southfield, Town of, Ocean View, Map of, at Great Kills, Gifford's Station 1888, Lot No. 30, which was laid over on account of the matter requiring a unanimous vote and there being only four members present.

The Comptroller presented a report relative to an application of Irvine B. York, for a release or quit-claim of the City's interest in property described as Town of Southfield, Map or page 4, Lot No. 646, which was laid over on account of the matter requiring a unanimous vote and there being only four members present.

The following petitions were received from Lemuel H. Pierce, and Lemuel H. Pierce and others for releases or quit-claims of the City's interests in and to part of the old Boston Post road at Bryant street in the Borough of The Bronx:

December 5, 1906.

To Honorable the Sinking Fund Commissioners:

GENTLEMEN—Pursuant to the law applicable to such case, and as counsel for the petitioners, I herewith respectfully submit the petitions of Lemuel H. Pierce and others, and of Lemuel H. Pierce, individually, owners of land fronting on Bryant street, Twenty-fourth Ward, praying that a certain parcel of land fronting upon their premises be released to them by The City of New York, upon such terms as you may approve and authorize.

As appears by said petitions, the frontage of these petitioners on Bryant street has, by certain proceedings instituted by the City to acquire title to land abutting on Bryant street, been taken by the City in these proceedings to lay out and establish that street, thus cutting off ingress or egress from the street to their property, which theretofore had a frontage on the Boston or Old Post road.

The land which is asked to be released by the City and which will restore the desired frontage is, as I am advised, and as the Corporation Counsel will not dispute, of no use whatever to the City, being an irregular parcel covered by the proceedings, but having no relation to the line of Bryant street as established therein.

I have consulted the Corporation Counsel as to these proceedings and have prepared the inclosed petitions in a form which I understand is satisfactory to him.

Respectfully yours,

C. W. WEST,
of Counsel for Lemuel H. Pierce and Others.

To the Commissioners of the Sinking Fund of The City of New York:

The petition of Lemuel H. Pierce, Emma F. Pierce and William B. Pierce respectfully shows:

That heretofore and for forty years past your petitioners, or their father, Lemuel Pierce, have owned, and now own, in fee simple, and were, and now are, in possession of a certain piece or parcel of land having its easterly frontage upon the old Boston Post road, until the proceeding to open Bryant street was instituted.

That heretofore and in or about the year 1898 a proceeding was duly instituted, pursuant in law, by The City of New York, relative to acquiring title, wherever the same had not been theretofore acquired, to Bryant street, from East One Hundred and Seventy-sixth street to East One Hundred and Eighty-second street, in the Twenty-fourth Ward, Borough of The Bronx, City of New York. That such proceedings were thereafter duly had in the matter of the said application and special proceedings, that Commissioners of Estimate and Assessment were duly appointed therein, and, on or about August 21, 1904, duly made their report therein to the Supreme Court of the State of New York, which report was, by order of said Court, duly entered in said proceeding, and dated May 31, 1906, confirmed as to awards for damages, as by reference thereto, will more fully appear.

That in and by said proceeding to open said Bryant street the entire easterly front of the aforesaid land now owned and held by your petitioners as aforesaid (the said front being prior to the institution of said proceeding the easterly front of said land on the old Boston Post road) was cut off from its frontage on said Bryant street, and thereby your petitioners were, and now are, entirely deprived of any frontage upon or means of ingress or egress to said lot to or from Bryant street. That said Bryant

street has been regulated pursuant to the aforesaid proceedings to open the same, and by reason thereof the said land of your petitioners adjacent to the said westerly line of said street as established in said proceeding, is now some fourteen feet, on an average, above the surface of the roadbed of said Bryant street as so regulated. That in and by said proceedings to open Bryant street, your petitioners have been assessed \$1,744.91 upon their said property, and there has also been an assessment of many hundred dollars imposed upon the strip of land cutting off the frontage of your petitioners' said land on Bryant street. That said property of your petitioners is known and designated by the number 39 upon the benefit map of the Commissioners of Estimate and Assessment in said proceeding.

That the portion of land now fronting on Bryant street, as legally established, and cutting off as aforesaid the entire frontage on Bryant street of the aforesaid land of your petitioners, the same constituting a part of the parcel known and designated upon said map by the number 47, is bounded and described as follows:

Beginning at a point in the westerly line of Bryant street where the southerly line of the property of Lemuel H. Pierce, Emma F. Pierce and William B. Pierce would meet the said westerly line if said southerly line were prolonged easterly, which point of beginning is distant five and thirty-four one-hundredths feet northerly from the intersection of the northerly line of Boston road (as legally acquired) with the said westerly line of Bryant street; running thence northerly along the westerly line of Bryant street one hundred and one and eighty-seven one-hundredths feet to a point where the easterly prolongation of the northerly line of the property of said Lemuel H. Pierce, Emma F. Pierce and William B. Pierce would meet the same; thence running westerly along the easterly prolongation of said northerly line two and thirty-two one-hundredths feet to the westerly line of the old Boston Post road; thence running southerly along said last mentioned line as it winds and turns one hundred and six and seventy-one one-hundredths feet to the southerly line of the property of the said Lemuel H. Pierce, Emma F. Pierce and William B. Pierce; thence running easterly along the prolongation of the said southerly line of the property of the said Lemuel H. Pierce, Emma F. Pierce and William B. Pierce twenty-nine and sixty-two one-hundredths feet to the point of beginning.

That the interest of The City of New York, if any, in and to the last aforesaid piece of land is purely nominal.

Wherefore your petitioners respectfully pray that there may be released or quit-claimed to your petitioners by The City of New York all the right, title and interest of said City in and to that piece or parcel of land herein last before particularly bounded and described, and that the said release or quit-claim may be approved and authorized by the Commissioners of the Sinking Fund for a nominal consideration and upon payment by your petitioners of the expense of drawing said release and of other work and labor incidental thereto.

And your petitioners will ever pray, etc.

LEMUEL H. PIERCE,
EMMA F. PIERCE,
WILLIAM B. PIERCE.

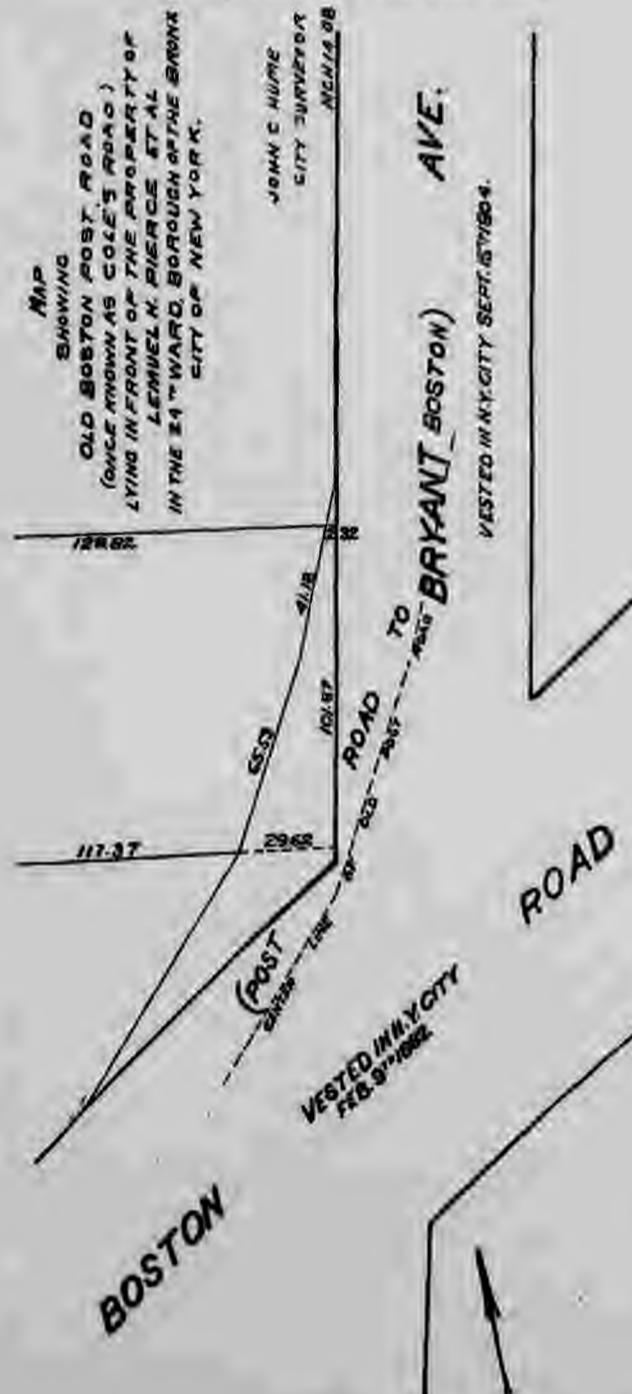
State of New York, Borough of The Bronx, City and County of New York, etc.: Lemuel H. Pierce, Emma F. Pierce and William B. Pierce, being severally duly sworn, say that they are the petitioners above named; that they have read the foregoing petition and know the contents thereof, and that the same is true of their own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters they believe it to be true.

LEMUEL H. PIERCE,
EMMA F. PIERCE,
WILLIAM B. PIERCE.

Sworn to before me this 29th day of November, 1906.

[SEAL] JOHN A. STEINMETZ,

Notary Public 269, New York County.



To the Commissioners of the Sinking Fund of The City of New York:

The petition of Lemuel H. Pierce respectfully shows:

That heretofore and for forty-nine years past your petitioner, or his immediate grantor, his father, Lemuel Pierce, has owned and now owns, in fee simple, and was and now is in possession of a certain piece or parcel of land having its easterly frontage upon the Old Boston Post Road until the proceeding to open Bryant street was instituted.

That heretofore and in or about the year 1898 a proceeding was duly instituted, pursuant to law, by The City of New York relative to acquiring title, wherever the same had not been theretofore acquired, to Bryant street, from East One Hundred and Seventy-sixth street to East One Hundred and Eighty-second street, in the Twenty-fourth Ward, Borough of The Bronx, City of New York. That such proceedings were thereafter duly had in the matter of said application and special proceedings that Commissioners of Estimate and Assessment were duly appointed therein, and on or about August 31, 1904, duly made their report therein to the Supreme Court of the State of New York, which report was, by order of said Court, duly entered in said proceeding and dated May 31, 1906, confirmed as to awards for damages, as by reference thereto will more fully appear.

That in and by said proceeding to open said Bryant street a considerable portion of the easterly front of the aforesaid land now owned and held by your petitioner as aforesaid, (the said front being prior to the institution of said proceeding the easterly front of said land on the Old Boston Post Road) was cut off from its frontage on said Bryant street, and thereby your petitioner was and now is partially deprived of a frontage upon or means of ingress or egress to said lot to or from Bryant street. That said Bryant street has been regulated pursuant to the aforesaid proceedings to open the same, and by reason thereof the lands of your petitioner immediately adjacent to the said westerly line of said street as established in said proceeding, are now some eighteen feet, on an average, above the surface of the roadbed of said Bryant street as so regulated. That in and by said proceedings to open Bryant street your petitioner has been assessed \$930.70 upon his said property, and there has also been an assessment imposed upon the strip of land cutting off your petitioner's frontage on Bryant street. That said property of your petitioner is known and designated by the number forty-five upon the benefit map of the Commissioners of Estimate and Assessment in said proceeding.

That the portion of land now fronting on Bryant street, as legally established, and partially cutting off as aforesaid the frontage on Bryant street of the aforesaid land of your petitioner, the same constituting a part of the parcel known and designated on said map by the number forty-seven, is bounded and described as follows:

Beginning at a point in the westerly line of Bryant street where the southerly line of the property of Lemuel H. Pierce would meet the said westerly line if said southerly line were prolonged easterly, which point of beginning is distant one hundred and seven and twenty-one one-hundredths feet northerly from the intersection of the northerly line of Boston road (as legally acquired) with the westerly line of Bryant street; thence running northerly along the westerly line of Bryant street twelve and sixty-one one-hundredths feet to the westerly line of the Old Boston Post road; thence running southerly along said last mentioned line twelve and ninety-one one-hundredths feet to the southerly line of the property of Lemuel H. Pierce; thence running easterly along the easterly prolongation of the said southerly line of the property of Lemuel H. Pierce two and thirty-two one-hundredths feet to the point of beginning.

That the interest of The City of New York, if any, in and to the last aforesaid piece of land is purely nominal.

Wherefore your petitioner respectfully prays that there may be released or quit-claimed to your petitioner by The City of New York all the right, title and interest of said City in and to that piece of land herein last before particularly bounded and described, and that the said release or quit-claim may be approved and authorized by the Commissioners of the Sinking Fund, for a nominal consideration and upon payment by your petitioner of the expense of drawing said release and of other work and labor incidental thereto.

And your petitioner will ever pray, etc.

LEMUEL H. PIERCE.

State of New York, Borough of The Bronx, City and County of New York, ss.:

Lemuel H. Pierce, being duly sworn, says that he is the petitioner above named; that he has read the foregoing petition and knows the contents thereof, and that the same is true of his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters he believes it to be true.

Sworn to before me this 29th day of November, 1906.

LEMUEL H. PIERCE.

[SEAL.] JONX A. STEINMETZ.

Notary Public 269, New York County.

In connection therewith the Comptroller presented the following report and offered the following resolution:

May 11, 1908.

HON. HERMAN A. METZ, Comptroller:

SIR—Lemuel H. Pierce in a petition addressed to the Commissioners of the Sinking Fund asks for a release of the interest of the City in and to a portion of the Old Boston Post road. The property is more particularly described hereafter.

The facts relating to this petition are substantially the same as those set forth in the report on the application of Lemuel H. Pierce, Emma F. Pierce and William B. Pierce for a release of a portion of the road adjoining their property.

In the present case the report of the Bryant street proceeding shows that an award of \$2,500 was made for damage to buildings and \$1,220.70 for land taken. An assessment of \$574.24 was laid against property of the petitioner and \$532.59 against land in the old road, part of which is involved in this application. This assessment was laid against unknown owners, so it would appear that the petitioners were not conspicuously anxious to assert ownership to the road when the Bryant street proceeding was in progress.

In view of the facts, I would respectfully recommend that the Corporation Counsel be requested to advise whether the interest of the City in and to the following described property is nominal or material, and whether the opening of Bryant street operated as a legal closing of the old road within the meaning of section 205 of the Charter:

Beginning at a point in the westerly line of Bryant street where the southerly line of the property of Lemuel H. Pierce would meet the said westerly line if said southerly line were prolonged easterly, which point of beginning is distant one hundred and seven and twenty-one one-hundredths feet northerly from the intersection of the northerly line of Boston road (as legally acquired) with the westerly line of Bryant street; thence running northerly along the westerly line of Bryant street twelve and sixty-one one-hundredths feet to the westerly line of the Old Boston Post road; thence running southerly along said last mentioned line twelve and ninety-one one-hundredths feet to the southerly line of the property of Lemuel H. Pierce; thence running easterly along the easterly prolongation of the said southerly line of the property of Lemuel H. Pierce two and thirty-two one-hundredths feet to the point of beginning.

Respectfully submitted,

ROBERT JORDAN, Examiner.

Approved:

H. A. METZ, Comptroller.

May 11, 1908.

HON. HERMAN A. METZ, Comptroller:

SIR—Lemuel H. Pierce, Emma F. Pierce and William B. Pierce in a petition addressed to the Commissioners of the Sinking Fund seek to have released to them the interest of The City of New York in and to a portion of the Old Boston Post road. The property is more particularly described hereafter.

The petitioners owned property which faced on the Old Boston Post road. On September 15, 1898, Commissioners of Estimate and Assessment were appointed to conduct proceedings to open Bryant street, from East One Hundred and Seventy-sixth street to East One Hundred and Eighty-second street. A report of the Commissioners was presented to the Court for confirmation on February 28, 1906, and returned for further proceedings. The final report was confirmed on March 3, 1908.

A considerable portion of the old road was included in the bed of Bryant street, but at the junction of Bryant street with the present Boston road an irregular strip, triangular in form, was left between the property of the petitioners and the new line of Bryant street. It is to this strip that the petitioners wish to acquire title from the City, because it is claimed that they are cut off from any frontage on the new street and have no means of ingress and egress.

An examination of the Bryant street proceeding shows that the property of these petitioners received an award of \$3,000 for damage to buildings and was assessed \$1,076.60 for benefit. An assessment of \$532.59 was laid against the piece of the Old Boston Post road, a part of which is involved in this petition. This was charged to unknown owners.

It seems fair to assume that the Commissioners who conducted the Bryant street proceeding took all these things into account when estimating the measure of damage the property would suffer by the opening of the new street.

The question is then presented as to who owns the bed of this road. It seems to have been the custom to view this question upon the broad theory that if a road existed prior to 1664 it was Dutch, and the fee vested in the Government, with no reversion in abutting owners, while if laid out after 1664 the abutting owner held the fee, subject to the easement of the public to use the road. It would seem, from the facts set forth in the special report dealing with the history of this road, that the public may have paid for the land in an English road, in which case reason whispers that the public should own the land.

This application has been pending for some time, and has been the subject of considerable correspondence between the Law Department and the Department of Finance. On January 31, 1907, the Corporation Counsel rendered an opinion to the effect that the interest of the City in this strip was merely nominal. The property was not described by metes and bounds, and on March 15, 1907, the papers were returned to the Law Department for the purpose of having the Corporation Counsel certify by metes and bounds that the interest of the City was nominal. On May 9, 1907, the Corporation Counsel duly certified that the interest of the City was nominal, and described the property by metes and bounds.

A proper survey and certified copies of deeds showing ownership of abutting property were then requested. These were delivered a few weeks ago.

Although the matter has been before the Corporation Counsel, I would recommend that it be again referred to him, with a copy of the report dealing with the history of the old Boston Post road. When the application was submitted there had not, apparently, been any effort to determine the ownership of the road.

I therefore recommend that the application be referred to the Corporation Counsel for his opinion as to whether the interest of the City in and to the following described property is material or merely nominal, and also whether the opening of Bryant street operated as a closing of this portion of the old road by lawful authority within the meaning of section 205 of the Charter:

Beginning at a point in the westerly line of Bryant street where the southerly line of the property of Lemuel H. Pierce, Emma F. Pierce and William B. Pierce would meet the said westerly line if said southerly line were prolonged easterly, which point of beginning is distant five and thirty-four one-hundredths feet northerly from the intersection of the northerly line of Boston road (as legally acquired) with the westerly line of Bryant street; running thence northerly along the westerly line of Bryant street one hundred and one and eighty-seven one-hundredths feet to a point where the easterly prolongation of the northerly line of the property of said Lemuel H. Pierce, Emma F. Pierce and William B. Pierce would meet the same; thence running westerly along the easterly prolongation of said northerly line two and thirty-two one-hundredths feet to the westerly line of the Old Boston Post road; thence running southerly along said last mentioned line as it winds and turns one hundred and six and seventy-one one-hundredths feet to the southerly line of the property of the said Lemuel H. Pierce, Emma F. Pierce and William B. Pierce; thence running easterly along the prolongation of the said southerly line of the property of the said Lemuel H. Pierce, Emma F. Pierce and William B. Pierce twenty-nine and sixty-two one-hundredths feet to the point of beginning.

Respectfully submitted,

ROBERT JORDAN, Examiner.

Approved:

H. A. METZ, Comptroller.

January 31, 1907.

HON. HERMAN A. METZ, Comptroller:

SIR—I am in receipt of your communication, under date of December 20 last, enclosing two petitions of Lemuel H. Pierce, Emma F. Pierce and William B. Pierce for a release of the interest of The City of New York to a certain parcel of land fronting premises owned by them on Bryant street, in the Twenty-fourth Ward, Borough of The Bronx.

I have had an investigation made, as requested by you, into the merits of the petitions, and I find that the two strips of land in the petitions described are portions of what was formerly the Old Boston Post road. The petitioners and their father have, for the past forty years, owned the property fronting on the strips of the old road, for which a release is asked. In proceedings to acquire title to Bryant street, from East One Hundred and Seventy-sixth street to East One Hundred and Eighty-second street, in the Twenty-fourth Ward, Borough of The Bronx, Bryant street was so laid out as to leave a strip of property, a portion of the former Old Boston road, between the land of the petitioners and the lines of Bryant street, as now laid out. It is this strip for which petitioners ask a release from the City. As the City has permanently abandoned it for use as a road there is no objection to the City releasing whatever remaining interest it may now have in that strip.

I hereby certify that whatever interest the City may have in that strip of the Old Boston Post road which is contained within the area of the property mentioned in the petitions of Lemuel H. Pierce, Emma F. Pierce and William B. Pierce, and asked to be released, is merely nominal and a cloud upon the title of the adjoining owner.

The petitions and papers transmitted therewith are returned.

Respectfully yours,

G. L. STERLING, Acting Corporation Counsel.

March 15, 1907.

HON. WILLIAM B. ELLISON, Corporation Counsel:

SIR—I am in receipt of your communication of January 31, 1907, in reply to a communication from this office under date of December 20, 1906, enclosing two petitions of Lemuel H. Pierce, Emma F. Pierce and William B. Pierce for a release of the interest of The City of New York to a certain parcel of land fronting premises owned by them on Bryant street, in the Twenty-fourth Ward of the Borough of The Bronx. I note that you state that as the City has permanently abandoned a portion of the former old Boston road between the land of the petitioners and the lines of Bryant street as now laid out, that you see no objection to the City releasing whatever remaining interest it may now have in that strip, and your opinion concludes stating that whatever interest the City may have in that strip of the old Boston road which is contained within the area of the property mentioned in the petitions of Lemuel H. Pierce, Emma F. Pierce and William B. Pierce, and asked to be released, is merely nominal and a cloud upon the title of the adjoining owner.

In view of the provisions of chapter 205 of the revised Charter, which provides that the Commissioners of the Sinking Fund shall have the power to release such interests of the City in real estate as the Corporation Counsel shall certify in writing to be mere clouds upon titles of private owners, in such manner and upon such terms and conditions as in their judgment may seem proper, it would appear advisable that in each instance where the City releases its interest in property within the limits of The City of New York for a nominal consideration, that the Corporation Counsel should certify specifically by metes and bounds the property to be released by a resolution of the Commissioners of the Sinking Fund.

I therefore return all the papers in the matter to you for your opinion as to whether the interest of the City in and to the following described property in the Borough of The Bronx is merely nominal and a cloud upon the title of a private owner:

Beginning at a point in the westerly line of Bryant street where the southerly line of the property of Lemuel H. Pierce, Emma F. Pierce and William B. Pierce would meet the said westerly line if said southerly line were prolonged easterly, which point of beginning is distant 5.34 feet northerly from the intersection of the northerly line of Boston road (as legally acquired) with the said westerly line of Bryant street;

running thence northerly along the westerly line of Bryant street 101.87 feet to a point where the easterly prolongation of the northerly line of the property of said Lemuel H. Pierce, Emma F. Pierce and William B. Pierce would meet the same; thence running westerly along the easterly prolongation of said northerly line 2.32 feet to the westerly line of the old Boston Post road; thence running southerly along said last mentioned line as it winds and turns 106.71 feet to the southerly line of the property of the said Lemuel H. Pierce, Emma F. Pierce and William B. Pierce; thence running easterly along the prolongation of the said southerly line of the property of the said Lemuel H. Pierce, Emma F. Pierce and William B. Pierce 29.02 feet to the point of beginning.

If you shall so certify, the matter will be presented to the Commissioners of the Sinking Fund, recommending the release of the interest of The City of New York in said parcels for the sum of \$101 each. If you are of said opinion, I would request that you prepare the necessary releases in triplicate, approve them as to form and transmit the same to this office at the earliest possible date.

Respectfully,
H. A. METZ, Comptroller.

May 9, 1907.

Hon. HERMAN A. METZ, Comptroller:

SIR—I am in receipt of your communication of March 15, referring to two petitions, one by Lemuel H. Pierce, Emma F. Pierce and William B. Pierce and the other by Lemuel H. Pierce for a release of the interest of The City of New York to certain property in the petitions described, in which you ask that should I advise the execution of the releases asked for, that I so certify, giving the description by metes and bounds, and that I prepare the necessary releases in triplicate and approve same as to form.

The two strips of land in the petitions described are portions of the old Boston Post road. The petitioners and their father have for the past forty years owned the property fronting on the strips of the old road for which releases are asked.

In proceedings to acquire title to Bryant street, from East One Hundred and Seventy-sixth street to East One Hundred and Eighty-second street, in the Twenty-fourth Ward, Borough of The Bronx, Bryant street was so laid out as to leave a strip of property, a portion of the old Boston road, between the land of the petitioners and the lines of Bryant street as now laid out. It is this strip for which petitioners ask a release from the City. As the City has permanently abandoned it for use as a road, there is no objection to the City releasing whatever remaining interest it may now have in that strip.

I therefore certify that whatever interest the City may have in the strip of the old Boston Post road referred to in petition of Lemuel H. Pierce, Emma F. Pierce and William B. Pierce, and also in the petition of Lemuel H. Pierce, is merely nominal and a cloud upon the title of the adjoining owner.

The description of the portion to be released to Lemuel H. Pierce, Emma F. Pierce and William B. Pierce is as follows:

Beginning at a point in the westerly line of Bryant street where the southerly line of the property of Lemuel H. Pierce, Emma F. Pierce and William B. Pierce would meet the said westerly line if said southerly line were prolonged easterly, which point of beginning is distant five and thirty-four one-hundredths feet northerly from the intersection of the northerly line of Boston road (as legally acquired) with the said westerly line of Bryant street; running thence northerly along the westerly line of Bryant street one hundred and one and eighty-seven one-hundredths feet to a point where the easterly prolongation of the northerly line of the property of said Lemuel H. Pierce, Emma F. Pierce and William B. Pierce would meet the same; thence running westerly along the easterly prolongation of said northerly line two and thirty-two one-hundredths feet to the westerly line of the old Boston Post road; thence running southerly along said last mentioned line as it winds and turns one hundred and six and seventy-one one-hundredths feet to the southerly line of the property of the said Lemuel H. Pierce, Emma F. Pierce and William B. Pierce; thence running easterly along the prolongation of the said southerly line of the property of the said Lemuel H. Pierce, Emma F. Pierce and William B. Pierce twenty-nine and sixty-two one-hundredths feet to the point of beginning.

The description of the portion to be released to Lemuel H. Pierce is as follows:

Beginning at a point in the westerly line of Bryant street where the southerly line of the property of Lemuel H. Pierce would meet the said westerly line if said southerly line were prolonged easterly, which point of beginning is distant one hundred and seven and twenty-one one-hundredths feet northerly from the intersection of the northerly line of Boston road (as legally acquired) with the westerly line of Bryant street; thence running northerly along the westerly line of Bryant street twelve and sixty-one one-hundredths feet to the westerly line of the old Boston Post road; thence running southerly along said last mentioned line twelve and ninety-one one-hundredths feet to the southerly line of the property of Lemuel H. Pierce; thence running easterly along the easterly prolongation of the said southerly line of the property of Lemuel H. Pierce two and thirty-two one-hundredths feet to the point of beginning.

As the releases of the two portions described are to different parties, separate releases will be necessary, and I would suggest that the usual payment of one hundred dollars be required for the release of the first piece, and fifty dollars for the release of the second piece, as this only covers a strip about two feet wide and twelve feet long.

As requested in your communication, I inclose you releases in triplicate approved as to form.

The papers transmitted to me are herewith returned.

Respectfully yours,

G. L. STERLING,
Acting Corporation Counsel.

September 12, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—I am in receipt of two letters under date of May 19, addressed to the Corporation Counsel and signed by Deputy Comptroller N. Taylor Phillips, transmitting in one case the report of Robert B. Jordan, an Examiner in the Bureau for the Examination of Claims in the Finance Department, in the matter of the application by Lemuel H. Pierce, Emma F. Pierce and William B. Pierce and a release of the City's interest in and to a portion of the Old Boston Post road, and also in the matter of the application by Lemuel H. Pierce for similar relief.

The Deputy Comptroller in each of said communications further states "Said report with the accompanying papers is transmitted for appropriate action in the premises in accordance with the recommendations thereof."

The same question is involved in both petitions, and the matter in question has been the source of frequent correspondence between this Department and the Finance Department in the past. As set forth in Mr. Jordan's report, this office has already rendered an opinion to the effect that the interest of the City in this strip was merely nominal and a cloud on the title of the abutting owners, and the reason that this matter is again referred to this office is because of the fact that a history of the Old Boston Post road is now annexed to the report of the Examiner in your Department which was not before this office at any prior time. A careful reading of the report as to the history of the old road shows nothing of record with reference to the same prior to the year 1671, and while a fair inference might possibly be drawn from the records contained in said report, that the road might have been in existence prior to that date, still it would not seem to be fair to the property owners to infer from this scant data that the road was established as a Dutch road and that the fee thereof on the closing would therefore vest in the government.

In regard to the question as to whether the public has paid the cost and expense of the road, even though the same was built as an English road, the point there to be considered is whether the public acquired an absolute fee in the land in the road or merely an easement or right of way over the road. The general construction and policy of the authorities in the times set forth in the special report hereto annexed was almost invariably to acquire merely an easement of access over the road and not a fee in the same. Because of the facts hereinbefore set forth, I see no reason for interfering with the conclusions reached by this Department in the opinions of January 31, 1907, and May 9, 1907. But I would suggest in view of the fact that as the

releases of the two portions described are to different parties, and as an assessment of \$532.59 was laid against the piece of the Old Boston road, a part of which is involved in this petition, by the Commissioner of Estimate and Assessment, in the proceedings to open Bryant street, from East One Hundred and Seventy-sixth street to East One Hundred and Eighty-second street, and as such assessment is charged by said Commissioners against unknown owners, that before the City disposes of its interest in such strip the usual payment of \$100 be required for the release of the first piece and \$50 for the release of the second piece, as the same is much smaller than the other, and that the parties seeking the releases in question be in addition required to pay any such proportion as may be found to be just of the foregoing assessment levied in the Bryant street proceeding against the portion here sought to be released.

Releases in triplicate, approved as to form, have, as stated in the communication from this office under date of May 9, 1907, been transmitted to you.

I herewith return to you the papers submitted on these applications.

Very respectfully,

G. L. STERLING, Acting Corporation Counsel.

October 15, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—Some months ago two petitions were filed requesting a release of the interest of the City in and to a part of the old Boston Post road at Bryant street. One was in the name of Lemuel H. Pierce and the other in the name of Lemuel H. Pierce and others. The properties adjoin and the facts in each case are the same.

The petitions have been a source of voluminous correspondence between the Corporation Counsel and this Department. The burden of it is that the interest of the City is nominal in the strip.

Section 205 of the Charter requires that before the Commissioners of the Sinking Fund sell and convey the right, title and interest of the City in such properties, they must first determine that the property is not required for any public use.

Under date of October 13, 1908, the President of the Borough of The Bronx, where the property is located, forwarded the following report of his Chief Engineer. The report says:

"I return herewith the papers in the matter of the application of Lemuel E. Pierce and others for the release of the interest of the City in and to a section of the old Boston road, and beg to say that the Topographical Bureau has under consideration the laying out of this land for the widening of Bryant avenue at said intersection."

From this it is quite clear that the property is required for some public use, and I therefore recommend that the applications of Lemuel E. Pierce and Lemuel E. Pierce and others be denied.

Respectfully,

ROBERT JORDAN, Examiner.

Approved:

H. A. METZ, Comptroller.

Resolved, That the petitions of Lemuel H. Pierce, and Lemuel H. Pierce and others, for a release or quitclaim of the City's interest in and to a part of the old Boston Post road, at Bryant street, in the Borough of The Bronx, be and the same are hereby denied.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following statement and offered the following resolution, relative to the refunding of amounts overpaid on permits to build street vaults.

October 16, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—The following applications for the refund of amounts overpaid for street vault permits are herewith submitted, viz.:

Permit Number.	Applicant and Location.	Amount.
1228, 1422	The Thirty-fifth Street and Fifth Avenue Company, Fifth avenue, corner Thirty-fifth street.	\$19.34
1481	The Mutual Alliance Trust Company of New York, Nos. 266 and 268 Grand street.	5.18
1642	Elizabeth McColgan, Nos. 301 and 303 Pearl street.	48.04
1652	Isaac H. Pellar, No. 381 Fifth avenue.	55.73
2702	Teachers College, south side of One Hundred and Twenty-ninth street, west of Amsterdam avenue.	3.57
2703	Duff & Conger, No. 2161 Madison avenue.	17.34
2720	William Francklyn Paris, No. 53 West Thirty-ninth street.	17.88
Total		\$207.13

With each application is filed an affidavit of the owner and the certificate of a City Surveyor. The amount to be refunded is certified by the Superintendent of Highways, approved by the Commissioner of Public Works and the President of the Borough.

The amount paid was deposited to the credit of the Sinking Fund for the Redemption of the City Debt No. 1.

Respectfully,

F. W. SMITH, Chief Accountant and Bookkeeper.

Approved:

H. A. METZ, Comptroller.

Resolved, That warrants payable from the Sinking Fund for the Redemption of the City Debt No. 1 be drawn in favor of the following parties, refunding them the amount overpaid in error for street vault permits, as per statement submitted:

The Thirty-fifth Street and Fifth Avenue Company	\$59.34
The Mutual Alliance Trust Company of New York	5.18
Elizabeth McColgan	48.04
Isaac H. Pellar	55.73
Teachers College	3.57
Duff & Conger	17.34
William Francklyn Paris	17.88

Which resolution was unanimously adopted.

The Comptroller presented the following statement and offered the following resolution, relative to fines payable to the New York Society for the Prevention of Cruelty to Children, American Society for the Prevention of Cruelty to Animals, Humane Society of New York, Dental Society of the State of New York, Forest, Fish and Game Commission and Anti-Policy Society:

October 9, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—The following fines imposed by the Court of General Sessions and the Court of Special Sessions, First and Second Divisions, etc., have been collected at dates

stated in month of September, etc., 1908, and are payable, pursuant to law, to the several societies named:

To New York Society for the Prevention of Cruelty to Children (section 5, chapter 122, Laws of 1876):

Court of Special Sessions, First Division.

July 28. Leopold Weinberg	\$50.00
July 28. Giacomo Salatano	50.00
July 28. Joseph Garofolo	50.00
Sept. 1. James Farina	25.00
Sept. 1. John O. Barker	10.00
Sept. 3. Annie Smith	50.00
Sept. 8. Israel Moskowitz	25.00
Sept. 10. Herman Weber	25.00
Sept. 17. Ignatz Loevy	15.00
Sept. 19. Samuel Hartstein (paid Warden, City Prison)	50.00
Total	\$350.00

To American Society for the Prevention of Cruelty to Animals (section 6, chapter 490, Laws of 1888):

Court of Special Sessions, First Division.

Sept. 2. Charles Spaehser	\$5.00
Sept. 2. John Phelan	15.00
Sept. 2. John O'Neill	10.00
Sept. 2. Louis Lantore	15.00
Sept. 2. Joseph De Bellis	20.00
Sept. 2. Martin Ryan	20.00
Sept. 2. Charles Helling	15.00
Sept. 2. Louis Heyer	10.00
Sept. 2. Barney Slovinovic	5.00
Sept. 2. James H. Hudson	5.00
Sept. 2. William J. Smith	5.00
Sept. 2. Henry Spiess	5.00
Sept. 2. Patrick Maher	10.00
Sept. 2. Henry Turrell	10.00
Sept. 2. Samuel Hutchings	10.00
Sept. 2. Antonio Annanzato	5.00
Sept. 2. Joe Knesberg	5.00
Sept. 2. Albert Gertato	10.00
Sept. 2. George H. Zohman	5.00
Sept. 2. Philip Burnofsky	15.00
Sept. 2. Andrew Vaniale	10.00
Sept. 2. George Piel	5.00
Sept. 2. George Matthewson	5.00
Sept. 2. Ralph Cooke	5.00
Sept. 9. Thomas Maloney	10.00
Sept. 9. Matthew Flygesen	10.00
Sept. 9. Joseph H. Smeltz	10.00
Sept. 9. Joseph Burger	10.00
Sept. 9. Antonio Leantonio	10.00
Sept. 9. James Moran	10.00
Sept. 9. George Climenan	15.00
Sept. 9. Frank Da Dora	10.00
Sept. 9. Salvatore Riccabone	5.00
Sept. 9. Chris Rowe	15.00
Sept. 9. Michael Hoffman	25.00
Sept. 9. Emil Himmelfarb	10.00
Sept. 9. John J. Keane	10.00
Sept. 9. Charles Lockwood	10.00
Sept. 9. James Tiltington	10.00
Sept. 9. Dominico Zaccio	35.00
Sept. 9. James Laboria	35.00
Sept. 9. Giuseppe Antonini	10.00
Sept. 9. Charles A. McCormack	10.00
Sept. 9. Edward Reilly	5.00
Sept. 10. Alfred Pasucci	20.00
Sept. 10. Louis Schwartz	15.00
Sept. 16. Earl Rowland	20.00
Sept. 16. Emile Boccarus	5.00
Sept. 16. Emil Weiss	20.00
Sept. 16. Frank Dallo	20.00
Sept. 16. Jude Markin	15.00
Sept. 16. William Wigdorowitz	10.00
Sept. 23. Patrick Capone	10.00
Sept. 23. George Opper	15.00
Sept. 23. Daniel Williams	5.00
Sept. 23. Eugenio Maresca	10.00
Sept. 23. Chris Jaeger	10.00
Sept. 23. Jake Wenz	5.00
Sept. 30. William Harris	10.00
Sept. 30. Frank Leonard	20.00
Sept. 30. Jeremiah Conway	15.00
Sept. 30. Herman Schneider	5.00
Sept. 30. Thomas Eagan	15.00
Sept. 30. Harry Miller	20.00
Sept. 30. John Rogers	15.00
Total	\$770.00

Court of Special Sessions, Second Division.

Sept. 18. Ignatius Superto (Brooklyn)	\$20.00
Sept. 18. Joseph Francis	10.00
Sept. 18. Andrew Austin	30.00
Sept. 25. John Galson (Brooklyn)	25.00
Sept. 25. William Oden (Brooklyn)	10.00
Sept. 25. Samuel Goldberg (Brooklyn)	10.00
Sept. 22. Henry Wulfursh (Queens)	20.00
Sept. 22. Henry Ullman (Queens)	20.00
Sept. 29. Julius Gastowitz (Queens)	25.00
Sept. 29. Elliott W. Murphy (Queens)	5.00
Sept. 29. Charles Marks (Queens)	20.00
Sept. 29. David Farnella (Queens)	5.00
Sept. 29. Gus Engelbert (Queens)	25.00
Total	\$215.00

To the Humane Society of New York (section 6, chapter 490, Laws of 1888):

Court of Special Sessions, First Division.

Sept. 2. Jacob Cohen	\$10.00
Sept. 2. Chas. Kemmerling	5.00
Sept. 2. George Hill	10.00
Sept. 2. Joseph Morca	15.00
Sept. 2. Henry Yenzer	10.00
Sept. 2. James P. Waters	5.00
Sept. 2. Patrick Conlon	20.00
Sept. 2. Herman Meyer	15.00
Sept. 2. Patrick Stack	10.00
Sept. 2. John Oliver	10.00
Sept. 2. Wm. Holtzhauser	30.00
Sept. 2. Rafeal Deorio	10.00
Sept. 2. William Corigan	15.00
Total	\$985.00

Sept. 2. Thomas Baxter	5.00
Sept. 2. Chas. E. Jackson	10.00
Sept. 2. Martin Lowe	5.00
Sept. 2. Robert Greenberg	5.00
Sept. 2. Tony Nossau	15.00
Sept. 2. Wm. Engelstadter	15.00
Sept. 2. Edwin Bauries	5.00
Sept. 2. Peter Plunkett	5.00
Sept. 2. John Rust	10.00
Sept. 2. Frank Robinson	5.00
Sept. 2. Herman Buck	15.00
Sept. 2. Pietro Pennaccio	5.00
Sept. 2. Charles Reilly	5.00
Sept. 9. John Rodennans	10.00
Sept. 9. Thomas Ten Eyck	10.00
Sept. 9. John Geary	10.00
Sept. 9. George Ensy	10.00
Sept. 9. Frank A. Holinquest	10.00
Sept. 9. John Turner	10.00
Sept. 9. Max Weissman	10.00
Sept. 9. William R. Thomas	5.00
Sept. 9. Thomas F. Donnelly	15.00
Sept. 9. Harry Schomer	15.00
Sept. 9. Ray Hart	10.00
Sept. 9. Samuel Goodman	10.00
Sept. 9. Joseph Murphy	5.00
Sept. 9. Morris Wigdon	10.00
Sept. 9. Frank Leffelman	10.00
Sept. 9. Eugene Salerno	10.00
Sept. 9. Thomas Tracy	5.00
Sept. 9. John Gagan	10.00
Sept. 9. Harry Heathman	10.00
Sept. 9. Max Levine	35.00
Sept. 9. Daniel Harrington	15.00
Sept. 9. Charles Rubin	10.00
Sept. 9. Morris Spiegel	15.00
Sept. 9. Louis Levin	10.00
Sept. 9. William Gunderman	5.00
Sept. 9. Edward Moskowitz	25.00
Sept. 9. Stanley J. Perkowski	15.00
Sept. 9. August Grossman	10.00
Sept. 9. Felix Mondy	5.00
Sept. 9. William McGoff	10.00
Sept. 9. George Basso	10.00
Sept. 9. Edward Bierz	10.00
Sept. 16. Israel Goodman	5.00
Sept. 16. John J. Foshay	10.00
Sept. 16. William Kennedy	10.00
Sept. 16. Louis Ruderman	15.00
Sept. 16. Dominica Megg	10.00
Sept. 16. John McEntee	15.00
Sept. 16. Charles Luderitz	20.00
Sept. 16. Isaac Gold	5.00
Sept. 16. Wm. Schoenleber	10.00
Sept. 16. Edward J. Johnston	15.00
Sept. 16. Charles Jefferson	20.00
Sept. 16. Edward Connors	5.00
Sept. 16. Meyer Heichen	10.00
Sept. 23. John Mallon	5.00
Sept. 23. Abraham Hammerman	25.00
Sept. 23. Frank Bifano	5.00
Sept. 23. Martin Quinn	5.00
Sept. 23. Ely Bock	5.00
Sept. 23. James Hayes	5.00
Sept. 23. John Irwin	5.00
Sept. 23. Herman Rich	10.00
Sept. 23. Peter Ziega	5.00
Sept. 23. Antonio Correale	5.00
Sept. 23. John E. Bright	15.00
Sept. 23. Adolph Lauber	5.00
Sept. 23. Charles Stevens	10.00
Sept. 23. Albert W. Warner	5.00
Sept. 23. Daniel Kirschner	5.00
Sept. 23. William Reed	10.00
Sept. 30. Joseph W. Davis	10.00
Sept. 30. Philip Fraiznick	10.00
Sept. 30. James O'Neill	10.00
Sept. 30. Charles H. Patterson	5.00
Sept. 30. John Armstrong	10.00
Sept. 30. Albert Schultz	15.00
Sept. 30. David H. Spellman	5.00
Sept. 30. Jacob Raehle	10.00
Sept. 30. Theodore De Castro	10.00
Sept. 30. Joseph Connolly	15.00
Sept. 30. Alphonse Cunningham	5.00
Sept. 30. Frank Etis	5.00
Sept. 30. Andrew Frick	15.00
Sept. 30. James Tipping	15.00
Sept. 30. August Roepke	5.00
Sept. 30. Max Shadrinsky	5.00
Sept. 30. Joseph Hagan	10.00
Sept. 30. Louis Ward	15.00
Sept. 30. John Neustiel	10.00
Sept. 30. Fred. Abmeier	15.00
Sept. 30. John Smith	15.00
Sept. 30. Burton Weeks	20.00
Sept. 30. Giuseppe Mormante (paid Warden, City Prison)	10.00
Sept. 30. Tony Morra (paid Warden, Workhouse)	15.00

\$1,145.00

Court of Special Sessions, Second Division.

Sept. 18. Joseph Bovo, Brooklyn	\$20.00
Sept. 18. Anton Rechart, Brooklyn	10.00
Sept. 18. John Randall, Brooklyn	10.00
Sept. 18. Fred. Schad, Brooklyn	10.00
Sept. 18. S. Barton, Brooklyn	10.00
Sept. 18. Ahram Samo, Brooklyn	10.00
Sept. 18. Frank Piccirillo, Brooklyn	15.00
Sept. 18. Thomas Baxter, Brooklyn	10.00
Sept. 18. Edward Higgins, Brooklyn	10.00

105.00

Total

\$1,250.00

To Dental Society of the State of New York (section 169, chapter 215, Laws of 1901):

Court of Special Sessions, First Division.

Sept. 14. Joseph M. Berwald	\$30.00
Sept. 29. Tobias H. Hoeking, Queens	50.00
Total	\$100.00

To Forest, Fish and Game Commission (section 2, chapter 130, Laws of 1908).

Court of Special Sessions, Second Division.

Sept. 24. Irving Blount, Brooklyn.	\$10 00
Sept. 24. Paul Wiedmann, Brooklyn.	10 00
Sept. 24. Harry E. Watts, Brooklyn.	10 00
Sept. 24. Herman Voss, Brooklyn.	10 00
	<u>\$40 00</u>

To the Anti-Policy Society (chapter 163, Laws of 1905).

Court of General Sessions.

May 18. Vincenzo Laroia.	\$50 00
Sept. 11. Frank Albert.	15 00
Sept. 14. Ada Engel, alias Ada Black.	50 00
Sept. 14. Albert Schwartz.	100 00
Sept. 14. Frederick Smith.	100 00
Sept. 14. George Brown.	100 00
Sept. 14. Thomas Gallagher.	300 00
	<u>\$715 00</u>

All the above cases were prosecuted by the officers of the several societies to which fines are payable, and none of said fines has been previously paid to either of said societies.

The amount collected has been deposited to the credit of the Sinking Fund for the Payment of the Interest on the City Debt.

Respectfully,

F. W. SMITH,

Chief Accountant and Bookkeeper.

Approved:

H. A. METZ, Comptroller.

Resolved, That warrants payable from the Sinking Fund for the Payment of the Interest on the City Debt be drawn in favor of the following named societies for the amount of fines imposed and collected by Court of General Sessions and Court of Special Sessions, First and Second Divisions, etc., in the month of September, etc., 1908, etc., and payable to said societies, pursuant to law:

New York Society for the Prevention of Cruelty to Children.	\$350 00
American Society for the Prevention of Cruelty to Animals.	985 00
The Humane Society of New York.	1,250 00
Dental Society of the State of New York.	100 00
Forest, Fish and Game Commission.	40 00
The Anti-Policy Society.	<u>715 00</u>

Which resolution was unanimously adopted.

The Comptroller offered the following resolution:

Resolved, That the Commissioners of the Sinking Fund hereby consent to the transfer of eight thousand dollars (\$8,000) from the appropriation made to the Commissioners of the Sinking Fund for the year 1908, entitled "Commissioners of the Sinking Fund, Expenses of," to the appropriation made to the Department of Finance for the same year, entitled "Salaries, Department of Finance."

Which resolution was unanimously adopted.

The Comptroller presented the following statement and offered the following resolution relative to the refunding of Croton water rents overpaid in error:

October 16, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—Applications have been made as per statement herewith for the refund of Croton Water Rents Paid in Error.

The applications are severally approved by the Commissioner of Water Supply, Gas and Electricity, the Receiver of Taxes or the Collector of Assessments and Arrears, and the amount so paid, eighteen hundred and fifteen dollars and eight cents (\$1,815.08), has been deposited in the City Treasury to the credit of the Sinking Fund for the Payment of the Interest on the City Debt.

Respectfully,

F. W. SMITH,

Chief Accountant and Bookkeeper.

Approved:

H. A. METZ, Comptroller.

Receiver of Taxes.

Jacob Kahn.	\$8 05
Hispanic Society of America.	42 70
Maurice Robinson.	27 60
Emma R. Harbaugh.	<u>\$52 90</u>
	<u>\$131 25</u>

Collector of Assessments and Arrears.

James Phife.	15 23
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Water Register.

Pasquale J. Lamberti.	\$5 20
Abraham Abelman, President, Steinman Realty Company.	100 80
Samuel Hyman.	20 00
Parker K. Deane.	7 00
Rebecca Kortjohann.	25 00
Charles F. Noyes Company, agents.	6 30
H. Germond.	15 00
George W. Meyer.	71 00
Edward C. Gammann, agent.	45 00
Samuel D. Folsom, attorney.	11 00
Thomas J. Tuomey.	61 00
Ella R. Tucker.	9 00
John T. Mulhall.	73 00
Harris & Harris.	54 00
Bella Glaser.	49 00
Cornelius F. Sheahan.	13 00
Marcus Weil.	41 00
W. Kingsland, Manager, Tax Registration Bureau, Lawyers' Title Insurance and Trust Company.	28 80
The Corporation of the First Presbyterian Church in The City of New York.	25 00
St. John's Evangelical Lutheran Church.	60 00
Joseph Stone, agent for owner.	200 80
Andrew A. Bibby.	13 00

Charles F. Noyes Company, agents.	\$10 50
Nathan Randell.	36 00
Victor Siedman.	1 10
Douglas Robinson, Charles S. Brown & Co.	22 00
Joseph B. Umack.	27 30
Eleanor Tomes.	14 00
Lawyers' Title Insurance and Trust Company.	8 00
James C. Fargo.	14 00
Henry Phipps.	31 00
Frederick Pfleider, agent.	18 00
Gustav A. Becker.	380 00
James J. Etchingham, agent.	38 00
Frederick A. Booth, agent.	38 00
Joseph Oatman.	10 00
Mollie F. Steinhardt.	52 00
Haslehurst, Weston & Co., agents.	16 80
	<u>\$1,668 60</u>
	<u>\$1,815 08</u>

Resolved, That a warrant payable from the Sinking Fund for the Payment of the Interest on the City Debt be drawn in favor of the Chamberlain for the sum of eighteen hundred and fifteen dollars and eight cents (\$1,815.08), for deposit in the City Treasury to the credit of Croton Water Rent Refunding Account, for refunding erroneous and overpayments of Croton Water Rents, as per statement submitted herewith.

Which resolution was unanimously adopted.

The Comptroller presented the following statement and offered the following resolution relative to the refunding of water rents, Borough of Brooklyn, paid in error:

October 17, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—Applications have been made as per statement herewith for the refund of Water Rents, Borough of Brooklyn, Paid in Error.

The applications are severally approved by the Commissioner of Water Supply, Gas and Electricity, or the Receiver of Taxes, and the amount so paid, two hundred and eighty-one dollars and ninety-eight cents (\$281.98), is a proper charge against the Water Sinking Fund, City of Brooklyn.

Respectfully,

F. W. SMITH, Chief Accountant and Bookkeeper.

Approved:

H. A. METZ, Comptroller.

Water Register.

Chauncey Real Estate Company.	\$11 00
Philip Betz.	39 00
F. D. Webster.	5 25
Harris Pomerantz.	10 00
Israel Gross.	5 00
Thomas F. McEnaney.	2 00
Solomon Greenwald.	2 00
H. A. Ficken, agent.	5 00
The Thomson Meter Company.	66 67
Robert Trenkmann.	27 30
Thomas H. Mallon.	15 75
Munroe Stiner & Bros.	9 00
Israel Ellis.	4 00
John Fennella.	4 00
Louis F. Seitz.	10 06
Lawyers' Title Guarantee and Trust Company.	11 55
Estate of P. Skelly; John Skelly, executor.	7 00
J. H. Cummings.	24 00
	<u>\$258 58</u>

Receiver of Taxes.

D. & M. Chauncey Real Estate Company, Ltd.	23 40
	<u>\$281 98</u>

Resolved, That a warrant payable from the Water Sinking Fund, City of Brooklyn, be drawn in favor of the Chamberlain for the sum of two hundred and eighty-one dollars and ninety-eight cents (\$281.98), for deposit in the City Treasury to the credit of "Water Rents, Borough of Brooklyn, Refunding Account," for the refunding of erroneous and over payments of water rents as per statement submitted herewith.

Which resolution was unanimously adopted.

The Comptroller presented a report of the Appraiser of Real Estate of the Department of Finance, relative to an application of the President of the Borough of Manhattan for a lease of premises at Nos. 1907 to 1911 Amsterdam avenue, Borough of Manhattan, which was referred back to the President of the Borough with a copy of the report.

A communication was received from the Commissioner of Docks requesting the approval of the purchase of the ferryboats "South Brooklyn" and "West Brooklyn," for use of the Stapleton Ferry, which was referred to the Comptroller.

Adjourned.

N. TAYLOR PHILLIPS, Secretary.

POLICE DEPARTMENT.

October 24, 1908.

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

Ordered to be Paid:

Contingent expenses of Police Headquarters, etc., 1908, \$40.55.

From Pension Fund—Sick time, John J. Gallagher and twelve others, \$379.89; fines remitted, Samuel T. Cunningham and George W. Croughton, \$43.50.

Masquerade Ball Permits Granted.

A. Hollander, Arlington Hall, Manhattan, October 24; fee, \$25.

James Reilly, Manhattan Casino, Manhattan, October 24; fee, \$25.

J. J. Lutz, Teutonia Hall, Brooklyn, October 24; fee, \$10.

J. J. Lutz, Teutonia Hall, Brooklyn, October 30; fee, \$10.

Weber & Glatterer, Palm Garden, Brooklyn, November 3; fee, \$10.

Weber & Glatterer, Palm Garden, Brooklyn, November 7; fee, \$10.

J. Meagher, Prospect Hall, Brooklyn, November 7; fee, \$10.

F. Connor, Beck's Casino, Brooklyn, November 14; fee, \$10.

Weber & Glatterer, Palm Garden, Brooklyn, November 14; fee, \$10.

C. G. Johnson, Prospect Hall, Brooklyn, November 21; fee, \$10.

W. C. Abrams, Harms Hall, Brooklyn, October 27; fee, \$10.
C. B. Kiesel, Astoria Scheutzen Park, Queens, November 2; fee, \$10.

On file, Send Copy.

Resolutions adopted by the Commissioners of the Sinking Fund October 21, 1908, as follows:

"Resolved, That the Corporation Counsel be and is hereby requested to prepare a lease to the City from William Henderson of the two stores on the ground floor, eight rooms on the second floor and the entire third floor in the Post Office Building, Williamsbridge road, Westchester, Borough of The Bronx, for use of the Police Department, for a period of one year from January 1, 1909, at an annual rental of three thousand five hundred dollars (\$3,500), payable quarterly, and upon the same terms and conditions as contained in the existing lease; and the Commissioners of the Sinking Fund, deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made, the Comptroller be and is hereby authorized and directed to execute the same when prepared and approved by the Corporation Counsel, as provided by sections 149 and 217 of the Greater New York Charter."

"Resolved, That the Corporation Counsel be and is hereby requested to prepare a lease to the City from Josephine M. Carney of the first and second lofts of the premises No. 151 Crosby street, Borough of Manhattan, for the use of the Police Department for a term of one year, from February 1, 1909, at an annual rental of twenty-one hundred and sixty dollars (\$2,160), payable quarterly, otherwise upon the same terms and conditions as contained in the existing leases; and the Commissioners of the Sinking Fund, deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made, the Comptroller be and is hereby authorized and directed to execute the same when prepared and approved by the Corporation Counsel, as provided by sections 149 and 217 of the Greater New York Charter."

Send copies to the Bookkeeper and Bureau of Repairs and Supplies.

Special Order No. 271, issued this day, is hereby made part of the proceedings of the Police Commissioner.

Special Order No. 272, requiring record to be kept of certain telephone calls, was this day promulgated by the Police Commissioner.

Special Order No. 271.

The following transfers are hereby ordered:

To take effect 8 a. m., October 26, 1908:

Sergeant.

George W. Jackson, from Twelfth Precinct to Central Office Squad, duty in Fourth Deputy Commissioner's office.

Patrolman.

Andrew J. Riordan, from Ninth Precinct to Central Office Squad, duty in Fourth Deputy Commissioner's office.

The following temporary assignments are hereby ordered:

Lieutenants.

John J. Lonergan, Sixty-fifth Precinct, assigned to Bureau of Electrical Service for two days, from 8 a. m., October 27, 1908.

Thomas F. McCormick, Sixty-sixth Precinct, assigned command precinct during absence of Captain Dennis J. Brennan on sick leave, from 9:10 a. m., October 22, 1908.

Sergeants.

Jeremiah A. Crowley, One Hundred and Sixty-ninth Precinct, assigned as Acting Lieutenant in precinct during absence of Lieutenant William F. Smullen on sick leave, from 4 p. m., October 22, 1908.

Thomas F. Walsh, One Hundred and Seventy-first Precinct, assigned to One Hundred and Sixty-ninth Precinct during temporary assignment of Sergeant Jeremiah A. Crowley as Acting Lieutenant, from 4 p. m., October 23, 1908.

Joseph F. Ryan, Seventh Precinct, assigned to Central Office Squad, duty in Fourth Deputy Commissioner's office for ten days, from 5 p. m., October 23, 1908.

Patrolman.

Jacob Lichtenstein, Eightieth Precinct, assigned as Acting Doorman in precinct during absence of Doorman James Feeley on vacation, from 12 noon, October 25, 1908.

Matron.

Grace M. Davis, One Hundred and Forty-ninth Precinct, assigned to One Hundred and Forty-third Precinct during absence of Matron Amelia L. Boyle with leave, from 8 a. m., October 23, 1908.

The following extensions of temporary assignments are hereby ordered:

Sergeant.

James W. Hallock, Harbor Precinct, Station A, to Central Office Squad, duty in Second Deputy Commissioner's office, from 5:15 p. m., October 26, 1908, until 8 p. m., November 15, 1908.

Patrolmen.

Anthony Wollack, Traffic Precinct C, and John J. Donegan, Sixteenth Precinct, to Detective Bureau, Manhattan, from 8 p. m., October 29, 1908, until 8 p. m., November 15, 1908.

To Detective Bureau, Manhattan, from precincts indicated, for twenty days, from 8 p. m., October 26, 1908:

Sergeant.

Edward D. Hoffman, Traffic Precinct B.

Patrolmen.

John A. Wegge, Thirty-sixth Precinct.

James J. Phelan, Eighteenth Precinct.

Frank Bourque, One Hundred and Fifty-third Precinct.

John J. Murphy, Sixteenth Precinct.

Julius Brehme, Fortieth Precinct.

Charles J. Walters, Fortieth Precinct.

James Tierney, Thirty-ninth Precinct.

John Nelson, Fifteenth Precinct.

Alexander Hall, Eighteenth Precinct.

Harry Schreiber, Nineteenth Precinct.

James Gaffney, Ninth Precinct.

Patrick Guin, Sixteenth Precinct.

James Sheehan, Twenty-ninth Precinct.

John J. Kerns, Twenty-third Precinct.

Michael J. Dwyer, Eighteenth Precinct.

James Neary, Sixth Precinct.

William Donohue, Twenty-fifth Precinct.

Thomas Ryan, No. 2, One Hundred and Fourth Precinct.

To Detective Bureau, Manhattan, from precincts indicated, from 2 p. m., October 27, 1908, until 8 p. m., November 15, 1908:

Patrolmen.

Dennis F. Cash, Fourteenth Precinct.

George L. Smith, One Hundred and Eighty-fourth Precinct.

Max Lowe, Ninth Precinct.

Frank J. Lonergan, One Hundred and Fourth Precinct.

Harry F. Bresnan, Twelfth Precinct.

Edward Brady, Twenty-eighth Precinct.

Otto W. Reich, Tenth Precinct.

The following leaves of absence are hereby granted with full pay:

Patrolmen.

Frederick W. Wilkens, Seventy-seventh Precinct, for three days, from 12 noon, October 22, 1908.

Cornelius P. O'Connell, Forty-third Precinct, for three days, from 12 noon, October 22, 1908.

Matron.

Amelia L. Boyle, One Hundred and Forty-third Precinct, for three days, from 12 noon, October 22, 1908.

The following leaves of absence are hereby granted without pay:

Lieutenant.

Samuel G. Belton, Fourth Inspection District, for five days, in addition to vacation.

Patrolmen.

Peter Langan, One Hundred and Forty-sixth Precinct, for one day, from 12 a. m., October 23, 1908, with permission to leave city.

Michael Gormley, One Hundred and Forty-sixth Precinct, for two and one-half days, from 12 noon, October 23, 1908.

Probationary Doorman.

Gustav M. Blessman, One Hundred and Sixty-fifth Precinct, for two days, from 12 a. m., October 22, 1908, with permission to leave city.

The following member of the Force having been tried on a charge before a Deputy Commissioner, the following fine is hereby imposed:

Patrolman.

Edward L. Collins, Sixteenth Precinct, sitting on chair in rear of registration place asleep; fined twenty days' pay.

The following member of the Force having been tried on charges before a Deputy Commissioner, and found guilty as charged, sentence is suspended during good behavior:

Patrolman.

Edward L. Collins, Sixteenth Precinct.

The following death is reported:

Sergeant.

James McGrath, Thirty-second Precinct, at 1:18 a. m., October 24, 1908.

The following Special Patrolmen are hereby appointed:

To take effect October 23, 1908:

John McGovern and Asa W. Brown, for Interborough Rapid Transit Company, Manhattan.

The resignation of the following Special Patrolman is hereby accepted and he is reappointed, to take effect as of date indicated:

October 23, 1908:

Henry G. Mallan, employed by Fifth Avenue Trust Company, No. 514 Fifth Avenue, Manhattan.

THEO. A. BINGHAM, Police Commissioner.

POLICE DEPARTMENT.

October 26, 1908.

The following proceedings were this day directed by the Police Commissioner: On reading and filing eligible list of the Municipal Civil Service Commission, dated October 15, 1908.

Ordered, That the following named persons, whose names appear on such eligible list, be and are hereby employed as Hostlers in the Police Department of The City of New York, for duty in the Borough of Manhattan, with compensation at the rate of \$2.50 per diem:

James Conroy, No. 1710 Amsterdam avenue, Manhattan.

John Schmidt, No. 994 First avenue, Manhattan.

Ordered, That Albert Moseley, who resigned as Steward on the steam vessel "Patrol" on October 19, 1908, be and is hereby reappointed as Steward, and his temporary assignment as Cook discontinued.

Ordered, That Charles Gifford, Cook on the steam vessel "Patrol," who has been on sick leave, be reassigned to duty.

Having investigated the financial condition of Maria Grace, and as a result of such investigation, and from the evidence now before me, being of the opinion that the said Maria Grace does not need for her support the pension heretofore granted her;

Now, therefore, under authority vested in me by section 356 of the Greater New York Charter, it is

Ordered, That the pension heretofore granted to Maria Grace on or about the 6th day of July, 1904, be and the same is hereby reduced to \$180 per annum, as of the 31st day of October, 1908.

Having investigated the financial condition of Juliette F. Morrell, and as a result of such investigation and from the evidence now before me, being of the opinion that the said Juliette F. Morrell does not need for her support the pension heretofore granted her;

Now, under authority vested in me by section 356 of the Greater New York Charter, it is

Ordered, That the pension heretofore granted to Juliette F. Morrell on or about December 1, 1890, be and the same is hereby revoked, as of the 31st day of May, 1908.

Ordered to be Paid.

Contingent expenses of Police Headquarters, etc., 1908, \$735.97.

Accepted.

Resignation of Albert Moseley as temporary Cook, and asking that he be reappointed as Steward (see order, this date).

Granted.

Petition for pension of Elizabeth Gordon, widow of John L. Gordon, Patrolman, and pension awarded in the sum of \$120 per annum.

Petition for pension of Mary H. Herrlich, widow of William Herrlich, pensioner, and pension awarded of \$120 per annum.

Petition for pension of Catharine Mohr, widow of Jacob G. Mohr, pensioner, and pension awarded of \$180 per annum.

Petition for pension of Elizabeth J. Shuttleworth, widow of Alfred N. Shuttleworth, and pension awarded of \$300 per annum.

Petition for pension of Annie Smallman, widow of James Smallman, pensioner, and pension awarded of \$120 per annum.

Concert License Granted.

S. Calderone, Florence Theatre, No. 331 Bowery, Manhattan, from October 30, 1908, to January 29, 1909; fee, \$150; no liquors.

Masquerade Ball Permit Granted.

A. L. Unger, Grand Central Palace, Manhattan, October 31; fee, \$25.

On File, Send Copy.

Report of Lieutenant in command of Boiler Squad, dated October 23, 1908, relative to engineers' licenses granted. For publication in the CITY RECORD.

Special Order No. 273, issued this day, is hereby made part of the proceedings of the Police Commissioner.

Special Order No. 274, relative to Independence League mass meeting on October 31, 1908, was this day promulgated by the Police Commissioner.

Special Order No. 273.

The following transfers and assignments are hereby ordered:

To take effect 8 p. m., October 25, 1908:

Captain.

Patrick J. Trace, from Two Hundred and Seventy-eighth Precinct to Central Office Squad, duty in Third Deputy Commissioner's office.

To take effect 8 p. m., October 27, 1908:

Sergeant.

George E. Greig, from Traffic Precinct A to Eighteenth Precinct.

To take effect 8 p. m., October 25, 1908:

Patrolman.

John W. Earle, from Seventeenth Precinct to One Hundred and Forty-fifth Precinct.

To take effect 8 p. m., October 27, 1908:

Patrolmen.

John H. Delaney, from One Hundred and Sixty-fourth Precinct to Twenty-third Precinct.

Thomas F. Cassidy, from Twenty-third Precinct to One Hundred and Sixty-fourth Precinct.

John V. Newman, from One Hundred and Fifty-sixth Precinct to Sixteenth Precinct.

Charles W. Burris, from One Hundred and Forty-ninth Precinct to Twenty-second Precinct.

Terence F. Smith, from One Hundred and Fifty-sixth Precinct to Twenty-first Precinct.

Charles M. Murphy, from One Hundred and Forty-ninth Precinct to Eighth Precinct.

Robert C. Nugent, Twenty-first Precinct, transferred to Third Inspection District, and assigned to duty in plain clothes.

John F. Shea, Third Inspection District, remanded from duty in plain clothes, and transferred to Twenty-first Precinct.

Bernard J. Molloy, from Traffic Precinct A to First District Court Squad.

George A. Mott, from Harbor Precinct to Twenty-second Precinct.

James Kelleher, from Thirty-fifth Precinct to Seventh Precinct.

Louis Price, from Seventh Precinct to Twenty-sixth Precinct.

John J. McManus, from Twenty-sixth Precinct to Thirteenth Precinct.

Robert B. Beck, Thirty-sixth Precinct, transferred to Detective Bureau, Manhattan, and assigned to duty in Photograph Gallery.

To take effect 8 a. m., October 26, 1908:

Patrolmen.

Dennis Sullivan, Fortieth Precinct, transferred to Twenty-third Precinct, and assigned as Driver of automobile patrol wagon.

Patrick Hally, Fortieth Precinct, transferred to Twenty-third Precinct, and assigned as Driver of automobile patrol wagon.

Thomas Kane, Twenty-third Precinct, transferred to Fortieth Precinct, and assigned as Driver of patrol wagon.

Patrick Duggan, Twenty-third Precinct, transferred to Fortieth Precinct, and assigned as Driver of patrol wagon.

Fred Brickley, from First Precinct to Central Office Squad.

Michael F. Walsh, from Sixth Precinct to Central Office Squad.

Walter J. Miller, from Eighteenth Precinct to Central Office Squad.

William J. Gallagher, from Twenty-third Precinct to Central Office Squad.

Harry C. Williams, from Twenty-third Precinct to Central Office Squad.

Frank Fasullo, from One Hundred and Fifty-second Precinct to Central Office Squad.

Joseph Dougherty, from Sixth Precinct to Central Office Squad.

The following temporary assignments are hereby ordered:

Sergeant.

George L. Sutte, Sixty-sixth Precinct, assigned as Acting Lieutenant in precinct during temporary assignment of Lieutenant Thomas F. McCormick in command.

Patrolmen.

James Murray, One Hundred and Forty-sixth Precinct, assigned as Driver of patrol wagon in precinct, during absence of Patrolman Peter Langan with leave, from 12:01 a. m., October 23, 1908.

Daniel White, One Hundred and Sixty-eighth Precinct, assigned as Driver of patrol wagon in precinct, during absence of Patrolman John Purcell on sick leave, from 5 p. m., October 23, 1908.

Louis E. Rodman and Robert McDonald, Seventh Precinct, and Dennis Wright, Twenty-eighth Precinct, assigned to Central Office Squad, for ten days, from 2 p. m., October 24, 1908.

Charles J. Battalora, Ninth Inspection District, assigned to Detective Bureau, Brooklyn, for thirty days, from 8 p. m., October 26, 1908.

John A. Golden, Twenty-first Precinct, assigned to Detective Bureau, Brooklyn, for thirty days, from 8 a. m., October 25, 1908.

Edward T. Cody and Alfred T. Wing, Twenty-sixth Precinct, assigned to Fourteenth Inspection District, for ten days, from 8 a. m., October 26, 1908.

Edward Streeter, Ninety-ninth Precinct, assigned as Acting Doorman in precinct, during absence of Doorman William J. Ryan on sick leave, from 8 a. m., October 25, 1908.

Dennis E. Reilly, Twelfth Precinct, assigned as Driver of patrol wagon in precinct, during absence of Patrolman Thomas J. White on sick leave.

Dennis J. Murphy, Sixty-third Precinct, assigned to Fourth Inspection District, duty in plain clothes, from 8 p. m., October 27, 1908.

Assigned to Traffic Precinct A, duty at Martin B. Brown Company, No. 40 Park Place, Manhattan, from 10:30 a. m., October 24, 1908, until 12:01 a. m., November 3, 1908.

Charles S. Wells, Two Hundred and Seventy-seventh Precinct.

Thomas J. Farrell, Forty-eighth Precinct.

William J. Thompson, Nineteenth Precinct.

Thomas J. Butler, Twenty-sixth Precinct.

John J. Mahoney, Twelfth Precinct.

William Kotteman, One Hundred and Sixty-seventh Precinct.

John H. Lent, Sixty-ninth Precinct.

John W. Daly, Forty-ninth Precinct.

Henry Graham, Eighteenth Precinct.

Assigned to Board of Elections, No. 107 West Forty-first street, Manhattan, for fifteen days, from 12:45 p. m., October 24, 1908:

William A. Mahoney, First Precinct.

John J. Mooney, Fifth Precinct.

Nathan Whitman, Ninth Precinct.

Louis Weintraub, Twenty-ninth Precinct.

Henry P. Bickelhaupt, Sixty-fifth Precinct.

Edward J. Gleason, Second Precinct.

Richard McHale, Sixth Precinct.

Michael J. Cregan, Thirty-first Precinct.

Richard M. Whalen, Thirty-second Precinct.

John J. M. Weldon, One Hundred and Fifty-fifth Precinct.

Doorman.

John J. Devine, Seventh Precinct, assigned to Central Office Squad, for ten days, from 2 p. m., October 24, 1908.

Matron.

Ellen Reynolds, Twenty-sixth Precinct, assigned to Twenty-fifth Precinct, duty at Prison Ward, Bellevue Hospital, during absence of Matron Mary Sheridan on vacation, from 12:01 a. m., October 27, 1908.

The following extensions of temporary assignments are hereby ordered:

Sergeant.

Michael J. Fitzgerald, One Hundred and Fourth Precinct, to Central Office Squad, duty in Second Deputy Commissioner's office, for ten days, from 12 noon, October 26, 1908.

Patrolmen.

Frank C. Boekell, Twenty-eighth Precinct, to Detective Bureau, Manhattan, duty in Photograph Gallery, for thirty days, from 8 a. m., October 28, 1908.

Edward Castano, Tenth Precinct, to Detective Bureau, Manhattan, for thirty days, from 8 a. m., October 26, 1908.

The following temporary assignment is hereby discontinued:

Patrolman.

Jeremiah Murphy, Thirty-second Precinct, to Fourth Inspection District, from 8 p. m., October 27, 1908.

The following leave of absence is hereby granted with half pay:

Lieutenant.

Edwin J. Dodson, Central Office Squad, for one-half day, from 8 a. m., October 24, 1908.

The following leave of absence is hereby granted with full pay:

Patrolman.

Patrick McNamara, Sixty-first Precinct, for three days, from 12 noon, October 23, 1908.

The following leave of absence is hereby granted without pay:

Patrolman.

Michael J. Goreyan, Fourteenth Precinct, for five days, from 12:01 a. m., October 28, 1908, with permission to leave city.

Permission granted to leave city:

Patrolman.

Michael J. Murphy, One Hundred and Fiftyith Precinct, for ninety days, while on sick leave.

The following application for full pay is hereby granted:

Patrolman.

William Speeden, Sixteenth Precinct, from December 14, 1907, to December 26, 1907, while under suspension.

Suspended from duty without pay:

Patrolmen.

Alexander S. Scherr, Thirty-fifth Precinct, to take effect 2 p. m., October 24, 1908.

John D. Clifford, One Hundred and Forty-seventh Precinct, to take effect 2 p. m., October 24, 1908.

The following having been employed as Hostlers are assigned as indicated, to report October 26, 1908:

John Schmidt, Two Hundred and Seventy-sixth Precinct.

James Conroy, Traffic Precinct A.

The following Special Patrolman is hereby appointed:

Frederick W. Eden, for the Gotham Theatre Company, Gotham Theatre, Alabama avenue and Fulton street, Brooklyn.

The resignations of the following Special Patrolmen are hereby accepted, and they are reappointed, to take effect as of date indicated:

October 24, 1908:

George H. Fisher, for Richard Webber, Third avenue and One Hundred and Twentieth street, Manhattan.

Christopher C. Tracy, Jr., for Martin-Evans Company, No. 1186 Bedford avenue, Brooklyn.

The resignations of the following Special Patrolmen are hereby accepted:

Delmore S. Gardner, employed by the New York Hippodrome, Sixth avenue and Forty-third street, Manhattan.

D. W. Elmore, Francis E. Nichols, Wm. Clear, Jothan S. Curry, George Kane, H. Heickel, Frank Kelley, F. W. Fuller, Chris. Roche, Edwin D. Kind, John Hartnett, Edwin L. Hunt, John Morris, S. D. Moriarity, Otto C. Markhoff, J. Keegan, Edward Fox, J. W. Leich, Harry Spawn, J. Oakley, George Courier, Louis M. Nicholson, John Ryan, William Manley, T. J. Murray, Merle W. Gadbury, F. Haddaway, D. L. Ritter, Cornelius Britton, George F. Thomas, Andrew Forster, Herman Weisback, Isaac Kah, George S. Rogers, Harry Dale, James Metcalfe, Thomas Philbin, Charles Roberts, Louis E. Larinx, J. M. Wallach, Charles H. Blauvelt, Charles Brauwhite, Yank Kenny, John J. Smith, G. Whine, Fred Swallow, James Cash, Ruben Cohen, John J. Carlin, W. B. Masott, Herman Grossman, John W. Harper, Wm. Vanderbeck, Jonas M. Rolle, George W. Gladding, Louis Radlein, George Higginbotham, Arthur Foley, B. T. Simmons, R. Neville, Harry Metzger, Chas. Kalhorn, Wm. Mack, John Padian, Jr., W. B. Curzon, Wm. F. O'Toole, H. F. Edwards, Wm. Barnes, Thomas F. Shanley, Robert E. Ward, Wm. Lane, Gabriel De Waal, Harry S. Garrett, W. J. McClusky, Martin Gill, A. Edmundson, John Murphy, Joseph Hayden, John Rolley, Charles Bloom, George Brooks, Necklaces Haverly, Gus. Brower, John Padian, Sr., Charles Moore, Charles B. Whited, Miller F. McCreery, Hypolite J. Riebe, Lester A. Jencks, John McGuiness, John Doolan, Ben C. Cowan, J. J. King, Charles McNamara, J. A. McCarthy, Edward Wright, Martin Flynn, W. Heines, George W. Bradford, Abe Bernstein, Joseph E. Flynn, John Harper, George E. Haverland, James Galvin, Frank J. Campbell, John Kennedy, Thomas Brown, C. F. Talle, Samuel Lewis, John F. Murphy, William J. Reilly, William Walsh, Benj. Lippman, Wm. McCarroll, Fred Griffith, J. W. Pugh, Paul Lederer, John Cassidy, Wm. Morris, William Bock, Martin Lewis, H. A. Wadsworth, Gordon C. Fleming, Harry Johnston, A. Boskey, Charles T. Jemison, J. Shuster, F. P. Young, R. Sherman, E. Duffield, Robert D. Jackson, Frank Dukes, Charles Ross, George W. Layton, Ed. Byrne, John Murry, Eric Justice, Patrick Riley, Ed. C. Donlon and James O'Donnell, employed by New York Taxicab Company, No. 42 West Sixty-second street, Manhattan.

The appointment of the following Special Patrolman is hereby revoked:

Ferdinand W. Church, employed by New York Taxicab Company, No. 42 West Sixty-second street, Manhattan.

THEO. A. BINGHAM, Police Commissioner.

POLICE DEPARTMENT.

October 27, 1908.

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

Ordered, That the lessors of premises No. 360 West One Hundred and Twenty-fifth street, Room 8, Second floor, viz.; Messrs. J. Allen Townsend and Edward S. Townsend, No. 10 Wall street, be notified that the Police Department will not require the said premises after the expiration of lease, December 1, 1908, and that the Commissioners of the Sinking Fund be also notified.

Concert License Granted.

Cosmo Company, the Big Show, No. 245 Grand street, Manhattan, from October 28, 1908, to January 27, 1909; fee, \$150. No liquors.

Masquerade Ball Permits Granted.

G. W. Klein, Tammany Hall, Manhattan, October 31; fee, \$25.

J. Howard, Sulzer's Harlem River Park, Manhattan, November 14; fee, \$25.

On File, Send Copy.

Reports of Lieutenant in command of Boiler Squad, dated October 24 and 26, 1908, relative to engineers' licenses granted. For publication in the CITY RECORD. Special Order No. 276, issued this day, is hereby made part of the proceedings of the Police Commissioner.

Special Order No. 275, relative to Business Men's Republican Association parade on October 31, 1908, was this day promulgated by the Police Commissioner.

Special Order No. 276.

The following members of the Force are hereby relieved and dismissed from the Police Force and Service and placed on the roll of the Police Pension Fund, and are awarded the following pensions:

To take effect 12 midnight, October 26, 1908:

Sergeant.

Peter B. Murray, One Hundred and Forty-third Precinct, on his own application, at \$750 per annum. Appointed June 8, 1883.

Patrolman.

Richard Tobin, Fourteenth Inspection District, on Police Surgeons' certificate, at \$700 per annum. Appointed September 6, 1886.

The following transfer is hereby ordered:

To take effect 8 p. m., October 28, 1908:

Patrolman.

David Parson, from Traffic Precinct C to Traffic Precinct B.

The following temporary assignments are hereby ordered:

Lieutenant.

Charles E. Lee, Two Hundred and Eighty-fifth Precinct, assigned to Two Hundred and Seventy-seventh Precinct, during absence of Lieutenant John C. Schellp to County Court, Queens, from 8 a. m., October 26, 1908.

Sergeants.

Ricardo Goodell, Seventeenth Precinct, assigned to Seventh Precinct, during temporary detail of Sergeant Joseph F. Ryan to Central Office Squad, from 8 p. m., October 23, 1908.

Robert F. Powers, Thirteenth Precinct, assigned as Acting Lieutenant in precinct, during absence of Lieutenant Theodore F. Snyder on sick leave, from 8 a. m., October 26, 1908.

George Stephenson, Eighth Precinct, assigned to Central Office Squad, duty in office of Chief Inspector, for twenty days, from 8 a. m., October 27, 1908.

Thomas J. Blunt, One Hundred and Sixty-fourth Precinct, assigned to Two Hundred and Seventy-eighth Precinct, during absence of Sergeant Morris Cohen on sick leave, from 4 p. m., October 24, 1908.

Patrolmen.

John H. Wagner, Sixty-third Precinct, assigned to Detective Bureau, Manhattan, from 2 p. m., October 26, 1908, to 8 p. m., November 15, 1908.

Thomas Reilly, Seventy-seventh Precinct, assigned as Acting Doorman in precinct, during absence of Doorman David Rutledge on sick leave, from 12:35 p. m., October 23, 1908.

Charles H. Eckstahl, Seventh Precinct, assigned as Acting Doorman in precinct, during temporary detail of Doorman John J. Levine to Central Office Squad, from 2 p. m., October 22, 1908.

Assigned to precincts indicated, for duty in office of Receiver of Taxes in Borough designated, from 8 a. m., October 29, 1908, until 8 a. m., November 1, 1908:

Manhattan, to Traffic Precinct A.

Jeremiah Noonan, Fortieth Precinct.

James T. Haddock, Sixty-first Precinct.

The Bronx, to Sixty-fifth Precinct.

Daniel J. Sullivan, Sixty-third Precinct.

John McCue, Twenty-eighth Precinct.

Brooklyn, to One Hundred and Eighty-second Precinct.

James J. Median, One Hundred and Forty-third Precinct.

Leroy Terwilliger, One Hundred and Forty-third Precinct.

John Daly, One Hundred and Sixty-first Precinct.

Queens, to Two Hundred and Seventy-fifth Precinct.

James Fitzpatrick, Two Hundred and Eighty-second Precinct.

Joseph Lockwood, Two Hundred and Eighty-third Precinct.

Richmond.

Thomas Cunningham, Eightieth Precinct.

The following extensions of temporary assignments are hereby ordered:

Patrolmen.

George Downey, Sixty-fifth Precinct, to Central Office Squad, for ten days, from 8 a. m., October 27, 1908.

John Mulvihill, Traffic Precinct C, to Thirty-first Precinct, duty on Blackwells Island Bridge, for ten days, from 4 p. m., October 27, 1908.

Patrick Broderick, Eleventh Inspection District, and Louis J. Price, One Hundred and Fifty-third Precinct, to District Attorney's office, Kings County, for one day, from 8 a. m., October 27, 1908.

The following temporary assignments are hereby discontinued:

Sergeant.

Frank S. Hodge, Ninety-ninth Precinct, as Acting Lieutenant in Precinct, from 8 a. m., October 23, 1908.

Patrolman.

Joseph Courtenay, Thirty-first Precinct, to Central Office Squad, from 8 a. m., October 28, 1908.

The following member of the Department is excused for eighteen hours, as indicated:

Surgeon.

Daniel J. Donovan, Ninth Surgical District, from 12 noon, October 26, 1908.

The following leaves of absence are hereby granted with full pay:

Patrolmen.

John M. Bissell, First Inspection District, for three days, from 12:01 a. m., October 27, 1908.

Joseph B. Shephard, Fifth Precinct, for three days, from 12 noon, October 26, 1908.

James J. Kennedy, Two Hundred and Seventy-fifth Precinct, for three days, from 12:01 a. m., October 24, 1908.

The following leaves of absence are hereby granted without pay:

Patrolmen.

John J. Flynn, Eighth Precinct, for one and one-half days, from 12 noon, October 27, 1908.

Lawrence P. Angle, One Hundred and Forty-fifth Precinct, for one day, from 12 noon, October 26, 1908.

Carlos F. Davis, One Hundred and Forty-seventh Precinct, for one day, from 12 noon, October 26, 1908.

George O'Byrne, One Hundred and Fifty-ninth Precinct, for one day, from 12 noon, October 25, 1908.

Permission granted to leave city:

Patrolman.

Stephen Powers, Fifth Precinct, for thirty days, while on sick leave.

The following member of the Force having been tried on a charge before a Deputy Commissioner and found guilty, he is hereby dismissed from the Police Force of The City of New York:

To take effect 3 p. m., October 26, 1908:

Patrolman.

Martin J. Bergen, One Hundred and Sixty-seventh Precinct. Charge, neglect of duty.

The following amendment is hereby ordered:

Paragraph 1, Special Order No. 273, current series, to read Patrolman Louis Davis, Seventh Precinct, to Twenty-sixth Precinct, instead of Patrolman Louis Price.

The following Special Patrolmen are hereby appointed:

Samuel S. Cox, for Manhattan Opera House, Thirty-fourth street, near Eighth avenue, Manhattan.

John Nicholson, for Holmes Electric Protective Company, No. 34 East Fourteenth street, Manhattan.

The resignation of the following Special Patrolman is hereby accepted and he is reappointed, to take effect as of date indicated:

October 26, 1908:

Jacob Graf, for May, Levy & May, No. 284 Johnson avenue, Brooklyn.

THEO. A. BINGHAM, Police Commissioner.

POLICE DEPARTMENT.

Sanitary Company (Boiler Squad), 1
October 22, 1908.

To the Police Commissioner:

Sir—In compliance with orders relative to engineers' certificates issued by me under section 312 of chapter 410 of the Laws of 1882 as amended, the following report will show the names of the persons to whom licenses were issued, class of license and location for the same, during the twenty-four hours ending 12 midnight, October 22, 1908:

First Class.

Thomas Dempsey, No. 52 Varick street.

John C. King, Blackwells Island.

Emil Bock, No. 37 Bogart street, Brooklyn.

C. V. S. Cropsey, No. 543 Smith street, Brooklyn.

William McKillop, New York avenue, Brooklyn.

Second Class.

Joseph Diedrich, No. 134 Leonard street.

Edward Meares, No. 51 John street.

William Josie, No. 481 Smith street, Brooklyn.

Albert Holtlinger, No. 1105 Metropolitan avenue, Brooklyn.

Frank McCullough, Fifty-fifth street and First avenue, Brooklyn.

Reinhold Daust, No. 375 Fulton street, Brooklyn.

William H. Ball, foot First street, Long Island City.

Third Class.

George Christ, No. 57 Park street.

George W. Claypoole, No. 77 Broadway.

John W. Brown, Nos. 2 to 10 Astor place.

James W. Butler, No. 110 Horatio street.

John M. Howley, No. 30 Gold street.

Frank E. Hawkins, No. 2350 Broadway.

Harry Hartstein, No. 1380 Broadway.

Maurice M. Kennedy, No. 474 Greenwich street.

Francis C. Lockerman, No. 668 West Thirty-ninth street.

Olaf Jansen Linn, Pier 37, North River.

Edward Meltzer, No. 149 West One Hundred and Twenty-fifth street.

John F. Meyer, Morris Heights.

Reinold J. Moline, No. 513 West Twenty-second street.

Eugene O'Reilly, No. 523 East Seventy-sixth street.

Aaron N. Platt, Pier 25, North River.

Henry Peemoller, No. 2 Irving place.

August Roggebrodt, foot of Christopher street.

William Skinner, No. 56 Beaver street.

Jeremiah J. Sullivan, No. 97 Bleeker street.

Patrick J. Sheehan, No. 620 West Twenty-fifth street.

William Trimble, No. 1022 Amsterdam avenue.

Thomas D. Taylor, New Brighton, Staten Island.

Thomas H. Whalen, No. 69 West Ninetieth street.

William A. Wood, foot Fulton street, Brooklyn.

John McCullough, No. 81 Adams street, Brooklyn.

J. W. Rosnerance, Nostrand avenue, Brooklyn.

Thomas Baird, foot Hamilton avenue, Brooklyn.

Special

John A. McGuire, No. 1849 Park avenue.

Christopher Deegan, No. 366 Butler street, Brooklyn.

Respectfully,

HENRY BREEN, Lieutenant in Command.

POLICE DEPARTMENT.

October 30, 1908.

I forward herewith for publication in the CITY RECORD the following list of deaths, retirements, etc., from October 27 to October 24, 1908:

October 17.

Employed as Doorman on Probation—

Gustave M. Blessman.

Harry Ward.

Employed as Cleaners—

William A. Burns.

John J. Phelan.

Reinstated as Sergeant—

Joseph Devlin, to take effect October 16.

October 19.

Employed as Deputy Clerk on Probation—

John F. Struse.

William H. Kirk.

Henry F. Meffert.

Resignation Accepted—

Albert Mosely, as Steward.

Appointed Temporarily as Cook—

Albert Mosely.

Retired—

Captain Patrick Byrne, Twenty-fifth Precinct, at \$1,375 per annum.

Dismissed—

Hastler Melville Palmer, Traffic Precinct C.

Death Reported—

Sergeant Thomas O'Neil, Seventy-fourth Precinct, at 8:45 p. m., October 17, 1908.

October 20.

Retired—

Patrolman George F. Mahoney, Sixteenth Precinct, at \$140 per annum.

Death Reported—

Patrolman John S. J. Shine, Sixteenth Precinct, at 8 p. m., October 19, 1908.

October 24.

Death Reported—

Sergeant James McGrath, Thirty-second Precinct, at 1:18 a. m., October 24, 1908.

THEO. A. BINGHAM, Police Commissioner.

PUBLIC ADMINISTRATOR.

Statement and Return of Moneys Received by William M. Hoes, Public Administrator of the County of New York, for the Month of October, 1908, Rendered to the Comptroller in Pursuance of the Provisions of Sections 56 and 216 of New York City Consolidation Act of 1882.

Date of Decree	Estate of	Intestate Estates	Commissions	Total Amount
Oct. 3, 1908	Michael Ronan	.....	\$36.53	\$36.53
.....	Benjamin B. Blake	.....	192.29	192.29
Oct. 2, 1908	Max Ilazansky	.....	150.58	150.58
.....	Jennie Walters	.....	4.00	4.00
Oct. 3, 1908	Alice Daly	.....	102.20	102.20
Oct. 3, 1908	John Weber	.....	4.20	4.20
.....	John Weber	.....	4.20	4.20
Oct. 5, 1908	Patrick Callahan	.....	66.56	66.56
Sept. 26, 1908	Arthur O'Shea	.....	144.68	144.68
.....	Arthur O'Shea	\$1,781.91	.....	1,781.91
Oct. 8, 1908	Norman S. Towne	.....	552.17	552.17
Oct. 9, 1908	William Trimble	.....	102.55	102.55
Oct. 9, 1908	Adolph Bergstadt	.....	24.85	24.85
Oct. 9, 1908	Elizabeth Urteadt	264.02	76.67	340.69
.....	Ida M. Wood	.....	20.00	20.00
Oct. 12, 1908	Karolina Sjostrom	.....	40.74	40.74
Oct. 14, 1908	Ellen M. Perkins	.....	129.97	129.97
Oct. 14, 1908	Marie Schunkberker	.....	23.36	23.36
.....	Mary Brown	.....	8.82	8.82
.....	Hugh McLaughlin	.....	7.12	7.12
.....	Johann Wetager	.....	8.80	8.80
.....	Annie Hoffman	162.21	12.18	180.41
Oct. 9, 1908	Barbara Specil	.....	52.58	52.58
.....	Eliza Southwell	.....	10.22	10.22
.....	Louise Broniman	.....	18.64	18.64
Oct. 22, 1908	Mimi Svenson	.....	197.71	197.71
.....	William H. Finlayson	145.03	23.82	468.85
Estates received from Bellevue Hospital July 9, 1908, as per list attached.	.....	65.58	3.45	69.03
Estates received from Commissioner of Charities July 9, 1908, as per list attached.	.....	41.90	2.20	44.10
Total		\$4,760.57	\$2,437.39	\$5,198.06

Cash Received From the Commissioner of Charities July 9, 1908.

Maurice Schwartz	.....	\$14.00
Thomas Rafferty	.....	1.00
John Brennan	.....	3.50
Charles O'Brien	.....	75
Isaac Cook	.....	15
George Seske	.....	80
Thomas Burns	.....	05
Ellen Ryan	.....	1.00
Paul Godfrey	.....	2.30
Charles McDevitt	.....	31
Dora Remesch	.....	02
Anna Hauser	.....	13
Elsie West	.....	01
Joseph Hughes	.....	14.00
Andrew W. May	.....	2.00
Mary Connolly	.....	3.00
Nora Cornell	.....	1.00
Lizzie Olsen	.....	01
Phillip Callagy	.....	09
Total		\$44.10

Cash Received From Bellevue and Allied Hospitals July 9, 1908.

Charles Woffe	.....	\$0.04
George Smith	.....	1.05
Michael Hogan	.....	57
Edwin Roche	.....	1.19
John Ryan	.....	55
Michael McQuade	.....	20
Thomas Davis	.....	1.00
Henry Le Grand	.....	1.30
Thomas Reilly	.....	1.20
Joseph Kowack	.....	66
John Engel	.....	20
Annie Graff	.....	2.00
Marie Osel	.....	10
Emma Blusen	.....	05
Giovanni Apoloella	.....	30
Herman Vogel	.....	2.09
William Helman	.....	90
John Richardson	.....	4.00
David Hogan	.....	08
Thomas Dacy	.....	97
Henry Meyer, less expenses, 70 cents	.....	4.30
Minnie Priser	.....	10
Thomas Henderson	.....	2.00
Joseph Sweeting	.....	65
James Degge	.....	2.27
Edward Maloney	.....	50
Michael Varier	.....	20
Eando Letvi	.....	1.43
Wm. Moran	.....	27
Selig Silverstein	.....	3.54
Owen Dennell	.....	18
Frank McGowan	.....	1.25
Edward Murray	.....	1.04
Unknown woman	.....	74
Albert Bogal	.....	03
Louis Heinz	.....	3.37
Patrick McLanney	.....	18
William Moanahan	.....	05
Andrew Coe	.....	20
William Reilly	.....	1.05
Bogar Perrier	.....	30
Mathias Blumenstein	.....	30
James Laughlin	.....	30

Annie Allen	.....	05
Thomas Eagen	.....	01
Katie Sweeney	.....	1.00
James McLoughlin	.....	15
Mary Daley	.....	13
John Burke	.....	1.30
John Hanley	.....	56
Albert Lennon	.....	55
William Meyer	.....	1.00
Jacob Frank	.....	05
John Tobin	.....	1.50
John Von Wicklin	.....	1.00
Maggie O'Brien	.....	25
William McGarry	.....	92
Martin Blanchard	.....	92
Thomas Donnelly	.....	02
Nellie Carrigan	.....	09
John Hersey	.....	1.56
William R. Johnson	.....	25
Charles Marvin	.....	86
John Murray	.....	90
Christian Jones	.....	02
Felix Wutrich	.....	25
Max Bender	.....	2.75
Sadie Young	.....	1.00
William Reilly	.....	15
Mary Liseuska, less expenses, 50 cents	.....	4.50
George Cohen	.....	1.57
Mary McCrum	.....	55
Thomas Grafton	.....	1.10
Thomas Gerry	.....	60
William Carpenter	.....	15
Henry Allen	.....	26
Mamie Mannan	.....	25
Patrick St. John	.....	93
Charles Stubbs	.....	24
Total		\$69.03

BOROUGH OF QUEENS.

COMMISSIONER OF PUBLIC WORKS.

In accordance with the provisions of section 1540 of chapter 466 of the Laws of 1908, 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 June 27, 1908:

Public Money Received During the Week.

For restoring pavement over street openings	\$234.05
For sewer connections	230.00
Total	\$464.05

Requisitions Drawn on Comptroller.

Bureau of Highways	.....	\$39,772.12
Bureau of Sewers	.....	4,995.83
Bureau of Street Cleaning	.....	5,409.28
Bureau of Public Buildings and Offices	.....	5,069.10
Bureau of Topographical Surveys	.....	1,075.59
Total		\$57,721.83

Permits Issued.

To open streets to repair water connection	20
To open streets to make sewer connections	19
To open streets to repair sewer connections	2
To place building material on streets	12
Special permits	38
To cross sidewalks	12
For subways, steam mains and various connections	1
For railway construction and repairs	8
For sewer connections	23
For sewer repairs	7
For other purposes	1
Total	188

Work Done, Bureau of Highways.

Paved Streets—	.....	630
Square yards of granite pavement repaired	.....	154
Square yards of trap rock pavement repaired	.....	324
Square yards of cobble pavement repaired	.....	79
Square yards of brick pavement repaired	.....	48
Loads of sand used in repairs	.....	148
Loads of stone hauled	.....	330
Loads of stone used	.....	30

Macadamized Streets—	.....	1,292
Square yards of macadam pavement repaired	.....	17,790
Square yards of macadam pavement cleaned	.....	10,485
Square yards of macadam pavement oiled	.....	6,500
Square yards of macadam pavement resanded	.....	1,614
Square yards of roadway picked up	.....	6,480
Square yards of broken stone spread on picked-up bottom	.....	5,613
Square yards of macadam pavement sanded and screened	.....	3,308
Square yards of macadam pavement finished	.....	3,308
Square yards of dirt wings honed	.....	35,695
Loads of screenings used	.....	507
Loads of screenings hauled	.....	261
Loads of broken stone used	.....	638
Loads of sand used	.....	395
Loads of sand hauled	288
Loads of wornout material hauled away	300

Unpaved Streets—	8,099
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Viaducts and Bridges—	
Linear feet of planks replaced on bridges.....	112
Board feet of timber replaced on bridges.....	45
Culverts—	
Linear feet of culverts cleaned.....	100
Trees and Weeds—	
Dead and dangerous trees cut down and removed.....	2
Square yards of weeds cut down and removed.....	2,925
Loads of dead limbs hauled away.....	12
Miscellaneous—	
Linear feet of trench opened.....	188
Loads of granite block hauled from Corporation Yard.....	8
Loads of dirt filling in washouts.....	200
Loads of dirt hauled away.....	8
Number of brick used building catch basins.....	400
Loads of oil used on roadways.....	18
Loads of refuse and water hauled away.....	69

Bureau of Sewers.	
Linear feet of sewer cleaned.....	9,600
Number of basins cleaned.....	167
Linear feet of sewer examined.....	9,250
Linear feet of sewer flushed.....	9,900
Number of basins examined.....	143
Number of basins repaired.....	2
Number of basins relieved.....	27
Number of basins flushed.....	71
Linear feet of sewer repaired.....	100
Number of manholes flushed.....	92
Number of manhole covers put on.....	1
Number of manholes cleaned.....	142
Open drains cleaned, feet.....	1,910
Culvert and stone drains cleaned and repaired, feet.....	155
Box and pipe drains cleaned and repaired, feet.....	350
Material used, feet of pipe.....	100
Loads removed from sewers and drains.....	443

Street Sweepings, Garbage, etc. Collected and Disposed of.	
Ashes, loads.....	1,493
Sweepings, loads.....	1,287
Rubbish, loads.....	798
Garbage, loads.....	1,055
Miles of street swept, per day.....	75

Bureau of Topographical Surveys.	
Profiles—Anderson avenue, Stryker avenue, Second street, Third street, Linden street, Reinson place, Gates avenue.	
Damage Maps—Fourth avenue, Sixteenth street, Linden street, Gates avenue, Cassel avenue, Monson street, Starr street, Bebelle avenue, Freeman avenue, Linden street.	
Rule Map—Stockholm street.	
Copying old maps and records at County Clerk's office, Jamaica.	
Calculation and plotting of field work.	
Plane Table Survey—Far Rockaway and Arverne.	
Monumenting—Long Island City, Newtown, Woodhaven, Richmond Hill, Woodside, Corona and Jamaica.	
Traverse and Locations—Far Rockaway, Jamaica and College Point.	
Damage Surveys—Long Island City, Newtown and Evergreen.	
Triangulation.	

Bureau of Public Buildings and Offices.	
Painting, plastering, carpenter work, plumbing, repairs to tin roofs, leaders, etc., and cleaning.	

Statement of Laboring Force Employed.	
Bureau of Highways—	
Foremen, Assistant Foremen, Mechanics and Laborers.....	592
Teams.....	21
Horses and carts.....	85
Steam rollers.....	5

Bureau of Sewers—	
Foremen, Assistant Foremen, Drivers, Sounders, Mechanics and Laborers.....	163
Horses and carts.....	21

Bureau of Street Cleaning—	
District Superintendent, Foremen, Assistant Foremen, Mechanics, Helpers, Drivers, Laborers and Clerks.....	141
Teams and trucks.....	29
Horses and carts.....	71
Teams and Sweepers.....	5

Bureau of Public Buildings and Offices—	
Clerks, Foremen, Engineer, Firemen, Stokers, Carpenters, Plumbers, Pipe Fitters, Tinsmith, Helpers, Painters, Laborers, Cleaners, Janitors, Mason, Helpers and Attendant.....	68

Bureau of Topographical Surveys—	
Engineer in charge, Assistant Engineer, Laborers, Sounders, Rodmen, Drivers, Foremen, Assistant Foremen, Draughtsmen, Transitmen, Computers, Riggers, Axemen and Flaggers.....	231
Horses and wagons.....	4

ALFRED DENTON,

Commissioner of Public Works, Borough of Queens.

Approved:

Lawrence Gresser, President of the Borough of Queens.

CHANGES IN DEPARTMENTS, ETC.	
BELLEVUE AND ALLIED HOSPITALS.	
October 31—	
Appointments, Gouverneur Hospital.	
October 1, Jane Roycroft, Trained Nurse, \$600.	
October 1, James Murnie, Hospital Helper, \$300.	
October 1, Carl Lemske, Hospital Helper, \$240.	
October 1, Jacob Brockshaw, Hospital Helper, \$240.	
October 19, Charles Hynes, Hospital Helper, \$240.	
October 24, Mary Dillenberg, Cook, \$192.	
Dismissals, Resignations, etc.	
September 30, Laura Atkinson, Trained Nurse, \$600; resigned.	
September 30, Max Blum, Hospital Helper, \$300; resigned.	

September 30, Thomas Murphy, Hospital Helper, \$240; resigned.	Appointments, Fordham Hospital.
September 30, Joseph Dushkin, Hospital Helper, \$240.	September 2, Mamie Whalen, Hospital Helper, \$180.
September 30, John Yenger, Hospital Helper, \$240.	September 22, Alice McKay, Head Pupil Nurse, \$300.
September 28, Charles O'Connor, Driver, \$500.	September 22, Catherine Campbell, Head Pupil Nurse, \$300.
September 30, Henry Sattle, Hospital Helper, \$240.	September 23, Fannie Oscaritz, Hospital Helper, \$180.
October 1, Emma Lindheimer, Trained Nurse, \$600.	September 24, Edward Simott, Hospital Helper, \$240.
October 1, Carrie Davis, Head Pupil Nurse, \$300.	September 24, Mary Humphries, Head Pupil Nurse, \$300.
October 1, Robert Beatty, Hospital Helper, \$240.	September 24, Ethel Brennan, Head Pupil Nurse, \$300.
October 1, Frederick Poll, Hospital Helper, \$360.	October 1, Frances Detweiler, Assistant Superintendent Training School, \$800; promoted from Trained Nurse at \$720.
October 1, Thomas Kelly, Hospital Helper, \$240.	October 1, Rose Ford, Trained Nurse, \$600; resumed duty.
October 1, Jerry J. Ryan, Hospital Helper, \$240.	October 1, Anna M. Green, Trained Nurse, \$600; resumed duty.
October 1, Fannie Decano, Hospital Helper, \$180.	October 1, Esther M. Cook, Trained Nurse, \$600; resumed duty.
October 1, Delia G. Breen, Head Pupil Nurse, \$300.	October 1, John Byrnes, Hospital Helper, \$240.
October 1, Julia C. Stimson, Assistant Superintendent Training School, \$800; promoted from Trained Nurse at \$600.	October 2, Jeannie Usery, Laundress, \$216.
October 1, Gustave Saac, Hospital Helper, \$240.	October 4, Susie Lynch, Hospital Helper, \$180.
October 1, James Reynolds, Hospital Helper, \$480; promoted from \$300.	October 4, John Rodriguez, Hospital Helper, \$240.
October 1, Maureen Gleason, Hospital Helper, \$240.	October 6, Maggie Markey, Waitress, \$182; resumed duty.
October 1, Thomas Kehoe, Hospital Helper, \$300.	October 9, Hannah Worthington, Head Pupil Nurse, \$300.
October 1, Elizabeth Selden, Trained Nurse, \$600; resumed duty.	October 9, Walter George, Hospital Helper, \$600; transferred from Gouverneur Hospital.
October 6, Mary Lee, Trained Nurse, \$600.	October 10, Thomas Thomason, Hospital Helper, \$600.
October 10, Louise Carter, Pupil Nurse, \$90.	October 12, Louise Stone, Trained Nurse, \$600.
October 12, Margaret O'Neill, Hospital Helper, \$180.	October 13, Anna Blades, Head Pupil Nurse, \$300.
October 13, Frank Husband, Hospital Helper, \$360.	October 14, Jack Sullivan, Hospital Helper, \$240.
October 14, Louis Jackson, Hospital Helper, \$300.	October 14, Katie Sullivan, Hospital Helper, \$180.
October 14, Edward Ryan, Hospital Helper, \$600.	Dismissals, Resignations, etc.
October 15, Fannie Stietz, Hospital Helper, \$240.	September 22, Katie Langan, Laundress, \$180; resigned.
October 15, Mabel Horner, Head Pupil Nurse, \$300.	September 23, Dan Kalm, Hospital Helper, \$240; resigned.
October 16, Lillian Goodfellow, Trained Nurse, \$600.	September 30, Frances A. Stone, Assistant Superintendent Training School, \$800; resigned.
October 16, Richard Morris, Hospital Helper, \$240.	October 1, Frances Schmidt, Hospital Helper, \$180; resigned.
October 17, Clayton Cox, Hospital Helper, \$240.	October 1, Rose Valentine, Laundress, \$216; resigned.
October 20, Lillian Goodfellow, Trained Nurse, \$720; promoted from \$600.	October 2, Herman Glaubatz, Hospital Helper, \$240; resigned.
	October 2, Florence Finch, Head Pupil Nurse, \$300; transferred to Bellevue Hospital.
	October 2, Nannie McDonnell, Head Pupil Nurse, \$300; transferred to Bellevue Hospital.
	October 3, Thomas Mannix, Hospital Helper, \$240; intoxication.
	October 3, Hugh McCarty, Hospital Helper, \$600; resigned.
	October 5, Annie Bradley, Hospital Helper, \$180; resigned.
	October 7, Frances Miller, Head Pupil Nurse, \$300; resigned.
	October 8, Jessie Argue, Trained Nurse, \$600; resigned.
	October 12, Eva Lillian Fawcett, Head Pupil Nurse, \$300; resigned.
	October 13, Paul Wilkie, Hospital Helper, \$240; resigned.
	October 13, Fannie Oscaritz, Hospital Helper, \$180; resigned.
DEPARTMENT OF PARKS.	
Borough of The Bronx.	
October 30—Appointments of the following Motor Enginemen, at a compensation at the rate of \$3.50 per diem, to take effect October 31, 1908:	
George Fassig, No. 1353 Webster avenue.	
Harry R. Carson, No. 685 East One Hundred and Eighty-fifth street.	
October 31—Notice of the following changes in the working force of this Department:	
Giuseppe Colagiacomo, No. 509 East One Hundred and Forty-seventh street, Park Laborer, resigned, to take effect at the close of the day's work, October 30, 1908.	
Emanuel Keyser, No. 109 West One Hundred and Thirteenth street, Clerk, granted leave of absence, without pay, for thirty days, from October 26 to November 24, both inclusive.	
Boroughs of Manhattan and Richmond.	
October 28—Employed under emergency clause, Civil Service Rule XIX.	
October 28, 1908, John T. Cunningham, Mason, No. 420 East Eighty-second street, \$4.80 per day.	
October 29, 1908, John T. Cunningham, Mason, No. 228 East Eighty-first street, \$4.80 per day.	
Transferred to Department of Docks and Ferries, October 26, 1908, William Fritz, Laborer, No. 412 West Fiftieth street.	
Reinstated (discharge rescinded) October 21, 1908, James J. Cunningham, Park Laborer, No. 127 East One Hundredth street.	

BUREAU OF BUILDINGS.

Borough of Brooklyn.

October 31—Transfer of Joseph J. Boyle, Inspector of Plumbing, at a salary of \$1,200 per annum, from the Bureau of Public Buildings and Offices to this Bureau, effective this date.

DEPARTMENT OF DOCKS AND FERRIES.

October 31—Henry C. Manson, heretofore employed as a Dock Laborer, died on the 28th inst. His name has been dropped from the list of employees.

PUBLIC HEARING.

Public hearing of the Committee on Buildings of the Board of Aldermen will be held in the Aldermanic Chamber, City Hall, Borough of Manhattan, on Friday, November 6, 1908, at 2 o'clock p.m., on the following matter:

An amendment to the Building Code limiting height of buildings.

All persons interested in the above matter are respectfully invited to attend.

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



OFFICIAL DIRECTORY.

STATEMENT OF THE HOURS DURING WHICH the Public Offices in the City are open for business and at which the Courts regularly open and adjourn as well as the places where such offices are kept and such Courts are held, together with the heads of Departments and Courts.

CITY OFFICES.

MAYOR'S OFFICE.

No. 5 City Hall, 9 a.m. to 4 p.m.; Saturdays, 9 a.m. to 12 m.

Telephone, 800 Cortlandt.

GEORGE B. McCLELLAN, Mayor.

Frank M. O'Brien, Secretary.

William A. Willis, Executive Secretary.

James A. Rierlin, Chief Clerk and Bond and Warrant Clerk.

BUREAU OF WEIGHTS AND MEASURES.

Room 7, City Hall, 9 a.m. to 4 p.m.; Saturdays, 9 a.m. to 12 m.

Telephone, 800 Cortlandt.

Patrick Derry, Chief of Bureau.

BUREAU OF LICENSES.

9 a.m. to 4 p.m.; Saturdays, 9 a.m. to 12 m.

Telephone, 800 Cortlandt.

John P. Corrigan, Chief of Bureau.

Principal Office, Room 1, City Hall, Gaetano D'Amato, Deputy Chief, Boroughs of Manhattan and The Bronx.

Branch Office, Room 12, Borough Hall, Brooklyn.

James J. Kinsella, Deputy Chief, Borough of Brooklyn.

Branch Office, Richmond Borough Hall, Room 22, New Brighton, S. 1, William E. Woelfle, Financial Clerk, Borough of Richmond.

Branch Office, Hackett Building, Long Island City, Borough of Queens.

AQUEDUCT COMMISSIONERS.

Room 207, No. 280 Broadway, 5th floor, 9 a.m. to 4 p.m.

Telephone, 1042 Worth.

The Mayor, the Comptroller, ex-officio, Commissioners John P. Cowan (President), William H. Ten Eyck, John J. Ryan and John P. Windolfe, Harry W. Walker, Secretary, Walter H. Sears, Chief Engineer.

ARMORY BOARD.

Mayor George B. McClellan, the President of the Board of Aldermen, Patrick F. McGowan, Brigadier-General George Moore Smith, Brigadier-General John G. Bddy, the President of the Department of Taxes and Assessments, Lawson Purdy.

Harrie Davis, Secretary, Room 6, Basement, Hall of Records, Chambers and Centre streets.

Office hours, 9 a.m. to 4 p.m.; Saturdays, 9 a.m. to 12 m.

Telephone, 3900 Worth.

ART COMMISSION.

City Hall, Room 21.

Telephone call, 1000 Cortlandt.

Robert W. de Forest, Trustee, Metropolitan Museum of Art, President; Frank D. Millet, Painter, Vice-President; Howard Mansfield, Secretary; A. Augustus Healy, President of the Brooklyn Institute of Arts and Sciences; George B. McClellan, Mayor of the City of New York; John Bigelow, President of New York Public Library; John J. Boyle, Sculptor; Arnold W. Brunner, Architect; John B. Pine, Charles Howland Russell.

John Quincy Adams, Assistant Secretary.

BELLEVUE AND ALLIED HOSPITALS.

Office, Bellevue Hospital, Twenty-sixth street and First avenue.

Telephone, 440 Madison Square.

Board of Trustees—Dr. John W. Branson, President; James K. Paulding, Secretary; Arden M. Rublin, Samuel Sachs, Leopold Stern, John J. Barry, John G. O'Keefe, Robert W. Heisler, ex-officio.

General Medical Superintendent, S. T. Armstrong, M. D.

General Surgeon, Dr. John W. Branson, M. D.

Offices, Litchfield Mansion, Prospect Park, Brooklyn. Telephone, 2900 South. Joseph L. Berry, Commissioner of Parks for the Borough of The Bronx. One, Zimowski Mansion, Claremont Park. Office hours, 9 a. m. to 4 p. m.; Saturdays, 12 m. Telephone, 240 Tremont.

DEPARTMENT OF PUBLIC CHARITIES.

PRINCIPAL OFFICE.

Foot of East Twenty-sixth street, 9 a. m. to 4 p. m. Saturdays, 12 m. Telephone, 330 Madison Square. Robert W. Hebborn, Commissioner. Richard C. Baker, First Deputy Commissioner. James J. McInerney, Second Deputy Commissioner for Brooklyn and Queens. Nos. 327 to 331 Schermerhorn street, Brooklyn. Telephone, 2977 Main. J. McKee Borden, Secretary. Plans and Specifications, Contracts, Proposals and Estimates for Work and Materials for Building, Repairs and Supplies, Bills and Accounts, 9 a. m. to 4 p. m.; Saturdays, 12 m. Bureau of Dependent Adults, foot of East Twenty-sixth street. Office hours, 8:30 a. m. to 4 p. m. The Children's Bureau, No. 6 to Third avenue. Office hours, 8:30 a. m. to 4 p. m. Jeremiah Connelly, Superintendent for Richmond Borough, Borough Hall, St. George, Staten Island. Telephone, 2400 Tompkinsville.

DEPARTMENT OF STREET CLEANING.

Nos. 13 to 21 Park row, 9 a. m. to 4 p. m.

Telephone, 3885 Cortlandt. Foster Crowell, Commissioner. William H. Edwards, Deputy Commissioner, Borough of Manhattan. Owen J. Murphy, Deputy Commissioner, Borough of Brooklyn. Jerome F. Reilly, Deputy Commissioner, Borough of The Bronx. John J. O'Brien, Chief Clerk.

DEPARTMENT OF TAXES AND ASSESSMENTS.

Hall of Records, corner of Chambers and Centre streets. Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Commissioners—Lawson Purdy, President; Frank Raymond, James H. Tully, Charles Putzel, Hugh Hastings, Charles J. McCormick, John J. Halloran.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.

Nos. 13 to 21 Park row, 9 a. m. to 4 p. m. Telephones, Manhattan, 832 Cortlandt; Brooklyn, 340 Tompkinsville; Bronx, 432 Greenpoint; Richmond, 34 Tompkinsville.

John H. O'Brien, Commissioner. M. F. Loughman, Deputy Commissioner. John F. Garver, Secretary to Department.

L. M. de Varaona, Chief Engineer. George W. Illell, Consulting Hydraulic Engineer.

George F. Sever, Consulting Electrical Engineer. Charles F. Lacombe, Chief Engineer of Light and Power.

Michael C. Padden, Water Register, Manhattan. William A. Hawley, Secretary to Commissioner.

William C. Cozier, Deputy Commissioner, Borough of Brooklyn, Municipal Building, Brooklyn.

John W. McKay, Acting Chief Engineer, Brooklyn.

William R. McGuire, Water Register, Brooklyn. Michael Hecht, Deputy Commissioner, Borough of The Bronx. Croton Park Building, One Hundred and Seventy-seventh street and Third avenue.

Thomas M. Lynch, Water Register, The Bronx. Charles C. Wissel, Deputy Commissioner, Borough of Queens, Hackett Building, Long Island City.

John E. Bowe, Deputy Commissioner, Borough of Richmond, Municipal Building, St. George.

EXAMINING BOARD OF PLUMBERS.

Bartholomew F. Doshaw, President; John J. Moore, Secretary; John J. Dunn, Treasurer; ex officio, Horace Loomis and Matthew E. Healy.

Rooms Nos. 14, 15 and 16 Aldrich Building, Nos. 141 and 151 Church street.

Office open during business hours every day in the year (except legal holidays). Examinations are held on Monday, Wednesday and Friday after 1 p. m.

FIRE DEPARTMENT.

Office hours for all, except where otherwise noted, from 9 a. m. to 4 p. m.; Saturdays 12 m.

HEADQUARTERS.

Nos. 137 and 139 East Sixty-seventh street, Manhattan.

Telephone, 2230 Plaza, Manhattan, 2350 Main, Brooklyn.

Nicholas J. Hayes, Commissioner.

P. A. Whitney, Deputy Commissioner.

Charles C. Wissel, Deputy Commissioner, Boroughs of Brooklyn and Queens.

William A. Laney, Secretary, Mark Levy, Secretary to the Commissioner; George F. Dolson, Jr., Secretary to the Deputy Commissioner, Boroughs of Brooklyn and Queens.

Edward F. Croker, Chief of Department.

Thomas Lally, Deputy Chief of Department in charge, Boroughs of Brooklyn and Queens.

Joseph L. Burke, Inspector of Combustibles, Nos. 157 and 159 East Sixty-seventh street, Manhattan.

Telephone, 2230 Plaza.

Franz S. Wolf, Inspector of Combustibles, Boroughs of Brooklyn and Queens, Nos. 345 and 347 Jay street, Brooklyn. Telephone, 2350 Main.

Peter Serry, Fire Marshal, Boroughs of Manhattan, The Bronx and Richmond.

William L. Beers, Fire Marshal, Boroughs of Brooklyn and Queens.

Andrew F. Martin, Chief Inspector in Fire Alarm Telegraph Bureau.

William T. Beglin, Chief of Battalion in charge.

Bureau of Violations and Auxiliary Fire Appliances, Boroughs of Manhattan, The Bronx and Richmond.

Nos. 157 and 159 East Sixty-seventh street, Manhattan.

Telephone, 2230 Plaza.

Central office open at all hours.

LAW DEPARTMENT.

OFFICE OF CORPORATION COUNSEL.

Hall of Records, Chambers and Centre streets, 65th, 7th and 8th floors, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Telephone, 3000 Worth.

Francis K. Pendleton, Corporation Counsel.

Assistants—Theodore Connelly, George L. Sterling, Charles D. Clemons, William P. Barr, R. Percy Chittenden, David Ramsey, William Beers Crowell, John L. O'Brien, Terence Farley, Cornelius F. Collins, John F. O'Brien, Edward S. Malone, Edwin J. Freedman, Louis H. Hahle, Frank B. Faris, Stephen O'Brien, Charles A. O'Neill, Richard H. Mitchell, John Widdicombe, Edward J. McGinley, Curtis A. Peters, Thomas F. Byrne, Arthur Swasey, Joel J. Squier, Harford P. Walker, George P. Nicholson, George H. Folwell, William H. King.

Alfred W. Bowes, Josiah A. Stover, Thomas F. Noonan, J. Gabriel Britt, Royal E. T. Rigg, Charles McIntyre, Salvia Berwick, Francis J. Byrne, James P. O'Connor, William H. Jackson, Edward Maxson, Elliot S. Benedict, Clarence L. Barber, Louis Phillips, Edward A. McShane, Eugene Day, Secretary to the Corporation Counsel—Edmund Kirby. Chief Clerk—Andrew T. Campbell.

BROOKLYN OFFICE.
Borough Hall, 2d floor, 9 a. m. to 4 p. m. Saturdays, 9 a. m. to 12 m. Telephone, 342 Main. James D. Bell, Assistant in charge.

BUREAU OF STREET OPENINGS.
No. 90 West Broadway, 9 a. m. to 4 p. m. Saturdays, 9 a. m. to 12 m. Telephone, 345 Cortlandt. John P. Dunn, Assistant in charge.

BUREAU FOR THE RECOVERY OF PENALTIES.
No. 110 Nassau street, 9 a. m. to 4 p. m. Saturdays, 9 a. m. to 12 m. Telephone, 345 Cortlandt. Herman Stetzel, Assistant in charge.

BUREAU FOR THE COLLECTION OF ARREARS OF PERSONAL TAXES.
No. 286 Broadway, 5th floor. Office hours for public, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Telephone, 4385 Worth. Geo. O'Reilly, Assistant in charge.

TENEMENT HOUSE BUREAU AND BUREAU OF BUILDINGS.
No. 44 East Twenty-third street, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Telephone, 342 Gramercy. John P. O'Brien, Assistant in charge.

METROPOLITAN SEWERAGE COMMISSION.
Office, No. 17 Battery place. George H. Soper, Ph. D., President; James H. Fuentes, Secretary; H. de B. Parsons, Charles Socosmith, Lindsay R. Williams, M. D. Telephone, 1604 Rectar.

MUNICIPAL CIVIL SERVICE COMMISSION.

No. 295 Broadway, 9 a. m. to 4 p. m. Frank L. Polk, R. Ross Appleton, Arthur J. O'Keefe.

Frank A. Spencer, Secretary; John F. Skelly, Assistant Secretary. Labor Bureau—No. 24-60 Lafayette street. Telephone, 2145 Worth.

MUNICIPAL EXPLOSIVES COMMISSION.

Nos. 157 and 159 East Sixty-seventh street, Headquarters Fire Department.

Patrick A. Whitney, Deputy Fire Commissioner and Chairman; William Montgomery, John Sherry, C. Andrade, Jr., Abram A. Brannan.

Franz S. Wolf, Secretary, No. 157 East Sixty-seventh street.

Stated meeting, Friday of each week, at 3 p. m. Telephone, 340 Plaza.

POLICE DEPARTMENT.

CENTRAL OFFICE. No. 300 Mulberry street, 9 a. m. to 4 p. m. Telephone, 3100 Spring.

Theodore A. Bingham, Commissioner. William F. Baker, First Deputy Commissioner. Frederick H. Bugher, Second Deputy Commissioner. Bert Hanson, Third Deputy Commissioner. Daniel G. Slattery, Secretary to Commissioner. William H. Kipp, Chief Clerk.

PUBLIC SERVICE COMMISSION.

The Public Service Commission for the First District, Tribune Building, No. 154 Nassau street, Manhattan.

Office hours, 8 a. m. to 11 p. m., every day in the year, including holidays and Sundays.

Stated public meetings of the Commission, Tuesdays and Fridays at 11:30 a. m. in the Public Hearing Room of the Commission, third floor of the Tribune Building, unless otherwise ordered.

Commissioners—William R. Wilcox, Chairman; William McCarroll, Edward M. Bassett, Mile R. McAllie, John E. Eustis, Counsel; George S. Culman, Secretary. Travis H. Whitney.

Telephone, 4150 Beekman.

TEENMENT HOUSE DEPARTMENT.

Manhattan Office, No. 44 East Twenty-third street.

Telephone, 533 Gramercy.

Edmond J. Butler, Commissioner. Brooklyn Office (Boroughs of Brooklyn, Queens and Richmond), Temple Bar Building, No. 44 Court street. Telephone, 342 Main.

John McKeon, Second Deputy Commissioner. Bronx Office, Nos. 286, 2866 and 2868 Third Avenue. Telephone, 347 Melrose.

William B. Calvert, Superintendent.

BOROUGH OFFICES.

BOROUGH OF THE BRONX.

Office of the President, corner Third avenue and One Hundred and Seventy-seventh street; 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Louis F. Hafner, President.

Henry A. Gumbleton, Secretary.

John F. Murray, Commissioner of Public Works.

John A. Hawley, Assistant Commissioner of Public Works.

Josiah A. Briggs, Chief Engineer.

Frederick Grellenberg, Principal Assistant Topographical Engineer.

Charles H. Graham, Engineer of Sewers.

Thomas H. O'Neill, Superintendent of Sewers.

Samuel C. Thompson, Engineer of Highways.

Patrick J. Keville, Superintendent of Buildings.

John A. Mason, Assistant Superintendent of Buildings.

Peter J. Stumpf, Superintendent of Highways.

Albert H. Jensen, Superintendent of Public Buildings and Offices.

Telephone, 66 Tremont.

BOROUGH OF BROOKLYN.

President's Office, Nos. 15 and 16 Borough Hall, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Bethel S. Coler, President.

Charles Frederick Adams, Secretary.

John A. Heffernan, Private Secretary.

Thomas R. Farrell, Commissioner of Public Works.

James M. Power, Secretary to Commissioner.

David F. Moore, Superintendent of Buildings.

James Dunne, Superintendent of the Bureau of Sewers.

Joseph M. Lawrence, Superintendent of the Bureau of Public Buildings and Offices.

BOROUGH OF MANHATTAN.

Office of the President, Nos. 14, 15 and 16 City Hall, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

John F. Adams, President.

Bernard Downing, Secretary.

John Cloughen, Commissioner of Public Works.

James J. Hagan, Assistant Commissioner of Public Works.

Edward S. Murphy, Superintendent of Buildings.

George F. Scanlon, Superintendent of Highways.

Frank J. Goodwin, Superintendent of Sewers.

John R. Voorhis, Superintendent of Buildings and Offices. Telephone, 6725 Cortlandt.

BOROUGH OF QUEENS.

President's Office, Borough Hall, Jackson avenue and Fifth street, Long Island City; 9 a. m. to 4 p. m.

Saturdays, 9 a. m. to 12 m.

Lawrence Gresser, President.

John M. Craven, Secretary.

Alfred Denton, Commissioner of Public Works.

Harry Sutphin, Assistant Commissioner of Public Works.

James P. Hicks, Superintendent of Highways.

Carl Berger, Superintendent of Buildings.

John H. Halloran, Superintendent of Sewers.

James E. Conlon, Superintendent of Street Cleaning.

Edward F. Kelly, Superintendent of Public Buildings and Offices.

Telephone, 1900 Greenpoint.

BOROUGH OF RICHMOND.

President's Office, New Brighton, Staten Island.

George Cromwell, President.

Maybury Fleming, Secretary.

Louis Lincoln Tribus, Consulting Engineers and Acting Commissioners of Public Works.

John Seaton, Superintendent of Buildings.

H. E. Buel, Superintendent of Highways.

John T. Fetherston, Superintendent of Street Cleaning.

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no court is held, and the court sits every day thereafter until all contested cases have been disposed of. Telephone, 367 Jamaica.

RICHMOND COUNTY.

COMMISSIONER OF JURORS.

Village Hall, Stapleton. Charles J. Fullman, Commissioner. John J. McCaughey, Assistant Commissioner. Office open from 9 a. m. until 4 p. m.; Saturdays, from 9 a. m. to 12 m. Telephone, 87 Tompkinsville.

COUNTY CLERK.

County Office Building, Richmond, S. I., 9 a. m. to 4 p. m. C. L. Bostwick, County Clerk. County Court-house, Richmond, S. I., 9 a. m. to 4 p. m. Telephone, 28 New Dorp.

COUNTY JUDGE AND SURROGATE.

Terms of Court, Richmond County, 1908. County Courts—Stephen D. Stephens, County Judge. First Monday of June, Grand and Trial Jury. Second Monday of November, Grand and Trial Jury.

Fourth Wednesday of January, without a Jury. Fourth Wednesday of February, without a Jury. Fourth Wednesday of March, without a Jury. Fourth Wednesday of April, without a Jury. Fourth Wednesday of July, without a Jury. Fourth Wednesday of September, without a Jury. Fourth Wednesday of October, without a Jury.

Surrogate's Court—Stephen D. Stephens, Surrogate. Mondays, at the Borough Hall, St. George, at 10:30 o'clock a. m.

Tuesdays, at the Borough Hall, St. George, at 10:30 o'clock a. m. Wednesdays, at the Surrogate's Office, Richmond at 10:30 o'clock a. m.

DISTRICT ATTORNEY.

Borough Hall, St. George, S. I. Samuel H. Evans. Telephone, 30 Tompkinsville.

SHERIFF.

County Court-house, Richmond, S. I. Office hours, 9 a. m. to 4 p. m. Joseph J. Barth.

THE COURTS.

APPELLATE DIVISION OF THE SUPREME COURT.

FIRST JUDICIAL DEPARTMENT. Court-house, Madison avenue, corner Twenty-fifth street. Court opens at 1 p. m.

Edward Patterson, Presiding Justice; George L. Ingraham, Chester R. McLaughlin, Frank C. Laughlin, John Proctor Clarke, James W. Houghton, Francis M. Scott, Justices; Alfred Wagstaff, Clerk; William Lamb, Deputy Clerk.

Clerk's Office opens at 9 a. m. Telephone, 3846 Madison Square.

SUPREME COURT-FIRST DEPARTMENT.

County Court-house, Chambers street. Court open from 10 a. m. to 4 p. m.

Special Term, Part I. (motions), Room No. 16. Special Term, Part II. (ex parte business), Room No. 13.

Special Term, Part III., Room No. 19. Special Term, Part IV., Room No. 10. Special Term, Part V., Room No. 6. Special Term, Part VI. (Elevated Railroad cases), Room No. 3.

Trial Term, Part II., Room No. 34. Trial Term, Part III., Room No. 15. Trial Term, Part IV., Room No. 21. Trial Term, Part V., Room No. 24. Trial Term, Part VI., Room No. 18. Trial Term, Part VII., Room No. 1. Trial Term, Part VIII., Room No. 35. Trial Term, Part IX., Room No. 26. Trial Term, Part XI., Room No. 27. Trial Term, Part XII., Room No. 1. Trial Term, Part XIII., and Special Term, Part VII., Room No. 36.

Trial Term, Part XIV., Room No. 28. Trial Term, Part V., Room No. 37. Trial Term, Part VI., Room No. 1. Trial Term, Part XVII., Room No. 22. Trial Term, Part XVIII., Room No. 23. Appellate Term, Room No. 29.

Neutralization Bureau, Room No. 38, third floor. Assignment Bureau, room on mezzanine floor, northeast.

Clerk's Office, in attendance from 10 a. m. to 4 p. m. Clerk's Office, Special Term, Part I. (motions), Room No. 15.

Clerk's Office, Special Term, Part II. (ex parte business), ground floor, southeast corner.

Clerk's Office, Special Term, Calendar, ground floor, south.

Clerk's Office, Trial Term, Calendar, room northeast corner, second floor, east.

Clerk's Office, Appellate Term, room southwest corner, third floor.

Trial Term, Part I. (criminal business).

Criminal Court-house, Centre street.

Justices—Charles H. Truax, Charles F. MacLean, Henry Bischoff, Jr., Leonard A. Giegerich, P. Henry Dugro, Henry A. Gildersleeve, James Fitzgerald, James A. O'Leary, James A. Blanchard, Edward S. Church, Samuel Greenbaum, Edward E. McCall, Edward B. Ament, Vernon M. Davis, Victor J. Dowling, Joseph Newburger, John W. Goff, Samuel Seabury, M. Warley Platner, Peter A. Hendrick, John Ford, Charles W. Dayton, John J. Brady, Mitchell L. Erlanger, Charles L. Guy, James W. Gerard.

Peter J. Dooling, Clerk, Supreme Court. Telephone, 4584 Cortlandt.

SUPREME COURT-SECOND DEPARTMENT.

Kings County Court-house, Borough of Brooklyn, N. Y.

Court open daily from 10:30 a. m. to 5 o'clock p. m. Seven Jury trial parts. Special Term for Trials. Special Term for Motions.

James F. McGee, General Clerk.

Telephone, 546 Main.

CRIMINAL DIVISION-SUPREME COURT.

Building for Criminal Courts, Centre, Elm, White and Franklin streets.

Court opens at 10:30 a. m.

Peter J. Donnelly, Clerk; Edward R. Carroll, Special Deputy to the Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Telephone, 604 Franklin.

COURT OF GENERAL SESSIONS.

Held in the Building for Criminal Courts, Centre, Elm, White and Franklin streets. Court opens at 10:30 a. m.

Thomas C. T. Craig, Otto A. Rosalsky, Warren W. Foster, Thomas C. O'Sullivan, Edward Swann, Joseph F. McGuire, James T. Malone, Judges of the Court of General Sessions. Edward R. Carroll, Clerk. Telephone, 126 Franklin.

Clerk's Office open from 9 a. m. to 4 p. m.

During July and August Clerk's Office will close at 2 p. m., and on Saturdays at 12 m.

CITY COURT OF THE CITY OF NEW YORK.

No. 32 Chambers street, Brownstone Building, City Hall Park, from 10 a. m. to 4 p. m.

Part I.

Part II.

Part III.

Part IV.

Part V.

Part VI.

Part VII.

Part VIII.

Special Term Chambers will be held from 10 a. m. to 4 p. m.

Clerk's Office open from 9 a. m. to 4 p. m.

Edward F. O'Dwyer, Chief Justice; Lewis J. Conlan, Francis B. Delahanty, Joseph L. Green, Alexander Finelane, Thomas P. Donnelly, John V. McAvoy, Peter Schumack, Justices. Thomas F. Smith, Clerk.

Telephone, 614 Franklin.

COURT OF SPECIAL SESSIONS.

Building for Criminal Courts, Centre street between Franklin and White streets, Borough of Manhattan.

Court opens at 10 a. m.

Justices—First Division—William E. Wyatt, Wilder H. Olmsted, Joseph M. Denel, Lorenz Zeller, John B. Mayo, Franklin Chase Hoyt, Charles W. Cuklin, Clerk; William M. Fuller, Deputy Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Telephone, 292 Franklin, Clerk's office.

Telephone, 604 Franklin, Justices' chambers.

Second Division—Trial Days—No. 171 Atlantic avenue, Brooklyn, Mondays, Wednesdays and Fridays at 10 o'clock; Town Hall, Jamaica, Borough of Queens, Tuesday at 10 o'clock; Town Hall, New Brighton, Borough of Richmond, Thursday at 10 o'clock.

Justices—Howard J. Forster, John Fleming, Margaret M. L. Ryan, Robert J. Wilkin, George J. O'Keefe, Joseph L. Kerrigan, Clerk; Julian J. Dorman, Deputy Clerk.

Clerk's Office, No. 171 Atlantic avenue, Borough of Brooklyn, open from 9 a. m. to 4 p. m.

CHILDREN'S COURT.

First Division—No. 66 Third avenue, Manhattan Edmund C. Lee, Clerk.

Telephone, 5335 Stuyvesant.

Second Division—No. 102 Court street, Brooklyn. William F. Delaney, Clerk.

Telephone, 677 Main.

CITY MAGISTRATES' COURT.

First Division.

Court opens from 9 a. m. to 4 p. m.

City Magistrates—Robert C. Cornell, Leroy B. Crane, Peter T. Barlow, Matthew P. Breen, Joseph H. Moss, James J. Walsh, Henry Steinert, Daniel E. Finn, Frederick B. House, Charles N. Harris, Frederick Kornblith, Arthur C. Butts, Otto H. Droege, Joseph E. Corrigan, Moses Herman, Philip H. Bloch, Secretary, One Hundred and Twenty-first street and Sylvan place.

First District—Criminal Court Building.

Second District—Jefferson Market.

Third District—No. 10 Essex street.

Fourth District—No. 151 East Fifty-seventh street.

Fifth District—One Hundred and Twenty-first street, southeastern corner of Sylvan place.

Sixth District—One Hundred and Sixty-first street and Brock avenue.

Seventh District—No. 314 West Fifty-fourth street.

Eighth District—Main street, Westchester.

Second Division.

Borough of Brooklyn.

City Magistrates—Edward J. Dooley, James G. Tighe, John Naumer, E. G. Higginbotham, Frank E. O'Reilly, Henry J. Furlong, Alfred E. Steers, A. V. B. Voorhees, Jr., Alexander H. Geismar, John F. Hyland.

President of the Board, Edward J. Dudley, No. 318 Adams street.

Secretary to the Board, Charles J. Flanigan, Myrtle and Vanderbilt avenues.

Courts.

First District—No. 318 Adams street.

Second District—Court and Butler streets.

Third District—Myrtle and Vanderbilt avenues.

Fourth District—No. 6 Lee avenue.

Fifth District—No. 240 Manhattan avenue.

Sixth District—No. 295 Gates avenue.

Seventh District—No. 31 Seider avenue (Flatbush).

Eighth District—West Eighth street (Coney Island).

Ninth District—Fifth avenue and Twenty-third street.

Tenth District—No. 131 New Jersey avenue.

Borough of Queens.

City Magistrate—Matthew J. Smith, Joseph Fitch, Maurice E. Connolly, Eugene C. Gilroy.

Courts.

First District—St. Mary's Lyceum, Long Island City.

Second District—Town Hall, Flushing, L. I.

Third District—Central avenue, Far Rockaway, L. I.

Borough of Richmond.

City Magistrates—Joseph B. Handy, Nathaniel Marsh.

Courts.

First District—Lafayette place, New Brighton, Staten Island.

Second District—Village Hall, Stapleton, Staten Island.

MUNICIPAL COURTS.

Borough of Manhattan.

First District—The First District embraces the territory bounded on the south and west by the southerly and westerly boundaries of the said borough, on the north by the centre line of Eleventh street and the centre line of Franklin street, on the east by the centre line of Second avenue, on the west by the centre line of Eleventh street and the centre line of Franklin street.

Wanhop Lynn, William F. Moore, John Hoyer, Justices.

Thomas O'Connell, Clerk; Francis Mangin, Deputy Clerk.

Location of Court—Merchants' Association Building, Nos. 14-20 Lafayette street. Clerk's Office open

daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

An additional Part of Court is now held in Tenth street and Sixth avenue.

Telephone, 603 Franklin.

Second District—The Second District embraces the territory bounded on the south by the centre line of Fifth street from the Bowery to Second avenue and on the south and east by the southerly and easterly boundaries of the said borough, on the north by the centre line of East Fourteenth street, on the west by the centre line of Fourth avenue from Fourteenth street to Fifth street, Second avenue, Chrystie street, Division street and Catherine street.

George F. Roesch, Benjamin Hoffman, Leon Sanders, Thomas P. Dineen, Justices.

James J. Devlin, Clerk; Michael H. Looney, Deputy Clerk.

Location of Court—Nos. 264 and 266 Madison street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Telephone, 2596 Orchard.

Third District—The Third District embraces the territory bounded on the south by the centre line of Fourteenth street, on the east by the centre line of Seventh avenue from Fourteenth street to Fifty-ninth street and by the centre line of Central Park West from Fifty-ninth street to Sixty-fifth street, on the north by the centre line of Fifty-ninth street from Seventh to Eighth avenue, on the west by the westerly boundary of the said borough.

Thomas E. Murray, James W. McLaughlin, Justices.

Michael Skelly, Clerk; Henry Merzbach, Deputy Clerk.

Location of Court—No. 314 West Fifty-fourth street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Telephone, 3459 Columbus.

Fourth District—The Fourth District embraces the territory bounded on the south by the centre line of East Fourteenth street, on the west by the centre line of Lexington avenue and by the centre line of Irving place, including its projection through Gramercy Park, on the north by the centre line of Sixty-fifth street, on the east by the centre line of Sixty-fifth street and by the centre line of Franklin street, including its projection through Gramercy Park, on the west by the centre line of Franklin street, including its projection through Gramercy Park, on the north by the centre line of Franklin street, including its projection through Gramercy Park, on the east by the centre line of Franklin street, including its projection through Gramercy Park, on the west by the centre line of Franklin street, including its projection through Gramercy Park, on the north by the centre line of Franklin street, including its projection through Gramercy Park, on the east by the centre line of Franklin street, including its projection through Gramercy Park, on the west by the centre line of Franklin street, including its projection through Gramercy Park, on the north by the centre line of Franklin street, including its projection through Gramercy Park, on the east by the centre line of Franklin street, including its projection through Gramercy Park, on the west by the centre line of Franklin street, including its projection through Gramercy Park, on the north by the centre line of Franklin street, including its projection through Gramercy Park, on the east by the centre line of Franklin street, including its projection through Gramercy Park, on the west by the centre line of Franklin street, including its projection through Gramercy Park, on the north by the centre line of Franklin street, including its projection through Gramercy Park, on the east by the centre line of Franklin street, including its projection through Gramercy Park, on the west by the centre line of Franklin street, including its projection through Gramercy Park, on the north by the centre line of Franklin street, including its projection through Gramercy Park, on the east by the centre line of Franklin street, including its projection through Gramercy Park, on the west by the centre line of Franklin street, including its projection through Gramercy Park, on the north by the centre line of Franklin street, including its projection through Gramercy Park, on the east by the centre line of Franklin street, including its projection through Gramercy Park, on the west by the centre line of Franklin street, including its projection through Gramercy Park, on the north by the centre line of Franklin street, including its projection through Gramercy Park, on the east by the centre line

Third District—Fourth and Fifth Wards, comprising the territory of the former Towns and Villages of Jamaica, Far Rockaway and Rockaway Beach.
James F. McLaughlin, Justice, George W. Damon, Clerk, Court-house, Town Hall, Jamaica.
Telephone, 189 Jamaica.
Court's Office open from 9 a. m. to 4 p. m.
Court held on Mondays, Wednesdays and Fridays at 9 a. m.

Borough of Richmond.

First District—First and Third Wards (Towns of Castleton and Northfield). Court-room, former Village Hall, Lafayette Avenue and Second street, New Brighton.
Thomas C. Brown, Justice, Amzing S. Pratt, Clerk.
Court's Office open from 9 a. m. to 4 p. m.
Telephone, 313 Tompkinsville.

Second District—Second, Fourth and Fifth Wards (Towns of Middletown, Southfield and Westfield). Court-room, former Edgewater Village Hall, Stapleton.
George W. Stake, Justice, Peter Tierney, Clerk.
Court's Office open from 9 a. m. to 4 p. m.
Court opens at 9 a. m. Calendar called at 10 a. m.
Court continued until close of business. Trial days, Mondays, Wednesdays and Fridays.
Telephone, 313 Tompkinsville.

BOARD MEETINGS.

The Board of Estimate and Apportionment meets in the Old Council Chamber (Room 16), City Hall, every Friday, at 10:30 o'clock a. m.
JOSEPH HAAG,
Secretary.

The Commissioners of the Sinking Fund meet in the Old Council Chamber (Room 16), City Hall, at call of the Mayor.
N. TAYLOR PHILLIPS,
Deputy Comptroller, Secretary.

The Board of Revision of Assessments meets in the Old Council Chamber (Room 16), City Hall, every Thursday at 11 a. m., upon notice of the Chief Clerk.
HENRY J. STORRS,
Chief Clerk.

The Board of City Record meets in the Old Council Chamber (Room 16), City Hall, at call of the Mayor.
PATRICK J. TRACY,
Supervisor, Secretary.

BOROUGH OF BROOKLYN.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.
SEALED BIDS OR ESTIMATES WILL BE RECEIVED by the President of the Borough of Brooklyn at the above office until 12 o'clock a. m., on

WEDNESDAY, NOVEMBER 18, 1908.

No. 1. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON EAST FOURTH STREET, BETWEEN AVENUE C AND CORTEFOU ROAD, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,750 linear feet of new curbstone, furnished and set in concrete.
200 cubic yards of earth excavation.
15 cubic yards of concrete (not to be bid for).
100 square feet of cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.
The amount of security required is Eleven Hundred Dollars (\$1100).

No. 2. FOR REGULATING AND PAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF EIGHTEENTH STREET, BETWEEN FIRST AVENUE AND SECOND AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
2,000 square yards of asphalt pavement, including binder course.
100 cubic yards of concrete for pavement foundation.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.
The amount of security required is Fifteen Hundred Dollars (\$1500).

No. 3. FOR REGULATING AND PAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF ELENA STREET, BETWEEN DRESDEN STREET AND QUEENS COUNTY LINE (ELDIERS LANE), TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,300 square yards of asphalt pavement, including binder course.

The time allowed for the completion of the work and the full performance of the contract is thirty-five (35) working days.
The amount of security required is Six Thousand Dollars (\$6000).

No. 4. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON PARRAGUT ROAD, BETWEEN FLATHUSH AVENUE AND EAST TWENTY-SIXTH STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,200 linear feet of new curbstone, furnished and set in concrete.

300 linear feet of old curbstone, redressed, rejoined and reset in concrete.
300 cubic yards of earth excavation.
10 cubic yards of concrete (not to be bid for).

2,200 square feet of cement sidewalk.
The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.
The amount of security required is Five Hundred Dollars (\$500).

No. 5. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON PENNIMORE STREET, BETWEEN ROGERS AVENUE AND NOSTRAND AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,100 linear feet new curbstone, furnished and set in concrete.

100 linear feet old curbstone, redressed, rejoined and reset in concrete.

1,600 cubic yards earth excavation.
100 cubic yards earth filling (not to be bid for).

300 cubic yards concrete (not to be bid for).
The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Twelve Hundred Dollars (\$1200).

No. 6. FOR REGULATING AND GRADING BETWEEN COURTYARD LINES FIFTY-FIFTH STREET, BETWEEN SEVENTH AND ELEVENTH AVENUES, AND SETTING CEMENT CURB AND LAYING CEMENT SIDEWALKS BETWEEN SEVENTH AND EIGHTH AVENUES AND BETWEEN EIGHTH AVENUE AND ELEVENTH AVENUES, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,800 square feet asphalt pavement, including binder course.

100 square yards old stone pavement, to be raised in approaches, etc.

2,350 cubic yards concrete for pavement foundation.

1,000 linear feet new curbstone, furnished and set in concrete.

40 noiseless covers and heads, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Five Thousand Dollars (\$5000).

No. 7. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON FORTY-FIFTH STREET, BETWEEN SIXTH AVENUE AND SEVENTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,500 linear feet new curbstone, furnished and set in concrete.

30 linear feet old curbstone, redressed, rejoined and reset in concrete.

2,200 cubic yards earth excavation.

10 cubic yards earth filling (not to be bid for).

80 cubic yards concrete (not to be bid for).

1,200 square feet cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Eight Hundred Dollars (\$800).

No. 8. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF FORTY-NINTH STREET, BETWEEN SECOND AVENUE AND THIRD AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
3,400 square yards asphalt pavement, including binder course.

100 square yards old stone pavement, to be raised in approaches, etc.

1,600 cubic yards concrete for pavement foundation.

800 linear feet new curbstone, furnished and set in concrete.

3,000 linear feet old curbstone, redressed, rejoined and reset in concrete.

20 noiseless covers and heads, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Seventeen Hundred Dollars (\$1700).

No. 9. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON PROSPECT PLACE, BETWEEN BUFFALO AVENUE AND RALPH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,500 linear feet new curbstone, furnished and set in concrete.

30 linear feet old curbstone, redressed, rejoined and reset in concrete.

2,200 cubic yards earth excavation.

10 cubic yards earth filling (not to be bid for).

80 cubic yards concrete (not to be bid for).

1,200 square feet cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract is fifteen (15) working days.

The amount of security required is Two Hundred and Fifty Dollars (\$250).

No. 10. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON WINTHROP STREET, BETWEEN ROGERS AND NOSTRAND AVENUES, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,500 linear feet new curbstone, furnished and set in concrete.

30 linear feet old curbstone, redressed, rejoined and reset in concrete.

2,200 cubic yards earth excavation.

10 cubic yards earth filling (not to be bid for).

80 cubic yards concrete (not to be bid for).

1,200 square feet cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Fifty-six Hundred Dollars (\$5600).

No. 11. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON WINTHROP STREET, BETWEEN EAST FOURTEENTH STREET AND EAST SEVENTEENTH STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,500 linear feet new curbstone, furnished and set in concrete.

30 linear feet old curbstone, redressed, rejoined and reset in concrete.

2,200 cubic yards earth excavation.

10 cubic feet earth filling (not to be bid for).

80 cubic yards concrete (not to be bid for).

1,200 square feet cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Four Hundred Dollars (\$400).

No. 12. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON HARRISON PLACE, BETWEEN BOGART STREET AND KNICKERBOCKER AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,500 square yards asphalt pavement, including binder course.

100 square yards old stone pavement, to be raised in approaches, etc.

1,600 cubic yards concrete for pavement foundation.

800 linear feet new curbstone, furnished and set in concrete.

3,000 linear feet old curbstone, redressed, rejoined and reset in concrete.

20 noiseless covers and heads, complete, for sewer manholes.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Eight Hundred and Fifty Dollars (\$850).

No. 13. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON ELLIERTON PLACE, BETWEEN CONEY ISLAND AVENUE AND EAST ELEVENTH STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,500 linear feet new curbstone, furnished and set in concrete.

30 linear feet old curbstone, redressed, rejoined and reset in concrete.

2,200 cubic yards earth excavation.

10 cubic yards earth filling (not to be bid for).

80 cubic yards concrete (not to be bid for).

1,200 square feet cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Four Hundred Dollars (\$400).

No. 14. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF INGRAHAM STREET, BETWEEN BOGART STREET AND KNICKERBOCKER AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,800 square feet asphalt pavement, including binder course.

100 square yards old stone pavement, to be raised in approaches, etc.

2,350 cubic yards concrete for pavement foundation.

1,000 linear feet new curbstone, furnished and set in concrete.

40 noiseless covers and heads, complete, for sewer manholes.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Eighteen Hundred and Fifty Dollars (\$1850).

No. 15. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON PROSPECT PLACE, BETWEEN BUFFALO AVENUE AND RALPH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,500 linear feet new curbstone, furnished and set in concrete.

30 linear feet old curbstone, redressed, rejoined and reset in concrete.

2,200 cubic yards earth excavation.

10 cubic yards earth filling (not to be bid for).

80 cubic yards concrete (not to be bid for).

1,200 square feet cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Seventeen Hundred Dollars (\$1700).

No. 16. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON PROSPECT PLACE, BETWEEN PITKIN AVENUE AND CLUMONT AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,500 square yards asphalt pavement, including binder course.

100 square yards old stone pavement, to be raised in approaches, etc.

2,350 cubic yards concrete for pavement foundation.

1,000 linear feet new curbstone, furnished and set in concrete.

3,000 linear feet old curbstone, redressed, rejoined and reset in concrete.

20 noiseless covers and heads, complete, for sewer manholes.

The time allowed for the completion of the work and the full performance of the contract is thirty-five (35) working days.

The amount of security required is Fifteen Hundred Dollars (\$1500).

No. 17. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON WINTHROP STREET, FROM ROGERS AVENUE AND NOSTRAND AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
1,500 linear feet new curbstone, furnished and set in concrete.

30 linear feet old curbstone, redressed, rejoined and reset in concrete.

2,200 cubic yards earth excavation.

10 cubic yards earth filling (not to be bid for).

80 cubic yards concrete (not to be bid for).

1,200 square feet cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract is sixty (60) working days.

The amount of security required is Two Hundred and Eighty Dollars (\$280).

No. 18. FOR REGULATING, GRADING, CURBING AND LAVING SIDEWALKS ON WINTHROP STREET, FROM ROGERS AVENUE AND NOSTRAND AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:
2,240 square yards asphalt pavement, including binder course.

50 square yards old stone pavement, to be raised in approaches, etc.

Engineer's estimate of the quantities is as follows:

12,350 square yards of granite pavement, with tar and gravel joints, laid outside railroad area (one year's maintenance).
85 square yards granite pavement, with tar and gravel joints, laid within railroad area (no maintenance).
30 square yards old stone pavement, to be relaid in approaches, etc.
3,050 cubic yards concrete, for pavement foundation, laid outside railroad area.
12 cubic yards concrete, for pavement foundation, laid within railroad area.
100 linear feet new curbstones, furnished and set in concrete.
700 linear feet old curbstones, redressed, rejoined and reset in concrete, including 625 linear feet heading stones.
2,460 square feet new granite bridgestones, laid outside railroad area.
20 square feet old bridgestones, rejoined and reset.
1 sewer basin, complete.

The time allowed for the completion of the work and the full performance of the contract is twenty (30) working days.

The amount of security required is Fifteen Thousand Dollars (\$15,000).

No. 11. FOR REGULATING AND REPAVING WITH GRANITE ON A CONCRETE FOUNDATION THE ROADWAY OF KEEF STREET, FROM KENT AVENUE TO WYTHE AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

1,780 square yards granite pavement, with tar and gravel joints.
20 square yards old stone pavement, to be relaid in approaches, etc.
300 cubic yards concrete, for pavement foundation.
900 linear feet new curbstones, furnished and set in concrete.
20 linear feet old curbstones, redressed, rejoined and reset in concrete.
200 square feet new granite bridgestones.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Twenty-five Hundred Dollars (\$2,500).

No. 12. FOR REGULATING AND REPAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF LINCOLN PLACE, FROM BROOKLYN AVENUE TO TROY AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

4,095 square yards asphalt pavement, including binder course, outside railroad area (five years' maintenance).
15 square yards old stone pavement, to be relaid in approaches, etc.
603 cubic yards concrete for pavement foundation, outside railroad area.
2,010 linear feet new curbstones, furnished and set in concrete.
1,755 linear feet old curbstones, redressed, rejoined and reset in concrete.
20 noiseless covers and heads, complete, for sewer manholes.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Forty-five Hundred Dollars (\$4,500).

No. 13. FOR REGULATING AND REPAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF MARCY AVENUE, FROM MIDDLETON STREET TO FLUSHING AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

1,840 square yards of asphalt pavement, including binder course, outside railroad area (five years' maintenance).
470 square yards of asphalt pavement, including binder course, within railroad area (no maintenance).
70 square yards of old stone pavement, to be relaid in approaches, etc.
260 cubic yards of concrete for pavement foundation, outside railroad area.
60 cubic yards of concrete for pavement foundation, within railroad area.
1,390 linear feet of new curbstones, furnished and set in concrete.
170 linear feet of old curbstones, redressed, rejoined and reset in concrete.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Two Thousand Dollars (\$2,000).

No. 14. FOR REGULATING AND REPAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF PROSPECT PLACE, FROM CARLTON AVENUE TO UNDERHILL AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

6,120 square yards of asphalt pavement, including binder course.
30 square yards of old stone pavement, to be relaid in approaches, etc.
850 cubic yards of concrete.
2,410 linear feet of new curbstones, furnished and set in concrete.

830 linear feet of old curbstones, to be redressed, rejoined and reset in concrete.

20 noiseless covers and heads, complete, for sewer manholes.

The time allowed for the completion of the work and the full performance of the contract is forty (40) working days.

The amount of security required is Five Thousand Dollars (\$5,000).

No. 15. FOR REGULATING AND REPAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF ST. FELIX STREET, FROM LAFAYETTE AVENUE TO HANSON PLACE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

7,340 square yards of asphalt pavement, including binder course.
10 square yards of old stone pavement, to be relaid in approaches, etc.
215 cubic yards of concrete.
670 linear feet of new curbstones, furnished and set in concrete.

220 linear feet of old curbstones, redressed, rejoined and reset in concrete.

20 noiseless covers and heads, complete, for sewer manholes.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Fifteen Hundred Dollars (\$1,500).

No. 16. FOR REGULATING AND REPAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF UNDERHILL AVENUE, FROM ST. MARKS AVENUE TO STERLING PLACE, TOGETHER

WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

4,180 square yards asphalt pavement, including binder course.
40 square yards old stone pavement, to be relaid in approaches, etc.
1,640 linear feet new curbstones, furnished and set in concrete.
180 linear feet old curbstones, redressed, rejoined and reset in concrete.

15 noiseless covers and heads, complete, for sewer manholes.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Thirty-five Hundred Dollars (\$3,500).

No. 17. FOR GRADING LOTS LYING WITHIN THE BLOCK BOUNDED BY ST. JOHN'S PLACE, FRANKLIN AVENUE, LINCOLN PLACE AND CLASSEN AVENUE, KNOWN AS NOS. 28 AND 70, BLOCK 1178, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

348 cubic yards earth excavation.
91 cubic yards filling (not to be bid for).

The time allowed for the completion of the work and the full performance of the contract is seventy (70) working days.

The amount of security required is Six Hundred Dollars (\$600).

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per square foot, cubic yard, linear foot, or other unit of measure, by which the bids will be tested.

The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Bureau of Highways, No. 14 Municipal Building, Borough of Brooklyn.

BIRD S. COLER, President.

Dated October 20, 1908.

028.n1

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED by the President of the Borough of Brooklyn at the above office until 10 o'clock a. m. on

WEDNESDAY, NOVEMBER 4, 1908.

Borough of Brooklyn.

No. 1. FOR REGULATING, GRADING AND CURBING ON CORNELIA STREET, FROM KNICKERBOCKER AVENUE TO THE BOUNDARY LINE BETWEEN THE BOROUGH OF BROOKLYN AND QUEENS, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,060 cubic yards of earth excavation.
900 linear feet of concrete curb.

The time for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Seven Hundred Dollars (\$700).

No. 2. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON DEACUT STREET, FROM KNICKERBOCKER AVENUE TO THE BOROUGH LINE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

190 cubic yards of earth excavation.
30 cubic yards of earth filling, not to be bid for.

660 linear feet of concrete curb.

2,450 square feet of cement sidewalk.

The time for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Three Hundred Dollars (\$300).

No. 3. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON FIFTY-SEVENTH STREET, FROM FOURTEENTH AVENUE TO FIFTEENTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

1,420 linear feet of new curbstones, furnished and set in concrete.

10 linear feet of old curbstones, redressed, rejoined and reset in concrete.

80 cubic yards of earth excavation.

80 cubic yards of concrete (not to be bid for).

5,700 square feet of cement sidewalk.

The time for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Thirteen Hundred Dollars (\$1,300).

No. 4. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON FORTY-SIXTH STREET, FROM SEVENTH AVENUE TO EIGHTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

1,500 linear feet of new curbstones, furnished and set in concrete.

10 linear feet of old curbstones, redressed, rejoined and reset in concrete.

1,200 cubic yards of earth excavation.

60 cubic yards of filling (not to be bid for).

80 cubic yards of concrete (not to be bid for).

7,330 square feet of cement sidewalk.

The time for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Twelve Hundred Dollars (\$1,200).

No. 5. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON PARK PLACE FROM BUFFALO AVENUE TO RALPH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

1,500 linear feet of new curbstones, furnished and set in concrete.

40 linear feet of old curbstones, redressed, rejoined and reset in concrete.

1,250 cubic yards of earth excavation.

60 cubic yards of concrete (not to be bid for).

7,770 square feet of cement sidewalk.

The time for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Fourteen Hundred Dollars (\$1,400).

No. 6. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON RICHMOND STREET, FROM FULTON STREET TO DINSMORE PLACE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

700 cubic yards of earth excavation.

40 cubic yards of earth filling (not to be bid for).

710 linear feet of concrete curb.

3,260 square feet of cement sidewalk.

The time for the completion of the work and the full performance of the contract is twenty-five (25) working days.

The amount of security required is Five Hundred Dollars (\$500).

No. 7. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON SHEFFIELD AVENUE, FROM PITKIN AVENUE TO BLAKE AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

1,750 linear feet of new curbstones, furnished and set in concrete.

30 linear feet of old curbstones, redressed, rejoined and reset in concrete.

2,110 cubic yards of earth excavation.

95 cubic yards of concrete (not to be bid for).

8,500 square feet of cement sidewalk.

The time for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Seventeen Hundred Dollars (\$1,700).

No. 8. FOR REGULATING, GRADING, CURBING AND PAVING WITH ASPHALT PAVEMENT, CLASS "B," ON A CONCRETE FOUNDATION, THE ROADWAY OF SIXTY-FIRST STREET, FROM FOURTH AVENUE TO FIFTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,500 square yards of asphalt pavement, Class "B," including binder course.

350 cubic yards of concrete.

1,510 linear feet of new curbstones, furnished and set in concrete.

10 linear feet of old bluestone curbstones, redressed, rejoined and reset in concrete.

The time for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Twenty-five Hundred Dollars (\$2,500).

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per square yard, cubic yard, linear foot or other unit of measure, by which the bids will be tested.

The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Blank forms, plans and further information may be obtained and the plans and drawings may be seen at the office of the Superintendent of Highways, No. 14 Municipal Building, Borough of Brooklyn.

BIRD S. COLER, President.

Dated October 20, 1908.

028.n2

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF EDUCATION.

DEPARTMENT OF EDUCATION, CORNER OF PARK AVENUE AND FIFTY-FIRST 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 3:30 o'clock p. m. on

MONDAY, NOVEMBER 10, 1908.

Borough of The Bronx.

No. 3. FOR ADDITIONS, REPAIRS AND ALTERATIONS TO HEATING APPARATUS IN PUBLIC SCHOOL 15, EASTERN BOULEVARD, THROGGS NECK, BOROUGH OF THE BRONX.

The time allowed to complete the whole work will be forty working days, as provided in the contract.

The amount of security required is Eight Hundred Dollars.

Borough of Manhattan.

No. 4. FOR FORMING CLASSROOMS ON FIFTH STORY OF PUBLIC SCHOOL 15, ON ONE HUNDRED AND SIXTEENTH AND ONE HUNDRED AND SEVENTEENTH STREETS, EAST OF LENOX AVENUE, BOROUGH OF MANHATTAN.

The time allowed to complete the whole work will be thirty working days, as provided in the contract.

The amount of security required is Eight Hundred Dollars.

Borough of Queens.

No. 5. FOR FURNITURE, EQUIPMENT, ETC., FOR THE ATHLETIC FIELD ON MUNSON AND ORCHARD STREETS AND EAST RIVER FRONT, ASTORIA, LONG ISLAND CITY, BOROUGH OF QUEENS.

The amount of the security required is Four Thousand Dollars (\$4,000).

The contracts must be bid for separately.

The bids will be compared and the contract awarded at a lump or aggregate sum.

Plans may be seen and blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH,
President;
JOSEPH I. BERRY,
MICHAEL J. KENNEDY,
Commissioners of Parks.

Dated October 31, 1908.

020,000

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, NOVEMBER 12, 1908.

Borough of Manhattan.

FOR PAVING WITH ASPHALT TILES THE ENDS OF THE PARKS IN BROADWAY, BETWEEN NINETEEN FIFTY-FIFTH AND ONE HUNDRED AND TENTH STREETS, IN THE BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the completion of the whole work will be thirty (30) consecutive working days.

The amount of the security required is Thirteen Hundred Dollars (\$1,300).

The contracts must be bid for separately.

The bids will be compared and the contract awarded at a lump or aggregate sum.

Plans may be seen and blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH,
President;
JOSEPH I. BERRY,
MICHAEL J. KENNEDY,
Commissioners of Parks.

Dated October 29, 1908.

020,000

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, NOVEMBER 12, 1908.

Borough of Manhattan.

FOR ALL LABOR AND MATERIALS REQUIRED FOR FURNISHING AND SETTING AUDITORIUM CHAIRS IN THE LECTURE HALL OF THE NEW ADDITION (E) OF THE METROPOLITAN MUSEUM OF ART, LOCATED IN CENTRAL PARK, ON THE WEST SIDE OF FIFTH AVENUE, OPPOSITE EIGHTY-THIRD STREET, BOROUGH OF MANHATTAN.

The time allowed to complete the whole work will be thirty (30) consecutive working days.

The amount of security required is Two Thousand Dollars (\$2,000).

The contracts must be bid for separately.

The bids will be compared and the contract awarded at a lump or aggregate sum.

Plans may be seen and blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH,
President;
JOSEPH I. BERRY,
MICHAEL J. KENNEDY,
Commissioners of Parks.

Dated October 29, 1908.

020,000

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, NOVEMBER 12, 1908.

Borough of Manhattan.

FOR PAVING WITH ASPHALT TILES THE ENDS OF THE PARKS IN BROADWAY, BETWEEN EIGHTIETH AND NINETEEN FIFTY-FIFTH STREETS, IN THE BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the completion of the whole work will be thirty (30) consecutive working days.

The amount of the security required is Twelve Hundred Dollars (\$1,200).

The contracts must be bid for separately.

The bids will be compared and the contract awarded at a lump or aggregate sum.

Plans may be seen and blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH,
President;
JOSEPH I. BERRY,
MICHAEL J. KENNEDY,
Commissioners of Parks.

Dated October 29, 1908.

020,000

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, NOVEMBER 12, 1908.

Borough of Brooklyn.

FOR FURNISHING AND DELIVERING HULSON RIVER ROAD GRAVEL ON OCEAN PARKWAY, BOROUGH OF BROOKLYN.

The time for the completion of the contract is within sixty (60) consecutive working days. The amount of security required is Three Thousand Dollars (\$3,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Litchfield Mansion, Prospect Park, Brooklyn.

HENRY SMITH,
President;
JOSEPH I. BERRY,
MICHAEL J. KENNEDY,
Commissioners of Parks.

Dated October 15, 1908.

020,000

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, NOVEMBER 6, 1908.

Borough of Queens.

FOR FURNISHING AND DELIVERING 2,000 CUBIC YARDS OF TOPSOIL OR GARDEN MOULD TO KING'S PARK, JAMAICA.

The time for the completion of the contract is within thirty (30) consecutive working days. The amount of security required is One Thousand Dollars (\$1,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Litchfield Mansion, Prospect Park, Brooklyn.

HENRY SMITH,
President;
JOSEPH I. BERRY,
MICHAEL J. KENNEDY,
Commissioners of Parks.

Dated October 17, 1908.

020,000

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICIAL PAPERS.

Morning—"The Sun," "The New York Times."

Evening—"The Globe," "The Evening Mail."

Weekly—"Democracy," "Tammany Times."

German—"Staats-Zeitung."

Designated by the Board of City Record, January 22, 1908. Amended March 1, 1908, November 20, 1908; February 20, 1909, and March 5, 1908.

BOROUGH OF RICHMOND.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF RICHMOND, BOROUGH HALL, ST. GEORGE, NEW BRITTON, NEW YORK CITY.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Richmond at the above office until 12 o'clock on

TUESDAY, NOVEMBER 10, 1908.

Borough of Richmond.

NO. 1. FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR REGULATING AND REPAVING WITH VITRIFIED BRICK PAVEMENT ON A CONCRETE FOUNDATION THE GUTTERS OF HARRISON AVENUE, FROM RICHMOND AVENUE TO NICHOLAS AVENUE; HOUSMAN AVENUE, FROM RICHMOND TERRACE TO A POINT ABOUT FOUR HUNDRED AND FORTY (440) FEET SOUTH OF CEDAR STREET; SIMONSON AVENUE, FROM RICHMOND TERRACE TO A POINT ABOUT THREE HUNDRED AND SIXTY-SIX FEET SOUTH OF THE STATEN ISLAND RAPID TRANSIT RAILROAD CROSSING; AND PENNSYLVANIA AVENUE, FROM NEW YORK AVENUE TO BAY STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required, is as follows:

924 linear feet of salt-glazed vitrified pipe sewer of twelve (12) inches interior diameter, all complete, as per section on plan of the work.

575 linear feet of salt-glazed vitrified pipe sewer of ten (10) inches interior diameter, all complete, as per section on plan of the work.

4 manholes, complete, as per section on plan of the work.

1,000 feet (B. M.) of foundation timber and stanching, in place and secured.

1 cubic yard of concrete, in place.

1 cubic yard of brick masonry.

5 cubic yards of additional excavation.

1,000 feet (B. M.) of sheeting, retained.

2 reinforced concrete receiving basins with one and one-quarter (1 1/4) inch galvanized wrought iron bars, all complete, as shown on plans on file in the office of the Commissioner of Public Works, and connected with the sewer.

30 linear feet of 5-inch by 16-inch curb, furnished and set in concrete.

1 cubic yard of brick masonry.

1,000 square feet of new sixteen (16) inch bluestone curbstone, furnished and set.

8,380 linear feet of old bluestone curbstone, re-jointed and reset.

30 square feet of old flagstone, reset and reset.

3 square feet of new bluestone dripstone, furnished and set.

6,600 square feet of old sidewalk, relaid.

10 square feet of new flagstone, furnished and laid.

The time for the completion of the work and the full performance of the contract is sixty (60) days.

The amount of security required is Seven Thousand Dollars (\$7,000).

NO. 2. FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR CONSTRUCTING A TEMPORARY COMBINED SEWER IN ERASTINA PLACE, FROM CENTRAL AVENUE TO A POINT ABOUT 100 FEET NORTH OF THE STATEN ISLAND RAPID TRANSIT RAILROAD, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required, is as follows:

1,660 square yards of iron slag block pavement, including sand bed, and laid with paving cement joints, with one (1) year maintenance.

900 cubic yards of concrete.

1,463 linear feet of new sixteen (16) inch bluestone curbstone, furnished and set.

1,200 square feet of old sidewalk, relaid.

The time for the completion of the work and the full performance of the contract is thirty (30) days.

The amount of security required is Three Thousand Dollars (\$3,000).

NO. 3. FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR REGULATING AND REPAVING WITH IRON SLAG BLOCK PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAYS OF WATER STREET, FROM A POINT ABOUT EIGHTY-SIX (86) FEET SOUTH OF RICHMOND TERRACE TO THE SOUTH SIDE OF WOODRUFF LANE; WOODRUFF LANE, FROM WATER STREET TO BARKER STREET; AND BARKER STREET, FROM WOODRUFF LANE TO THE NORTH SIDE OF TRINITY PLACE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required, is as follows:

6,200 square yards of wood block pavement.

900 cubic yards of concrete, including mortar bed.

2,700 linear feet of new sixteen (16) inch bluestone curbstone, furnished and set.

900 square feet of old sidewalk, relaid.

The time for the completion of the work and the full performance of the contract is seventy-five (75) days.

The amount of security required is Eleven Thousand Dollars (\$11,000).

NO. 4. FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR REGULATING AND REPAVING WITH WOOD BLOCK PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF HEBERTON AVENUE, FROM POST AVENUE TO ELIZABETH STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required, is as follows:

6,200 square yards of wood block pavement.

900 cubic yards of concrete, including mortar bed.

2,700 linear feet of new sixteen (16) inch bluestone curbstone, furnished and set.

900 square feet of old sidewalk, relaid.

The time for the completion of the work and the full performance of the contract is seventy-five (75) days.

The amount of security required is Eleven Thousand Dollars (\$11,000).

NO. 5. FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR CONSTRUCTING A SEPARATE STORM WATER OUTFALL SEWER FROM THE BULKHEAD AT THE FOOT OF CANAL STREET WEST, THROUGH CANAL STREET TO THE WEST SIDE OF BAY STREET, ETC., ALL BEING WITHIN SEWERAGE DISTRICT NO. 1A, IN THE SECOND WARD, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required, is as follows:

245 linear feet of salt-glazed vitrified pipe sewer of eight (8) inches interior diameter, all complete, as per section on plan of the work.

475 linear feet of salt-glazed vitrified pipe sewer of six (6) inches interior diameter, all complete, as per section on plan of the work.

1 manhole, complete, as per section on plan of the work.

1 bush tank with No. 1 Van Vranken system, set complete, as per section on plan of the work.

100 feet (B. M.) of foundation timber and planking, in place and secured.

1 cubic yard of concrete, in place.

1 cubic yard of brick masonry.

5 cubic yards of additional excavation.

64 linear feet of reinforced concrete sewer of flat cast twin section, and 3-foot circular sanitary sewer, designated "Class A," all complete, as per section on plan of the work.

The time for the completion of the work and the full performance of the contract is thirty (30) days.

The amount of security required is Four Hundred and Fifty Dollars (\$450).

The contracts must be bid for separately, and the bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Bidders are requested to make their bids or estimates upon the blank form prepared by the President, a copy of which, with the proper envelope in

List 235, No. 2. Sewer in Twelfth avenue from One Hundred and Thirty-third to One Hundred and Thirty-fifth street.

List 236, No. 3. Paving with asphalt blocks, curving and returning West One Hundred and Eighty-eighth street, from Amsterdam avenue to St. Nicholas avenue.

BOROUGH OF THE BRONX.

List 683, No. 4. Sewer in Boston road, between Southern boulevard and East One Hundred and Seventy-first street.

List 693, No. 5. Sewer in West Two Hundred and Sixty-first street, between Broadway and Riverdale avenue.

BOROUGH OF QUEENS.

List 22, No. 6. Temporary sewer in Chestnut street, from a point 150 feet west of Parsons avenue in Whitestone avenue, and in Whitestone avenue, from Chestnut street to State street, Third Ward.

List 24, No. 7. Catch basins on the northeast and northwest corners of Graham avenue and Sixth avenue, First Ward.

List 95, No. 8. Catch basin on the southeast corner of Union avenue and Shelton avenue, Fourth Ward.

List 106, No. 9. Receiving basin on the west side of Academy street, opposite South Washington place, First Ward.

The limits within which it is proposed to lay the said assessments include all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

No. 1. Both sides of Scammon street, between Water and Cherry streets.

No. 2. Both sides of Twelfth avenue, from One Hundred and Thirty-third street to the northerly house line of One Hundred and Thirty-fourth street; both sides of One Hundred and Thirty-fourth street, from Broadway to a point about 65 feet westerly, and the south side of One Hundred and Thirty-third street, from Twelfth avenue to Broadway.

No. 3. Both sides of One Hundred and Eighty-eighth street, from Amsterdam avenue to St. Nicholas avenue, and to the extent of half the block at the intersecting streets and avenues.

No. 4. Both sides of Boston road, from Southern boulevard to One Hundred and Seventy-seventh street; southeast side of Bryant avenue, between One Hundred and Seventy-sixth and Boston road; both sides of Vyse avenue, between One Hundred and Seventy-seventh street and One Hundred and Seventy-fourth street; both sides of Haze avenue, between One Hundred and Seventy-fourth street and Boston road.

No. 5. Both sides of Two Hundred and Sixty-first street, between Broadway and Independence avenue; both sides of Spencer street, between Two Hundred and Sixtieth street and the northerly boundary line of The City of New York; both sides of Huxley avenue, between Two Hundred and Sixtieth street and Two Hundred and Sixty-second street; west side of Broadway, between Two Hundred and Sixty-first street and Two Hundred and Sixty-second street; both sides of Fieldston road, between Two Hundred and Sixtieth street and the northerly boundary line of The City of New York; both sides of Tynedale avenue, Liebig avenue, between Two Hundred and Sixty-first street and the northerly boundary line of The City of New York; both sides of Riverdale avenue, both sides of Avenue of the Americas, between Two Hundred and Sixty-first street and northerly boundary line of The City of New York; both sides of Netherland avenue, between Two Hundred and Sixty-first street and about 400 feet southerly therefrom.

No. 6. Both sides of Chestnut street, between Parsons avenue and Whitestone avenue; both sides of Whitestone avenue, between Chestnut and Sixtieth streets.

No. 7. Both sides of Sixth avenue and west side of Seventh avenue, between Graham avenue and Broadway; north side of Graham avenue, between Fifth and Sixth avenues.

No. 8. East side of Union avenue, from Shelton avenue to a point about 100 feet southerly; south side of Shelton avenue, between Union and Hardenbrook avenues.

No. 9. North side of Academy street, from Paynter avenue to Wilbur avenue, and southwest side of Paynter avenue, from Academy street to Radde street.

All persons whose interests are affected by the above named proposed assessments, and who are opposed to the same, or either of them, are requested to present their objections, in writing, to the Secretary of the Board of Assessors, No. 320 Broadway, New York, on or before December 1, 1908, at 11 a. m. at which time and place the said objections will be heard and testimony received in reference thereto.

ANTONIO ZUCCA,
PAUL WEIMANN,
JAMES H. KENNEDY,
Board of Assessors.

WILLIAM H. JASPER,
Secretary,
No. 320 Broadway,
City of New York, Borough of Manhattan,
October 29, 1908.

220,010

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 982, No. 1. Regulating and curbing on Bay Ridge parkway, from Fifth to Seventh avenue; laying brick gutters, from Shore road to First avenue, and from Fifth to Seventh avenue; and laying cement sidewalks between Shore road and Seventh avenue.

List 982, No. 2. Reconstructing a sewer in Hiram street, between Evergreen avenue and Knickerbocker avenue.

List 12, No. 3. Laying cement sidewalks on southeast side of Little street, between Evans and United States streets; south side of Richardson street, between Manhattan and Graham avenues; southeast side of Palmetto street, between Hamburg and Knickerbocker avenues; northwest side of Jamaica avenue, between Baysley and Warwick streets; south side of Flushing avenue, between Bushwick avenue and Bremen street; south side of Sutter avenue, between Van Sickle and Hendrix street; north side of St. Marks avenue, between Hopkins and Rockaway avenues; southeast side of Greene avenue, between St. Nicholas avenue and the Borough of Queens; southeast side of Pilling street, between Bushwick and Evergreen avenues; southwest side of Evergreen avenue, between Pilling street and New York and Manhattan Beach Railroad.

List 13, No. 4. Sewer basins in Ninth street, at northwest and southwest corners of Sixth avenue, Seventh avenue and Eighth avenue; both sides midway between Fifth and Sixth avenues, Sixth and Seventh and Seventh and Eighth avenues.

List 14, No. 5. Laying cement sidewalks on Washington avenue, east side, between Classon avenue and Washington place; north side of Windsor place, between Tenth and Eleventh avenues; north side of Fifth street, between Fourth and Fifth avenues; east side of Eighth avenue, between Nineteenth and Twentieth streets; both

sides of Nineteenth street, between Eighth avenue and Prospect Park West, and on the north side of Eighteenth street, between Prospect Park West and Eleventh avenue.

List 16, No. 6. Laying cement sidewalks on north side of Forty-fifth street, between Fifth and Sixth avenues; north side of Seventy-second street, between Third and Fourth avenues; north side of Seventy-ninth street, between Shore road and Third avenue.

List 21, No. 7. Grading a lot on the north side of Windsor place, between Eighth avenue and Prospect Park West, known as Lot No. 47 in Block 1109.

List 45, No. 8. Sewer in Rogers avenue, east side, between Linden avenue and Martense street.

List 47, No. 9. Sewer in Sixty-second street, between Third and Fifth avenues, with outlet sewer in Third avenue, from Sixty-second to Sixty-third street.

List 54, No. 10. Sewer in Warehouse avenue, between Surf and Neptune avenues, with outlet sewer in Neptune avenue, between Warehouse avenue and Twenty-first street.

List 54, No. 11. Sewer in Twentieth street, between Terrace place and Vanderbilt street, and outlet sewer in Vanderbilt street, north side, between Twentieth street and East Fifth street.

List 48, No. 12. Sewer in Benson avenue, between Bay Eleventh and Bay Thirteenth streets.

List 104, No. 13. Sewer in Sixty-fifth street, both sides, between Fifth and Eighth avenues.

List 135, No. 14. Sewer in Church avenue, from East Eleventh to East Fifteenth street, and in Caton avenue, from Parade place to East Seventeenth street; also basins at the northeast, northwest and southeast corners of Church avenue and East Sixteenth and East Seventeenth streets, and basin at the northeast corner of Ocean avenue and Church avenue, and basin at northeast corner of East Eighteenth street and Albermarle road.

The limits within which it is proposed to lay the said assessments include all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

No. 1. Both sides of Seventy-fifth street, from Shore road to First avenue; the northeast corner of Seventy-fifth street and First avenue and both sides of Seventy-fifth street, from Fifth to Seventh avenue, and to the extent of one-half the block at the intersecting and terminating streets and avenues.

No. 2. Both sides of Himrod street, from Bushwick to Knickerbocker avenue, and both sides of Myrtle avenue, from Stanhope street to Himrod street.

No. 3. East side of Little street, between Evans and United States streets, Block 24, Lots Nos. 14, 15 and 17; south side of Richardson street, between Manhattan and Graham avenues, Block 2734, Lot No. 18; east side of Palmetto street, between Hamburg and Knickerbocker avenues, Block 3332, Lot No. 12; west side of Jamaica avenue, between Baysley and Warwick streets, Block 3398, Lot No. 47; south side of Flushing avenue, between Bushwick avenue and Bremen street, Block 3139, Lot No. 8; south side of Sutter avenue, between Van Sickle and Hendrix street, Block 4042, Lots Nos. 14, 15, 16 and 17; north side of St. Marks avenue, between Rockaway and Hopkinson avenues, Block 4154, Lot No. 54; east side of Greene avenue, between St. Nicholas avenue and City line, Block 3303, Lot No. 9; south side of Pilling street, between Bushwick and Evergreen avenues, Block 3457, Lots Nos. 29 and 35.

No. 4. North side of Ninth street, from Fifth avenue to Prospect Park West; south side of Ninth street, from Prospect Park West to a point about 348 feet east of Fifth avenue; both sides of Eighth avenue, from Eighth to Tenth street; both sides of Seventh avenue, from Ninth to Tenth street; both sides of Sixth avenue, from Ninth to Tenth street; northwesterly side of Prospect Park West, from Eighth to Ninth street.

No. 5. East side of Washington avenue, from Classon avenue to a point about 10 feet south of Montgomery street; north side of Windsor place, commencing about 128 feet east of Tenth avenue and extending easterly about 150 feet; north side of Fifth street, from Fourth avenue to a point about 45 feet west of Fifth avenue; east side of Eighth avenue, extending about 100 feet south of Nineteenth street; south side of Nineteenth street, Block 888, Lots Nos. 7, 19, 25, 34 and 39; north side of Nineteenth street, Block 882, Lots Nos. 17, 28, 47 and 50; north side of Eighteenth street, between Prospect Park West and Tenth avenue, Block 882, Lots Nos. 49, 51, 54, 55, 57, 58, 59, 64, 68 and 71; north side of Eighteenth street, between Tenth and Eleventh avenues, Block 878, Lots Nos. 40, 51, 52, 53, 54, 55, 56, 68, 69, 70, 71, 72 and 73.

No. 6. North side of Forty-fifth street, between Fifth and Sixth avenues, Block 239, Lot No. 58; north side of Seventy-second street, between Third and Fourth avenues, Block 5891, Lots Nos. 1, 38, 64, 65, 66, 67, 68, 70 and 82; north side of Seventy-ninth street, from Shore road to Third avenue.

No. 7. North side of Windsor place, between Eighth avenue and Prospect Park West, Block 1109, Lot No. 47.

No. 8. East side of Rogers avenue, from Martense street to Lenox road; both sides of Rogers avenue, from Lenox road to Robinson street; both sides of Clarkson avenue, Lenox road and Linden street, from Rogers avenue to Nestrand avenue.

No. 9. Both sides of Sixty-second street, from Third to Fifth avenue; both sides of Third avenue, from Sixty-second to Sixty-third street.

No. 10. Both sides of Warehouse avenue, from Surf avenue to Canal avenue; south side of Canal avenue, from Twenty-third street to a point about 119 feet east of Warehouse avenue; both sides of Neptune avenue, from Twenty-fourth street to a point about 119 feet east of Twenty-first street; both sides of Twenty-first street, from Neptune avenue extending about 375 feet southerly from said avenue; both sides of Twenty-third street, from Mermaid avenue to Canal avenue; north side of Mermaid avenue, from Twenty-third street to a point about 119 feet east of Warehouse avenue; south side of Mermaid avenue, extending easterly and westerly from Warehouse avenue about 119 feet.

No. 11. Both sides of Twentieth street, from Terrace place to Vanderbilt street; north side of Vanderbilt street, from Twentieth street to a point about 348 feet east of Nineteenth street; also, blocks bounded by Terrace place and Vanderbilt street and Gravesend avenue and Twentieth street; south side of Terrace place, from Nineteenth to Twentieth street; north side of Seecley street, from Nineteenth to Twentieth street; south side of Seecley street, from Eighth to Twentieth street; both sides of Nineteenth street, from Seecley street to Vanderbilt street.

No. 12. Both sides of Benson avenue, from Bay Eleventh to Bay Thirteenth street; both sides of Bay Eleventh street, from Bath avenue to Benson avenue; northerly side of Bath avenue, from Bay Tenth to Bay Eleventh street.

No. 13. Both sides of Sixty-fifth street, extending about 100 feet northerly and southerly therefrom, and from Fifth to Eighth avenue.

No. 14. Both sides of Church avenue, from East Eleventh to East Fifteenth street; east side of Caton avenue; south side of Caton avenue, from

East Eleventh to East Twelfth street; both sides of East Thirteenth street, from Caton avenue to Church avenue; both sides of East Fourteenth street, commencing about 14 feet south of Caton avenue and extending southerly to Church avenue; south side of Caton avenue, from East Sixteenth to East Eighteenth street; north side of Caton avenue, from East Fifteenth to East Eighteenth street; south side of Church avenue, from East Sixteenth to East Eighteenth street; east side of Ocean avenue, from Church avenue to Caton avenue; east side of East Eighteenth street, from Church avenue to Albemarle road; and north side of Albemarle road, from East Eighteenth street to East Nineteenth street.

All persons whose interests are affected by the above named proposed assessments, and who are opposed to the same, or either of them, are requested to present their objections, in writing, to the Secretary of the Board of Assessors, No. 320 Broadway, New York, on or before November 24, 1908, at 11 a. m. at which time and place the said objections will be heard and testimony received in reference thereto.

ANTONIO ZUCCA,
PAUL WEIMANN,
JAMES H. KENNEDY,
Board of Assessors.

WILLIAM H. JASPER,
Secretary,
No. 320 Broadway.
City of New York, Borough of Manhattan,
October 29, 1908.

223,04

FIRE DEPARTMENT.

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, Nos. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED BY THE FIRE COMMISSIONER AT THE ABOVE OFFICE UNTIL 10:30 O'CLOCK A. M. ON

MONDAY, NOVEMBER 16, 1908.
BOROUGHS OF BROOKLYN AND QUEENS.

No. 1. FOR FURNISHING AND DELIVERING FIVE THOUSAND FEET OF ONE-INCH RUBBER FIRE HOSE FOR USE ON CHEMICAL ENGINES.

The time for the delivery of the articles, materials and supplies and the performance of the contract is thirty (30) days.

The amount of security required is fifty percent (50%) of the amount of the bid or estimate.

No. 2. FOR FURNISHING AND DELIVERING SEVENTY-FIVE (75) FIRE ALARM BOXES FOR USE IN THE BOROUGHS OF BROOKLYN AND QUEENS.

The time for the delivery of the articles, materials and supplies and the performance of the contract is one hundred and twenty (120) days.

The amount of security required is fifty percent (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. The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Fire Department, Nos. 157 and 159 East Sixty-seventh street, Manhattan.

NICHOLAS J. HAYES,
Fire Commissioner.

Dated October 31, 1908.

22,16

22 See General Instructions to Bidders on the last page, last column, of the "City Record."

TABLE, TRACKS, SLEEPERS, TEES, VALVES, PIPING AND ALL OTHER WORK NECESSARY TO THE INSTALLATION OF A COMBINED STEAM AND FORMALDEHYDE DISINSECTING SYSTEM (EXCEPT THE SUPPLYING AND INSTALLATION OF A VACUUM PUMP) FOR THE NEW MUNICIPAL LODGING HOUSE, SITUATED APPROXIMATELY FOUR HUNDRED FEET EAST OF FIRST AVENUE AND ON THE SOUTHERLY SIDE OF TWENTY-FIFTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for doing and completing the entire work and the full performance of the contract is forty (40) consecutive working days.

The surety required will be Ten Thousand Dollars (\$10,000).

The bidder will state one aggregate price for the whole work described and specified, as the contract is entire and for a complete job.

Blank forms and further information may be obtained at the office of Raymond F. Almire, Architect, No. 51 Chambers street, Borough of Manhattan, The City of New York, where plans and specifications may be seen.

ROBERT W. HEBBERD,
Commissioner.

Dated October 30, 1908.

22 See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF PUBLIC CHARITIES.

DEPARTMENT OF PUBLIC CHARITIES, FOOT OF EAST TWENTY-SIXTH STREET, NEW YORK.

TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED BY THE DEPARTMENT OF PUBLIC CHARITIES AT THE ABOVE OFFICE UNTIL 2:30 O'CLOCK P. M. ON

FRIDAY, NOVEMBER 13, 1908.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR REMOVING THE FOUR HOSPITAL PAVILIONS LOCATED ON THE GROUNDS OF BELLEVUE HOSPITAL AND ERECTING SAME AT THE METROPOLITAN HOSPITAL; ALSO FOR ALTERING THE POSITION OF SIX HOSPITAL PAVILIONS NOW AT THE METROPOLITAN HOSPITAL.

The time allowed for the completion of the work and full performance of the contract is thirty (30) consecutive working days.

The surety required will be Two Thousand Dollars (\$2,000).

The bidder will state one aggregate price for the whole work described and specified, as the contract is entire for a complete job.

Blank forms and further information may be obtained at the office of the Architect of the Department, foot of East Twenty-sixth street, The City of New York, where plans and specifications may be seen.

ROBERT W. HEBBERD,
Commissioner.

Dated October 30, 1908.

22 See

No. 4. FOR CONSTRUCTING SEWERS AND APPURTENANCES IN EAST ONE HUNDRED AND EIGHTY-SEVENTH STREET, BETWEEN WEBSTER AVENUE AND PARK AVENUE WEST, AND IN PARK AVENUE WEST, BETWEEN EAST ONE HUNDRED AND EIGHTY-THIRD STREET AND EAST ONE HUNDRED AND EIGHTY-NINTH STREET (WELCH STREET).

The Engineer's estimate of the work is as follows:

382 linear feet of pipe sewer, 15-inch.
5462 linear feet of pipe sewer, 12-inch.
124 spurs for house connections, over and above the cost per linear foot of sewer.
2 manholes, complete.
2 receiving basins, complete.
50 cubic yards of rock to be excavated and removed.
5 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.
20,000 feet (B. M.) of timber for foundations, furnished and laid, and sheeting furnished and left in place.
10 linear feet of 12-inch drain pipe, furnished and laid.

The time allowed for the completion of the work will be 140 working days.

The amount of security required will be Four Thousand Dollars.

No. 5. FOR CONSTRUCTING SEWERS AND APPURTENANCES IN EAST ONE HUNDRED AND SEVENTY-THIRD STREET, BETWEEN HOB AVENUE AND BRYANT AVENUE, AND IN BRYANT AVENUE, BETWEEN EAST ONE HUNDRED AND SEVENTY-THIRD STREET AND THE SUMMIT SOUTHERLY THEREFROM.

The Engineer's estimate of the work is as follows:

358 linear feet of pipe sewer, 30-inch.
360 linear feet of pipe sewer, 18-inch.
2 linear feet of pipe sewer, 15-inch.
435 linear feet of pipe sewer, 12-inch.
97 spurs for house connections, over and above the cost per linear foot of sewer.
2 manholes, complete.
5 receiving basins, complete.
1,010 cubic yards of rock to be excavated and removed.
5 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.
1,000 feet (B. M.) of timber for foundations, furnished and laid, and sheeting furnished and left in place.
10 linear feet of 12-inch drain pipe, furnished and laid.

The time allowed for the completion of the work will be 120 working days.

The amount of security required will be Five Thousand Dollars.

No. 6. FOR CONSTRUCTING A SEWER AND APPURTENANCES IN FAILE STREET, BETWEEN SENeca AVENUE AND LAFAYETTE AVENUE.

The Engineer's estimate of the work is as follows:

332 linear feet of pipe sewer, 15-inch.
332 linear feet of pipe sewer, 12-inch.
84 spurs for house connections, over and above the cost per linear foot of sewer.
2 manholes, complete.
1 receiving basin, complete.
10 cubic yards of rock, to be excavated and removed.
5 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.
1,000 feet (B. M.) of timber for foundations, furnished and laid, and sheeting, furnished and left in place.
10 linear feet of 12-inch drain pipe, furnished and laid.

The time allowed for the completion of the work will be 100 working days.

The amount of security required will be Six Thousand Dollars.

No. 7. FOR CONSTRUCTING A SEWER AND APPURTENANCES IN NELSON AVENUE, BETWEEN BOSCOBEL AVENUE AND FEATHERBED LANE.

The Engineer's estimate of the work is as follows:

1,020 linear feet of pipe sewer, 15-inch.
420 linear feet of pipe sewer, 12-inch.
225 spurs for house connections, over and above the cost per linear foot of sewer.
2 manholes, complete.
1 receiving basin, complete.
1,000 cubic yards of rock, to be excavated and removed.
5 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.
1,000 feet (B. M.) of timber for foundations, furnished and laid, and sheeting, furnished and left in place.
25 linear feet of 12-inch drain pipe, furnished and laid.

The time allowed for the completion of the work will be 175 working days.

The amount of security required will be Forty-five Hundred Dollars.

No. 8. FOR CONSTRUCTING A SEWER AND APPURTENANCES IN J. M. STREET, FROM PELHAM AVENUE TO A POINT 100 FEET NORTHERLY THEREFROM.

The Engineer's estimate of the work is as follows:

158 linear feet of pipe sewer, 12-inch.
20 spurs for house connections, over and above the cost per linear foot of sewer.
2 manholes, complete.
15 cubic yards of rock, to be excavated and removed.
5 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.
2,000 feet (B. M.) of timber for foundations, furnished and laid, and sheeting, furnished and left in place.
10 linear feet of 12-inch drain pipe, furnished and laid.

The time allowed for the completion of the work will be 100 working days.

The amount of security required will be Five Hundred Dollars.

No. 9. FOR CONSTRUCTING A SEWER AND APPURTENANCES IN VALENTINE AVENUE, BETWEEN EAST ONE HUNDRED AND NINETY-FOURTH STREET AND EAST ONE HUNDRED AND NINETY-SIXTH STREET.

The Engineer's estimate of the work is as follows:

138 linear feet of pipe sewer, 18-inch.
68 linear feet of pipe sewer, 15-inch.
125 spurs for house connections, over and above the cost per linear foot of sewer.
9 manholes, complete.
3 receiving basins, complete.
5 cubic yards of rock, to be excavated and removed.
5 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.
5,000 feet (B. M.) of timber for foundations, furnished and laid, and sheeting, furnished and left in place.
25 linear feet of 12-inch drain pipe, furnished and laid.

The time allowed for the completion of the work will be 75 working days.

The amount of security required will be Two Thousand One Hundred Dollars.

No. 10. FOR CONSTRUCTING A SEWER AND APPURTENANCES IN HAINBRIDGE AVENUE, BETWEEN MOSHOLU PARKWAY NORTH AND WOODLAWN ROAD.

The Engineer's estimate of the work is as follows:

240 linear feet of pipe sewer, 15-inch.
382 linear feet of pipe sewer, 12-inch.
42 spurs for house connections, over and above the cost per linear foot of sewer.
3 manholes, complete.
2 receiving basins, complete.
675 cubic yards of rock, to be excavated and removed.
5 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.
1,000 feet (B. M.) of timber for foundations, furnished and laid, and sheeting, furnished and left in place.
25 linear feet of 12-inch drain pipe, furnished and laid.

The time allowed for the completion of the work will be 80 working days.

The amount of security required will be Two Thousand Dollars.

No. 11. FOR PAVING WITH ASPHALT BLOCKS ON A CONCRETE FOUNDATION THE ROADWAY OF ONE HUNDRED AND SIXTY-FIFTH STREET, BETWEEN WEBSTER AVENUE AND MORRIS AVENUE AND THE ROADWAY OF CLAY AVENUE, BETWEEN ONE HUNDRED AND SIXTY-FOURTH STREET AND ONE HUNDRED AND SIXTY-FIFTH STREET, AND RESETTING CURB WHERE NECESSARY.

The Engineer's estimate of the work is as follows:

5,420 square yards of completed asphalt block pavement, and keeping the same in repair for five years from date of acceptance.
88 cubic yards of concrete, including mortar bed.
3,125 linear feet of old carstone, rejoined, recut on top and reset in concrete.

The time allowed for the completion of the work will be 50 consecutive working days.

The amount of security required will be Six Thousand Dollars.

Blank forms can be obtained upon application therefor, and the plans and specifications may be seen and other information obtained at said office.

LOUIS F. HAFFEN,
President.

029,00

See General Instructions to Bidders on the last page, last column, of the "City Record."

MUNICIPAL CIVIL SERVICE COMMISSION.

MUNICIPAL CIVIL SERVICE COMMISSION, No. 66 LOUSETTE STREET, NEW YORK CITY, October 30, 1908.

PUBLIC NOTICE IS HEREBY GIVEN that applications for the following positions in the false class will be received on and after

MONDAY, NOVEMBER 16, 1908.

1. Labor Class—Part I.

COAL PASSER.

LICENSED FIREMAN.

Applications will be received at the ground floor of the new Criminal Court Building, corner White and Centre streets.

Applicants for the position of Licensed Fireman must present a license issued by the Police Department to the effect that they have qualified as licensed firemen.

FRANK L. FOLK,
President;
R. ROSS APPLETON,
ARTHUR J. O'KEEFFE,
Frank A. Spencer,
Secretary.

02

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, NEW YORK, October 31, 1908.

AMENDED NOTICE.

PUBLIC NOTICE IS HEREBY GIVEN that the time for receiving applications for the position of

CHEMIST

has been extended to

WEDNESDAY, DECEMBER 2, 1908, AT

4 P. M.

NO APPLICATION RECEIVED BY THE COMMISSION, BY MAIL OR OTHERWISE, AFTER 4 P. M. ON DECEMBER 2 WILL BE ACCEPTED.

The examination will be held on Wednesday, December 3, 1908, at 12 a. m.

The subjects and weights of the examination are as follows:

Technical 6

Experience 4

The percentage required is 75 on the technical paper and 50 on all.

Candidates must have a knowledge gained by actual experience in general chemistry and quantitative analysis. Some of the questions in the technical paper will call for a knowledge of calculations of analytical chemistry.

Some credit will be given on the technical paper for ability to consult reference books in French and German.

The examination is open to all citizens of the United States, and the rule requiring that two of the numbers for candidates residing outside of the City of New York must be residents of The City of New York is waived for this examination.

There are two vacancies in the Department of Health.

Salary: \$1,000 per annum.

Minimum age: 21 years.

F. A. SPENCER,
Secretary.

031,02

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, NEW YORK, October 31, 1908.

PUBLIC NOTICE IS HEREBY GIVEN that applications will be received from

WEDNESDAY, NOVEMBER 4, UNTIL 12 M. SATURDAY, DECEMBER 5, 1908.

for the position of

PATROLMAN, POLICE DEPARTMENT.

NO APPLICATION RECEIVED BY THE COMMISSION, BY MAIL OR OTHERWISE, AFTER 12 M. ON DECEMBER 5, WILL BE ACCEPTED.

The subjects and weights are as follows:

Physical development and strength 50

Mental test 50

The subjects and weights of the mental test are as follows:

Memory test 5

Government 5

Localities 5

Arithmetic 5

The subjects and weights are as follows:

Physical development and strength 50

Mental test 50

The subjects and weights of the mental test are as follows:

Memory test 5

Government 5

Localities 5

Arithmetic 5

Seventy per cent. will be required on the mental examination.

Seventy per cent. will be required on strength.

Seventy per cent. will be required on physical development.

Applicants will not be received from persons who are less than twenty-three (23) years of age on December 5, 1908, or who are more than thirty (30) years of age.

Naturalized citizens must attach their naturalization papers to application.

Applicants will be notified later of the dates of the physical and mental examinations.

F. A. SPENCER,

Secretary.

031,02

The above assessment is payable to the Collector of Assessments and Arrears of the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, Room H, No. 280 Broadway, Borough of Manhattan, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before December 28, 1908, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessment became a lien to the date of payment.

HERMAN A. METZ,

Comptroller.

City of New York, Department of Finance, Comptroller's Office, October 28, 1908.

031,02

NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF the Greater New York Charter the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessment for LOCAL IMPROVEMENTS in the BOROUGH OF MANHATTAN:

TWENTY-FIRST WARD, SECTION J.

LEXINGTON AVENUE AND THIRTIETH STREET—RESTORING ASPHALT PAVEMENT. at the northeast corner. Area of assessment: Northeast corner of Lexington Avenue and Thirtieth street, and known as Lot No. 30, in Block 286.

The above assessment was certified to the Collector of Assessments and Arrears, under the provisions of section 301 of the Greater New York Charter.

—that the same was entered on October 28, 1908, in the Record of Titles of Assessments kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessment, interest will be collected thereon from the date when such assessment became a lien to the date of payment.

Public notice will also be given by advertisement in most of the City papers.

Wherever an examination is of a technical character, due notice is given by advertisement in the technical journals appertaining to the particular profession for which the examination is called.

Such notices will be sent to the daily papers as matters of news. The scope of the examination will be stated, but for more general information application should be made at the office of the Commission.

Specimen questions of previous examinations may be obtained at Room 1119.

Unless otherwise specifically stated, the minimum age requirement for all positions is 21.

FRANK L. FOLK,
President;
R. ROSS APPLETON,
ARTHUR J. O'KEEFFE,
Frank A. Spencer,
Secretary.

031,02

DEPARTMENT OF FINANCE.

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE.

AT THE REQUEST OF THE BRIDGE COMMISSION, 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 the buildings, parts of buildings, etc., now standing on property owned by The City of New York, acquired by it for bridge purposes in the

Borough of Manhattan.

Being all those buildings, parts of buildings, etc., situated within the lines of property taken for bridge purposes between Monroe street and the Bowery, and more particularly described as being all or part of the buildings known as No. 12 Bayard street, No. 6 Forsyth street, No. 8 Forsyth street, No. 77 Henry street, No. 125 Madison street, No. 125 Madison street, No. 23 Monroe street and No. 99 Monroe street; all of which buildings are more particularly described on a map on file in the office of the Collector of City Revenue, Department of Finance, Room 141, Borough of Manhattan.

Pursuant in a resolution of the Commissioners of the Sinking Fund, the sale of the above-described buildings and appurtenances thereto will be held by direction of the Comptroller on

TUESDAY, NOVEMBER 17, 1908,

at 11 a. m., on the premises.

H. A. METZ,
Comptroller.

City of New York, Department of Finance, Comptroller's Office, October 31, 1908.

031

1648, on north side of East Ninety-eighth street, 20 feet west of Second avenue.
EAST ONE HUNDRED AND NINETEEN STREET—REPAIRING SIDEWALK. at Nos. 19 and 21. Area of assessment: Lots Nos. 1 and 2, Block 1615, on north side of East One Hundred and Nineteen street, 120 feet west of Madison avenue.
ONE HUNDRED AND FORTY-THIRD STREET. south side—REPAIRING SIDEWALK, commencing 113 feet east of Lenox avenue. Area of assessment: Lots Nos. 6 and 7, Block 1621, on the north side of One Hundred and Forty-third street, about 46 feet east of Lenox avenue.

TWELFTH WARD, SECTION 7.

ONE HUNDRED AND THIRTY-FIRST STREET AND OLD BROADWAY. at the northeast corner—REPAIRING SIDEWALK. Area of assessment: Lots Nos. 16 and 17, Block 1686, being northeast corner of One Hundred and Thirty-first street and Old Broadway, and lot adjoining on Old Broadway.

TWELFTH WARD, SECTION 8.

DYCKMAN STREET AND PRESCOTT AVENUE—REPAIRING SIDEWALK. at the northwest corner. Area of assessment: Lot No. 50, Block 2242, being northwest corner of Dyckman street and Prescott avenue.

—that the same were confirmed by the Board of Assessors on October 27, 1908, and entered October 27, 1908, 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 1039 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides: "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears, at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, Room H, No. 280 Broadway, Borough of Manhattan, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before December 31, 1908, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ,
Comptroller.

City of New York, Department of Finance, Comptroller's Office, October 27, 1908.

028,512.

CORPORATION SALE OF REAL ESTATE AND APPURTENANCES THERETO UPON CITY REAL ESTATE.

AT THE REQUEST OF THE COMMISSIONER OF PARKS for the Borough of The Bronx, public notice is hereby given that the Comptroller of The City of New York will offer for sale at public auction the buildings now standing on property owned by The City of New York, required by it for park purposes to the **Borough of The Bronx.**

Being all those old buildings, parts of buildings, etc., situated in Pelham Bay Park and known as the "Biltmore Residence," partly demolished, and a portion of the old stable formerly used in connection therewith, and which are more particularly described in a letter of request now on file in the office of the Collector of City Revenue, Department of Finance, Room 141, No. 280 Broadway, Borough of Manhattan.

Pursuant to the above request, by direction of the Comptroller, the sale of the above-described buildings and appurtenances thereto, will be made, at public auction, under the supervision of the Collector of City Revenue, on

THURSDAY, NOVEMBER 12, 1908,

at 2 p. m., upon the premises, upon the usual terms and conditions as set forth in the advertisements of the sale of other old material of The City of New York in the City Racquet.

H. A. METZ,
Comptroller.

City of New York, Department of Finance, Comptroller's Office, October 26, 1908.

028,512.

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO UPON CITY REAL ESTATE.

AT THE REQUEST OF THE PRESIDENT of the Borough of The Bronx, 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 the buildings, parts of buildings, etc., now standing on property owned by The City of New York, acquired by it for street opening purposes in the

Borough of The Bronx.

Being all those buildings and parts of buildings, etc., situated within the lines of Main street, City Island, and the approach to the City Island Bridge, from Long Island Sound, consisting of a one-story and basement frame house, Map No. 298, Lot No. 26, and a two-story frame office building, Map No. 172, Lot No. 202, and which are more particularly described upon a map on file in the office of the Collector of City Revenue, Department of Finance, Room 141, No. 280 Broadway, Borough of Manhattan.

Pursuant to a resolution of the Commissioners of the Sinking Fund, adopted at a meeting held October 9, 1907, the sale of the above-described buildings and appurtenances thereto will be held, by direction of the Comptroller, on

THURSDAY, NOVEMBER 12, 1908,

at 10:30 a. m., on the premises, upon the following

TERMS AND CONDITIONS.

The buildings and appurtenances thereto will be sold to the highest bidder, who must pay immediately cash or a certified check drawn to the order of the Comptroller of The City of New York, and must also at the time of sale give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of fifty dollars, the sum of fifty dollars shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied by the City to the cost of completing any of the work required under the contract, but unfinished at the expiration of the contract period.

All the material of the buildings, sheds, walls, structures and cellars of whatsoever nature, with their exterior and interior fixtures, appurtenances and foundations of all kinds, except the sidewalk and curb in front of said buildings, extending within the described area and down to the level of the cellar bottom, shall be torn down and removed from the premises. None of the dirt, debris or waste resulting from demolition shall be allowed to remain on the premises, except old mortar or plaster only, which may be left, but not higher at any point than two feet below the curb opposite that point; also the foundation walls of all classes shall be taken down only in a plane whose elevation shall be the level of the curb in front of the building.

The purchaser at the sale shall also withdraw and remove all abandoned water taps and old service mains, and in place thereof cause to be inserted a brass plug in the main water pipe in the street, in compliance with the rules and regulations of the Department of Water Supply, Gas and Electricity, and furnish the Department of Finance with a certificate from the Department of Water Supply, Gas and Electricity that this has been performed.

The purchaser at the sale shall also withdraw and remove all abandoned water taps and old service mains, and in place thereof cause to be inserted a brass plug in the main water pipe in the street, in compliance with the rules and regulations of the Department of Water Supply, Gas and Electricity, and furnish the Department of Finance with a certificate from the Department of Water Supply, Gas and Electricity that this has been performed.

TWELFTH WARD, SECTION 8.

DYCKMAN STREET AND PRESCOTT AVENUE—REPAIRING SIDEWALK. at the northwest corner. Area of assessment: Lot No. 50, Block 2242, being northwest corner of Dyckman street and Prescott avenue.

—that the same were confirmed by the Board of Assessors on October 27, 1908, and entered October 27, 1908, 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 1039 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides: "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears, at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, Room H, No. 280 Broadway, Borough of Manhattan, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before December 31, 1908, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ,
Comptroller.

City of New York, Department of Finance, Comptroller's Office, October 27, 1908.

028,512.

CORPORATION SALE OF REAL ESTATE AND APPURTENANCES THERETO UPON CITY REAL ESTATE.

AT THE REQUEST OF THE COMMISSIONER OF PARKS for the Borough of The Bronx, public notice is hereby given that the Comptroller of The City of New York will offer for sale at public auction the buildings now standing on property owned by The City of New York, required by it for park purposes to the **Borough of The Bronx.**

Being all those old buildings, parts of buildings, etc., situated in Pelham Bay Park and known as the "Biltmore Residence," partly demolished, and a portion of the old stable formerly used in connection therewith, and which are more particularly described in a letter of request now on file in the office of the Collector of City Revenue, Department of Finance, Room 141, No. 280 Broadway, Borough of Manhattan.

Pursuant to the above request, by direction of the Comptroller, the sale of the above-described buildings and appurtenances thereto, will be made, at public auction, under the supervision of the Collector of City Revenue, on

THURSDAY, NOVEMBER 12, 1908,

at 2 p. m., upon the premises, upon the usual terms and conditions as set forth in the advertisements of the sale of other old material of The City of New York in the City Racquet.

H. A. METZ,
Comptroller.

City of New York, Department of Finance, Comptroller's Office, October 26, 1908.

028,512.

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO UPON CITY REAL ESTATE.

AT THE REQUEST OF THE PRESIDENT of the Borough of The Bronx, 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 the buildings, parts of buildings, etc., now standing on property owned by The City of New York, acquired by it for street opening purposes in the

Borough of The Bronx.

Being all those buildings and parts of buildings, etc., situated within the lines of Main street, City Island, and the approach to the City Island Bridge, from Long Island Sound, consisting of a one-story and basement frame house, Map No. 298, Lot No. 26, and a two-story frame office building, Map No. 172, Lot No. 202, and which are more particularly described upon a map on file in the office of the Collector of City Revenue, Department of Finance, Room 141, No. 280 Broadway, Borough of Manhattan.

Pursuant to a resolution of the Commissioners of the Sinking Fund, adopted at a meeting held October 9, 1907, the sale of the above-described buildings and appurtenances thereto will be held, by direction of the Comptroller, on

THURSDAY, NOVEMBER 12, 1908,

at 10:30 a. m., on the premises, upon the following

TERMS AND CONDITIONS.

The buildings and appurtenances thereto will be sold to the highest bidder, who must pay immediately cash or a certified check drawn to the order of the Comptroller of The City of New York, and must also at the time of sale give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of fifty dollars, the sum of fifty dollars shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied by the City to the cost of completing any of the work required under the contract, but unfinished at the expiration of the contract period.

All the material of the buildings, sheds, walls, structures and cellars of whatsoever nature, with their exterior and interior fixtures, appurtenances and foundations of all kinds, except the sidewalk and curb in front of said buildings, extending within the described area and down to the level of the cellar bottom, shall be torn down and removed from the premises. None of the dirt, debris or waste resulting from demolition shall be allowed to remain on the premises, except old mortar or plaster only, which may be left, but not higher at any point than two feet below the curb opposite that point; also the foundation walls of all classes shall be taken down only in a plane whose elevation shall be the level of the curb in front of the building.

The purchaser at the sale shall also withdraw and remove all abandoned water taps and old service mains, and in place thereof cause to be inserted a brass plug in the main water pipe in the street, in compliance with the rules and regulations of the Department of Water Supply, Gas and Electricity, and furnish the Department of Finance with a certificate from the Department of Water Supply, Gas and Electricity that this has been performed.

The purchaser at the sale shall also withdraw and remove all abandoned water taps and old service mains, and in place thereof cause to be inserted a brass plug in the main water pipe in the street, in compliance with the rules and regulations of the Department of Water Supply, Gas and Electricity, and furnish the Department of Finance with a certificate from the Department of Water Supply, Gas and Electricity that this has been performed.

TWELFTH WARD, SECTION 8.

DYCKMAN STREET AND PRESCOTT AVENUE—REPAIRING SIDEWALK. at the northwest corner. Area of assessment: Lot No. 50, Block 2242, being northwest corner of Dyckman street and Prescott avenue.

—that the same were confirmed by the Board of Assessors on October 27, 1908, and entered October 27, 1908, 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 1039 of said Greater New York Charter.

TWELFTH WARD, SECTION 8.

ONE HUNDRED AND THIRTY-FIRST STREET AND OLD BROADWAY. at the northeast corner—REPAIRING SIDEWALK. Area of assessment: Lots Nos. 16 and 17, Block 1686, being northeast corner of One Hundred and Thirty-first street and Old Broadway, and lot adjoining on Old Broadway.

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TWELFTH WARD, SECTION 8.

DYCKMAN STREET AND PRESCOTT AVENUE—REPAIRING SIDEWALK. at the northwest corner. Area of assessment: Lot No. 50, Block 2242, being northwest corner of Dyckman street and Prescott avenue.

except old mortar or plaster only, which may be left, but not higher at any point than two feet below the curb opposite that point; also the foundation walls of all classes shall be taken down only to a plane whose elevation shall be the level of the curb in front of the building.

The purchaser at the sale shall also withdraw and remove all abandoned water taps and old service mains, and in place thereof cause to be inserted a brass plug in the main water pipe in the street, in compliance with the rules and regulations of the Department of Water Supply, Gas and Electricity, and furnish the Department of Finance with a certificate from the Department of Water Supply, Gas and Electricity that this has been performed.

The purchaser at the sale shall also remove all house sewer connections to the main sewer in the street, and the opening of the main sewer in street shall be properly closed in compliance with the directions of the Bureau of Sewers, Borough of the Bronx, and furnish the Department of Finance with a certificate from the Bureau of Sewers that the work has been properly performed.

The permit for all opening in the street to be obtained by and at the expense of the purchaser of the building.

Failure to remove said buildings, appurtenances, or any part thereof, within sixty days from the day of the sale will work forfeiture of ownership of such buildings, appurtenances, or portion, as shall then be left standing, together with all money paid by said purchaser on account thereof at the time of the sale, and the bidder's agent to the above conditions being understood to be implied by the act of bidding and The City of New York will, without notice to the purchaser, cause the same to be removed, and the costs and expense thereof charged against the security above mentioned.

The work of removal must be carried on in every respect in a thorough and workmanlike manner, and must be completed within sixty days from the day of sale, and the successful bidder will provide and furnish all materials of labor and machinery necessary thereto, and will place proper and sufficient guards and fences and warning signs by day and night for the prevention of accidents, and will indemnify and save harmless The City of New York, its officers, agents and servants, and each of them, against any and all suits and actions, claims and demands of every name and description brought against it, them or any of them, and against and from all damage and costs to which it, they or any of them be put by reason of injury to the person or property of another, resulting from negligence or carelessness in the performance of the work, or in guarding the same, or from any imperfections or defective materials or machinery, implements or appliances used in the removal of said buildings.

Party walls and fences, when existing against adjacent property not sold, shall not be taken down. All furring, plaster, chimneys, projecting brick, etc., on the faces of such party walls are to be taken down and removed. The walls shall be made permanently self-supporting, beam holes, etc., bricked up, and the wall painted and made to exclude wind and rain and present a clean exterior. The roofs of adjacent buildings shall be properly flashed and painted and made water-tight where they have been disturbed by the operations of the contractor.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids; and it is further

Resolved, That, while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized to cause the sale to be advertised and to direct the sale thereof as financial officer of the City

H. A. METZ,
Comptroller.

City of New York, Department of Finance,
Comptroller's Office, October 26, 1908.
028,512

NOTICE OF ASSESSMENTS FOR OPENING STREETS AND PARKS.

IN PURSUANCE OF SECTION 1018 OF THE Greater New York Charter, the Comptroller of The City of New York hereby gives public notice of the confirmation by the Supreme Court and the entering in the Bureau for the Collection of Assessments and Arrears of Assessments for OPENING AND ACQUIRING TITLE to the following named street in the BOROUGH OF QUEENS:

FIRST WARD.

POMEROY STREET—OPENING, from Jackson avenue to Riker avenue. Confirmed June 20, 1908; entered October 22, 1908. Area of assessment includes all those lands, tenements and hereditaments and premises situate, lying and being in the Borough of Queens in The City of New York, which, taken together, are bounded and described as follows, viz.:

Beginning at the point of intersection of the middle line of the blocks between Webster avenue and Washington avenue with the middle line of the blocks between Seventh avenue (Blackwell street) and Eighth avenue (Pomeroy street); running thence northerly along the last-mentioned middle line of the blocks to the northerly line of Riker avenue; thence westerly along the northerly line of Riker avenue to its intersection with a line parallel to and 60 feet westerly from the westerly line of Seventh avenue (Blackwell street); thence northerly along said parallel line to the United States pierhead and bulkhead line; thence in a northerly and easterly direction following the said pierhead and bulkhead line to its intersection with the middle line of the block between Ninth avenue (Kouwenhoven street) and Tenth avenue (Steinway avenue); thence southerly along said middle line of the block to the northerly line of Riker avenue; thence westerly along the northerly line of Riker avenue to its intersection with the middle line of the blocks between Eighth avenue (Pomeroy street) and Ninth avenue (Kouwenhoven street); thence southerly along said middle line of the blocks to the southerly line of Washington avenue; thence easterly along the southerly line of Washington avenue to the westerly line of Ninth avenue (Kouwenhoven street); thence on a straight line to the point of intersection of the southerly line of Jackson avenue with the westerly line of Harold avenue; thence southerly along the westerly line of Harold avenue to the northerly right of way of the Long Island Railroad; thence westerly along said northerly right of way to the easterly line of Moore street; thence northerly along the easterly line of Moore street to the southerly line of Jackson avenue; thence on a straight line to the point of intersection of the northerly line of Freeman avenue and a line parallel to and 60 feet westerly from the westerly line of Ninth avenue (Harlow street); thence northerly along said parallel line to its intersection with the middle line of the blocks between Webster avenue and Washington avenue; thence easterly along said middle line of the blocks 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 assessment, interest will be collected thereon, as provided in section 1016 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 150 of this act."

Section 150 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 Assessment and of Water Rents, at the Hackett Building, No. 51 Jackson avenue, Long Island City, Borough of Queens, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. until 12 m., and all payments made thereon on or before December 26, 1908, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessment became a lien to the date of payment.

HERMAN A. METZ,
Comptroller.

City of New York, Department of Finance,
Comptroller's Office, October 27, 1908.
028,512

NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF THE Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF QUEENS:

FIRST WARD.

SEVENTH AVENUE (BLACKWELL STREET)—REGULATING, GRADING, CURBING, FLAGGING AND LAYING CROSSWALKS, from Grand avenue to Woolsey avenue. Area of assessment: Both sides of Seventh avenue (Blackwell street), from Grand avenue to Woolsey avenue, and to the extent of half the block at the intersecting avenues.

THIRTEENTH AVENUE—REGULATING, GRADING, CURBING, RECURRING AND FLAGGING THE SIDEWALKS AND CROSSWALKS, from Grand avenue to Flushing avenue. Area of assessment: Both sides of Thirteenth avenue, from Grand avenue to Flushing avenue, and to the extent of half the block at the intersecting avenues.

SIXTEENTH AVENUE—PAVING, from Broadway to Graham avenue. Area of assessment: Both sides of Sixteenth avenue, from Broadway to Graham avenue, and to the extent of half the block at the intersecting street and avenue.

—that the same were confirmed by the Board of Revision of Assessments, October 22, 1908, and entered on October 22, 1908, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessment, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 150 of this act."

Section 150 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, at the Hackett Building, No. 51 Jackson avenue, Long Island City, Borough of Queens, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. until 12 m., and all payments made thereon on or before December 26, 1908, 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 a lien to the date of payment.

HERMAN A. METZ,
Comptroller.

City of New York, Department of Finance,
Comptroller's Office, October 22, 1908.
028,512

DEPARTMENT OF FINANCE, BUREAU FOR THE COLLECTION OF TAXES, NO. 57 CHAMBERS STREET (STEWART BUILDING), NEW YORK, October 22, 1908.

IMPORTANT TO TAXPAYERS.

NOTICE IS HEREBY GIVEN TO ALL persons whose taxes for the year 1908 have not been paid before the 1st day of November, of the said year, that unless the same shall be paid to the Receiver of Taxes at his office in the Borough in which the property is located, as follows:

Borough of Manhattan, No. 57 Chambers street, Manhattan, N. Y.

Borough of The Bronx, corner Third and Tremont avenues, The Bronx, N. Y.

Borough of Brooklyn, Rooms 7, 8, 9 and 10, Municipal Building, Brooklyn, N. Y.

Borough of Queens, corner Jackson avenue and Fifth street, Long Island City, N. Y.

Borough of Richmond, Borough Hall, St. George, Staten Island, N. Y.

—he will charge, receive and collect upon such taxes as remaining unpaid on that day, in addition to an amount of such taxes, interest at the rate of seven per centum per annum, to be calculated from the day on which the said taxes become due and payable (October 1), as provided in section 914, as amended by chapter 447, Laws of 1908.

DAVID E. AUSTEN,
Receiver of Taxes.
023,511

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE.

AT THE REQUEST OF THE PRESIDENT of the Borough of Brooklyn, public notice is hereby given that the Commissioners of the Sinking Fund of The City of New York, by virtue of the powers vested in them by law, will

offer for sale at public auction all the buildings, parts of buildings, etc., standing within the lines of property owned by The City of New York acquired by it for street opening purposes in the

Borough of Brooklyn.

Being all those buildings, parts of buildings, etc., standing within the lines of Montrose avenue, from Union avenue to Broadway, in the Sixteenth Ward of the Borough of Brooklyn, and which are more particularly described on a map on file in the office of the Collector of City Revenue, Department of Finance, Room 141, No. 280 Broadway, Borough of Manhattan.

Pursuant to a resolution adopted by the Commissioners of the Sinking Fund at a meeting held on October 27, 1908, the sale of the above-described buildings and appurtenances thereto will be held, by direction of the Comptroller, on

MONDAY, NOVEMBER 9, 1908,

at 11 a. m., on the premises, upon the following

TERMS AND CONDITIONS.

The buildings and appurtenances thereto will be sold to the highest bidder, who must pay immediately cash or a certified check drawn to the order of the Comptroller of The City of New York, and must also at the time of sale give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of Fifty Dollars, the sum of Fifty Dollars shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied by the City to the cost of completing any of the work required under the contract, but unfinished at the expiration of the contract period.

The purchaser shall not lease, occupy, cause or permit the building or buildings, etc., purchased by him to be used or occupied for any purpose other than that of their speedy removal, nor shall he collect any rental or other revenue for the use of either the land or the buildings, etc., situated thereon. The breach of either or any of these conditions shall forthwith void the sale and cause immediate forfeiture of the purchase money and the security deposited for the faithful performance of the terms and conditions of the sale. The placing therein or permitting the occupancy of any such building by any tenant free, for rent or otherwise, excepting the necessary watchmen or the workmen engaged in the actual demolition thereof, shall of itself be a breach of the above conditions of sale.

All the material of the buildings, sheds, walls, structures and cellars of whatsoever nature, with their exterior and interior fixtures, appurtenances and foundations of all kinds, except the sidewalk and curb in front of said buildings, extending within the described area and down to the level of the cellar bottom, shall be torn down and removed from the premises. None of the dirt, debris or waste resulting from demolition shall be allowed to remain on the premises, except old mortar or plaster only, which may be left, but not higher at any point than two feet below the curb opposite that point; also the foundation walls of all classes shall be taken down only to a plane whose elevation shall be the level of the curb in front of the building.

The purchaser at the sale shall also withdraw and remove all abandoned water taps and old service mains, and in place thereof cause to be inserted a brass plug in the main water pipe in the street, in compliance with the rules and regulations of the Department of Water Supply, Gas and Electricity, and furnish the Department of Finance with a certificate from the Bureau of Sewers that the work has been properly performed.

The permit for all opening in the street to be obtained by and at the expense of the purchaser of the building.

Failure to remove said buildings, appurtenances, or any part thereof, within sixty days from the day of sale will work forfeiture of ownership of such buildings, appurtenances, or portion, as shall then be left standing, together with all money paid by said purchaser on account thereof at the time of the sale, and the bidder's agent to the above conditions being understood to be implied by the act of bidding, and The City of New York will, without notice to the purchaser, cause the same to be removed, and the costs and expense thereof charged against the security above mentioned.

The work of removal must be carried on in every respect in a thorough and workmanlike manner, and must be completed within sixty days from the day of sale, and the successful bidder will provide and furnish all materials of labor and machinery necessary thereto, and will place proper and sufficient guards and fences and warning signs by day and night for the prevention of accidents, and will indemnify and save harmless The City of New York, its officers, agents and servants, and each of them, against any and all suits and actions, claims and demands of every name and description brought against it, them or any of them, and against and from all damage and costs to which it, they or any of them be put by reason of injury to the person or property of another, resulting from negligence or carelessness in the performance of the work, or in guarding the same, or from any imperfections or defective materials or machinery, implements or appliances used in the removal of said buildings.

Party walls and fences, when existing against adjacent property not sold, shall not be taken down. All furring, plaster, chimneys, projecting brick, etc., on the faces of such party walls are to be taken down and removed. The walls shall be made permanently self-supporting, beam holes, etc., bricked up, and the wall painted and made to exclude wind and rain and present a clean exterior. The roofs of adjacent buildings shall be properly flashed and painted and made water-tight where they have been disturbed by the operations of the contractor.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids; and it is further

Resolved, That while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized to cause the sale to be advertised and to direct the sale thereof as financial officer of the City.

H. A. METZ,
Comptroller.
023,511

Department of Finance, City of New York, Comptroller's Office, October 21, 1908.

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE.

AT THE REQUEST OF THE COMMISSIONER of Water Supply, Gas and Electricity, public notice is hereby given that the Commissioners of the Sinking Fund of The City of New York, by virtue of the powers vested in them by law, will offer for sale at public auction all the buildings, parts of buildings, etc., standing within the lines of property owned by The City of New York located in the Village of Wantagh, Long Island, acquired by it for pipe line purposes, said buildings being described as follows:

All those buildings, parts of buildings, etc., standing within the lines of Seaford avenue, about 20.5 by 40.5, with porch and brick foundation; frame barn, 16 feet by 18.5; chicken house, 6 feet by 8.2, and frame outhouse, 4 feet by 4.5.

On Parcel No. 12, Plate 5163, property formerly owned by P. W. Powell, east side of Grove street, 250 feet, more or less, south of Seaford avenue, Wantagh, 2½-story frame dwelling, about 24.5 by 40.5, with porch and brick foundation; frame barn, 16 feet by 18.5; chicken house, 6 feet by 8.2, and frame outhouse, 4 feet by 4.5.

On Parcel No. 13, Plate 5163, property formerly owned by M. Hulinken, frame outhouse, 5 feet by 5 feet, in southeast corner of lot.

On Parcel No. 16, Plate 5163, property formerly owned by J. Box, frame wood house, 7 feet by 8 feet, in northeast corner of lot.

On Parcel No. 19, Plate 5163, property formerly owned by Young Brothers, 35 feet south of Seaford avenue, about 230 feet east of Beach street, Wantagh; 2½-story frame dwelling, brick foundation, 24.4 by 35.4; frame woodshed, 6.2 by 8.5; frame outhouse; a feet by 4.5, all of which buildings are more particularly described on a map on file in the office of the Collector of City Revenue, Department of Finance, Room 141, No. 280 Broadway, Borough of Manhattan.

Pursuant to a resolution adopted by the Commissioners of the Sinking Fund at a meeting held October 21, 1908, the sale of the above described buildings and appurtenances thereto will be held by direction of the Comptroller, on

MONDAY, NOVEMBER 9, 1908,

at 12 m., on the premises, upon the following

TERMS AND CONDITIONS.

The buildings and appurtenances thereto will be sold to the highest bidder, who must pay immediately cash or a certified check drawn to the order of the Comptroller of The City of New York, and must also at the time of sale give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of Fifty Dollars, the sum of Fifty Dollars shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied by the City to the cost of completing any of the work required under the contract, but unfinished at the expiration of the contract period.

The purchaser shall not lease, occupy, cause or permit the building or buildings, etc., purchased by him to be used or occupied for any purpose other than that of their speedy removal, nor shall he collect any rental or other revenue for the use of either the land or the buildings, etc., situated thereon. The breach of either or any of these conditions shall forthwith void the sale and cause immediate forfeiture of the purchase money and the security deposited for the faithful performance of the conditions of the sale. The placing therein or permitting the occupancy of any such building by any tenant free, for rent or otherwise, excepting the necessary watchmen or the workmen engaged in the actual demolition thereof, shall of itself be a breach of the above conditions of sale.

All the materials of the buildings, sheds, walls, structures and cellars of whatsoever nature, with their exterior and interior fixtures, appurtenances and foundations of all kinds, except the sidewalk and curb in front of said buildings, extending within the described area and down to the level of the cellar bottom, shall be torn down and removed from the premises. None of the dirt, debris or waste resulting from demolition shall be allowed to remain on the premises, except old mortar or plaster only, which may be left, but not higher at any point than two feet below the curb opposite that point; also the foundation walls of all classes shall be taken down only to a plane whose elevation shall be the level of the curb in front of the building.

Failure to remove said buildings, appurtenances, or

of property owned by The City of New York, required by it for street opening purposes in the

Borough of Brooklyn.

Being all of the buildings, parts of buildings, etc., consisting of all of the old portion of the building known as Fulton School a standing within and without the lines of the new street to be opened as an approach to the Manhattan Bridge, extending from Nassau street to the intersection of Fulton avenue and Fulton street in the Fourth, Fifth and Eleventh Wards of the Borough of Brooklyn, City of New York, said property being more particularly shown on a draft damage map dated New York, October 24, 1904, and being on file in the office of the Collector of City Revenue, Department of Finance, Room 147, No. 280 Broadway, Borough of Manhattan.

Pursuant to a resolution of the Commissioners of the Sinking Fund adopted at a meeting held February 26, 1907, the sale of the above described buildings and appurtenances thereto will be held, under the direction of the Comptroller, on

FRIDAY, NOVEMBER 6, 1908.

at 11 a. m. on the premises, upon the following

TERMS AND CONDITIONS.

The buildings and appurtenances thereto will be sold to the highest bidder, who must pay immediately cash or a certified check drawn to the order of the Comptroller of The City of New York, and must also at the time of sale give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of \$50, the sum of \$50 shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied by the City to the cost of comprising any of the work required under the contract, but unfinished at the expiration of the contract period.

All the material of the buildings, sheds, walls, structures and cellars of whatsoever nature, with their exterior and interior fixtures, appurtenances and foundations of all kinds, except the sidewalk and curb in front of said buildings, extending within the described area and down to the level of the cellar bottom, shall be torn down and removed from the premises. None of the dirt, debris or waste resulting from demolition shall be allowed to remain on the premises, except old mortar or plaster only, which may be left, but not higher at any point than two feet below the curb opposite that point; also the foundation walls of all classes shall be taken down only to a plane whose elevation shall be the level of the curb in front of the building.

The purchaser at the sale shall also withdraw and remove all abandoned water tanks and old service mains, and in place thereof cause to be inserted a brass plug in the main water pipe in the street, in compliance with the rules and regulations of the Department of Water Supply, Gas and Electricity, and furnish the Department of Finance with a certificate from the Department of Water Supply, Gas and Electricity that this has been performed.

The purchaser at the sale shall also remove all house sewer connections to the main sewer in the street, and the opening of the main sewer in street shall be properly closed in compliance with the directions of the Bureau of Sewers, Borough of Brooklyn, and furnish the Department of Finance with a certificate from the Bureau of Sewers that the work has been properly performed.

The permit for all opening in the street to be obtained in and at the expense of the purchaser of the building.

Failure to remove said buildings, appurtenances, at any part thereof within sixty days from the day of the sale will work forfeiture of ownership of such buildings, appurtenances, or portion as shall then be left standing, together with all money paid by said purchaser as account therof at the time of the sale, and the bidder's assent to the above conditions being understood to be implied by the act of bidding, and The City of New York will, without notice to the purchaser, cause the same to be removed and the costs and expense thereof charged against the security above mentioned.

The work of removal must be carried on in every respect in a thorough and workmanlike manner, and must be completed within sixty days from the day of sale, and the unsuccessful bidder will provide and furnish all materials of labor and machinery necessary thereto, and will place proper and sufficient guards and fences and warning signs by day and night for the prevention of accidents, and will indemnify and save harmless The City of New York, its officers, agents and servants, and each of them, against any and all suits and actions, claims and demands of every name and description brought against it, them or any of them, and against and from all damage and costs to which it, they or any of them may be put by reason of injury to the person or property of another, resulting from negligence or carelessness in the performance of the work, or in removing the same, or from any improper or defective materials or machinery, implements or appliances used in the removal of said buildings.

Party walls and fences, when existing against adjacent property not sold, shall not be taken down. All furring, plaster, chimneys, projecting brick, etc., on the faces of such party walls, are to be taken down and removed. All asbestos, slate, stone or other materials in the adjacent wall of that portion of the building left standing shall be bricked up and permanently closed. The walls shall be made permanently self-supporting, beam-headers, etc., bricked on, and the wall painted and made to exclude wind and rain and present a clean exterior. The roof of the adjacent building shall be properly flashed and painted and made watertight where it has been disturbed by the operations of the contractor.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids; and it is further

Resolved, That while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized to cause the sale to be advertised and to direct the sale thereof as financial officer of the City.

H. A. METZ,
Comptroller.

Department of Finance, Comptroller's Office,
October 26, 1908.

62056

DEPARTMENT OF FINANCE, CITY OF NEW YORK,
December 14, 1908.

UNTIL FURTHER NOTICE AND UNLESS otherwise directed in any special case, security deposits will be accepted as sufficient to cover the following contracts to the amounts named:

Supplies of Any Description, including Gas and Electricity—

One company on a bond up to \$50,000.

Two companies on a bond up to \$250,000.

Three companies on a bond up to \$200,000.

Asphalt, Asphalt Block and Wood Block Pavements—

Two companies on a bond up to \$20,000.

Three companies on a bond up to \$150,000.

Regulating, Cleaning, Paving, Sewers, Water Mains, Dredging, Construction of Parks, Parkways, Etc.—

One company on a bond up to \$25,000.

Two companies on a bond up to \$75,000.

Three companies on a bond up to \$150,000.

Four companies on a bond up to \$250,000.

Repairs, Ventilating, Heating, Plumbing, Etc.—

One company on a bond up to \$25,000.

Two companies on a bond up to \$75,000.

Three companies on a bond up to \$150,000.

Four companies on a bond up to \$250,000.

New Docks, Buildings, Bridges, Aqueducts, Tunnels, Etc.—

One company on a bond up to \$25,000.

Two companies on a bond up to \$75,000.

Three companies on a bond up to \$150,000.

Four companies on a bond up to \$250,000.

On bonds regarded as hazardous risks additional surtax will be required at the Comptroller's office.

All bonds exceeding \$250,000 will by that fact alone be considered hazardous risks, no matter what the nature of the work.

H. A. METZ,
Comptroller.

BOARD OF WATER SUPPLY.

TO CONTRACTORS.

SEALED BIDS OR PROPOSALS WILL BE received by the Board of Water Supply, in the office of the Board, No. 290 Broadway, New York, Room 200, ninth floor, until 11 a. m. on

TUESDAY, NOVEMBER 17, 1908.

FOR MAKING BORINGS ALONG ONE OR MORE LINES SOUTH OF HILL VIEW RESERVOIR LYING MAINLY IN THE BOROUGHS OF THE BRONX, MANHATTAN AND BROOKLYN, INCLUDING LINES CROSSING THE HARLEM RIVER, PROBABLY BETWEEN SEVENTH AVENUE AND WASHINGTON BRIDGE, AND THE EAST RIVER, APPROXIMATELY BETWEEN THE WILLIAMSBURG AND BROOKLYN BRIDGES.

An approximate statement of the quantities of the various classes of work and further information are given in the Information for Bidders, forming part of the contract.

At the above place and time the bids will be publicly opened and read. The award of the contract, if awarded, will be made by the Board of Water Supply as soon thereafter as practicable.

Two or more bonds, the aggregate amount of which shall be Fifty Thousand Dollars (\$50,000), will be required for the faithful performance of the contract. Each bond must be signed by the contractor and the sureties. The name and address of each surety offered must be stated in the bid or proposal, together with the amount in which each surety will qualify. The sureties and the amount in which each will qualify must be satisfactory to the Board.

No bid will be received and deposited unless accompanied by a certified check upon a National or State bank, drawn to the order of the Comptroller of The City of New York, to the amount of Three Thousand Dollars (\$3,000).

Time allowed for the completion of the work is until December 31, 1910.

Pamphlets containing information for bidders, forms of proposal, contract and bond, approved by the Corporation Counsel, and specifications and contract drawings, can be obtained at the office of the Board of Water Supply, Room 1515, at the above address, upon application in person or by mail, by depositing the sum of Ten Dollars (\$10) in currency, or check drawn to the order of the Board of Water Supply, for each pamphlet. This deposit will be refunded upon the return of the pamphlets in acceptable condition within thirty days from the date on which bids are to be opened.

JOHN A. BENSEL, President;

CHARLES N. CHAWICK, Vice-President;

CHARLES A. SHAW, Commissioner of the Board of Water Supply.

J. WARD SMITH, Chief Engineer.

THOMAS HALSTED, Secretary.

02057

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICIAL BOROUGH PAPERS.

BOROUGH OF THE BRONX.

"The Bronx Star," "North Side News," "Bronx Independent."

BOROUGH OF RICHMOND.

"Staten Island World," "Richmond County Herald."

BOROUGH OF QUEENS.

The "Daily Dispatch" (First, Second, Third, Fourth and Fifth Wards), "Long Island Star" (First and Second Wards), "Flushing Evening Journal" (Third Ward), "Long Island Farmer" (Fourth Ward), "Rockaway News" (Fifth Ward).

BOROUGH OF BROOKLYN.

"Brooklyn Eagle," "Brooklyn Times," "Brooklyn Citizen," "Brooklyn Standard-Union," "Brooklyn Free Press."

BOROUGH OF MANHATTAN.

"Real Estate Record and Guide" (Harlem District), "Manhattan and Bronx Advocate" (Washington Heights, Morningside Heights and Harlem Districts).

Designated by Board of City Record June 10, 1906; Amended June 20, 1906; September 30, 1907; February 24, 1908; March 5 and 16, and August 2, 1908.

BOARD OF ESTIMATE AND APPORTIONMENT.

PUBLIC NOTICE IS HEREBY GIVEN that at a meeting of the Board of Estimate and Apportionment, held this day, the following proceedings were had:

Whereas, The New York and Queens County Railway, under date of June 10, 1907, made application to this Board for the grant of the right, privilege and franchise to construct, maintain and operate two extensions to its existing street surface railway system in the Borough of Queens, as follows:

First—From Main street, in the former Village of Flushing, open and along Broadway, Whitestone avenue and other streets to Eleventh avenue and Thirteenth street, in the former Village of Whitestone;

Second—From Twenty-second street, Ingleside, upon and along Franconia avenue, Thirty-first street and Broadway to Bell avenue, Bayside; and

Whereas, Section 92 of the Railroad Law and sections 72, 73 and 74 of the Greater New York Charter, as amended by chapters 629 and 630 of the Laws of 1905, provide for the manner and procedure of making such grants; and

Whereas, In pursuance to such laws, this Board adopted a resolution on June 14, 1907, fixing the date for public hearing thereon as July 8, 1907, at which citizens were entitled to appear and be heard, and publication was had upon the first of the above applications for at least fourteen (14) days in "The New York Herald" and "New York Daily News," and upon the second of said applications for at least fourteen (14) days in "The Globe" and "New York Mail," newspapers designated by the Mayor, and upon both of said applications in the City Record for ten days immediately prior to the date of hearing, and the public hearing was duly held on such day; and

Whereas, This Board has made inquiry as to the money value of the franchise or right applied for, and proposed to be granted to the New York and Queens County Railway Company, and the adequacy of the compensation proposed to be paid therefor; and

Whereas, A Select Committee of the Board has submitted a report containing proposed conditions and a form of contract which was presented at a meeting held September 25, 1908, and was tentatively approved subject to the approval of the Corporation Counsel, which has this day been received; now, therefore, it is

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

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Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

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Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

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Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company, containing the form of proposed contract for such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows:

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and Queens County Railway Company,

of law, whether under the provisions of the statutes relating to the consolidation or merger of corporations, or otherwise, without the consent of the City, acting by the Board, 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 subsequent consent or consents.

Seventh—The railway to be constructed under this contract may be operated by any head electric power substantially similar to the overhead electric traction now in use by street surface railways in the Borough of Queens, or by any other motive power, except locomotive steam power or horse power, which may be approved by the Board, and consented to by owners of property, in accordance with the provisions of law, and by the Public Service Commission of the First District of the State of New York.

Eighth—The Company shall begin construction of the extensions herein authorized within the time prescribed by the Railroad Law of the State of New York, and such extensions shall be completed and shall be in operation on or before December 31, 1909; otherwise this grant shall cease.

Ninth—The said railway shall be constructed, maintained and operated subject to the supervision and control of all the authorities of the City who have jurisdiction in such matters, as provided in the Charter of the City; and the Company agrees to make application to the Commissioner of Water Supply, Gas and Electricity for permission to string and maintain its electrical conductors in the streets covered by this grant.

Tenth—The said railway shall be constructed and operated in the latest improved manner of street railway construction and operation, and the railway and property of the Company shall be maintained in good condition throughout the term of this contract.

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

Provided, however, that the Company during the first five years of its franchise shall not be required to operate its cars between the hours of 6 o'clock midnight and 5 o'clock a. m. each day, unless the Board shall determine after a hearing had thereon that public convenience requires the operation of cars during said hours.

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

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

Fourteenth—The Company, so long as it shall continue to use any of the tracks upon the streets and avenues in which the railway shall be constructed under this contract, shall cause to be watered the entire roadway of such streets and avenues at least three times in every twenty-four hours, when the temperature is above thirty-five (35) degrees Fahrenheit, and shall provide for such purpose at least one tank car, to be propelled by electric power, the capacity of which shall be sufficient to water such streets and avenues in a satisfactory manner.

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

Sixteenth—The Company, so long as it shall continue to use any of its tracks in any street or highway covered by this grant, shall have and keep in permanent repair that portion of such street or highway between its tracks and 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. In case of neglect by the Company to make payments or repairs after the expiration of thirty days' notice to do so, the local authorities may make the same at the expense of such corporation, and such authorities may make such reasonable regulations and ordinances as to the rate of speed, mode of use of tracks and removal of ice and snow as the interest or convenience of the public may require.

Seventeenth—Any alteration which may be required in the sewerage or drainage system, or to any subsurface structures, pipes, conduits, etc., laid in the streets, on account of the construction or operation of the railway, shall be made at the sole cost of the Company, and in such manner as the proper City officials may prescribe.

Eighteenth—Should the grades or lines of the streets in which franchises herein granted be changed at any time during the term of this contract, the Company shall, at its own expense, change its tracks to conform with such new grades and lines, and during the construction of any public improvement upon said street, the Company shall take care of and protect the track at its own expense, all to be done subject to the direction of the President of the Borough of Queens.

Nineteenth—The Company shall at all times keep accurate books of account of the gross earnings from the privileges granted under this contract. The Company shall, on or before November 1 of each year, make a verified report to the Comptroller of The City of New York of the business done by the Company for the year ending September 30 next preceding, as he may prescribe. Such report shall contain a statement of the gross receipts from operation of the railway, together with such other information and in such detail as the Comptroller may require. The Comptroller shall have access to all books of the Company for the purpose of ascertaining the correctness of its report, and may examine its officers under oath.

Twentieth—The Company shall assume all liability to persons or property by reason of the construction or operation of the railroad authorized by this contract, and it is a condition of this contract that the City shall assume no liability whatsoever to either persons or property on account of the same, and the Company hereby agrees to pay to the City any damage which the City shall be compelled to pay by reason of any acts or default of the Company, giving the Company notice and the right to intervene in any action or proceeding wherein such damage may be sought.

Twenty-first—This grant is upon the express condition that the Company, within thirty (30) days after the signing of this contract by the Mayor, and before anything is done in exercise of the rights conferred hereby, shall file with the Comptroller of The City of New York the sum of ten thousand dollars (\$10,000), either in money or in securities to be approved by him, which fund shall be security for the performance by the Company of all of the terms and conditions of this contract, the payment of the annual percentages for the privilege hereby granted, the rendering of efficient public service at reasonable rates, the maintenance of the property in good condition throughout the full term of the grant,

the repairs of the street pavement, the removal of snow and ice and the quality of construction of the railroad; and in case of default the performance by the Company of such terms and conditions, and such duties and obligations as may hereafter be imposed by the local authorities under this grant, or under the powers delegated by the Railroad Law, the City shall have the right to cause the work to be done and the materials to be furnished for the performance thereof, after due notice, and shall collect the reasonable cost thereof from the said fund without legal proceedings; or after default in the payment of the annual charges, shall collect the same, with interest, from the said fund after ten days' notice in writing to the Company; or in case of failure to keep the said terms and conditions of this contract relating to the headway, heating and lighting of cars, fenders, or wheel-guards and watering of street pavements, or in case of failure to render efficient public service at reasonable rates, or to maintain the property in good condition, the Company shall pay a penalty of fifty dollars (\$50) per day for each day of violation, and the further sum of ten dollars (\$10) per day for each car that shall not be properly heated, lighted or supplied with fenders or wheel-guards, in case of the violation of the provisions relating to those matters.

Third—Your petitioner is also the lessee of the Bleecker Street and Fulton Ferry Railroad Company, which company owns a franchise on Canal street, from Broadway to the Bowery, upon which, as your petitioner is informed, he believes, the said Bleecker Street and Fulton Ferry Railroad Company operated a street surface railroad for more than twenty years.

Fourth—Your petitioner proposes to construct a double electric track on Canal street, from Centre street to the Bowery, and to operate such track in connection with the tracks on the Manhattan Bridge, so as to form a continuous line or route from the Brooklyn plaza over the Manhattan Bridge and its approaches and across Canal street, connecting with your petitioner's lines on Centre street, Broadway, West Broadway and Hudson street.

Fifth—Your petitioner proposes to operate said route by the underground system of electricity, similar in all respects to that in use on the other lines of your petitioner's road.

Sixth—For the purpose of constructing and operating the branch or extension to its road over the Manhattan Bridge, your petitioner desires to obtain from your Honorable Board, and hereby applies for, its consent to and the grant of a franchise or right for the construction, maintenance and operation of a double track electric extension or branch of its existing railroad for public use in the conveyance of persons and property for compensation over the Manhattan Bridge and its approaches, from the intersection of Canal street and the Bowery to the Brooklyn plaza.

Therefore, your petitioner prays that notice of this application and of the time and place when and where the same will be first considered be given, as required by law, and that the grant of a franchise or right be made, in accordance with the provisions of the Greater New York Charter and of the Railroad Law applicable thereto.

Dated New York, October 20, 1908.

JOSEPH HAAG,
Secretary.

THE CITY RECORD.

State of New York by the filing of Articles of Consolidation with other street surface railroad corporations in the office of the Secretary of State on or about the 15th day of November, 1893.

Second—Since the date of its consolidation it has been the owner and lessee of a large number of street surface railroads in the Borough of Manhattan, City of New York, including, among others, the electric railroad on Broadway, from South Ferry to Forty-fifth street, and also the electric railroad on Canal street, running from the corner of Broadway and Canal street to Centre street, and along Centre street and Park row to the Post Office.

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approach in said Borough to and across the East River by bridge and thence along a viaduct or approach to Sands street, in the Borough of Brooklyn; the second known as the Blackwells Island Bridge, which extends from Fifty-ninth street and Second avenue, in the Borough of Manhattan, along a viaduct approach in said Borough to and across the East River and Blackwells Island by bridge, and thence along a viaduct or approach in the Borough of Queens to Jackson avenue, Long Island City. Each of said bridges is to be constructed for the operation of street surface cars, by an underground current of electricity, with appropriate terminals.

Third—That your petitioner, for the convenience of public travel, proposes to extend its railroad to and upon each of said bridges and the approaches thereto by the construction and operation of separate branches or extensions, by an underground current of electricity, upon the following-described routes:

(a) Beginning at the double-track road on the Bowery, at or near Canal street, in the Borough of Manhattan, owned by the petitioner and connecting therewith; running thence easterly with the westerly approach to said bridge in the Borough of Manhattan, thence upon, over, across and along said Manhattan Bridge, and thence in, upon and along the easterly approach to said bridge in the Borough of Brooklyn to the terminal plaza, at or near Sands street, in said Borough. The total length thereof is sixty-six hundred feet.

(b) Beginning at the double-track road on Third avenue at the intersection of Fifty-eighth street, Borough of Manhattan, owned by the petitioner, and connecting therewith; running thence easterly with a single track in, upon and along Fifty-eighth street to Second avenue; thence northerly in, upon and along Second avenue to a point of connection with the tracks on Blackwells Island Bridge and its approach, at or near Fifty-ninth street and northerly thereof; thence with double tracks easterly in, upon and along the westerly bridge approach, thence upon, over, across and along said bridge, thence in, upon and along the easterly bridge approach in the Borough of Queens to the terminal at or near Jackson avenue, in Long Island City, in said Borough. And also beginning at the petitioner's double-track road on Third avenue, at the intersection of Sixtieth street, and connecting therewith; running thence easterly with a single track in, upon and along Sixtieth street to, along and across Second avenue to a point of connection with the double tracks on said Blackwells Island Bridge and its westerly approach, in the paragraph described. The total length thereto is ninety-six hundred feet.

Fourth—Your petitioner is advised that separate consents of your Honorable Body must be first obtained to permit of the operation in said streets and avenues and over each of said bridges and their approaches, and hereby applies for the consent of the Board of Estimate and Apportionment to, and a grant of franchises or rights for the maintenance and operation of branches or extensions of its railroad, for public use in the conveyance of persons and property for compensation, upon each of the routes in The City of New York above described.

Wherefore, your petitioner prays that public notice of such application for said consents, franchises or rights, and of the time and place when and where the same will be first considered, be given, as required by law, and that consents, franchises or rights be granted by the Board for the construction, maintenance and operation of each of said branches or extensions, in accordance with the provisions of the Greater New York Charter and of the Railroad Law of the State of New York.

Dated New York, July 28, 1908.

THE THIRD AVENUE RAILROAD COMPANY.

By F. W. WHITRIDGE, Receiver.

City and County of New York, etc.:

Frederick W. Whitridge, being duly sworn, says he is the Receiver of the railroad property and premises of the Third Avenue Railroad Company, the petitioners herein, having been appointed such by order of the United States Circuit Court; that he has read the foregoing petition and knows the contents thereof, and that the same is true to his knowledge, except as to those matters which are therein stated on information and belief, and that as to such matters he verily believes it to be true.

FREDERICK W. WHITRIDGE.

Swear to before me this 21 day of August, 1908.

JAMES G. FULLY,

Notary Public, New York County.

And at a meeting held October 15, 1908, the following resolutions were adopted:

Whereas, The foregoing petition from the Third Avenue Railroad Company, dated July 28, 1908, was presented to the Board of Estimate and Apportionment at a meeting held September 18, 1908;

Resolved, That in pursuance of law this Board sets Friday, the 18th day of November, 1908, at 10:30 o'clock in the forenoon, and Room 15 in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered, and a public hearing be had thereon, at which citizens shall be entitled to appear and be heard; and be it further

Resolved, That the Secretary is directed to cause such petition and these resolutions to be published for at least fourteen (14) days in two daily newspapers in The City of New York, to be designated by the Mayor, and for at least ten (10) days in the City Record immediately prior to such date of public hearing. The expense of such publication to be borne by the petitioner.

JOSEPH HAAG,

Secretary.

New York, October 16, 1908.

023.112

abutting property owners may be given an opportunity to appear and be heard; now therefore be it

Resolved, That Friday, November 15, 1908, at 10:30 a. m., and Room 15 in the City Hall, Borough of Manhattan, be set as the time and place for the public hearing on the aforesaid petition, when citizens shall be entitled to appear and be heard; and be it further

Resolved, That the Secretary of this Board be and he hereby is directed to cause these resolutions to be published in the City Record for at least ten (10) days prior to the date of the public hearing.

Dated New York, September 18, 1908.

JOSEPH HAAG,

Secretary.

023.112

held in the City Hall, Borough of Manhattan, City of New York, on the 6th day of November, 1908, at 10:30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the City Record and the corporation newspapers for ten days continuously, Sundays and legal holidays excepted, prior to the 6th day of November, 1908.

Dated October 15, 1908.

JOSEPH HAAG,

Secretary.

No. 227 Broadway, Room 1406.

Telephone, 2280 Worth.

023.112

published in the City Record and the corporation newspapers for ten days continuously, Sundays and legal holidays excepted, prior to the 6th day of November, 1908.

Dated October 15, 1908.

JOSEPH HAAG,

Secretary.

No. 227 Broadway, Room 1406.

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023.112

NOTICE IS HEREBY GIVEN THAT THE Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to change the grades and adjust the block dimensions in the territory bounded by Broadway, West One Hundred and Seventy-seventh street, Riverside drive and West One Hundred and Eighty-first street, Borough of Manhattan, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on November 6, 1908, at 10:30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on September 25, 1908, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter, as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York by laying out a public place bounded by New Utrecht avenue, Forty-sixth street and Eleventh avenue, in the Borough of Brooklyn, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on November 6, 1908, at 10:30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on September 25, 1908, notice of the adoption of which is hereby given, viz.:

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cepted by said company by an instrument in writing, duly filed with the Comptroller of The City of New York on August 25, 1904; and

Whereas, The Board of Estimate and Apportionment, by resolution adopted July 14, 1905, and approved by the Mayor July 21, 1905, consented to certain modifications or alterations in the aforesaid routes; and

Whereas, The said company has petitioned the Board of Estimate and Apportionment, under date of June 18, 1908, for the consent of The City of New York to certain modifications and alterations in said routes, and to certain modifications and alterations in the terms and conditions of the aforesaid ordinance, as is fully set forth in said petition; and

Whereas, Section 2a of the Railroad Law, and sections 72, 73 and 74 of the Greater New York Charter, as amended by chapters 620 and 620 of the Laws of 1905, provide for the manner and procedure of making such grants; and

Whereas, In pursuance of such laws, this Board adopted a resolution on June 18, 1908, fixing the date for a public hearing thereon as September 18, 1908, at which citizens were entitled to appear and be heard, and publication was had for at least two (2) days in the "New York Tribune" and the "North Side News," newspapers designated by the Mayor, and in the City Record for ten (10) days immediately prior to the date of hearing, and such public hearing was on that date continued to September 25, 1908, and was concluded on said day; and

Whereas, The said Board has made inquiry as to the proposed modifications and amendments of said ordinance and has adopted a resolution that the said modifications and amendments are desirable and in the public interest and that the causes stated by said Westchester Company why the conditions contained in said ordinance in regard to the completion of said road cannot be performed prior to the time therein stipulated are, in its opinion, for causes over which the grantee had no control and is in no wise responsible; now therefore it is

Resolved, That the following form of resolution for the consent or right applied for by the New York, Westchester and Boston Railway Company, containing the form of proposed contract for the grant of such right, be hereby introduced and entered in the minutes of this Board, as follows, to wit:

Resolved, That the Board of Estimate and Apportionment hereby consents to certain changes, alterations and amendments in the route of the New York, Westchester and Boston Railway Company, as granted by an ordinance of the Board of Aldermen, approved by the Mayor August 2, 1904, and the right to cross certain streets, avenues, highways and public places, and to construct, maintain and operate a railroad, in, upon and across the streets, avenues, highways and public places on such amended route of said railroad, and that the said Board also consents to certain modifications in the terms and conditions of the said ordinance, such changes, altered or amended route, and such modified terms and conditions being fully set forth and described in the following form of proposed contract for the granting thereof, embodying such terms and conditions as modify or alter said ordinance of the Board of Aldermen, which said ordinance otherwise remains unchanged as to all the other terms and conditions contained therein, and that the Mayor of The City of New York he and he hereby is authorized to execute and deliver such contract in the name and on behalf of The City of New York, as follows, to wit:

Proposed Form of Contract for Alteration of Route and Modification of Ordinance.

This contract, made the ¹⁹⁰⁸ day of ¹⁹⁰⁸, by and between The City of New York (hereinafter called the City), party of the first part, by the Mayor of said City, acting for and in the name of said City, under and in pursuance of the authority of the Board of Estimate and Apportionment of said City (hereinafter called the Board), and the New York, Westchester and Boston Railway Company, a domestic railroad corporation (hereinafter called the Westchester Company), party of the second part, witnesseth:

Whereas, The City of New York, by ordinance approved by the Mayor on August 2, 1904, granted to the New York, Westchester and Boston Railway Company the right to cross certain streets and highways, and the privilege to construct, maintain and operate a railroad, in, upon and across the streets, avenues, highways and public places on such amended route of said railroad, and gave its consent to the other modifications in the ordinance approved by the Mayor August 2, 1904, as amended by ordinance approved by the Mayor July 21, 1905, and authorized the Mayor to execute and deliver a contract granting such rights in the name and on behalf of the City, which resolution was approved by the Mayor on the ¹⁹⁰⁵ day of

2. By striking out in section 2, paragraph 15, the following words, "except the overhead trolley system."

3. By striking out the whole of section 2, paragraph 16, and substituting therefor the following: "In any conduits laid by the company, or on any poles erected by the company for the transmission of power for its own use, provision shall be made to carry three cables for the use of the police, fire and ambulance service of the City without charges therefor."

4. By striking out in section 1, paragraph 3, the words, "one thousand (1,000) feet," and substituting therefor the words, "two thousand five hundred (2,500) feet."

5. By the addition of a clause permitting the construction and maintenance of connections with:

(a) The present subway-elevated system at or near the present station thereof, at West Farms road.

(b) The projected Southern boulevard and Westchester avenue subway route at Westchester avenue, at or near Home street.

6. By striking out in section 5, paragraph 1, the words, "the intersection of the Southern boulevard and Westchester avenue," and substituting therefor the words, "One Hundred and Seventy-fourth street."

7. That the time named in said section 5, paragraph 1, for the completion of a four-track railroad upon the main line, from the northerly line of the City as far south as One Hundred and Seventy-fourth street, be extended to August 2, 1911.

8. By striking out the whole of section 5, paragraph 4, and substituting therefor the following:

"Any portion of the route covered by this grant which shall not be completed and in full operation prior to the 2d day of August, 1913, shall be deemed to have been abandoned and all rights hereby granted in and to such portions of said railway shall cease and determine, except that south of One Hundred and Seventy-fourth street, if the railway company shall have constructed less than four tracks within said period, it shall only be deemed to have abandoned its right to construct any additional tracks south of One Hundred and Seventy-fourth street. And in the event that the said railway company shall not, prior to the 2d day of August, 1913, construct its main line south of One Hundred and Seventy-fourth street and Tremont avenue; thence running between Craighill and Chanute avenues and crossing Bronx River avenue, Beacon avenue, Randolph avenue, Westchester avenue, Watson avenue, Ludlow avenue, Story avenue and Lafayette avenue; thence crossing Craighill avenue and Morrison avenue, between Lafayette avenue and Seward avenue; thence crossing Seward avenue, between Morrison avenue and Harrod avenue; thence crossing Harrod avenue, Metcalf avenue and Flushing avenue, between Seward avenue and Randall avenue; thence crossing Randall avenue at or near its intersection with Croes avenue; thence crossing Noble avenue, Rosedale avenue and Commonwealth avenue, between Randall avenue and Lacombe avenue; thence crossing Lacombe avenue, between Commonwealth avenue and St. Lawrence avenue; thence crossing St. Lawrence avenue, Beach avenue and Taylor avenue, between Lacombe avenue and Patterson avenue; thence crossing Patterson avenue at or near its intersection with Thelton avenue; thence crossing Leland avenue, between Patterson avenue and O'Brien avenue; thence crossing O'Brien avenue and Gildersleeve avenue, between Lelton avenue and Underhill avenue; thence crossing Underhill avenue and Cornell avenue at or near their intersection; thence crossing Bolton avenue, White Plains road, Newman avenue and Stephens avenue, between Cornell avenue and Bronx River avenue; thence crossing Clason Point road, between Stephens avenue and Pugsley avenue; thence crossing Cornell avenue and Pugsley avenue at or near their intersection; thence crossing Husson avenue, between Gildersleeve avenue and Cornell avenue; thence northwardly between Husson avenue and Betts avenue and crossing Gildersleeve avenue and O'Brien avenue; thence crossing Compton avenue and Pugsley Creek; thence crossing Barrett avenue, between Trask avenue and Serevin avenue; thence crossing Serevin avenue, between Lacombe avenue and Barrett avenue; thence crossing Lacombe avenue and Olmsted avenue at or near their intersection; thence crossing Torry avenue, Howe avenue, Castle Hill avenue, Turner avenue, Eshingham avenue and Havemeyer avenue, between Lacombe avenue and Randall avenue; thence crossing Allaire avenue and Farrington avenue, between Randall avenue and Zerega avenue; thence crossing Zerega avenue near its intersection with Randall avenue; thence eastwardly, crossing Westchester Creek, Ferris avenue and Baxter Creek; thence crossing Morris lane near its intersection with Fort Schuyler road; thence crossing Fort Schuyler road and Old Ferry road at or near their intersection; thence between Fort Schuyler road and East River to a point near the United States Government Reservation. All of the above-mentioned streets crossed by said branch line, except Wyatt avenue, Tremont avenue (East One Hundred and Seventy-seventh street), Westchester avenue, Clason Point road, Ferris avenue, Morris lane, Old Ferry road and Fort Schuyler road, are proposed streets, as shown on the City layout of streets.

Whereas, On the day of ¹⁹⁰⁸, the Board, as the local authority of The City of New York, adopted a resolution granting to the Westchester Company the right to make such changes, alterations and amendments to the route of said railroad, and the right to cross certain streets, avenues, highways and public places, and to construct, maintain and operate a railroad, in, upon and across the streets, avenues, highways and public places on such amended route of said railroad, and gave its consent to the other modifications in the ordinance approved by the Mayor August 2, 1904, as amended by ordinance approved by the Mayor July 21, 1905, and authorized the Mayor to execute and deliver a contract granting such rights in the name and on behalf of the City, which resolution was approved by the Mayor on the ¹⁹⁰⁵ day of

Now, therefore, in consideration of the premises and of the mutual covenants herein contained, the parties do hereby covenant and agree as follows:

Section 1. The City hereby grants to the Westchester Company, subject to the conditions and provisions hereinafter set forth, the right to make such changes, alterations and amendments to the route of said railroad, and the right to cross certain streets, avenues, highways and public places, and to construct, maintain and operate a railroad in, upon and across the streets, avenues, highways and public places on such amended route of said railroad, which amended route is shown upon the map heretofore referred to, and is more particularly described as follows:

Main Line.

Beginning at a point on the Harlem River, near the point where Lincoln avenue intersects the north bank of the Harlem River in the Borough of The Bronx, and crossing Lincoln avenue, between the Harlem River and One Hundred and Thirty-second street; thence running easterly substantially parallel to One Hundred and Thirty-second street and the Harlem River; thence crossing One Hundred and Thirty-second street at or near its intersection with Willow avenue; thence crossing One Hundred and Thirty-third street, One Hundred and Thirty-fourth street, One Hundred and Thirty-fifth street, One Hundred and Thirty-sixth street, One Hundred and Thirty-seventh street, One Hundred and Thirty-eighth street, between Willow avenue and the Harlem River and Port Chester Railroad; thence northerly parallel to the Harlem River and Port Chester Railroad and crossing One Hundred and Thirty-ninth street, One Hundred and Forty-first street and One Hundred and Forty-first street, between Southern Boulevard and the Harlem River and Port Chester Railroad; thence crossing One Hundred and Forty-second street, and crossing One Hundred and Forty-third street, Leggett street, One Hundred and Fifty-sixth street, Longwood avenue, Lafayette avenue, Tiffany street, Barretto street, Hunts Point road, Faile street, Bryant street, Langfellow street, proposed Ludlow avenue and Whittier street, between Whitlock avenue and the Harlem River and Port Chester Railroad; thence crossing Westchester avenue at or near its intersection with Edgewater road; thence running northerly substantially parallel to the Harlem River and Port Chester Railroad to One Hundred and Seventy-fourth street, and crossing One Hundred and Seventy-second street, between the Bronx River and the Harlem River and Port Chester Railroad; thence crossing One Hundred and Seventy-fourth street and Van Nest avenue, between DeVoe avenue and the Harlem River and Port Chester Railroad; thence running northerly substantially parallel to DeVoe avenue and crossing One Hundred and Seventy-seventh street, Wyatt street and Walker avenue (West Farms road), between DeVoe avenue and Berrian street; thence crossing One Hundred and Seven-

ty-ninth street and Lebanon street, between DeVoe avenue and Berrian street; thence crossing One Hundred and Eightieth street and Berrian street, at or near their intersection; thence crossing Adams street, between Morris Park avenue and the easterly line of Bronx Park; thence crossing Berrian street, between Morris Park avenue and Bronx Park; thence to and crossing Unionport road, between Miami street and Birchall avenue; thence crossing Oakley street, between Miami street and Sagamore street; thence crossing White Plains road, at or near the intersection of Sagamore street; thence crossing Brown avenue and Sagamore street, at or near their intersection; thence crossing Hunt avenue and Bear Swamp road at or near their intersection; thence crossing Bronx and Pelham parkway and Williamsbridge road at or near their intersection; thence crossing Saw Mill lane, between Williamsbridge road and Eastchester road; thence crossing Eastchester road near its intersection with Syracuse avenue; thence crossing Birch street at or near its intersection with Syracuse avenue; thence crossing Cedar street, Oak street and Walnut street, between Kingston avenue and Syracuse avenue; thence crossing Chestnut street and Kingston avenue at or near their intersection; thence crossing Ash street, between Kingston avenue and Cornell avenue; thence crossing Boston road at or near its intersection with Schieffelin lane; thence crossing Fifth avenue and Dyre avenue, between Boston road and Kingsbridge road; thence continuing to a point in the northerly line of The City of New York, between Fifth avenue and the road to White Plains (Columbus avenue).

Branch Line.

Beginning at a point on the main line near the junction of Walker avenue (West Farms road) and DeVoe avenue; thence running southerly, crossing Wyatt street and Tremont avenue, between DeVoe avenue and Berrian street; thence crossing Van Nest avenue and the New York, New Haven and Hartford Railroad, between One Hundred and Seventy-fourth street and Tremont avenue; thence running between Walker avenue (West Farms road) and DeVoe avenue; thence crossing Craighill and Chanute avenues and crossing Bronx River avenue, Beacon avenue, Randolph avenue, Westchester avenue, Watson avenue, Ludlow avenue, Story avenue and Lafayette avenue; thence crossing Craighill avenue and Morrison avenue, between Lafayette avenue and Seward avenue; thence crossing Seward avenue, between Morris avenue and Harrod avenue; thence crossing Harrod avenue, Metcalf avenue and Flushing avenue, between Seward avenue and Randall avenue; thence crossing Randall avenue at or near its intersection with Croes avenue; thence crossing Noble avenue, Rosedale avenue and Commonwealth avenue, between Randall avenue and Lacombe avenue; thence crossing Lacombe avenue, between Commonwealth avenue and St. Lawrence avenue; thence crossing St. Lawrence avenue, Beach avenue and Taylor avenue, between Lacombe avenue and Patterson avenue; thence crossing Patterson avenue at or near its intersection with Thelton avenue; thence crossing Leland avenue, between Patterson avenue and O'Brien avenue; thence crossing O'Brien avenue and Gildersleeve avenue, between Lelton avenue and Underhill avenue; thence crossing Underhill avenue and Cornell avenue at or near their intersection; thence crossing Bolton avenue, White Plains road, Newman avenue and Stephens avenue, between Cornell avenue and Bronx River avenue; thence crossing Clason Point road, between Stephens avenue and Pugsley avenue; thence crossing Cornell avenue and Pugsley avenue at or near their intersection; thence crossing Husson avenue, between Gildersleeve avenue and Cornell avenue; thence northwardly between Husson avenue and Betts avenue and crossing Gildersleeve avenue and O'Brien avenue; thence crossing Compton avenue and Pugsley Creek; thence crossing Barrett avenue, between Trask avenue and Serevin avenue; thence crossing Serevin avenue, between Lacombe avenue and Barrett avenue; thence crossing Lacombe avenue and Olmsted avenue at or near their intersection; thence crossing Torry avenue, Howe avenue, Castle Hill avenue, Turner avenue, Eshingham avenue and Havemeyer avenue, between Lacombe avenue and Randall avenue; thence crossing Allaire avenue and Farrington avenue, between Randall avenue and Zerega avenue; thence crossing Zerega avenue near its intersection with Randall avenue; thence eastwardly, crossing Westchester Creek, Ferris avenue and Baxter Creek; thence crossing Morris lane near its intersection with Fort Schuyler road; thence crossing Fort Schuyler road and Old Ferry road at or near their intersection; thence between Fort Schuyler road and East River to a point near the United States Government Reservation. All of the above-mentioned streets crossed by said branch line, except Wyatt avenue, Tremont avenue (East One Hundred and Seventy-seventh street), Westchester avenue, Clason Point road, Ferris avenue, Morris lane, Old Ferry road and Fort Schuyler road, are proposed streets, as shown on the City layout of streets.

Sec. 2. The grant of this privilege is subject to the following conditions:

First—All the terms, provisions and conditions contained in the said ordinance approved by the Mayor August 2, 1904, and the said resolution of the Board approved by the Mayor July 21, 1905, shall remain unchanged and shall apply to the routes herein authorized with the same force and effect as when they applied to the routes described in said contract, and as though the routes herein authorized had been specifically described in said contract, except as follows:

1. Section 1 of the said ordinance is hereby amended by striking out therefrom the words, "Except the overhead trolley system."

2. The description of the route as hereby amended and described above shall be substituted for the description of the route as contained in the ordinance approved by the Mayor August 2, 1904, and as contained in the resolution of the Board approved by the Mayor July 21, 1905.

3. Section 1, paragraph third, general, of the said ordinance is hereby amended by striking out therefrom the words, "One thousand (1,000) feet," and substituting therefor the words, "Two thousand five hundred (2,500) feet." The said Westchester Company is hereby permitted to make the following two connections under this section:

Connection With the Present Subway-Elevated Route of West Farms Road.

Beginning at a point on the main line of the New York, Westchester and Boston Railway Company at or near Lebanon street; thence running northerly crossing DeVoe avenue and One Hundred and Seventy-ninth street at or near their intersection; thence crossing Bronx street at or near its intersection with Walker avenue; thence crossing Walker avenue, between Bronx street and Boston road; thence crossing West Farms road, between Boston road and Rodman place; thence to a connection with the Interborough Rapid Transit Railroad on Boston road, between Bryant and Tremont avenues.

Connection With the Projected Southern Boulevard and Westchester Avenue Subway Route.

Beginning at a point on the main line of the New York, Westchester and Boston Railway Company, between Westchester avenue and One Hundred and Seventy-fourth street, and running northerly and crossing One Hundred and Seventy-second street and Edgewater road; thence to a connection with the proposed Broadway-Lexington avenue subway at or near the intersection of

Westchester avenue and Home street, all as shown on a map entitled: "Survey Map and Profile of the New York, Westchester and Boston Railway Company, for New York County, New York, Section 1, Section 2 and Section 3," adopted by the Board of Directors of said company on the 17th day of June, 1908, and signed by Allen Wardell, president; Mac Moulton, chief engineer, and Ralph Pole Buell, secretary, under the seal of the corporation, which map and profile were filed in the office of the County Clerk of the County of New York on the said 17th day of June, 1908, or any lawful amendment thereof which may be consented to by the Board of Estimate and Apportionment, or its successors in authority.

4. Section 2, clause fifteenth, of the said ordinance is hereby amended by striking out therefrom the words, "Except the overhead trolley system."

5. Section 2, clause sixteenth, of the said ordinance shall be stricken out and the following substituted therefor:

"In any conduits laid by the company, or on any poles erected by the company for the transmission of power for its own use, provision shall be made to carry three cables for the use of the police, fire and ambulance service of the City without charges therefor."

6. Section 5, paragraph 1, of the said ordinance is hereby amended to read as follows:

"Sad railroad company shall commence actual construction within one year from the date of the signing of this ordinance by the Mayor, and shall complete a four-track railroad upon the main line, from the northerly line of the City as far south as East One Hundred and Seventy-fourth street, by the 2d day of August, 1913; otherwise this grant shall cease and determine."

7. Section 5, paragraph 4, of the said ordinance shall be stricken out and the following substituted therefor:

"Any portion of the route covered by this grant which shall not be completed and in full operation prior to the second day of August, 1913, shall be deemed to have been abandoned and all rights hereby granted in and to such portions of said railway shall cease and determine, except that south of One Hundred and Seventy-fourth street, if the railway company shall have constructed less than four tracks within said period, it shall only be deemed to have abandoned its right to construct any additional tracks south of One Hundred and Seventy-fourth street. And in the event that the said railway company shall not, prior to the 2d day of August, 1913, construct its main line south of One Hundred and Seventy-fourth street and to the Harlem River, the Board of Estimate and Apportionment, or its successors in office, may fix and finally determine such additional compensation as shall be imposed upon said railway company because of such failure."

Second—The Westchester Company hereby agrees to assume all liability to any person or company by reason of the execution of this contract by the City, and it is a condition of this contract that the City shall assume no liability whatsoever, either to persons or companies, on account of the same, and the Westchester Company hereby agrees to repay to the City any damage which the City may be compelled to pay by reason of this contract.

Sec. 3. The Westchester Company covenants and agrees to abandon and relinquish and does hereby abandon and relinquish to the City all of its rights and franchises to construct, maintain and operate a railroad in, upon or across the streets on the portions of the route described in the said ordinance approved by the Mayor August 2, 1904, as amended by the ordinance approved by the Mayor July 21, 1905, and which are not covered by the description of the new and amended route as herein described, and which are not shown on the map of the amended route dated June 17, 1908, entitled "Survey map and profile of the New York, Westchester and Boston Railway Company for New York County, New York, Section 1, Section 2 and Section 3," which map was filed in the office of the County Clerk of New York County on June 17, 1908.

Sec. 4. The Westchester Company promises, covenants and agrees, on its part and behalf, to conform to and abide by all the terms, conditions and requirements in this contract fixed and contained.

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

THE CITY OF NEW YORK
By..... Mayor.
INCORPORATE SEAL

Attest:..... City Clerk.
NEW YORK, WESTCHESTER
AND BOSTON RAILWAY
COMPANY.
By..... President.

[SEAL]
Attest:..... Secretary.

Resolved, That the results of the inquiry made by this Board as to the money value of the proposed ordinance, and the adequacy of the compensation proposed to be paid therefor, and of the terms and conditions, are as specified and fully set forth in the said ordinance approved by the Mayor August 2, 1904, as amended by the foregoing form of proposed contract for the grant of such modifications and alterations.

Resolved, That these premises and resolutions, including said resolution for the consent of The City of New York to the modifications and alterations as applied for by the New York, Westchester and Boston Railway Company, and said form of proposed contract for the grant of said franchises or right containing said results of such inquiry, after the same shall be entered in the minutes of this Board, shall be published for at least twenty (20) days immediately prior to November 13, 1908, in the City Record, and at least twice during the ten days immediately prior to November 13, 1908, in two daily newspapers to be designated by the Mayor therefor, and published in The City of New York, at the expense of the New York, Westchester and Boston Railway Company, together with the following notice, to wit:

Notice is hereby given that the Board of Estimate and Apportionment, before authorizing any contract for the consent of the City to certain modifications and alterations in the routes of the New York, Westchester and Boston Railway Company, as granted by ordinance of the Board of Aldermen, approved by the Mayor August 2, 1904, and amended by resolution of the Board of Estimate and Apportionment, approved by the Mayor July 21, 1905, and for the consent of the City to certain modifications in the terms and conditions of the said ordinance, such modifications and alterations being fully set forth and described in the foregoing form of proposed contract for the grant of such franchise or right, and before adopting any resolution authorizing any such contract, will, at a meeting of said Board, to be held in the Old Council Chamber, in the City Hall, Borough of

Manhattan, City of New York, on November 4, 1908, at 10:30 o'clock a. m., hold a public hearing thereon, at which citizens shall be entitled to appear and be heard.

JOSEPH HAAG,
Secretary.

Dated New York, October 2, 1908.

119,113

DEPARTMENT OF DOCKS AND FERRIES.

SALE OF OLD MATERIAL.

JOSEPH P. DAY, AUCTIONEER, WILL sell on behalf of the Department of Docks and Ferries on

WEDNESDAY, NOVEMBER 4, 1908,

commencing at 10:30 o'clock a. m., at the south end of the Wallabout Basin, Borough of Brooklyn, and continuing at the Department Yard at the foot of East Twenty-fourth street, East River, Borough of Manhattan, the following lots of old material:

At the Wallabout Basin, Brooklyn.

Lot No. 1—4-inch by 10-inch yellow pine timber, dimensions about 30 feet by 30 feet, about 9 courses deep.

Lot No. 2—4-inch by 10-inch and 5-inch by 10-inch yellow pine timber, dimensions about 20 feet by 35 feet, about 3 feet 8 inches deep.

Lot No. 3—4-inch by 10-inch yellow pine timber, about 53 pieces 25 to 30 feet long; 6-inch by 12-inch yellow pine timber, one course, to 12 feet long.

Lot No. 4—3-inch by 10-inch yellow pine timber, dimensions about 20 feet by 21 feet, about 7 courses deep.

Lot No. 5—4-inch by 10-inch yellow pine timber, dimensions about 22 feet by 24 feet, 12 courses deep.

Lot No. 6—4-inch by 10-inch yellow pine timber, dimensions about 30 feet by 35 feet, 16 courses deep.

Lot No. 7—4-inch by 10-inch and 4-inch by 12-inch yellow pine timber, dimensions about 20 by 35 feet by 1 foot 6 inches deep.

Lot No. 8—2-inch by 10-inch and 4-inch by 10-inch yellow pine timber, dimensions about 26 feet by 27 feet by about 2 feet 6 inches deep.

Lot No. 9—4-inch by 10-inch yellow pine timber, dimensions about 30 feet by 37 feet by 7 courses deep.

Lot No. 10—8-inch by 8-inch, 10-inch by 10-inch, 12-inch by 12-inch, 4-inch by 14-inch yellow pine timber, dimensions about 15 by 22 feet by about 3 feet deep.

Lot No. 11—About 45 yellow pine pile butts, 12 to 22 feet long.

Lot No. 12—12-inch by 12-inch and 4-inch by 10-inch yellow pine timber, dimensions about 27 by 35 feet, 1 course, 12 by 12 inches; 3 courses, 4 by 10 inches.

Lot No. 13—8-inch by 10-inch and 12-inch by 12-inch yellow pine timber, dimensions about 18 linear feet of 8-inch by 10-inch, about 410 linear feet of 12-inch by 12-inch.

Lot No. 14—12-inch by 12-inch yellow pine timber, about 280 linear feet.

Lot No. 15—2 yellow pine pile butts, 20 to 30 feet long.

Lot No. 16—3-inch by 10-inch yellow pine, 8 courses deep, size 22 feet by 25 feet.

Lot No. 17—4-inch by 10-inch yellow pine, 2 courses deep, size 24 feet by 25 feet.

Lot No. 18—5-inch by 12-inch second-hand yellow pine, 15 pieces, 15 to 20 feet long.

Lot No. 19—12-inch by 12-inch yellow pine, dimensions 28 by 28, 2 feet 6 inches deep, length, 10 to 28 feet.

Lot No. 20—Piles, 21 by 30, 2 feet deep, 5 to 30 feet long. Piles, 18 by 24, 2 feet deep, 5 to 24 feet long. The two sets tied together with 300 linear feet of 5-inch rope.

Lot No. 21—4 by 10 yellow pine, 21 by 25 by 1 foot 6 inches deep, 10 to 25 feet long.

Lot No. 22—Raft of second-hand yellow pine piles, 30 piles, 5 to 40 feet long, and 10 piles, about 30 feet long.

At the Department Yard, Foot of East Twenty-fourth Street, Borough of Manhattan.

Lot No. 23—150 linear feet 1½-inch wire cable.

Lot No. 24—2,500 pounds structural shapes and 5-inch wrought iron piles and miscellaneous iron.

Lot No. 25—10 old diver's dresses and 13 pairs of old diver's mitts.

Lot No. 26—About 150 pounds of old rope.

TERMS OF SALE

The sale will commence at 10:30 o'clock a. m. on Wednesday, November 4, 1908, at the Wallabout Basin, Brooklyn, and will be continued at the Department Yard at the foot of East Twenty-fourth street, East River, Borough of Manhattan.

Each of the above lots will be sold separately and for a sum in gross.

The estimated quantity stated to be in the several lots is believed to be correct, but the Commissioner of Docks will not make any allowance from the purchase money for short deliveries on any lot, and bidders must judge for themselves as to the correctness of the estimate of quantity when making their bids.

If the purchaser or purchasers fails or fail to effect removal of the material within ten days from the date of sale, he or they shall forfeit his or their purchase money or money and the ownership of the material.

Terms of sale to be cash, to be paid at the time of sale.

An order will be given for the material purchased.

Dated The City of New York, October 21, 1908.

ALLEN N. SPOONER,
Commissioner of Docks.

123,113

AQUEDUCT COMMISSIONERS.

PUBLIC AUCTION.

THE AQUEDUCT COMMISSIONERS OF THE CITY OF NEW YORK WILL SELL, UNDER THE DIRECTION OF CHARLES A. BERCIAN, AUCTIONEER, AT PUBLIC AUCTION, IN FRONT OF THE CITY'S STABLES, ON

FRIDAY, NOVEMBER 6, 1908,

as follows:

At Jerome Park Reservoir, The Bronx.

At the stables of the Jerome Park Reservoir Division, Jerome Park, at 9 a. m., November 6, 1908.

One horse,
Several wagons or vehicles.
Sleigh.
Harness.

And other articles connected with said stable, all more or less worn.

At Katonah, Westchester County, N. Y.

At the stables of the Croton River and Katonah Divisions, Katonah, N. Y., at about 1 p. m., November 6, 1908.

Seven horses, two teams and three single.

Seven wagons or vehicles.
Harness for same, three double, four single.
One sleigh.
Together with miscellaneous articles, all more or less worn.

At the New Croton Dam Division, 2½ Miles from Croton-on-Hudson, Westchester County, N. Y.

At the stables, New Croton Dam Division, New Croton Dam, Westchester County, N. Y., at 3:30 p. m.:

Two horses, team.
Five wagons.
Two sleighs.

Harness, two double sets, one single.
Together with miscellaneous articles, all more or less worn.

TERMS OF SALE.

First—Purchase money must be paid in cash at the time of sale.

Second—The horses, wagons, sleighs and other articles must be removed not later than the day following the sale.

Third—The Aqueduct Commissioners reserve the right to exclude from the sale such horses, wagons, sleighs or other articles as may be designated by the Engineer.

Fourth—Failure to pay the amount of purchase money at the time of sale or failure to remove any article within the time specified will forfeit the money paid at the time of sale and also the ownership of the material purchased, and the said articles will be resold by the City for the benefit of the City.

By order of the Aqueduct Commissioners of the City of New York.

JOHN F. COWAN,

President.

HARRY W. WALKER,

Secretary.

027,113

CHANGE OF GRADE DAMAGE COMMISSION.

TWENTY-THIRD AND TWENTY-FOURTH WARDS.

PURSUANT TO THE PROVISIONS OF chapter 537 of the Laws of 1893 and the Acts amendatory thereof and supplemental thereto, notice is hereby given that meetings of the Commissioners appointed under said Acts will be held at the office of the Commission, Room 138, No. 280 Broadway (Stewart Building), Borough of Manhattan, New York City, on Mondays, Wednesdays and Fridays of each week, at 10 o'clock a. m., until further notice.

Dated New York City, October 12, 1907.

WILLIAM E. STILLINGS,
GEORGE C. NORTON,
LEWIS A. ABRAMS,

Commissioners.

LAMONT MCLOUGHLIN,

Clerk.

DEPARTMENT OF STREET CLEANING.

ASHES, ETC., FOR FILLING IN LANDS.

PERSONS HAVING LANDS OR PLACES in the vicinity of New York Bay to fill in can procure 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.

FOSTER CROWELL,
Commissioner of Street Cleaning.

SUPREME COURT—FIRST DEPARTMENT.

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title whenever the same has not been heretofore acquired for the same purpose in fee to the lands, tenements and hereditaments required for the opening and extending of the FIFTH NEW STREET north of West One Hundred and Eighty-first street (Watkins place), extending from Broadway to the first new avenue west of Broadway (Bennett avenue), in the Twelfth Ward, Borough of Manhattan, City of New York.

NOTICE IS HEREBY GIVEN THAT THE 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 Court House, in the Borough of Manhattan, in The City of New York, on the 17th day of November, 1908, 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 law.

Dated Borough of Manhattan, New York, October 26, 1908.

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 1907.

Dated Borough of Manhattan, New York, November 4, 1908.

FRANCIS V. S. OLIVER,
STEPHEN J. NAVIN, JR.,
BRYAN REILLY,

Commissioners.

JOHN P. DUNN,

Clerk.

041,14

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title whenever the same has not been heretofore acquired for the same purpose in fee to the lands, tenements and hereditaments required for the opening and extending of WEST ONE HUNDRED AND FIFTIETH STREET (although not yet named by proper authority), from Broadway to Riverside drive, in the Twelfth Ward, Borough of Manhattan, City of New York.

Dated Borough of Manhattan, City of New York, October 26, 1908.

NOTICE IS HEREBY GIVEN THAT A supplemental 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 Court House, in the Borough of Manhattan, in The City of New York, on the 5th day of November, 1908, 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.

Dated Borough of Manhattan, City of New York, October 26, 1908.

WILBUR LARREMORE,

MICHAEL B. STANTON,

NATHAN FERNBACHER,

Commissioners.

JOSEPH M. SCHENKE,

Clerk.

023,114

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title whenever the same has not been heretofore acquired for the same purpose in fee to the lands, tenements and hereditaments required for the opening and extending of EAST ONE HUNDRED AND FORTIETH STREET, from Park avenue to Morris avenue, in the Twenty-third Ward, Borough of The Bronx, City of New York.

Dated.

10/26/08.

THOMAS S. SCOTT,
GEORGE W. O'BRIEN,
JOHN W. JONES,

Commissioners of Estimate.

THOMAS S. SCOTT,

Commissioner of Assessment.

JOHN P. DUNN,

Clerk.

030,111

FIRST DEPARTMENT.

In the matter of the application of The City of New York, acting by and through the Commissioner of Docks, relative to acquiring right and title to and possession of certain uplands, lands, wharf property, wharves, rights, terms, easements, emoluments and privileges necessary to be taken for the improvement of the water-front of The City of New York on the NORTH RIVER, between West Eighteenth and West Twenty-third streets, and the easterly side of the marginal street, wharf or place, adopted by the Board of Docks and approved by the Commissioners of the Sinking Fund, and pursuant to the plan heretofore adopted by the Board of Docks and approved by the Commissioners of the Sinking Fund.

NOTICE IS HEREBY GIVEN THAT A supplemental 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 Court House, in the Borough of Manhattan, in The City of New York, on the 13th day of November, 1908, 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 law.

Dated Borough of Manhattan, New York, October 26, 1908.

WILBUR LARREMORE,
STANLEY W. DEXTER,
JAMES A. ALLEN,

Commissioners of Estimate.

JOSEPH M. SCHENKE,

Clerk.

029,112

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title whenever the same has not been heretofore acquired for the same purpose in fee to the lands, tenements and hereditaments required for the opening and extending of LANE AVENUE, between Westchester Avenue and the West Farms road, with the PUBLIC PLACE bounded by Lane Avenue, West Farms road and Westchester Avenue, and of WESTCHESTER AVENUE, between Main street or West Farms road and the Eastern Boulevard, at Pelham Bay Park, in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

NOTICE IS HEREBY GIVEN THAT THE partial 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 Court House, in the Borough of Manhattan, in The City of New York, on the 11th day of November, 1908, 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

