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THE CITY RECORD.

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GEORGE B. McCLELLAN, MAYOR.

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PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT,

No. 154 NASSAU STREET, NEW YORK CITY.

CALENDAR OF HEARINGS.

The following hearings will be held during the remainder of the week beginning Monday, December 21, 1908:

Tuesday, December 22—2:30 p. m.—Commissioner Maltbie's Room.—Order No. 205—
ELECTRIC LIGHT & POWER COMPANIES.—"General Investigation."—Commissioner Maltbie.

2:30 p. m.—Room 310.—Case 1009.—BROOKLYN UNION ELEVATED R. R.
Co., AND CANARSIE R. R. Co.—"Application for approval of proposed
contract of lease between companies."—Commissioner Bassett.

2:30 p. m.—Room 305.—Order No. 291.—INTERBOROUGH RAPID TRANSIT
Co.—Board of Aldermen, Complainant.—"Escalators at 125th Street
and Eighth Ave."—Commissioner Eustis.

3 p. m.—Case 846.—ROOM 310.—BROOKLYN UNION ELEVATED R. R. Co.—
Brooklyn Institute of Arts and Sciences by Franklin Hooper, Director,
Complainant.—"Re-opening of station at Lafayette Avenue and Fort
Greene Place."—Commissioner Bassett.

3 p. m.—Case 1007 under Order No. 615.—Room 305.—INTERBOROUGH
RAPID TRANSIT Co.—"Inadequate facilities at stations on elevated line
in the Bronx."—Commissioner Eustis.

Thursday, December 24—2:30 p. m.—Case 1014.—Room 305.—BROOKLYN UNION ELEVATED R. R. Co.—"Service on Broadway Line."—Commissioner Bassett.

2:30 p. m.—Case 1019.—Room 305.—BROOKLYN UNION ELEVATED R. R. Co.—"Service on Myrtle Avenue Line."—Commissioner Bassett.

2:30 p. m.—Case 1020.—Room 305.—BROOKLYN UNION ELEVATED R. R. Co.—"Service on Lexington Avenue Line."—Commissioner Bassett.

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

BOARD OF ESTIMATE AND APPORTIONMENT.

EXTRACT FROM

MINUTES, BOARD OF ESTIMATE AND APPORTIONMENT, CITY OF NEW YORK, DECEMBER
18, 1908.

Bronx Traction Company.

The public hearing on the proposed form of contract for the grant of a franchise to the Bronx Traction Company, to construct, maintain and operate a double-track street surface railway, connecting with the existing tracks at the intersection of Westchester avenue and Clasons Point road, upon and along 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, Borough of The Bronx, was opened.

The hearing was fixed for this day by resolution duly adopted November 13, 1908. Affidavits of publication were received from the "New York Sun," "New York Tribune" and CITY RECORD.

No one appeared in opposition to the proposed grant.

Henry A. Robinson appeared on behalf of Frederick W. Whitridge, the Receiver of the Third Avenue Railroad Company, in favor.

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

The following was offered:

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

This Contract, made this day of 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 Company 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.

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 manner 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 payments shall continue throughout the whole term of this contract, whether original or renewal, notwithstanding any clause in any statute or in the charter of any other railway or railroad company providing for 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 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 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 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 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 hereinabove 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, 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 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 Clasons 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 as 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.

[SEAL.]

Attest:

..... Secretary.

(Here add acknowledgments.)

Which was adopted by the following vote:

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

Union Railway Company of New York City.

The public hearing on the proposed form of contract for the grant of a franchise to the Union Railway Company of New York City, to construct, maintain and operate a double track street surface railway, from the intersection of the existing tracks at Sedgwick avenue and Fordham road, Borough of The Bronx, upon and along Fordham road, Hampden place, West One Hundred and Eighty-fourth street and the University Heights Bridge, to the Borough of Manhattan, to West Two Hundred and Seventh street, to Amsterdam or Tenth avenue, to Emerson street, and connecting with the existing tracks on Broadway, was opened.

The hearing was fixed for this day by resolution duly adopted November 13, 1908.

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

No one appeared in opposition to the proposed grant.

Henry A. Robinson appeared on behalf of Frederick W. Whitridge, the Receiver of the Third Avenue Railroad Company, in favor.

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

The following was offered:

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

This contract, made this day of 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 a double track 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 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 showing proposed railway of the Union Railway Company 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 the 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 an 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 re-

quest of the other, to enter into a written agreement with each other fixing the rate of such compensation at such amounts as shall be reasonable, but in no case shall the annual rate so fixed be less than the sum required to be paid for the last year prior to the termination of the original term of this contract, and if the parties shall not forthwith agree upon what is reasonable, then the parties shall enter into a written agreement fixing such annual rate, and at such amount as shall be determined by three disinterested freeholders selected in the following manner:

One disinterested freeholder shall be chosen by the Board; one disinterested freeholder shall be chosen by the Company; these two shall choose a third disinterested freeholder, and the three so chosen shall act as appraisers and shall make the re-valuation aforesaid. Such appraisers shall be chosen at least six 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 (5) per cent. 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, 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 sub-lease 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 waiving of any one or more of such consents shall not render unnecessary 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 hereinabove 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 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 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 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.

Attest:

....., City Clerk.

UNION RAILWAY COMPANY OF NEW YORK CITY,

By President

Attest:

....., Secretary.

(Here add acknowledgments.)

Which was adopted by the following vote:

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

Union Railway Company of New York City.

The public hearing on the proposed form of contract for the grant of a franchise to the Union Railway Company of New York City, to construct, maintain and operate a double track street surface railway from the intersection of its existing tracks at Third and Pelham avenues upon and along Pelham avenue to the Southern boulevard, Borough of The Bronx, was opened.

The hearing was fixed for this day by resolution duly adopted November 13, 1908.

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

No one appeared in opposition to the proposed grant.

Henry A. Robinson appeared on behalf of Frederick W. Whitridge, Receiver of the Third Avenue Railroad Company, in favor.

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

The following was offered:

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

This contract, made this day of , 190 , by and between The City of New York (hereinafter called the City), party of the first part, by the Mayor of said City, acting for and in the name of said City, under and in pursuance of the authority of the Board of Estimate and Apportionment of said City (hereinafter called the Board), and the 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 Company, 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. Mullane, 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 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 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 pay-

ments, 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 statute 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 any wise 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—Such 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 Departments 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 successor 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 car 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 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 and highways 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 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 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 structure 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 costs 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.)

Which was adopted by the following vote:

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

Long Island Railroad Company.

The Secretary presented the following:

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

GENTLEMEN—Application is hereby made by the Long Island Railroad Company for the consent and permission of your Honorable Board to the construction, maintenance and operation by said railroad company of a temporary side track or switch in, upon and along Range avenue, so called, in the Borough of Queens, from its tracks and right of way as at present located, in a northerly and easterly direction to the property of the State of New York, known as the State Hospital grounds, a distance approximately of 900 feet.

A request by the State Commissioner of Lunacy by O. M. Dewing, Superintendent, dated October 3, 1908, and addressed to the Long Island Railroad Company, has been made to the applicant. A copy of this request with the blue print thereto attached is hereto annexed. These papers set forth in detail the reason and necessity for this switch or siding.

Briefly stated, this application is made by the railroad company at the request of the State Commission in Lunacy because the Commission is desirous of proceeding with the work of constructing the necessary buildings for the accommodation of such insane patients as are now cared for at Flatbush, Long Island, all of whom, as your applicant is informed and believes, it is proposed to remove to or relocate in suitable buildings, when constructed, upon the State property at Creedmoor, formerly occupied and used as a rifle range by the State militia.

This accommodation is required for the more convenient and expeditious handling of building material and other freight between the railroad station, as now located, and the State lands above referred to at Creedmoor. The applicant has obtained the consent of a majority of the owners of property on Range avenue, so called, to the construction, maintenance and operation of a temporary side track to be located as above set forth, side track to be removed by January 1, 1910. The applicant has also obtained from the Commissioner of Public Works of the Borough of Queens, a permit duly approved by the President of the Borough of Queens for the opening of Range avenue, from the railroad tracks at Bullet street into the Government property at Creedmoor for the purpose of putting in a temporary track as per plans filed. This permit has been extended to December 31, 1908.

Wherefore, the Long Island Railroad Company respectfully asks for a permit and favorable consideration of this application in order that the work may be done before severe winter weather sets in.

Very respectfully,

THE LONG ISLAND RAILROAD COMPANY,

By FRANK E. HAFF, Secretary.

Dated New York, November 16, 1908.

To the Long Island Railroad Company:

GENTLEMEN—The State lands at Creedmoor, Long Island, comprising 200 acres, formerly used as a rifle range for the State militia, have been turned over to this Commission for use of the Long Island State Hospital for the Insane. This Commission is desirous of proceeding as soon as may be with the work of constructing the necessary buildings for the accommodation of such insane patients as are now cared for at Flatbush, Long Island. For the more convenient and expeditious handling of building material and other freight, a connection between the railroad and the State lands at Creedmoor by means of a spur, switch or side track is necessary.

Application is hereby made to you for the installation of such switch substantially as shown on the attached diagram, from the railroad track in a northerly and easterly direction, along Range avenue, and into the State Hospital grounds, a distance of approximately 900 feet. It being understood that such switch or connection is to be of a temporary nature and may be removed as soon as land can be acquired by purchase or otherwise for the construction of a permanent connection between the railroad and this State institution.

Trusting that you will appreciate the necessity for prompt action upon this application, and assuring you of our active support and co-operation in any presentation thereof to the public authorities, we are,

Yours truly,

STATE COMMISSION OF LUNACY,
By O. M. DEWING, Superintendent.

Dated October 3, 1908.

REPORT NO. F-138.

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER,
December 15, 1908.

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

SIR—Under date of November 16, 1908, the Long Island Railroad Company made application to the Board of Estimate and Apportionment for permission to construct and maintain a temporary side track or switch-in along Range avenue, in the Third Ward of the Borough of Queens. This application was presented to the Board at its meeting of November 20 and referred to the Chief Engineer for report.

The application of the company was made upon the request of the State Commission in Lunacy, which desires to use the side track for convenience in the handling of building material and freight between the railroad and the lands of the Long Island State Hospital for insane patients. The tracks are for temporary use only, and it is expected that they will be removed by January 1, 1910. The owners of property on Range avenue have consented to the use of this side track, and the President of the Borough of Queens has also issued a permit to carry on the work. The Corporation Counsel, in response to a request for advice, has stated that the application can properly be granted by the Board, and it is therefore recommended that the application of the Long Island Railroad Company be approved, the company to pay to the City the sum of one hundred dollars for this privilege for one year. It is also provided that a security deposit of two hundred and fifty dollars be made to guarantee the proper restoration of the street surface after the term shall have expired.

There is transmitted herewith report of the Engineer in charge of the Division of Franchises and form of resolution which is designed to carry the above recommendations into effect.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY,
December 15, 1908.

MR. NELSON P. LEWIS, Chief Engineer:

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

The application states that it was made on request of the State Commission in Lunacy by O. M. Dewing, Superintendent, dated October 3, 1908, a copy of which request is attached to the application, and from which it appears that this side track is desired for the more convenient and expeditious handling of building material and other freight between the railroad and the said lands at Creedmoor, Long Island, which have been turned over to the Commission for the use of the Long Island State Hospital for the Insane, and on which it is proposed to construct the necessary buildings for the accommodation of such insane patients as are now cared for by the said Long Island State Hospital at Flatbush, Long Island. It is stated in such request that such switch or connection is to be of a temporary nature, and is to be removed as soon as land can be acquired by purchase or otherwise for the construction of a permanent connection between the railroad and the said institution, and the application of the company states that the same will be removed by January 1, 1910. The application also states that the Long Island Railroad Company has obtained the consents of a majority of the owners of property on Range avenue, so-called, for the construction, maintenance and operation of the said temporary side track or switch applied for, and has also obtained from the Commissioner of Public Works of the Borough of Queens a permit, duly approved by the President of the Borough of Queens, for the opening of Range avenue, from the railroad tracks at Bullet street into the government property at Creedmoor, for the purpose of putting in this temporary connection.

On November 21, 1908, there was referred to this Division a communication signed by Mr. J. Edward Swanstrom, one of the managers of the Long Island State Hospital, in which he refers to the application of the Long Island Railroad Company, and states that the application is in reality the application of the said Long Island State Hospital. Mr. Swanstrom states that they are anxious to commence building operations before the severe winter weather sets in, and requests an early determination of this matter. He also states that in view of the fact that the switch applied for is in the aid of a charitable project, that it seems to him there should be no terms imposed as a condition of granting the said application.

There being some doubt in my mind as to the authority of the Board to grant a permit of this nature under the decision in the case of Hatfield vs. Strauss, 189 N. Y., 208, under date of November 25, I addressed a report to you calling attention to all the facts in connection with this matter, and suggesting that the Corporation Counsel be requested to advise the Board if it had the authority to grant permission for said temporary side track or switch. This report was transmitted to the Corporation Counsel by the Secretary on November 25, and on December 4 the Corporation Counsel rendered an opinion in which he states that

"Following the rule laid down in Hatfield vs. Strauss (117 A. D., 671; 189 N. Y., 208), the Board of Estimate has, acting under my advice, refused to grant permits for the construction of tracks in the streets for private use or purpose.

"I am convinced, however, that the facts here disclosed show that public considerations enter into the application for this grant to temporarily appropriate a public street for railroad uses, and I am of the opinion that this application, because it constitutes an exception, born of necessity and public convenience, to the general rule, may properly and legally be granted by your Honorable Board."

In accordance with such information, I have prepared a form of resolution granting the permission applied for by the Long Island Railroad Company. In this form of resolution I have inserted the usual provisions generally contained in resolutions granting revocable consents, and have made the term of the same a period of one year from the date of its approval by the Mayor, which will probably carry such consent to within a short period of January 1, 1910. It being the policy of the Board to require a charge for all privileges to use the streets, and the minimum charge for such privileges being fixed at the sum of one hundred dollars (\$100) per year, this resolution provides that the company shall pay to the City the sum of one hundred dollars (\$100), as the said privilege will be for a period of one year. I have

also provided for a security deposit of two hundred and fifty dollars (\$250), in order that if the company fails to remove its track, restore the street surface or do any other acts required by the consent, the City may be in a position to do the same, and to collect the costs thereof, without any unnecessary delay caused by legal proceedings.

I am transmitting herewith the usual form of resolution for adoption.

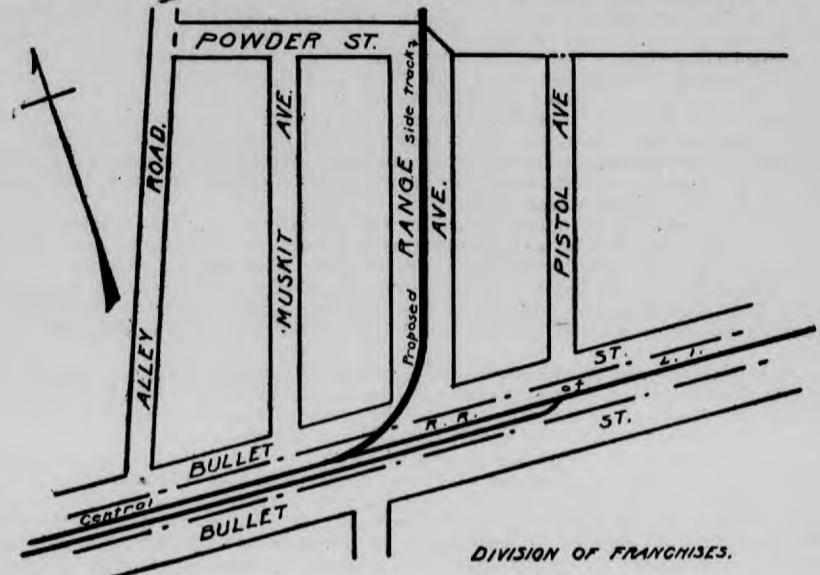
Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Plan of
PROPOSED SIDE TRACK
AT Range Ave.
Borough of Queens, N.Y.
LONG ISLAND RAILROAD COMPANY, Applicant.

Scale, 1"=400'

Dated Dec. 15, 1908.



The following was offered:

Whereas, The Long Island Railroad Company has presented an application, dated November 16, 1908, to the Board of Estimate and Apportionment of The City of New York for its consent to the construction, maintenance and operation by said railroad company of a temporary side-track or switch in, upon and along Range avenue, so-called, in that section of the Third Ward of the Borough of Queens commonly known as Creedmoor, from its tracks and right-of-way as at present located along Bullet street, through, along and upon said Bullet street from a point between Muskit avenue and Range avenue, by a curve to said Range avenue, and thence through, along and upon said Range avenue from said Bullet street to and across Powder street, and to and into the State Hospital grounds (placed under the jurisdiction of the Board of Managers of the Long Island State Hospital and the State Commission in Lunacy, to be used as a site for the Long Island State Hospital, by chapter 473 of the Laws of 1908), a distance of approximately nine hundred (900) feet, for the more convenient and expeditious handling of building material and other freight; between the railroad station, as now located, and the said State lands at Creedmoor, in connection with the construction of hospital buildings thereon; now therefore be it

Resolved, That the consent of the Corporation of The City of New York be and the same is hereby given to the Long Island Railroad Company to construct, maintain and operate a temporary side-track or switch, commencing at and connecting with a track on the right-of-way of the company on Bullet street, between Range avenue and Muskit avenue, near said Muskit avenue, in the section of the Third Ward of the Borough of Queens commonly known as Creedmoor; thence on a curve from said point through, along and upon said Bullet street to Range avenue; thence through, along and upon Range avenue, across and upon Powder street, to the State Hospital grounds placed under the jurisdiction of the Board of Managers of the Long Island State Hospital and the State Commission in Lunacy by chapter 473 of the Laws of 1908; the said temporary side-track or switch to be used for the purpose of transporting building material and other freight necessary for the construction of the hospital buildings on the State lands at Creedmoor between the said railroad and the said State Hospital lands, and for no other purpose, all as shown on the plan accompanying the application, entitled:

"Plan showing location of proposed temporary side-track or switch to be constructed in Range avenue, so-called, in the Third Ward, Borough of Queens, to accompany application of the Long Island Railroad Company, dated November 16, 1908, to the Board of Estimate and Apportionment, City of New York,"

—signed by the President of the Company, and dated December 15, 1908, annexed hereto and made a part hereof, upon the following terms and conditions:

1. Said consent shall be for a term not exceeding one year from the date of the approval of this resolution by the Mayor, provided, however, that the same shall be revocable by the Board of Estimate and Apportionment upon sixty (60) days' notice in writing to the Long Island Railroad Company, its successors or assigns, and thereupon all the rights of the said company in and upon the streets and avenues on which the said temporary side-track or switch shall be laid shall cease and determine.

2. The Long Island Railroad Company, its successors or assigns, shall pay into the treasury of The City of New York as compensation for the privilege hereby granted, the sum of one hundred dollars (\$100); such sum shall be paid within thirty (30) days after the approval of this consent by the Mayor.

3. Upon the revocation or termination by limitation of this consent the said grantee, its successors or assigns, shall at its own cost, cause the temporary side-track or switch herein authorized to be removed, and all those portions of Bullet street, Range avenue and Powder street affected by the construction of the same under this permission to be restored to their proper and original condition, under the supervision of the President of the Borough of Queens. If the company shall fail to remove the said temporary side-track or switch, or shall fail to restore the surface of the streets upon its removal, the said temporary side-track or switch shall be removed and the surface of the streets restored by the President of the Borough of Queens at the expense of the Company, the cost of the same to be deducted from the security fund hereinafter provided for.

4. The consent hereby given shall not be assigned either in whole or in part, or leased or sublet in any manner, nor shall title thereto, or right, interest or property therein pass to or vest in any other person, firm or corporation whatsoever, either by the acts of the said grantee, its successors or assigns, or by operation of law, without the consent in writing of The City of New York, acting by the Board of Estimate and Apportionment, or its successors in authority, evidenced by an instrument under seal, anything herein contained to the contrary thereof in any wise notwithstanding, and the granting, giving or waiving of any one of such consents shall not render unnecessary any subsequent consent or consents.

5. The Long Island Railroad Company, in the operation of cars over the temporary sidetrack or switch hereby authorized, shall not run more than five (5) cars in any one train, exclusive of the motor car or engine, over said temporary sidetrack or switch, and the said company shall not permit any car to remain standing, or to be loaded or unloaded within the limits of any street; the speed of any such trains of cars shall not exceed six (6) miles per hour.

6. The temporary sidetrack or switch constructed under this consent shall be maintained solely for the purpose of the transportation of building material and other freight between the railroad station as now located and the State Hospital lands at Creedmoor, to be used in the construction of hospitals and other necessary buildings upon said lands, and for no other purpose, and especially for no purpose in connection with passenger or general freight traffic as commonly understood.

7. Such temporary sidetrack or switch shall be constructed and maintained in the latest improved manner of street railroad construction, and solely upon the terms and according to the lines and surveys of the character of the rails and other parts of the construction approved by the President of the Borough of Queens; such temporary side track or switch of said company shall be maintained in good and safe condition throughout the term of this consent.

8. Such railroad tracks shall be constructed and maintained subject to the supervision and control of the Board of Estimate and Apportionment, and all of the authorities of The City of New York having jurisdiction in such matters under the Charter of The City of New York, and subject to all laws or ordinances now in force or which shall or may be hereafter enacted.

9. The Long Island Railroad Company shall keep in permanent repair the pavement between the tracks of the said temporary side-track or switch, and for two feet on each side of the said tracks, under the supervision of the local authorities, and in such manner as they may prescribe. Should The City of New York change the material or character of the pavement on any street on which the said temporary sidetrack or switch is constructed, then the said company, upon the removal of its tracks, shall restore the pavement disturbed thereby with such new material, so as to conform with the other pavement on such street, at its own expense.

10. The said company shall at all times keep the street pavement between 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, and shall remove the same without brushing it outside the rails.

11. Said company shall be liable for all damages to persons or property, and to the streets and sewers therein, by reason of the construction, maintenance and use of said railroad track, and it is a condition of this consent that The City of New York assumes no liability to either persons or property on account thereof.

12. The said company shall commence and complete the construction of the temporary side-track or switch connection under this consent within thirty (30) days from the date of approval of the same by the Mayor, otherwise this consent shall be forfeited forthwith, and without any proceedings either at law or otherwise for that purpose, provided, however, that the time for the construction of said track may be extended by the Board of Estimate and Apportionment for a period not exceeding thirty (30) days.

13. This consent is upon the express condition that the Company, within thirty (30) days after its approval 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 two hundred and fifty dollars (\$250), either in money or securities, to be approved by him, which fund shall be security for the performance of the terms and conditions of this consent, and all penalties collectible from this fund shall be in addition to those now provided by law or ordinance; in case of default in the performance by said Company of any of the terms and conditions, The City of New York shall have the right after due notice where it deems advisable, to cause the work to be done and the materials to be furnished for the performance thereof, and shall collect the reasonable cost thereof from the said fund without legal proceedings, or after default in the payment of the annual charges shall collect the same with interest from such fund, after ten (10) days' notice in writing to the said Company. In case of any draft so made upon any security fund, the said Company shall upon thirty (30) days' notice in writing, pay to the Comptroller of The City of New York a sum of money sufficient to restore the said fund to the original amount of two hundred and fifty dollars (\$250), and in default thereof the consent hereby given may be cancelled and annulled by the Board of Estimate and Apportionment, acting on behalf of the City. No action or proceedings or rights under the provisions of this section shall affect any other legal rights, remedies or causes of action belonging to The City of New York.

14. The compensation herein reserved shall commence from the date of the approval of this resolution by the Mayor. It is agreed that any and all payments to be made by the terms of this consent to The City of New York by the Company shall not be considered in any manner in the nature of a tax, but that such payment 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 of New York, or by any law of the State of New York.

15. The Long Island Railroad Company shall give notice to the President of the Borough of Queens, in writing, of its intention to begin construction of the work hereby authorized at least forty-eight hours before such construction commences. The grantee shall also give to the Board of Estimate and Apportionment notice, in writing, of the date on which the work is commenced, and also the date on which the same is completed, not later than ten (10) days after such dates.

16. 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 or avenues in which the Company is authorized to lay a temporary side-track or switch by this consent.

17. This consent shall not become operative until said Company shall duly execute under its corporate seal an instrument in writing wherein said Company shall promise, covenant and agree on its part and behalf to conform to and abide by and perform all the terms and conditions and requirements in this consent fixed and contained and file the same with the Board of Estimate and Apportionment of The City of New York within thirty (30) days after the approval of this consent by the Mayor, and the said Company shall promise, covenant and agree in said instrument to hold The City of New York harmless from all damages to persons or property which may

result from the construction, use, maintenance or operation of the temporary side-track or switch hereby authorized.

Which was adopted by the following vote:

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

Nassau Electric Railroad Company.

In the matter of the application of the Nassau Electric Railroad Company for a franchise to construct, maintain and operate four extensions to its existing street surface railway in the Borough of Brooklyn.

At the meeting of April 3, 1908, by resolution duly adopted, the Brooklyn Grade Crossing Commission was requested to furnish a plan and profile showing the necessary change of grade of the tracks of the Sea Beach Railway Company at Sixth, Seventh and Eighth avenues, to allow the construction of bridges at these points above the grade of such tracks, and to report whether an agreement could be reached with the Brooklyn Heights Railroad Company, whereby said company would pay the cost of the construction of bridges across the tracks of the Sea Beach Railway Company at Eighth avenue, and whether a bridge at Eighth avenue, across the tracks of the Long Island Railroad Company would be constructed by said Commission if constructed at the expense of the Brooklyn Heights Railroad Company, and also as to the length of time necessary to complete such construction.

The Secretary presented the following:

BROOKLYN GRADE CROSSING COMMISSION,
No. 44 COURT STREET, BOROUGH OF BROOKLYN,
NEW YORK, December 9, 1908.

Mr. JOSEPH HAAG, Secretary, Board of Estimate and Apportionment, No. 277 Broadway, New York City:

DEAR SIR—Under separate cover, I herewith transmit to you under a resolution of the Brooklyn Grade Crossing Commission, the plan, as requested in your communication to this Board of April 3, 1908, and also a copy of letters from Mr. Winter, President, and Mr. Menden, Chief Engineer of the Brooklyn Heights Railroad Company, in relation to the above matter.

Yours very respectfully,
JOHN S. GRIFFITH, Secretary.

THE BROOKLYN HEIGHTS RAILROAD COMPANY,
No. 85 CLINTON STREET, BROOKLYN, N. Y.,
December 3, 1908.

Brooklyn Grade Crossing Commission, No. 44 Court Street, City:

DEAR SIRS—In accordance with the request of the Board of Estimate our Engineer, Mr. W. S. Menden, has consulted with Mr. Morris, the engineer of the Long Island, with relation to possible change of grade of the line of the Sea Beach Railroad across Sixth, Seventh and Eighth avenues, and sketches of such possible change of grade have been submitted to you. The Board of Estimate also asked for an expression of opinion from the Brooklyn Heights Railroad Company as to the construction of a bridge over Eighth avenue, carrying that avenue over the railroad tracks.

Neither the Sea Beach Company nor the Brooklyn Heights Railroad Company is now in a position to express any opinion as to the desirability of constructing such bridge, for the reason that it is now uncertain whether the Sea Beach Railroad from Third avenue to New Utrecht avenue should be developed as a trolley road or as part of the elevated car system. If the growth of the locality demands that this should become a surface trolley road, then the Sea Beach tracks ought to intersect Sixth, Seventh and Eighth avenues at grade. While if it is to become a part of the elevated car system, the Sea Beach line ought to cross those avenues below grade. Until the public authorities are in a position to authorize the development of the trolley system in that neighborhood under conditions which can be met by the company, it is impossible to say which form of development ought to take place.

Yours truly,
E. W. WINTER, President.

Which was referred to the Chief Engineer.

New York and North Shore Traction Company.

A communication, dated December 8, 1908, was received from the Mayor's office, stating that his Honor the Mayor has designated the "Flushing Evening Journal" and the "Long Island City Daily Star" as the two daily newspapers in which the form of contract for the grant of a franchise to the New York and North Shore Traction Company shall be published previous to the final hearing on January 8, 1909.

Which was ordered filed.

Union Railway Company of New York City.

A communication was received from the Kingsbridge Heights Association in favor of the application of the Union Railway Company of New York City, for a franchise to construct, maintain and operate a branch or extension to its existing railway, connecting with the tracks of the company at the intersection of Bailey avenue and West Two Hundred and Thirtieth street, upon and along West Two Hundred and Thirtieth street to and connecting with the tracks of the company on Broadway, Borough of The Bronx, and requesting the Board to take the matter of granting the franchise under early consideration, in order that the Kingsbridge and Broadway lines may be joined and made one continuous route.

Which was referred to the Chief Engineer.

Long Island Railroad Company.

A communication was received from the General Solicitor of the Long Island Railroad Company, transmitting certified copy of Order No. 853 of the Public Service Commission, approving of the relocation of that part of the main line of the Long Island Railroad Company between a point about 400 feet west of Ascan avenue and a point about 700 feet east of Lefferts avenue, Borough of Queens.

This certificate was furnished in accordance with Section II. of the contract, consenting to the change of line.

The communication was ordered filed.

Proposed Amendment to Charter and Rapid Transit Law.

In the matter of the communication from the Chairman of the New York Charter Commission, appointed pursuant to chapter 114 of the Laws of 1908.

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

At the meeting of December 11, 1908, a report was received from the Engineer in charge of the Division of Franchises to the Chief Engineer, in answer to the aforesaid communication, making certain recommendations and suggestions in regard to the time limitations of franchises, contracts and leases to railroads and other public utility corporations, made pursuant to the said Charter and the Rapid Transit Law, and proposing certain amendments thereto, and the consideration of said report was made a special order for this day.

The Secretary presented the following:

REPORT No. 77.

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER,
December 15, 1908.

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

SIR—At the meeting of the Board of Estimate and Apportionment held on October 16, 1908, there was referred to the Chief Engineer a communication from Mr. William M. Ivins, Chairman of the New York Charter Commission, requesting the Board of Estimate and Apportionment to express its opinion upon two matters relating to the franchise policy of the City. This communication was referred to the Engineer in charge of the Division of Franchises, with a request that he submit a report showing clearly what are the Charter provisions and other laws governing the granting of franchises at the present time, how these laws have operated, with reasons to justify any proposed recommendations for changes. This report was submitted to the Board at the last meeting, and was ordered placed upon the calendar of December 18, copies of it to be sent to the members of the Board, in order that it might be discussed.

This report, which is quite long, contains a review of the present laws, arranged in convenient form, and will indicate precisely what kinds of franchises the City can now grant and for what periods. If the Board concurs in these suggestions concerning certain modifications of the existing law, I would recommend that a copy of the report be sent to the Chairman of the New York Charter Commission.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY,
December 17, 1908.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—At the meeting of the Board of Estimate and Apportionment held last Friday you presented a report from this Division, which was in answer to two questions which had been submitted by the Chairman of the New York Charter Commission to the Board of Estimate and Apportionment, requesting its views in regard to the time limitation of franchises, contracts and leases to railroads and other public utility corporations made pursuant to the City Charter and the Rapid Transit Law.

In this report an effort was made to classify and summarize the provisions of section 73 of the Charter and of the Rapid Transit Law, as it was necessary to make an interpretation of both of these acts before conclusions could be drawn to submit to the Board.

The report was presented, ordered printed in the minutes and in pamphlet form, and copies sent to the members, and the consideration of the report was made a special order for Friday, December 18. I submitted a copy of the report to Mr. William M. Ivins, Chairman of the New York Charter Commission, with a request that he examine our interpretation of the two laws and the classification and summary which we had set forth, and upon which we had based our conclusions and recommendations, with the idea that the study which he had given the matter would enable him to point out any inaccuracies which had been made in our interpretation.

I also submitted the report to three lawyers, who have had more or less to do with the working of the Rapid Transit Law, both as representing the government and grantees under the act, with a similar request to that made to Mr. Ivins.

They have all favored me informally with their opinions, and certain errors, typographical and otherwise, have been found, as well as one conclusion of law which was unwarranted. Mr. Ivins has stated to me verbally that the provisions of section 73 authorizing the Board of Estimate and Apportionment to grant franchises to tunnel railroads for a period not exceeding fifty years, with renewals not exceeding in the aggregate twenty-five years, under the condition that at least three per centum of the net profits shall be paid to the City after the Company has earned five per centum upon the sum expended to construct the tunnel, is not now operative, because, as he claims, all tunnel railroads are provided for by the Rapid Transit Act, and it is specifically provided in section 73 of the Charter that its provisions shall not apply to franchises of any character described in the Rapid Transit Law. It may be that the authority for granting franchises to tunnel railroads under section 73 of the Charter by the Board of Estimate and Apportionment is inoperative, as is stated as a conclusion of law by Mr. Ivins, but I cannot believe that the description of tunnel railroads given in the Rapid Transit Law can apply to every conceivable tunnel railroad that may be proposed in The City of New York, but it seems only to apply to "railroads from an adjoining State under the North or Hudson or Harlem rivers to a terminus within the City, or under the North or Hudson River, and thence transversely across and under the surface of the Borough of Manhattan, and thence under the East River by the shortest practical route; such railroad or railroads to be connected with some trunk line railroad or railroads whose terminus or termini are in this or an adjoining State, thereby forming a continuous line for the carriage of passengers and property between a point or points without such adjoining State and a point or points within the City, also to railroads connecting existing railroads, extensions to existing railroads, and for additional tracks."

This, I believe, is shown very clearly in the analysis of sections 32 and 32a of the Rapid Transit Law, as set forth in the report, which has not been criticised by any of the gentlemen above referred to.

It may have been the intention of the framers of the amendment of 1905 that all so-called tunnel railroads should be covered by the Rapid Transit Law, but it seems to me that they failed when they did not eliminate entirely that part of section 73 referred to above, and which Mr. Ivins now claims is meaningless. If our contention is correct that all possible tunnel or underground railroads are not described in the Rapid Transit Law, then I would suggest that the Charter provide for grants by the Board of Estimate and Apportionment to such other roads, and limit the term of grant to an original term of fifty years, with two renewals not exceeding in the aggregate twenty-five years each, upon revaluation.

If it is determined that all possible tunnel or underground railroads are described in the Rapid Transit Law, and are all rapid transit railroads, or if that law shall be so amended to include all possible tunnel or underground railroads, then no reference should be made to the same in the Charter, and the powers of the Board of Estimate and Apportionment will be that of approving any certificate which may be issued by the Public Service Commission.

The statement made in the report of this Division that section 71 of the Charter, declaring the streets of the City inalienable, applies to grants made under the Rapid Transit Law was criticised.

In this connection attention was called to the fact that section 73 of the Charter provides that nothing "in this section or in this title contained" shall apply to grants made pursuant to the Rapid Transit Act. In consequence the so-called perpetual grant, as provided for in section 32 of the Rapid Transit Act, is not inconsistent with the Charter provisions. This is undoubtedly so, but I beg to call the attention of the Board to the fact that this exemption of grants under the Rapid Transit Act was only inserted in 1905 by chapter 629 of the laws of that year, which was the law under which the power of granting franchises was taken from the Board of Aldermen and placed in the Board of Estimate and Apportionment, and thereby the principle laid down by the New York Charter Commission, and adopted by the Legislature in the original Charter of the Greater City, which was intended to apply to all streets of the City, was made inapplicable to streets affected by franchises granted pursuant to section 32 of the Rapid Transit Law. Prior to this time it would seem that section 32 of the Rapid Transit Law was inconsistent with the Charter and inoperative.

I would suggest that section 73 be amended so as to prohibit the granting of perpetual franchises, including any grants made under the Rapid Transit Law, so that the original intent of the Charter Commissioners will be carried out.

My attention has also been called to the statement in the report that section 32a was added by an amendment in the year 1906. It is pointed out that a portion of section 32a was formerly incorporated in section 32, and was an old provision. However, this same amendment to the Rapid Transit Law as made in the year 1906 repeals section 65, which provided that no railroad should be constructed or operated upon the surface of any street pursuant to the Rapid Transit Law, with the exception of bridges and viaducts, or any street approaches thereto. With the omission of sec-

tion 65, the application of section 32a would seem to be broader and might cover railroads built upon the surface of streets.

It has also been claimed that section 32a of the Rapid Transit Law is not in conflict with sections 73 and 242 of the Charter, as concurrent power is given by these sections to the Board of Estimate and Apportionment and the Public Service Commission. It is true that such is the case, but I do not think it advisable, as I believe that the powers of the Rapid Transit Board and its successor, the Public Service Commission, should be limited by the statute and apply only to rapid transit railroads, as was originally intended.

There has also been a difference of opinion expressed upon the question of the revision to the City without cost of plant and property, as described in section 73 of the Charter, but the Law Department has already stated that this question was not free from doubt, and we have recommended that the section be further amended.

The typographical errors in the report are: First, under the heading "Rapid Transit Law—B" it is stated that section 32a was added to the Rapid Transit Law by chapter 472 of the Laws of 1906; this should read of the Laws of 1905. Second, under the heading "City's Experience in Making Limited Grants," subheading "Rapid Transit Railroads Constructed by the City," eighth and ninth paragraphs, the words "Public Service Commission" and "Commission" should read "Board of Rapid Transit Commissioners" and "The Board," respectively. These typographical errors have been corrected in the report as it appears in the minutes.

I have therefore only two amendments to offer to the proposed resolutions, and both refer to section 73 of the Charter.

First—Add after heading "As to Section 73 of the Charter, First (a)," the following:

"In any event, authority should be given to the Board of Estimate and Apportionment by the Charter to grant franchises for tunnel railroads other than those described in the Rapid Transit Act."

Second—Add after same heading the following:

"Fifth—This section should be amended so that the principle laid down by the Legislature and expressed in section 71 of the Charter shall apply to all grants of a public character, whether made pursuant to the Charter or the Rapid Transit Law."

Attached thereto will be found proposed resolution carrying out the recommendations suggested.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

PROPOSED RESOLUTIONS.

Whereas, At the meeting of October 16, 1908, a communication was received from the Chairman of the New York Charter Commission wherein questions were addressed to this Board as follows:

First—"Should the provision with regard to tunnel roads providing for the grant of perpetual franchises be repealed?"

Second—"Should the term of other grants be for a longer period than now provided by the Charter and Rapid Transit Law, and, if so, for what period?"

—which communication was referred to the Chief Engineer; and

Whereas, At the meeting of December 11, 1908, a report was received from the Engineer in charge of the Division of Franchises to the Chief Engineer with regard to the time limitation of franchises, contracts and leases to railroads and other public utility corporations, made pursuant to the City Charter and the Rapid Transit Law, together with proposed amendments thereto; and

Whereas, The consideration of the suggestions and recommendations contained in said report was made a special order for the meeting of this Board on December 18, 1908; and

Whereas, After due consideration, this Board approves the suggestions and recommendations contained in the aforesaid report; now therefore be it

Resolved, That the New York Charter Commission be and it is hereby advised as follows:

Authority should be vested in the Public Service Commission to issue certificates, subject to the approval of the Board of Estimate and Apportionment, to railroads described in section 32 of the Rapid Transit Act for a longer term than that now specified in either the Rapid Transit Law or the City Charter.

In view of the fact that such railroads will be used merely as connections between trunk line railroads, whose franchises do not appear to be limited as to time, there are sufficient grounds for the granting of a long term franchise. The term should in any event be sufficient to enable the companies to see their way clear to finance the proposition in providing for a sinking fund to cover the cost of the road, together with operating charges and a fair rate of interest on the money actually invested. As there may be a decided difference of opinion as to what can or cannot be financed, the term should be sufficiently long to permit of a fair latitude to the Public Service Commission to fix terms and conditions as the circumstances may at the time require, taking into consideration the purpose for which the railroad is to be used.

As to Section 73 of the Charter.

First—

(a) The tunnel railroads referred to should be more definitely defined, so as not to conflict with those specifically defined in the Rapid Transit Law, and terms of grant increased from fifty years original term and one renewal of twenty-five years to fifty years original term with two renewal terms not exceeding twenty-five years each.

In any event authority should be given to the Board of Estimate and Apportionment by the Charter to grant franchises for tunnel railroads other than those described in the Rapid Transit Act.

(b) The provision as to compensation should be changed from the basis of percentage of the net receipts to the basis of percentage of the gross receipts.

Second—The provision in regard to the terms of grants to general utility corporations appears to be satisfactory, and, therefore, needs no change.

Third—

(a) The provision in regard to leases of the property in the street and plant and appurtenances where the same reverts to the City without compensation at the end of the grant does not appear to need any change.

(b) The provision in regard to leases of property where the same in the streets reverts to the City without cost and the plant and appurtenances are purchased by the City at the end of grant should be made more definite, and the maximum term of such leases fixed at ten years original term with one ten-year renewal.

Fourth—The provision in regard to the property in the streets reverting to the City without cost and the purchasing of the plant and appurtenances not within the streets should be made more clear.

Fifth—This section should be amended so that the principle laid down by the Legislature and expressed in section 71 of the Charter shall apply to all grants of a public character, whether made pursuant to the Charter or the Rapid Transit Law.

As to Section 242 of the Charter.

This section should be amended so as to authorize the Board to grant what are known as revocable consents for periods not exceeding ten years.

As to Section 32 of the Rapid Transit Law.

The provision which apparently gives permission to grant franchises in perpetuity should be repealed, and authority be given to the Public Service Commission, as successor to the former Board of Rapid Transit Railroad Commissioners, upon approval of the Board of Estimate and Apportionment, to make the grant described in this section for a term not exceeding two hundred years, with provision for readjustment of compensation at intervals not exceeding twenty-five years each.

As to Section 32A of the Rapid Transit Law.

First—This section should be redrawn so as to remove the apparent conflicting authority of the Public Service Commission and the Board of Estimate and Apportionment in this section and sections 73 and 242 of the Charter.

Second—If this section is redrawn to apply only to what are commonly known as rapid transit railroads, then it should also provide that such railroads shall not be constructed upon the surface of any street.

Third—If the section should be redrawn to apply to rapid transit railroads which shall be constructed above or below the surface of the streets, then it appears that the maximum term of grant prescribed is not sufficient and should be increased in order to give the Public Service Commission sufficient discretion in fixing the term of grant for such franchises.

As to Sections 34, 34A and 34B of the Rapid Transit Law.

First—The provision which limits the term of contract for the construction, equipment and operation, where the contractor furnishes the equipment at his expense, to twenty years, with a renewal of twenty years, should be changed to give the Public Service Commission the privilege of fixing such limits within a period of fifty years original term and one twenty-five-year renewal term.

Second—The provision in regard to the maximum term of lease of rapid transit railroads constructed and equipped at the expense of the City should be changed from the maximum of ten-year original term, with one ten-year renewal, to give the Public Service Commission the discretion in fixing such terms within a maximum of ten-year original term and two ten-year renewal terms.

As to Section 34F of the Rapid Transit Law.

There seems to be no objection to the maximum term of grant fixed by this section.

As to Section 38A of the Rapid Transit Law.

This section should be repealed, as it appears to be obsolete, but if the same is not repealed some limitation should be placed on the term of grant therein provided for; and be it further

Resolved, That the Secretary of this Board be and he hereby is directed to forward a copy of the report herein mentioned and a copy of these resolutions to the Chairman of the New York Charter Commission.

The Presidents of the Boroughs of Manhattan and Brooklyn stated they had not time to examine the report, and consideration was postponed until the meeting of January 8, 1909.

The following matters not on the calendar for this day were considered by unanimous consent:

New York and North Shore Traction Company.

The Secretary presented the following:

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY,
December 14, 1908.

Mr. NELSON P. LEWIS, *Chief Engineer:*

SIR—The New York and North Shore Traction Company has presented a petition, dated December 16, 1908, signed by James A. MacElhinny, Secretary, for a franchise to construct, maintain and operate a street surface railway from Flushing to Whitestone, Borough of Queens.

The petition states that, as it will be necessary to acquire a right of way over private property between Bayside avenue and Higgins lane, the company has, in its description of route, set forth alternative routes in that locality, intending, before a contract is made with the City, to have a definite route agreed upon.

The communication transmitting the petition states the application for a franchise is made to the Board, not for the purpose of competing for a franchise with the New York and Queens County Railway Company, which has sought a franchise for virtually the same route, but only after a positive statement from that company that the Board could consider its application withdrawn. In confirmation of this statement, I have received a communication, dated December 15, 1908, signed Alfred A. Gardner, General Solicitor, in reply to an inquiry, which reads as follows:

"Answering your letter of December 11 in regard to the Whitestone and Bayside extensions of the New York and Queens County Railway Company, the company is not prepared to commit itself to construct these extensions at the present time, and you may consider this letter a formal notification that the applications may be withdrawn."

While no formal action has been taken by the Board on this communication, it appears as though the New York and Queens County Railway Company did not contemplate pursuing further its application for a franchise, and, as you know the urgent demand and necessity that exist for the construction of such a railway, from the various communications received by the Board relative thereto, I would recommend that the Board fix January 22, 1909, as the date for a preliminary public hearing on the petition of the New York and North Shore Traction Company, and that his Honor the Mayor be requested to designate the newspapers in which notice of such hearing shall be published, pursuant to law. A resolution to this effect is transmitted herewith.

Respectfully,

HARRY P. NICHOLS, *Engineer in Charge.*

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

The petition of the New York and North Shore Traction Company respectfully shows:

First—That your petitioner is a street surface railroad corporation, duly organized and existing under the Laws of the State of New York and now operating a street surface railroad in the County of Nassau, State of New York, running from Mineola to Port Washington (10 miles) and Mineola to Hicksville (6 miles).

Second—That your petitioner has received from the local authorities of Nassau County, New York, a franchise to build and operate a street surface railroad, as an extension of its existing line, on and along the North Hempstead turnpike, from Roslyn to the New York City line at Little Neck in Queens Borough.

Third—That your petitioner has now pending before your Honorable Board an application for consent to build and operate its railroad from the New York City line, in Little Neck, through Douglaston and Bayside into Flushing.

Fourth—That your petitioner proposes to further extend its proposed railway from a point on its route from the City line to Flushing, so that its railway shall be built and operated into Whitestone, all in Queens Borough, as hereinafter set forth in detail; and as in said extension to Whitestone it is necessary to acquire a right of way over private property between Bayside avenue and Higgins lane, your petitioner has, in its description of route, set forth alternative routes in that locality, intending before contract is made with the City, to have a definite route agreed upon.

Fifth—That for the purpose of operating such branch or extension into Whitestone in Queens Borough, New York City, New York, your petitioner desires to obtain from your Honorable Board and hereby respectfully applies for its consent to and a grant of the right, privilege and franchise for the construction, maintenance and operation of a double track street surface railway for public use in the conveyance of persons and property in cars for compensation, in, upon, along and over the surface of certain streets, avenues, highways, bridges, public places and private property in the Borough of Queens, New York City, of which the following is a description:

Beginning at the intersection of Chestnut street and Murray lane, on the proposed route of petitioner running from Little Neck to Flushing; thence northerly upon and along Murray lane to Higgins lane; thence easterly upon and along Higgins lane to a point where Ninth avenue, if extended, would intersect said Higgins lane; thence northerly through private property along the line of Ninth avenue to Fourth street; thence westerly upon and along Fourth street to Eighth avenue; thence northerly upon and along Eighth avenue to Twenty-first street; thence easterly upon and along Twenty-first street to Eleventh avenue; thence northerly upon and along Eleventh avenue to a point about 300 feet north of the north side line of the Boulevard, in the former Village of Whitestone, Borough of Queens.

Also, as an alternative route, beginning at the intersection of said Chestnut street and Van Riper avenue; thence northerly upon and along Van Riper avenue to and across Bayside avenue; thence northerly through private property to Higgins lane, at a point thereon within three hundred feet west of Seventh avenue; thence easterly along and upon Higgins lane from said point to Seventh avenue; thence northerly upon and along Seventh avenue to Fourth street; thence easterly upon and along Fourth street to Eighth avenue; thence northerly upon and along Eighth avenue as hereinafter set forth.

Also, as an alternative route, beginning at the intersection of said Chestnut street and Brewster's avenue, running thence northerly upon and along Brewster's avenue to and across Bayside avenue; thence northerly upon and along private property to Higgins lane at a point thereon within 1,500 feet west of Seventh avenue; thence easterly upon and along Higgins lane from such point to Seventh avenue; thence northerly upon and along Seventh avenue to Fourth street; thence easterly upon and along Fourth street to Eighth avenue; thence northerly upon and along Eighth avenue as hereinbefore set forth.

Sixth—That said corporation proposes to operate said extension or branch by the overhead system of electricity, substantially similar to that now in use on its existing railroad running from Mineola to Port Washington, Nassau County, New York.

Wherefore your petitioner prays that public notice hereof and of the time and place where this application will first be considered, be given as required by law, and that the desired consent be granted in accordance with the provisions of the Greater New York Charter.

Dated December 16, 1908.

THE NEW YORK AND NORTH SHORE TRACTION COMPANY,
[SEAL.]

By JAMES A. MACELHINNY, Secretary.

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

James A. MacElhinny, being duly sworn, says that he is the Secretary of the New York and North Shore Traction Company, the petitioner named in the foregoing petition; that he has read the foregoing petition and knows the contents thereof; that the same is true of his own knowledge except as to the matters therein stated to be alleged on information and belief, and as to those matters he believes it to be true.

JAMES A. MACELHINNY.

Sworn to before me this 17th day of December, 1908.

E. M. CARROLL, Notary Public, New York County.

The following was offered:

Whereas, The foregoing petition from The New York and North Shore Traction Company, dated December 16, 1908, was presented to the Board of Estimate and Apportionment at a meeting held December 18, 1908.

Resolved, That, in pursuance of law, this Board sets Friday, the 22d day of January, 1909, at 10:30 o'clock in the forenoon, and Room 16 in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered, and a public hearing be had thereon, at which citizens shall be entitled to appear and be heard; and be it further

Resolved, That the Secretary is directed to cause such petition and these resolutions to be published for at least fourteen (14) days in two daily newspapers in The City of New York, to be designated by the Mayor, and for at least ten (10) days in the CITY RECORD immediately prior to such date of public hearing. The expense of such publication to be borne by the petitioner.

Which was adopted by the following vote:

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

The petition was then referred to the Chief Engineer.

Long Island Railroad Company, for Itself and as Lessee of the New York, Brooklyn and Manhattan Beach Railway Company.

In the matter of the application of the Long Island Railroad Company, for itself and as lessee of the New York, Brooklyn and Manhattan Beach Railway Company, requesting certain amendments to the agreement with respect to a relocation and change of grade in the tracks of the Manhattan Beach Division of the first named company, which was authorized by resolution adopted by this Board June 7, 1907, and which petition was, at the meeting of January 24, 1908, referred to the Chief Engineer.

At the meeting of March 6, 1908, the matter of the establishment of a freight yard by the Long Island Railroad Company at Avenue I and East Sixteenth and East Seventeenth streets, was referred to a Select Committee consisting of the Comptroller, the President of the Board of Aldermen and the President of the Borough of Brooklyn, at the conclusion of a public hearing on a petition received from the Flatbush Board of Trade protesting against such construction.

The Secretary presented the following:

December 15, 1908.

The Honorable the Board of Estimate and Apportionment:

GENTLEMEN—At the meeting of the Board of March 6, 1908, certain protests against the location of a proposed storage or freight yard at Manhattan Beach Junction, as provided in the plans of the Brooklyn Grade Crossing Commission, were referred to this Committee for a determination as to the several questions raised in such protests.

This storage or freight yard is required by the Long Island Railroad Company, lessees of the Manhattan Beach Division of the New York, Brooklyn and Manhattan Beach R. R. Company, in connection with the operation of their line in conjunction with the Brighton Beach line, and the yard proposed occupies a triangular area east of the tracks of the Brighton Beach road above Avenue J, extending to the east and west bound depressed tracks of the Long Island Railroad Company, and at this northern boundary terminating near East Eighteenth street.

It appears from investigation of this matter that such additional tracks will be necessary to afford proper facilities for operation, storage and the handling of freight, no other yard being available in the neighborhood, and much of the work of grading and improvement having already progressed in this location. For the purpose of affording the railroad company these facilities and at the same time reducing the objection which the neighboring property owners have raised as to the view of the cars or tracks in the yard, it has been proposed that along the entire easterly boundary of the proposed freight yard for a distance of about 1,300 feet, extending from the north side of Avenue J to the west side of East Eighteenth street, a barrier or screen of closely planted and ornamental trees and shrubbery be provided and maintained by the railroad company in a manner satisfactory to the President of the Borough of Brooklyn, and your Committee submits herewith the following paragraph, with the recommendation that it be inserted in the amendment to the agreement of June 7, 1907, which is now in the hands of the Chief Engineer of the Board on a reference of questions other than the freight yard question.

Ninth—That the said Manhattan Beach and Long Island agree, immediately after the execution of this agreement, to plant and maintain at or above the grade of adjoining streets a sufficient barrier of trees and shrubbery on the easterly side of the proposed freight yard or terminal, from the northerly side of Avenue J, and within the lines of the railroad property, to the westerly curb line of East Eighteenth street, said trees and shrubbery to be of such variety and quantity to form a sufficient barrier or screen within the term of three years from the execution of this agreement to serve the purposes intended to the satisfaction of the President of the Borough of Brooklyn, all to be maintained so long as the property so bounded or shown on map of the Brooklyn Grade Crossing Commission, No. 764, dated March 22, 1907, is used for freight or storage purposes by the said parties of the first part and the said parties of the second part, their assignees or assigns.

The property to be protected from a view of the freight yard is almost entirely undeveloped, and it would seem to your Committee that this is the most abundant protection which can be afforded to such property, and that by a parked treatment of a well maintained and ornamental barrier all reasonable objections to this necessary railroad improvement should be satisfied.

In connection with other matters, including the occupation of a 7-foot strip by the foot of the combined embankment of the Brighton Beach and the Long Island Railroad companies, provision for the ceding of the railroad company's title in East Sixteenth street, and provision by which deeds to the City will be held in escrow until the new tracks allow the abandonment of the old right of way, your Committee are in entire agreement, and would indorse the report of the Chief Engineer of the Board, which is fully explanatory of such proposed amendments to the proposed agreement of June, 1907.

We recommend that the agreement as now amended be referred to the Long Island Railroad Company for a final reprint, and herewith recommend its adoption by the Board.

Respectfully,

H. A. METZ, Comptroller, City of New York.
P. F. McGOWAN, President, Board of Aldermen.
BIRD S. COLER, President, Borough of Brooklyn.

REPORT No. F-25.

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER,
December 14, 1908.

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

SIR—On June 7, 1907, the Board of Estimate and Apportionment adopted a resolution approving of a form of agreement to be entered into between The City of New York, the New York, Brooklyn and Manhattan Beach Railway Company and the Long Island Railroad Company, providing for the removal of the tracks of the Long Island Railroad Company between Avenue M and a point south of Emmons avenue, or Neptune avenue, from their present position to a new location immediately adjacent to the tracks of the Brighton Beach line, in accordance with the amended plans of the Brooklyn Grade Crossing Commission. This agreement has never been executed, the Long Island Railroad Company having in a petition presented on January 10, 1908, requested certain amendments in the said agreement. This petition was, on January 24, 1908, referred to the Chief Engineer.

On March 6, 1908, after a public hearing, the protest of the Flatbush Board of Trade against the establishment of a freight yard at or near the crossing of the Manhattan Beach and Brighton Beach lines was also referred to a Committee consisting of the Comptroller, the President of the Board of Aldermen and the President of the Borough of Brooklyn. I understand that the last named Committee has agreed upon certain amendments which are designed to prevent any nuisance which would result from the location of a freight yard at the crossing of these two lines, and your Engineer has consulted with the Committee upon the advisability of agreement to the amendments requested by the Railroad Company. After considerable discussion, it was decided that most of the amendments asked for were reasonable, and I have accordingly prepared amendments to the agreement already approved, but not executed, and with the concurrence of the Committee above referred to, an agreement incorporating such amendments is herewith submitted to the Board in order that if they meet with its approval, the resolution of June 7, 1907, may be rescinded and the new agreement and accompanying resolutions may be adopted.

The amendments referred to are as follows:

Article 3, subdivision C, is amended to read:

"(C) That the slope of the embankment along the westerly side of East Sixteenth street shall not exceed seven (7) feet beyond the westerly line of said street, and a concrete curb preventing further encroachment of the said embankment shall be constructed along and within the said strip of seven feet in width where the said street is open or improved, which curb shall be at least ten (10) inches wide and twenty-four (24) inches deep. No construction of any kind except as above mentioned and the necessary retaining walls at intersecting streets shall extend beyond the westerly line of the said East Sixteenth street. On the westerly side of said curb an iron picket fence at least five feet in height shall be erected at the expense of the Manhattan Beach Company. The above slope, curb and fence to be constructed to the satisfaction of the Borough President before the Brooklyn Grade Crossing Commission finally accepts the work. Additional curb or fences to be constructed or maintained on those portions of the street which may be opened or improved in the future."

Article 4 is amended by the addition of the following:

"The deed to the said premises so to be conveyed by the said Manhattan Beach and the said Long Island Company shall be delivered by them to the Comptroller of The City of New York in escrow, but shall not, however, take effect until the relocation and reconstruction of the tracks of the Manhattan Beach, leased to the Long Island from Avenue M to a point south of Emmons or Neptune avenue, in accordance with the said amended plan and profile hereinbefore mentioned, shall have been completed so that the said railroads can operate their cars over the same, and until such completion the said railroads shall be authorized to continue to occupy the lands occupied by the present right of way which are to be conveyed by them to the City, as hereinabove provided."

Article 5 to be amended to read as follows:

"That the said Manhattan Beach and the said Long Island will give their consent upon demand to the opening by the City of any street, at any time in the future, across the right of way of the Manhattan Beach, between First avenue, at or near Sixty-fifth street, and the boundary line between the Boroughs of Queens and Brooklyn, or its Manhattan Beach Branch Division, between Avenue M and a point south of Neptune avenue, and will convey to the City easement to construct and maintain such streets across the present or proposed right of way, without cost to the City, subject to the right of such railroads to operate over such right of way."

Three new articles, known as seventh, eighth and ninth, are to be added, as follows:

Seventh—That the said Manhattan Beach and the said Long Island will convey to the City as an addition to its existing athletic field (situated between Avenues K and L and the centre line of East Sixteenth street, which street has been closed between such avenues and Seventeenth street) so much of the westerly half of East Sixteenth street between Avenues K and L as extends from its centre to the eastern edge of its western court yard line. Such conveyance to be made as soon as the relocation and construction of the tracks of the said railroads have been completed and cars are operating over the same.

Eighth—That the said Manhattan Beach and the said Long Island will convey or cause to be conveyed to the City title to the bed of East Sixteenth street, as laid down on the City map, from the northerly side of Neck road to the southerly side of Avenue S, from the northerly side of Avenue R to the southerly side of Kings highway, from the northerly side of Locust avenue to the southerly side of Avenue L, and from the northerly side of Avenue K to the southerly side of Avenue J, wherever the bed of said street is owned or controlled by the Manhattan Beach or the Long Island between the points above mentioned.

Ninth—That the said Manhattan Beach and the Long Island agree, immediately after the execution of this agreement, to plant and maintain at or above the grade of adjoining streets a sufficient barrier of trees and shrubbery on the easterly side of the proposed freight yard or terminal, from the northerly side of Avenue J and within the lines of the railroad property to the westerly curb line of East Eighteenth street, said trees and shrubbery to be of such variety and quantity to form a sufficient barrier or screen within the term of three years from the execution of this agreement to serve the purposes intended to the satisfaction of the President of the Borough of Brooklyn, all to be maintained so long as the property so bounded or shown on the map of the Brooklyn Grade Crossing Commission, No. 764, dated March 26, 1907, is used for freight or storage purposes by the said parties of the first part and the said parties of the second part, their assignees or assigns.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

The Comptroller, as Chairman of the Select Committee, stated the Committee had agreed to report favorably on the application of the railroad company, but failed to agree on the kind of material to be used in the construction of the fence, as provided for in paragraph C of the third section, and he moved that the word "wood" be inserted in the blank space before the word "fence" in the aforementioned paragraph.

The President of the Board of Aldermen moved to amend by inserting the word "iron" in place of the word "wood."

Which amendment was lost by the following vote:

Affirmative—The President of the Board of Aldermen and the President of the Borough of Manhattan—5.

Negative—The Mayor, the Comptroller, the Presidents of the Boroughs of Brooklyn, Queens and Richmond, and the Acting President of the Borough of The Bronx—11.

The original motion was then adopted by the following vote:

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

The question then arose upon the approval of the reports received from the Select Committee and the Chief Engineer.

Which reports were adopted by the following vote:

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

The matter was then referred to the Chief Engineer to prepare a resolution rescinding the resolution of June 7, 1907, and also prepare a contract in accordance with the recommendation in the reports this day received.

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

JOSEPH HAAG, Secretary.

LAW DEPARTMENT.

The following schedules form a brief extract of the transactions of the office of the Corporation Counsel for the week ending November 28, 1908, as required by section 1546 of the Greater New York Charter.

Note—The City of New York or the Mayor, Aldermen and Commonalty of The City of New York is defendant, unless otherwise mentioned.

SCHEDULE "A." Suits and Special Proceedings Instituted.

Court.	Register and Folio.	When Commenced.	Title of Action.	Nature of Action.
Sup., R. Co.	73 209	Nov. 23, 1908	Woodruff, Amanda, et al.	Personal injuries, fall, condition of sidewalk, Johnson ave., near Amboy ave., \$25,000.
Municipal.	73 216	Nov. 23, 1908	Jacobson, Lizzie, vs. Thos. F. O'Connor, et al.	Action in replevin to recover goods valued at \$300.
Supreme.	73 210	Nov. 23, 1908	Edwards, John H., as Receiver, etc., vs. F. W. Carlin Construction Co., et al.	To foreclose lien.
Supreme.	73 211	Nov. 23, 1908	The City of New York vs. The Unsafe Building, No. 159 Maiden lane, et al.	Application to make safe and secure building at 159 Maiden lane.
Supreme.	73 212	Nov. 23, 1908	Smith, Clifton O. (Master of), et al.	For order dispensing with lost mortgage.
Supreme.	73 213	Nov. 23, 1908	Otis Elevator Co. vs. Calumet Construction Co., et al.	To foreclose lien.
Supreme.	73 214	Nov. 23, 1908	Litowich, Max, and ano., vs. Elias Feinberg et al.	To foreclose mortgage.
Supreme.	73 215	Nov. 23, 1908	Grossman, Samuel, et al., vs. Frederick L. Stahl, et al.	To foreclose mortgage.
Sup., K. Co.	73 217	Nov. 24, 1908	Cullen, John W., vs. Theodore A. Bingham, et al.	Action in replevin to recover property valued at \$1,500.
Supreme.	73 218	Nov. 24, 1908	Cullen, Bertha Margaret, vs. Thos. F. O'Connor.	Action in replevin to recover touring car valued at \$4,000, and \$1,000 damages.
Municipal.	73 219	Nov. 24, 1908	Katz, Sadie, as guardian, etc.	Personal injuries, run over by Street Cleaning Dept. cart, E. 67th st., \$500.
Municipal.	73 220	Nov. 24, 1908	Wood, Frank B.	For services as Inspector of Elections, 11th Election Dist., 1st Assembly Dist., \$7,50.
Supreme.	73 221	Nov. 24, 1908	Freyer, Louis (ex rel.), vs. John N. Bogart (No. 1), et al.	Certiorari to review proceedings revoking license for employment agency.
Supreme.	73 222	Nov. 24, 1908	Freyer, Louis (ex rel.), vs. John N. Bogart (No. 2), et al.	Certiorari to review proceedings revoking licence for employment agency.
Supreme.	73 223	Nov. 25, 1908	Seton, Alfred, et al., vs. the City et al.	To restrain the tearing down of wall at 239 and 241 Canal st.
Supreme.	73 224	Nov. 25, 1908	Lefkowitz, Yetta, vs. Samuel Weinstock et al.	To foreclose mortgage.
Supreme.	73 225	Nov. 25, 1908	Lowenstein, Celia.	Personal injuries, fall, ice, Walton ave., \$2,000.
Supreme.	73 226	Nov. 25, 1908	Roth, Frank R.	To declare lien for taxes on property in Town of Kingsbridge invalid and for \$50.
Supreme.	73 227	Nov. 25, 1908	Horowitz, Bella (ex rel.), vs. John V. Coggey, et al.	Mandamus to compel specifying of date of discharge in order.
Supreme.	73 228	Nov. 25, 1908	Central Union Gas Co., et al.	Summons only served.
Supreme.	73 229	Nov. 25, 1908	New Amsterdam Gas Co., et al.	Summons only served.
Supreme.	73 230	Nov. 25, 1908	Northern Union Gas Co., et al.	Summons only served.
Supreme.	73 231	Nov. 25, 1908	East River Gas Co., et al.	Summons only served.
U. S. Dist.	73 232	Nov. 25, 1908	Johnson, William.	Citation only served.
Surrogates.	73 233	Nov. 27, 1908	Groschell, Francois, as adm'r, etc. (Matter of)	For order directing Comptroller to pay moneys now on deposit to credit of Estate of Johann C. Loew, deceased.
Sup., K. Co.	73 234	Nov. 27, 1908	Maehr, Minnie.	To quiet title to premises in Section 10, Block 3123, County of Kings.
Sup., K. Co.	73 235	Nov. 27, 1908	Albertson, Townsend, vs. Philip Kandel et al.	To foreclose mortgage.
U. S. Circ.	73 236	Nov. 27, 1908	Maas & Waldstein Co., The, vs. the Department of Health et al.	For infringement of a patent for use of formaldehyde.
Sup., K. Co.	73 237	Nov. 27, 1908	Iser, Charles, an infant, by guardian.	Personal injuries, wagon overturning and falling on plaintiff, condition of pavement, Liberty ave., \$10,000.
Sup., K. Co.	73 238	Nov. 27, 1908	Iser, George.	For loss of services of son, injured Liberty ave., \$5,000.
Sup., K. Co.	73 239	Nov. 27, 1908	Lipitz, Ethel, as adm'r.	Salary of plaintiff's intestate as Interpreter, Magistrates' Court, \$979.16.
Sup., U. Co.	73 240	Nov. 27, 1908	Lasher, Tina B. (ex rel.), vs. the City et al.	Mandamus to compel determining of damages to relator's business.

Court.	Register and Folio.	When Commenced.	Title of Action.	Nature of Action.
Sup., K. Co.	73 241	Nov. 27, 1908	Gitterman, David, vs. Otto Raphael.	For assault and battery, \$500.
U. S. Dist.	78 34	Nov. 27, 1908	Stanley Hod Elevator Co. et al (Matter of).....	Application to have Gillespie & Walsh adjudged bankrupts.
Sup., K. Co.	73 243	Nov. 28, 1908	Brooklyn Union Elevated Railroad Co.	To restrain defendant from attempting to collect assessment for repairing, etc., Caton ave., Brooklyn.
Sup., K. Co.	73 244	Nov. 28, 1908	Albrecht, Bernard (Matter of).....	For order directing payment of award in re change of grade of Pitkin ave.
Supreme	73 245	Nov. 28, 1908	Coulter, Arthur G. (ex rel.), vs. Theodore A. Bingham	Certiorari to review dismissal from Police Dept.
Supreme	73 246	Nov. 28, 1908	Rothman, Leon, vs. the City and ano.....	Personal injuries, fall, hole in sidewalk, Eldridge st., \$5,000.
Supreme	73 247	Nov. 28, 1908	Bryant, John.....	Personal injuries, fall, condition of sidewalk, Sherman ave. and Dykman st., \$5,000.

SCHEDULE "B."

Judgments, Orders and Decrees Entered.

People ex rel. John J. Brennan vs. T. A. Bingham—Entered Appellate Division order dismissing writ of certiorari and affirming proceedings of defendant with costs.

People ex rel. Joseph A. Tallon vs. Board of Education—Entered Appellate Division order affirming order denying motion for mandamus.

Catherine Sheehan vs. Board of Education—Entered judgment on order of remittitur from Court of Appeals for \$127.45 costs in favor of defendant.

Peter Connor and another vs. City of New York et al.—Entered order discontinuing action without costs.

People ex rel. Jacob Ruppert and another vs. F. Raymond et al.—Entered order discontinuing proceeding upon payment of \$10 costs to defendant.

Willis Holly vs. J. H. O'Brien et al.—Order entered discontinuing action without costs.

People ex rel. Henrietta Bijur as administratrix vs. T. L. Feitner et al.—Order entered reducing assessment on personal property for 1899 from \$70,000 to \$8,000 upon payment of \$76.85 costs to defendants.

David Mayer vs. G. B. McClellan et al.—Entered order denying plaintiff's motion to continue injunction, with \$10 costs to defendant.

People ex rel. George Kemp Real Estate Company vs. F. A. O'Donnell et al.—Entered order modifying referee's report and as modified confirming same with costs and disbursements to defendants.

Charles I. Peyer vs. City of New York et al.—Order entered granting City's motion to open default and granting leave to serve answer upon payment of \$35 costs to plaintiff.

People ex rel. Sigmund Donner vs. F. Crowell—Entered order denying motion for leave to amend petition with \$10 costs to defendant.

Michael J. Lyons; Margarita Mullerleile—Entered orders denying motions for new trial.

People ex rel. New York Edison Company vs. J. L. Wells et al. (No. 3)—Filed enrollment on order confirming assessment for \$220.33 costs in favor of defendants.

People ex rel. Jacob Ruppert and another vs. F. A. O'Donnell et al. (1905 and 1907); People ex rel. Jacob Ruppert vs. Same (1905, 1906 and 1907)—Order entered referring cause of William C. Arnold, Esq.

Wilson & Baillie Manufacturing Company—Entered judgment in favor of the defendant upon the merits and for \$248.65 costs.

People ex rel. Stephen S. Walsh vs. T. A. Bingham—Filed enrollment on Appellate Division order dismissing writ of certiorari for \$72.25 costs in favor of defendant.

People ex rel. Joseph A. Tallon vs. Board of Education—Filed enrollment on Appellate Division order of affirmance for \$30.15 costs in favor of defendant.

People ex rel. John J. Brennan vs. T. A. Bingham—Filed enrollment on Appellate Division order dismissing writ of certiorari for \$64.55 costs in favor of defendant.

David Smith and another vs. T. A. Bingham; Natalie R. Buser vs. City of New York and another—Orders entered discontinuing action without costs.

People ex rel. J. Magenheim Intelligence Office vs. J. N. Bogart—Entered order denying motion for stay of proceedings.

Hugh McGee—Entered judgment on Appellate Division order of affirmance for \$99.05 costs in favor of defendant.

Samuel T. Knapp—Entered judgment in favor of the defendant dismissing the complaint upon the merits without costs.

Cecelia K. Regan—Entered order discontinuing action without costs.

Alice Gallagher; James J. Nevius; John J. Gutheil—Appellate Division orders entered affirming judgments in favor of plaintiffs.

Charles W. Church vs. J. H. O'Brien et al.—Order entered granting plaintiff's motion to continue injunction.

People ex rel. Citizens' Trust Company vs. F. Sturgis; People ex rel. Amos L. Poole vs. J. W. Stevenson—Orders entered granting relators' motions for peremptory writs of mandamus.

Judgments Were Entered in Favor of the Plaintiffs in the Following Actions.

Date.	Name.	Register and Folio.	Amount.
Oct. 21, 1908	Sweeney, Margaret	66 36	\$630 25
Nov. 10, 1908	Igel, Max	70 180	224 65
Nov. 10, 1908	Epstein, Bertha	72 269	279 15
Nov. 10, 1908	Grisman, Rubin, an infant.....	71 329	484 41
Nov. 10, 1908	Grisman, Rosin	71 332	119 41
Nov. 18, 1908	McGinniss, William	48 519	169 40
Nov. 19, 1908	Ford, Mary	61 360	700 00
Nov. 20, 1908	McKee, Nora Lowe.....	62 485	937 80
Nov. 23, 1908	Sussman, Benjamin	58 99	346 38
Nov. 25, 1908	Gallagher, Alice.....	61 438	92 17

SCHEDULE "C."

Record of Court Work.

Frederick Clark Withers et al.—Argued at Court of Appeals. Decision reserved. T. Connolly for the City.

C. J. Sullivan Advertising Company vs. J. F. Ahearn et al.—Motion to continue injunction argued before Seabury, J. Decision reserved. F. B. Pierce for the City.

Hermann & Grace vs. City of New York et al.—Tried before Greenbaum, J. Decision reserved. J. L. O'Brien for the City.

City of New York vs. Assurance Company of America—Argued at Appellate Division. Decision reserved. D. Rumsey for the City.

People ex rel. Isaac Townsend vs. F. A. O'Donnell et al.—Reference proceeded and adjourned. W. H. King for the City.

Fairmount Athletic Club vs. T. A. Bingham et al.—Motion to continue injunction pendente lite argued before Seabury, J. Decision reserved. L. H. Hahlo for the City.

Louis Salzman; Lena Salzman—Motion for stay of proceedings argued before Seabury, J., and granted. J. W. Goff, Jr., for the City.

David Lefkowitz—Tried before Sturges, J., and a jury. Verdict for defendant. J. W. Goff, Jr., for the City.

People ex rel. Tubular Despatch Company vs. S. B. T. C.; People ex rel. New York Mail and Newspaper Transportation Company vs. Same; People ex rel. Pneumatic Service Company vs. Same—Reference proceeded and adjourned. A. B. Scoville for the City.

People ex rel. Consolidated National Bank vs. L. Purdy et al.; People ex rel. American Exchange National Bank vs. Same—Tried before Dowling, J. Decision reserved. W. H. King for the City.

Whirlwind Athletic Club vs. T. A. Bingham et al.—Motion to continue injunction argued before Seabury, J. Decision reserved. L. H. Hahlo for the City.

In re Peter Leckie—Motion for order directing Register to discharge mortgage submitted to Seabury, J., and granted. C. A. O'Neil for the City.

People ex rel. Alexander M. Ross vs. P. J. Dooling et al.—Motion to amend minutes of trial argued before Crane, J., and granted. R. E. T. Riggs for the City.

Angeline Armstrong—Tried before Wells, J., and a jury in Municipal Court. Verdict for plaintiff for \$300. J. W. Goff, Jr., for the City.

Christopher Hunt; Moses E. Hunt; George P. Bloomer; Lavinia Petty; Joseph Wacker (Nos. 1 and 2)—Tried before Dickey, J. Decision reserved. E. S. Malone for the City.

Brown's Athletic Club vs. T. A. Bingham et al.; Roman Athletic Club vs. Same—Motions to continue injunctions argued before Seabury, J. Decision reserved. L. H. Hahlo for the City.

Edwin R. Steese—Tried before Wells, J., and a jury in Municipal Court. Verdict for plaintiff for \$254. J. W. Goff, Jr., for the City.

People ex rel. William Waldorf Astor vs. F. A. O'Donnell et al. (E-129); People ex rel. James R. Roosevelt et al. vs. Same (E-171)—Reference proceeded and adjourned. G. H. Folwell for the City.

F. V. Smith Contracting Company—Tried before Dayton, J., and a jury. Verdict for plaintiff for \$500. Motion to set aside verdict argued. Decision reserved. F. Martin for the City.

People ex rel. Roosevelt Hospital vs. F. Raymond et al.—Argued at Appellate Division. Decision reserved. D. Rumsey for the City.

Theodore Friedeberg and another—Motion to compel plaintiffs to file bill of particulars argued before Seabury, J. Decision reserved. F. Martin for the City.

People ex rel. Fifth Avenue and Forty-fourth Street Company vs. F. A. O'Donnell et al.—Motion to reopen trial and for leave to introduce new testimony argued before Truax, J. Decision reserved. R. M. deAcosta for the City.

People ex rel. Emil K. Hass vs. H. Smith—Motion for peremptory writ of mandamus argued before Seabury, J. Decision reserved. J. F. O'Brien for the City.

People ex rel. John S. Sutphin vs. H. A. Metz—Motion for peremptory writ of mandamus argued before Seabury, J. Decision reserved. G. H. Cowie for the City.

Jefferson M. Levy vs. G. B. McClellan et al.; David Mayer vs. Same—Reference proceeded and adjourned. L. H. Hahlo for the City.

People ex rel. Thomas F. Foody vs. T. A. Bingham—Submitted at Appellate Division. Decision reserved. J. D. Bell for the City.

Catherine Johnson—Tried before Scudder, J., and a jury. Verdict for plaintiff for \$3,000. Motion to set aside verdict argued. Decision reserved. P. E. Callahan for the City.

Philip Rosenbaum—Tried before Scudder, J., and a jury. Verdict for plaintiff for \$473. P. E. Callahan for the City.

Hans Triest—Argued at Court of Appeals. Decision reserved. J. D. Bell for the City.

People ex rel. Thomas B. Fay vs. W. McAdoo—Argued at Appellate Division. Decision reserved. J. D. Bell for the City.

Hearings before Commissioners of Estimate in Condemnation Proceedings.

Fifteenth to Eighteenth Streets, North River, Dock, three hearings; Brooklyn Bridge Terminal, two hearings; Pier 51, East River, Dock, one hearing. C. D. Olen-dorf for the City.

Marginal Street for Bridge No. 3; Manhattan Approach for Bridge No. 3; three hearings each; Subway Loop Proceeding No. 1; Rapid Transit (Westchester Avenue), one hearing. J. J. Squier for the City.

Subway Loop Proceeding No. 4; Whale Creek Improvement; two hearings each; Subway Loop Proceeding No. 3, one hearing. F. J. Byrne for the City.

Subway Loop Proceeding No. 2, two hearings; Subway Loop Proceeding No. 5, one hearing. H. W. Mayo for the City.

SCHEDULE "D."

Contracts, etc., Drafted, Examined and Approved as to Form.

Department.	Contracts Approved as to Form.	Contracts Examined and Returned for Revision.	Advertisements Approved as to Form.
Borough Presidents	16	..	1
Department of Water Supply	16	..	..
Gas and Electricity.....	4	..	..
Department of Charities.....	3	1	3
Fire Department	3	..	1
Health Department	2	2	1
Park Department	2	2	1
Brooklyn Disciplinary Training School for Boys.....	1	..	1
Street Cleaning Department..	1	..	..
Belle Vue and Allied Hospitals	..	2	..
Board of City Record.....	..	1	..
Board of Water Supply.....	..	..	..
Total.....	46	8	7

Bonds Approved.

Finance Department..... 22

Leases Approved.

Street Cleaning Department..... 1

Agreements Approved.

Street Cleaning Department..... 1

SCHEDULE "E."

Opinions Rendered to the Various Departments

Department.	Opinions Rendered.
Finance Department	38
Borough Presidents	4
Police Department	2
Park Department	2
Department of Water Supply, Gas and Electricity.....	1
Board of Aldermen.....	1
Board of Estimate and Apportionment.....	1
Building Department	1
Total.....	50

DEPARTMENT OF HEALTH.

Week Ending Saturday, 12 M., December 5, 1908.

Boroughs.	Population State Census, 1905.	Estimated Population Middle of Year 1908.	Deaths.				Births.	Marriages.	Still-births.	Death-rate.		
			1907.	1908.	*Cor- rected, 1908.	1907.	1908.	1907.	1908.	1907.	1908.	*Cor- rected, 1908.
Manhattan	2,112,697	2,292,894	729	600	558	1,107	536	68	17.04	13.65	12.7	12.7
+The Bronx	271,629	327,553	121	98	93	252	35	9	20.48	15.61	14.8	14.8
Brooklyn	1,358,891	1,492,970	491	420	397	898	275	38	17.69	14.68	13.8	13.8
Queens	198,241	232,580	65	61	57	165	45	4	15.35	13.68	12.9	12.9
Richmond	72,846	76,588	24	34	34	43	7	2	16.00	23.13	23.0	23.0
City of New York....	4,014,304	4,422,685	1,430	1,213	1,139	2,465	898	121	17.41	14.31	13.0	13.0

* Non-residents and infants under one week old not included
† The presence of several large institutions, the great major

[†] The presence of several large institutions, the great majority of whose inmates are residents of the other Boroughs, increases considerably the death-rate of this Borough.

Cases of Infectious and Contagious Diseases Reported.

	Week Ending—												
	Sept. 12.	Sept. 19.	Sept. 26.	Oct. 3.	Oct. 10.	Oct. 17.	Oct. 24.	Oct. 31.	Nov. 7.	Nov. 14.	Nov. 21.	Nov. 28.	Dec. 5.
Tuberculosis Pulmo- nalis.....	423	531	530	481	597	486	509	431	443	479	499	405	574
Diphtheria and Croup.	189	206	255	266	284	311	322	321	291	337	361	358	385
Measles.....	65	103	54	96	68	119	133	145	137	180	172	255	271
Scarlet Fever.....	91	112	143	102	146	109	129	162	143	215	157	191	221
Small-pox.....	1	..	..	..	1	..	..	..	..	..	..	..	..
Varicella.....	14	9	17	16	19	30	82	81	91	96	152	151	179
Typhoid Fever.....	132	168	127	100	108	105	84	85	53	78	66	47	77
Whooping Cough.....	5	23	25	21	33	22	26	26	9	18	38	24	37
Cerebro-Spinal Men- ingitis.....	4	8	8	7	3	4	9	9	5	6	6	5	5
Total.....	924a	1,160b	1,159c	1,089d	1,258e	1,187f	1,294g	1,260h	1,172j	1,409k	1,452l	1,436m	1,749n

- a. Includes 2 cases of measles and 1 diphtheria from Ellis Island.
- b. Includes 1 case of measles, 1 scarlet fever and 1 varicella from Ellis Island.
- c. Includes 1 case of measles from Ellis Island.
- d. Includes 6 cases of measles and 4 diphtheria from Ellis Island.
- e. Includes 3 cases of measles and 2 scarlet fever from Ellis Island.
- f. Includes 16 cases of measles from Ellis Island.
- g. Includes 12 cases of measles and 1 scarlet fever from Ellis Island.
- h. Includes 6 cases of measles and 3 scarlet fever from Ellis Island.
- i. Includes 6 cases of measles and 1 scarlet fever from Ellis Island.
- j. Includes 5 cases of measles and 1 scarlet fever from Ellis Island.
- k. Includes 11 cases of measles and 2 scarlet fever from Ellis Island.
- m. Includes 15 cases of measles and 2 scarlet fever, 1 diphtheria and 5 varicella from Ellis Island.
- n. Includes 49 cases of measles, 1 scarlet fever and 4 varicella from Ellis Island.

Deaths by Principal Causes, According to Locality and Age.

Boroughs.		Contagious Diseases Detailed Elsewhere.	Malaria Diseases.	Whooping Cough.	Tuberculosis Pumonalis.	Cerebro-Spinal Meningitis.	Bronchitis.	Diarrhoeal Diseases.	Diarrhoeal Diseases under 5 Years.	Pneumonia.	Broncho Pneumonia.	Suicides.	Homicides.	Accidents.	Under 1 Year.	Under 5 Years.	5-65 Years.	65 Years and Over.
Manhattan....	26																	
The Bronx....	30	5																
Brooklyn....	42																	
Queens....	5																	
Richmond....																		
Total.....	67			1	153	1	13	42	39	105	93	23	7	57	208	309	697	207

Deaths According to Cause, Age and Sex

	Total Deaths.	Deaths in Corresponding Week of 1927.		Under 1 Year.	1 Year and Under 2.	2 and Under 5.	Under 5 Years.	5-15.	15-25.	25-45.	45-65.	65 and Over.	
		Males.	Females.										
Total, all causes.....	1,213	1,430	647	566	208	57	44	309	47	77	266	307	207
1. Typhoid Fever.....	11	18	9	2	..	..	..	..	1	1	6	1	2
3. Malaria Fever.....	..	1	..	..	..	..	..	..	..	..	..	..	..
4. Small-pox.....	..	..	..	..	..	..	..	..	..	..	..	..	..
5. Measles.....	10	19	4	6	3	4	3	10	..	..	..	..	..
6. Scarlet Fever.....	7	19	3	4	2	1	3	6	1	..	..	..	..
7. Whooping Cough.....	1	1	..	1	..	..	..	..	1	..	..	..	..
8. Diphtheria and Croup.....	39	33	23	16	5	13	11	29	8	2	..	..	..
9. Influenza.....	5	9	2	3	..	..	..	..	1	..	..	3	1
12. Other Epidemic Diseases.....	3	2	2	1	1	..	..	1	..	..	1	..	1
13. Tuberculosis Pulmonary.....	153	180	93	60	1	..	..	1	5	26	83	33	5
14. Tubercular Meningitis.....	10	16	6	4	1	..	2	3	3	3	1	..	..
15. Other forms of Tuberculosis.....	8	5	6	2	1	1	..	2	..	1	3	2	..
16. Cancer, Malignant Tumor.....	59	59	24	35	..	..	1	1	..	..	7	30	21
17. Simple Meningitis. Of which	7	5	4	3	1	1	..	2	2	1	..	2	..
17a. Cerebro-Spinal Meningitis.....	1	5	..	1	..	1	..	1	..	..	..	..	..
18. Apoplexy, Congestion and softening of the Brain.....	17	54	10	7	..	..	..	..	..	1	2	5	9
19. Organic Heart Diseases.....	152	143	59	93	1	..	1	2	5	10	40	58	37
20. Acute Bronchitis.....	13	22	7	6	10	1	..	11	..	..	..	..	2
21. Chronic Bronchitis.....	3	7	..	3	..	..	..	..	..	..	..	2	1
22. Pneumonia (excluding Broncho Pneumonia).....	105	165	61	44	10	9	3	22	4	6	29	28	16
22a. BronchoPneumonia.....	93	108	41	52	36	13	10	59	4	2	6	6	16
23. Diseases of the Stomach (Cancer excepted).....	6	3	5	1	1	..	..	1	..	..	4	..	1
24. Diarrhoeal diseases (under 5 years).....	39	29	23	16	32	6	1	39	..	..	..	..	..
25. Hernia, Intestinal Obstruction.....	5	9	5	..	2	..	..	2	..	..	..	2	1
26. Cirrhosis of Liver.....	20	21	14	6	..	..	..	..	1	..	5	13	1
27. Bright's Disease and Nephritis.....	98	122	57	41	..	..	..	..	1	3	20	43	31
28. Diseases of Women (not Cancer).....	4	5	..	4	..	..	..	..	..	..	4	..	..
29. Puerperal Septicemia.....	2	7	..	2	..	..	..	..	..	..	2	..	..
30. Other Puerperal Diseases.....	9	6	..	9	..	..	..	..	..	4	5	..	..
31. Congenital Debility and Malformations.....	77	96	39	38	76	1	..	77	..	..	..	..	..
32. Old Age.....	12	11	4	8	..	..	..	..	..	..	..	1	11
33. Violent Deaths.....	87	79	65	22	1	3	5	9	5	15	30	24	4
a. Sunstroke.....	..	..	..	..	..	..	..	..	..	..	..	..	..
b. Other Accidents.....	57	62	42	15	1	3	5	9	5	7	18	16	2
c. Homicide.....	7	6	6	1	..	..	..	..	..	5	..	2	..
d. Suicide.....	23	11	17	6	..	..	..	..	..	3	12	6	2
34. All other causes.....	154	167	77	77	21	4	3	28	5	2	18	54	47
35. Ill-defined causes.....	4	9	4	..	3	..	2	4	..	..	..	..	..

Deaths According to Cause, Annual Rate per 1,000 and Age, with Meteorology and Number of Deaths in Public Institutions for 13 Weeks.

Week Ending—													
	Sept. 12.	Sept. 19.	Sept. 26.	Oct. 3.	Oct. 10.	Oct. 17.	Oct. 24.	Oct. 31.	Nov. 7.	Nov. 14.	Nov. 21.	Nov. 28.	Dec. 5.
Total deaths	1,219	1,311	1,271	1,200	1,223	1,220	1,228	1,166	1,140	1,297	1,236	1,290	1,211
Annual death-rate.....	14.38	15.46	14.99	14.15	14.43	14.39	14.48	13.75	13.45	15.30	14.58	15.22	14.3
Typhoid Fever	17	18	29	19	12	23	16	19	12	15	6	13	11
Malarial Fevers .....	..	1	..	1	1	..	..	1	1	..	1	..	..
Small-pox .....	..	..	1	..	..	..	..	..	..	..	..	..	..
Measles	1	..	..	2	..	..	2	6	3	6	3	4	5
Scarlet Fever	3	6	7	4	4	5	2	6	6	7	5	10	2
Whooping Cough	3	5	6	2	18	19	17	21	16	23	28	47	35
Diphtheria and Croup	19	28	24	21	18	19	17	21	16	23	28	47	35
Influenza .....	..	..	..	..	..	1	1	..	..	1	4	4	4
Cerebro Spinal Meningitis	6	6	8	2	1	7	6	5	4	4	5	7	1
Tuberculosis Pulmonary.....	153	140	172	153	156	138	156	134	147	173	148	184	152
Other Tuberculous	24	16	18	17	25	23	21	17	17	17	18	19	18
Acute Bronchitis	13	15	12	7	6	5	19	18	17	13	19	19	17
Pneumonia	34	63	47	51	56	64	78	66	65	95	97	98	101
Broncho Pneumonia	55	50	64	56	51	64	58	70	70	59	87	98	92
Diarrhoeal Diseases	212	217	206	184	176	112	104	74	81	74	48	45	42
Diarrhoeals under 5	203	208	193	172	163	102	99	70	74	68	41	39	37
Violent Deaths	77	84	78	83	84	88	96	78	85	89	82	82	81
Under one year	325	348	349	311	309	278	268	240	217	239	223	222	201
Under five years	438	480	471	423	402	383	368	325	303	331	323	346	300
Five to sixty-five	595	662	634	591	643	650	675	654	669	744	690	722	697
Sixty-five years and over	186	169	166	186	178	187	115	187	168	222	223	222	207
In Public and Private Institutions	415	470	438	437	451	457	426	438	394	456	387	410	431
Inquest cases	180	194	163	184	177	192	208	177	166	190	181	180	181
Mean barometer.....	30.064	29.982	30.105	30.029	30.125	30.106	30.203	29.835	29.811	29.885	29.915	30.162	30.0
Mean humidity.....	55.	55.	69.	82.	67.	63.	68.	79.	77.	74.	76.	77.	64.
Inches of rain or snow .....	.74	...	...	1.20	.20	...	...	1.15	...	.49	.22%	...	...
Mean temperature (Fahrenheit)	70.7°	68.3°	69.6°	61.1°	63.3°	63.0°	60.8°	59.5°	44.6°	48.9°	40.9°	52.5°	43.1
Maximum temperature (Fahrenheit)	81.°	79.°	79.°	75.°	72.°	80.°	79.°	73.°	59.°	58.°	50.°	62.°	64.°
Minimum temperature (Fahrenheit)	60.°	56.°	61.°	46.°	50.°	45.°	46.°	40.°	31.°	36.°	28.°	41.°	26.°

Infectious and Contagious Diseases in Hospital.

	Willard Parker Hospital.			Riverside Hospital.			Kingston Ave. Hospital.			Otisville Sanatorium		
	Scarlet Fever.	Diph-theria.	Total.	Diph-theria.	Measles.	Total.	Diph-theria.	Measles.	Scarlet Fever.	Small-pox.	Total.	Tuber-culosis Pulmonalis.
Remaining Nov. 28, '08.	79	106	185	..	..	..	255	31	66	..	174	156
Admitted.....	21	32	53	..	..	..	15	12	56	16	78	6
Discharged.....	12	29	42	..	..	..	15	5	6	9	22	5
Died.....	1	14	15	..	..	..	12	4	1	1	11	167
Remaining Dec. 8, '08.	86	95	181	..	..	..	255	34	102	83	219	172
Total treated....	100	138	238	..	..	..	270	43	116	93	252	172

Cases of Infectious and Contagious Diseases Reported and Deaths from the Same, by Wards

Richmond.	Borough.	Wards.	Sickness.						Deaths Reported.								
			Typhoid Fever.	Small-pox.	Measles.	Scarlet Fever.	Diphtheria and Croup.	Tuberculosis Pulmonalis.	Typhoid Fever.	Small-pox.	Measles.	Scarlet Fever.	Diphtheria and Croup.	Tuberculosis Pulmonalis.	Pneumonia.	Bronchitis.	Pneumonia.	All Causes.
First.		1	..	..	..	3	6	..	..	..	..	..	1	4	..	..	14
Second.		2	..	..	..	1	2	4	..	..	..	..	1	4	..	..	4
Third.		3	..	..	..	1	1	3	..	..	..	..	1	1	..	..	6
Fourth.		4	..	..	..	1	4	..	..	..	..	..	1	1	..	..	6
Fifth.		5	..	..	..	3	..	..	..	..	..	..	1	..	..	..	6
Total.			1	..	1	10	14	3	..	..	..	..	1	5	1	2	34

Chemical Analysis of Croton Water, December 2, 1908.

	Results Expressed in Parts by Weight in One Hundred Thousand.	Results Expressed in Grains Per U. S. Gallon of 231 Cubic Inches.
Appearance.	Clear.	.....
Color.	Slightly yellow.	.....
Odor (Heated to 100° Fahr.).	Marshy.	.....
Chlorine in Chlorides.	0.150	0.087
Equivalent to Sodium Chloride.	0.247	0.144
Phosphates (P ₂ O ₅).	None.	None.
Nitrogen in Nitrates.	None.	None.
Nitrogen in Nitrates.	0.0300	0.0175
Free Ammonia.	0.0012	0.0007
Albuminoid Ammonia.	0.0120	0.0070
Hardness equivalent to Carbonate of Lime.	Before boiling.	3.64
Organic and volatile (loss on ignition).	After boiling.	3.64
Mineral matter (non-volatile).		2.12
Total solids (by evaporation).		2.45
		3.32

Temperature at hydrant, 55° Fahr.

Chemical Analysis of Ridgewood Water, November 30, 1908.

	Results Expressed in Parts by Weight in One Hundred Thousand.	Results Expressed in Grains Per U. S. Gallon of 231 Cubic Inches.
Appearance.	Turbid.	.....
Color.	Yellow.	.....
Odor (Heated to 100° Fahr.).	Marshy.	.....
Chlorine in Chlorides.	1.350	0.787
Equivalent to Sodium Chloride.	2.227	1.298
Phosphates (P ₂ O ₅).	None.	None.
Nitrogen in Nitrates.	None.	None.
Nitrogen in Nitrates.	0.1000	0.0583
Free Ammonia.	0.0020	0.0012
Albuminoid Ammonia.	0.0238	0.0139
Hardness equivalent to Carbonate of Lime.	Before boiling.	4.43
Organic and volatile (loss on ignition).	After boiling.	3.51
Mineral matter (non-volatile).		2.04
Total solids (by evaporation).		3.50
		7.10
		10.60
		6.18

Temperature at hydrant, 56° Fahr.

Bacteriological Examination of Croton Water, December 1, 1908.

Colonies developed from 1 c. c. at 37° C. = .25.
 Colonies developed from 1 c. c. at 24° C. = .60.
 Bacilli of colon group present in 1/10 c. c.; not present in 1/50 c. c.
 Microscopical examinations are not made at this laboratory.

BOROUGH OF THE BRONX.

MINUTES OF THE LOCAL BOARD OF VAN CORTLANDT, TWENTY-FIFTH DISTRICT.

Pursuant to call by President Haffen, the members of the Local Board of the District of Van Cortlandt met in the office of the President of the Borough of The Bronx on Thursday, November 12, 1908, at 1 p. m. in the Municipal Building, Crotona Park, One Hundred and Seventy-seventh street and Third avenue.

Present—President Haffen, Alderman Handy, Alderman Hochdorffer. Alderman Crowley arrived while No. 95 was being discussed.

Minutes of previous meeting were adopted as typewritten.

Hearings.

No. 138. Guard rail, west side of Park avenue, fifty feet north of One Hundred and Eighty-second street.

No one appeared in opposition. Report of the Superintendent of Highways, dated October 16, 1908, was read.

On motion, duly seconded, it was

Resolved, That proceedings be and the same hereby are initiated for erecting a guard rail on the west side of Park avenue, fifty feet north of East One Hundred and Eighty-second street, and for all work incidental thereto, in accordance with report of the Superintendent of Highways, Borough of The Bronx, dated October 16, 1908, which was duly advertised for a public hearing before the Local Board of Van Cortlandt, Twenty-fifth District; and be it further

Resolved, That the expense of said work be charged against the property deemed to be benefited, said work to be done under the jurisdiction of the President of the Borough of The Bronx, under the provisions of section 435, chapter 466, Laws of 1901.

Adopted by the Local Board of Van Cortlandt, Twenty-fifth District, on the 12th day of November, 1908, Alderman Handy, Alderman Crowley, Alderman Hochdorffer and the President of the Bronx voting in favor thereof.

Negative—None.

No. 139. Lack of guard rail, northwest corner of One Hundred and Eighty-third street and Park avenue.

Report of the Superintendent of Highways, dated October 16, 1908, was read.

No one appeared in opposition.

On motion, duly seconded, it was

Resolved, That proceedings be and the same hereby are initiated for placing a guard rail at the northwest corner of One Hundred and Eighty-third street and Park avenue, and all work incidental thereto, in accordance with report of the Superintendent of Highways, Borough of The Bronx, dated October 16, 1908, which was duly advertised for a public hearing before the Local Board of Van Cortlandt, Twenty-fifth District; and be it further

Resolved, That the expense of said work be charged against the property deemed to be benefited, said work to be done under the jurisdiction of the President of the Borough of The Bronx, in accordance with the provisions of section 435, chapter 466, Laws of 1901.

Adopted by the Local Board of Van Cortlandt, Twenty-fifth District, on the 12th day of November, 1908.

Unanimously adopted.

No. 140. Acquiring title to Fieldston road, between Spuyten Duyvil parkway and Mosholu avenue.

Petition signed by John J. Brennan and others. Report of the Chief Engineer of the Borough of The Bronx, dated November 9, 1908, was read, as was also communication dated November 11, 1908, from Messrs. Iselin & Delafield, which accompanied a retraction signed by all the petitioners for the opening of Fieldston road; also a letter from Mr. Wm. C. Samler withdrawing his name from the petition in favor.

An additional protest against the legal opening of Fieldston road as now laid out was also presented by Messrs. Iselin & Delafield, signed by the Delafield Estate, by Iselin & Delafield, attorneys; Mary A. W. Heaton, by Mornay Williams, attorney, and by Thomas H. Hubbard.

Mr. John Ross Delafield appeared and asked that the petition in favor of the legal opening of Fieldston road be withdrawn at this time, in accordance with the protests now presented.

On motion, duly seconded, it was

Resolved, That the petition favoring the legal opening of Fieldston road, between Spuyten Duyvil parkway and Mosholu avenue, be withdrawn from the calendar of the Local Board and the papers placed on file.

Unanimously adopted.

No. 132. Regulating and grading, setting curbstones and flagging sidewalks a space four feet wide, laying crosswalks, building approaches and erecting fences where necessary in Ryer avenue, from East One Hundred and Seventy-eighth street to Burnside avenue.

Petition signed by William Dub. No one appeared in opposition.

Estimated cost, \$2,200; assessed value of the real estate included within the probable area of assessment is \$91,230.

On motion, duly 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, and all work incidental thereto, in Ryer avenue, from East One Hundred and Seventy-eighth street to Burnside avenue.

Unanimously adopted.

No. 133. Regulating and flagging sidewalks a space four feet wide and laying crosswalks in Nelson avenue, from Featherbed lane to Macombs road; One Hundred and Seventy-fifth street, from Nelson avenue to Macombs road, and Brandt place, from Aqueduct avenue to Nelson avenue.

Petition signed by Eugene Stratton and eight others. No one appeared in opposition.

Laid over awaiting report.

No. 100. Regulating and grading, etc., West Two Hundred and Thirty-fifth street, easterly from Spuyten Duyvil parkway to Riverdale avenue; Cambridge avenue, from Two Hundred and Thirty-fifth street north to Two Hundred and Thirty-sixth street, and in Two Hundred and Thirty-sixth street, from its intersection with the westerly line of Cambridge avenue to its intersection with Riverdale avenue. The object of this petition being to regulate and grade all of the above streets, excepting that part of Two Hundred and Thirty-fifth street, lying between Cambridge avenue and Riverdale avenue, which your petitioners desire to have regulated and graded as a pathway or steps leading to Riverdale avenue.

Mr. Archibald Douglas, Mr. J. J. McKelvey, Mr. J. R. Delafield and others appeared in favor. No one appeared in opposition at this meeting.

Laid over until December 3, 1908, at 2 p. m.

No. 121. Regulating, grading, etc., Merriam avenue, from Ogden avenue to Aqueduct avenue.

Estimated cost, \$41,000. Assessed value of the real estate included within the probable area of assessment is \$248,380.

Title vested May 31, 1899. Grades legally established by final maps, section 1, November 12, 1895, and section 15, December 17, 1895.

On motion, seconded, it was

Resolved, That proceedings be and the same hereby are initiated for regulating and grading, setting curbstones, flagging sidewalks a space four feet wide, laying crosswalks, building approaches and erecting fences where necessary in Merriam avenue, from Ogden avenue to Aqueduct avenue, and all work incidental thereto.

Unanimously adopted.

No. 127. Change of street system surrounding the proposed location of the Interborough Rapid Transit Railroad Yards at Broadway and West Two Hundred and Forty-second street, Borough of The Bronx.

Mr. Dunn (representing Mr. James C. Deering for the Interborough Railway Company) appeared in favor of the plan recently favored by Mr. J. Bowie Dash, and asked for an adjournment for thirty days, as previously asked for by him.

Alderman Crowley now present.

Mr. John Ross Delafield—We oppose any adjournment. I appear for the Park District Protective League, for the Delafield Estate and others, and all of us are strictly opposed to any adjournment.

The Park District Protective League would like to and do oppose any elimination of the present street system as suggested by the railroad company's representative. The section referred to is really a Riverside section, and it should not be destroyed by a railroad yard. On behalf of citizens and property holders of the City at large I protest most strenuously against anything that would enable a railroad yard to be located at that point.

Mr. F. E. Blackmar, representing Mr. J. Bowie Dash, appeared in favor of the plan now submitted, and said that they had their engineer here ready to show that the plan is feasible.

Alderman Crowley said he was opposed to cutting of any of the streets or avenues as now laid out on the final maps.

Mr. J. J. McKelvey also appeared in behalf of the Park District Protective League, in opposition to the further amendment of the street system whereby it would be possible to locate a railroad yard at Broadway, Corlear avenue and Two Hundred and Forty-second street, or any place in that immediate neighborhood.

On motion, duly seconded, it was

Resolved, That this matter be laid over until November 21, 1908, at 10 a. m., and that the matter be finally disposed of at that meeting.

Adopted.

No. 95. Laying out an extension of West Two Hundred and Thirty-eighth street, from Riverdale avenue to Spuyten Duyvil parkway, and

Removing from the map that portion of Oxford avenue which lies north of the proposed extension of West Two Hundred and Thirty-eighth street.

Changing the lines of Johnson avenue between West Two Hundred and Thirty-sixth street and the proposed extension of West Two Hundred and Thirty-eighth street so as to extend the lines of said avenue north of West Two Hundred and Thirty-sixth street upon the same courses as the lines of said avenue south of said street.

Petition signed by F. S. M. Blum, transmitted to the President of the Borough of The Bronx by Hon. James Cowden Meyers, attorney for petitioner, and dated May 28, 1908. Mr. J. J. McKelvey, for Park District Protective League, appeared in favor.

In a letter dated June 19, 1908, Mr. Meyers asked that this matter be deferred until July 9, 1908, as Messrs. Truman H. and Geo. E. Baldwin had submitted a petition for an alternative plan, and that Mr. Geo. E. Baldwin and Mr. J. C. Meyers had been in conference with Chief Engineer Briggs in reference to furnishing a plan embodying certain features of both petitions and concessions which both parties have made.

Mr. Archibald Douglas appeared in favor.

A new plan, "showing proposed layout of streets on property of the Estate of William Allen Butler, Twenty-fourth Ward," was submitted at this meeting without petition in writing, and, on motion, seconded, was respectfully recommended to the favorable consideration and approval by the Board of Estimate and Apportionment.

Lighting of One Hundred and Ninety-fourth street, between Valentine avenue and Webster avenue.

Recommended to the favorable consideration and approval of the Department of Water Supply, Gas and Electricity.

Lighting three lamps now in place and replacing four additional lamps on One Hundred and Seventieth street, from Webster avenue westerly.

Recommended to the favorable consideration and approval of the Department of Water Supply, Gas and Electricity. Their letter of November 6, 1908, placed on file One Hundred and Ninety-ninth street, from Webster avenue to Marion avenue.

Laying gas mains and lighting gas lamps.

Recommended to the favorable consideration and approval of the Department of Water Supply, Gas and Electricity.

Lighting One Hundred and Ninety-third street, between Marion and Webster avenues.

Report dated October 31, 1908, from Deputy Commissioner Michael Hecht of the Department of Water Supply, Gas and Electricity, placed on file.

Placing water mains on One Hundred and Ninety-third street, from Jerome avenue to Creston avenue. Report of Deputy Commissioner Loughman states that the Department of Water Supply, Gas and Electricity has already made provision for the laying of water main in One Hundred and Ninety-third street, between Jerome avenue and the Concourse. Filed.

By Alderman Crowley—

Resolved, That the Commissioner of Water Supply, Gas and Electricity be and he is hereby requested to place street lamps on Two Hundred and Seventh street, from Perry avenue to Woodlawn road, at an early date, for the reason that the present condition of lighting system on this street makes it very dangerous for the traveling public in this vicinity.

Unanimously adopted.

Sewer in Two Hundred and Thirty-seventh street, between Vireo avenue and Martha avenue.

Letter from C. W. Schmidtke was read. Matter to be taken up at next regular meeting.

By Alderman Crowley—

On motion of Alderman Crowley, seconded, it was respectfully recommended to the Department of Water Supply, Gas and Electricity that said Department lay gas mains in West One Hundred and Eighty-eighth street, from Bailey avenue to Aqueduct avenue; Webb avenue, from One Hundred and Eighty-eighth street to One Hundred and Eighty-ninth street, and West One Hundred and Eighty-ninth street, from Bailey avenue to Aqueduct avenue.

Unanimously adopted.

On motion, seconded, it was

Resolved, That the Board adjourn until December 3, 1908.

(Signed) HENRY A. GUMBLETON, Secretary.

MINUTES OF THE LOCAL BOARD OF VAN CORTLANDT, TWENTY-FIFTH DISTRICT.

Pursuant to call by President Haffen, the members of the Local Board of Van Cortlandt, Twenty-fifth District, assembled for a special meeting of the said Local Board on Saturday, November 21, 1908, at 10 a. m., in the Municipal Building, One Hundred and Seventy-seventh street and Third avenue.

Present—Alderman Crowley, Alderman Handy, Alderman Hochdorffer and the President of the Borough of The Bronx.

Minutes of the previous meeting were adopted as typewritten.

No. 127. For a change of street system surrounding the proposed location of the Interborough Rapid Transit Railroad Yards at Broadway and West Two Hundred and Forty-second street.

The Principal Assistant Topographical Engineer presented map showing proposed change of the street system.

Mr. John Ross Delafield appeared in opposition on behalf of the Park District Protective League, and for individual owners, and said they represented about seventy-five per cent. of the property in that district.

Mr. J. J. McKelvey also spoke in opposition to the proposed change, as did also Mr. J. Bowie Dash, Mr. Ed. J. Gallagher, Mr. Sage, Mr. F. Bortlik, Mr. J. J. Walsh, and a number of others.

On motion, duly seconded, the following preambles and resolution were adopted:

Whereas, Under date of July 3, 1908, the Chief Engineer of the Borough of The Bronx transmitted to the President of the Borough of The Bronx a plan showing the proposed change of street system surrounding the proposed location of the Interborough Rapid Transit Railroad Yard at Two Hundred and Forty-second street and Broadway; and

Whereas, Several public hearings were held by this Local Board upon the proposed change of street system; and

Whereas, At such hearings there appeared strenuous opposition from individual property owners and from property owners' associations to any change of the street system by reducing the length of streets or avenues as shown on the Final Maps of the Borough of The Bronx, City of New York, or to changing the street system so as to permit the locating of a railroad yard in the section bounded by Two Hundred and Thirty-eighth street, Two Hundred and Forty-second street, Broadway and Waldo avenue, Borough of The Bronx, City of New York; it is therefore

Resolved, That this Local Board hereby recommends to the Board of Estimate and Apportionment that no change be made in the Final Maps of the Twenty-third and Twenty-fourth Wards, Borough of The Bronx, so far as the section between Two Hundred and Thirty-eighth street, Two Hundred and Forty-second street, Broadway and Waldo avenue is concerned.

Adopted by the Local Board of Van Cortlandt, Twenty-fifth District, Borough of The Bronx, on November 21, 1908.

Affirmative—Alderman Crowley, Alderman Handy, Alderman Hochdorffer and the President of the Borough of The Bronx.

Negative—None.

Resolved, by the Local Board of Van Cortlandt, Twenty-fifth District, Borough of The Bronx, That the Board of Estimate and Apportionment be and it is hereby respectfully urged to expedite all local assessable improvements initiated by this Local Board affecting the section of the Borough of The Bronx known as Kingsbridge, Twenty-fourth Ward, that are now pending in the Board of Estimate and Apportionment.

Affirmative—Alderman Crowley, Alderman Handy, Alderman Hochdorffer and the President of the Borough of The Bronx.

On motion, the Board adjourned until December 3, 1908.

(Signed) HENRY A. GUMBLETON, Secretary.

MINUTES OF THE LOCAL BOARD OF VAN CORTLANDT, TWENTY-FIFTH DISTRICT.

Pursuant to call by President Haffen, the members of the Local Board of Van Cortlandt, Twenty-fifth District, met in the office of the President of the Borough of The Bronx on December 3, 1908, at 2 p. m., in the Municipal Building, Crotona Park.

Present—Alderman Handy, Alderman Hochdorffer and the President of the Borough of The Bronx. Alderman Crowley appeared while Petition 131 was under consideration.

Minutes of previous meeting were adopted as typewritten.

Hearings.

No. 150. Laying and relaying of flagging where necessary on both sides of Burnside avenue, between Webster avenue and Aqueduct avenue, and all work incidental thereto.

November 7, 1908.

Hon. LOUIS F. HAFFEN, President:

Dear Sir—I am informed that the flagging on Burnside avenue, between Webster avenue and Aqueduct avenue, is in many places off grade on account of slight changes in the position of intersecting streets. The contract for paving this avenue is in progress and I would recommend that a resolution of the Local Board be passed providing for the laying and relaying of flagging where necessary on both sidewalks of Burnside avenue, between Webster avenue and Aqueduct avenue, and all work incidental thereto.

Respectfully,

JOSIAH A. BRIGGS, Chief Engineer of the Borough of The Bronx.

No one appeared for or against this proposed improvement.

On motion, duly seconded, the following resolutions were unanimously adopted:

Resolved, That proceedings be and the same hereby are initiated for flagging and reflagging and placing filling where necessary on Burnside avenue, between Webster avenue and Aqueduct avenue, and all work incidental thereto, Borough of The Bronx, City of New York, in accordance with report of the Chief Engineer of the Borough of The Bronx, dated November 7, 1908, which was duly advertised for a public hearing before the Local Board of Van Cortlandt, Twenty-fifth District, and be it further

Resolved, That the expense of said work be charged against the property deemed to be benefited; said work to be done under the jurisdiction of the President of the

Borough of The Bronx, in accordance with the provisions of section 435, chapter 466, Laws of 1901.

Adopted by the Local Board of Van Cortlandt, Twenty-fifth District, on the 3d day of December, 1908.

Alderman Handy, Alderman Hochdorffer and the President of the Borough of The Bronx voting in favor thereof.

Negative—None.

No. 151. Constructing a receiving basin and appurtenances on the southerly side of East One Hundred and Ninety-third street, at the intersection of Morris avenue.

Petition signed by J. A. Briggs.

Estimated cost, \$235. The assessed value of the real estate, with improvements, included within the probable area of assessment, is \$44,800.

No one appeared in opposition.

On motion, seconded, it was

Resolved, That proceedings be and the same hereby are initiated for constructing a receiving basin and appurtenances on the south side of East One Hundred and Ninety-third street, at the intersection of Morris avenue.

Unanimously adopted.

No. 152. Regulating and grading, etc., Grand avenue, from West One Hundred and Eighty-first street to West One Hundred and Eighty-fourth street.

Petition signed by Janpole & Werner Construction Co., Felix Kruppp, P. Casey and fifteen others. No one appeared in opposition.

Laid over awaiting report of the Engineer.

No. 153. Regulating and grading, etc., Gun Hill road, from Jerome avenue to Mosholu parkway, and all work incidental thereto.

Petition signed by Meyer, Gatling Investing Company, owners of all the property affected. No one appeared in opposition.

Laid over awaiting report of the Engineer.

Laid Over Matters.

No. 131. Two Hundred and Thirty-seventh street, sewer, between Vireo avenue and Martha avenue.

Petition signed by one owner of property, 25 feet by 100 feet, on Two Hundred and Thirty-seventh street, and by other owners of property on Two Hundred and Thirty-ninth street, Two Hundred and Thirty-fourth street, Two Hundred and Thirty-sixth street and Two Hundred and Thirty-eighth street.

Several large owners appeared in opposition. Mr. Powers, representing the Woodlawn Taxpayers' Association, appeared in favor of constructing this sewer, urging that it would be beneficial to the general health of the community if the work was done. Mr. C. W. Schmidtke also appeared in favor, saying that he was about to commence building operations on this street and, therefore, needed the public sewer petitioned for.

Laid over for executive session.

Placing lamp-posts, lighting, etc., Two Hundred and Seventh street, between Perry avenue and Woodlawn road.

Report of the Department of Water Supply, Gas and Electricity, dated November 25, 1908, states that the work of installation will be attended to shortly.

Paper filed.

No. 133. Regulating and flagging of sidewalks a space four feet wide and laying crosswalks in Nelson avenue, from Featherbed lane to Macombs road, and One Hundred and Seventy-fifth street, from Nelson avenue to Macombs road, and Brandt place, from Aqueduct avenue to Nelson avenue.

Petition signed by Eugene Stratton and eight others.

Estimated cost \$6,200. Assessed value of the real estate included within the probable area of assessment is \$336,000.

No motion, seconded, it was

Resolved, That proceedings be and the same hereby are initiated for regulating and flagging of sidewalks a space four feet wide and laying crosswalks in Nelson avenue, from Featherbed lane to Macombs road, and One Hundred and Seventy-fifth street, from Nelson avenue to Macombs road, and Brandt place, from Aqueduct avenue to Nelson avenue.

Unanimously adopted.

No. 100. Regulating and grading, setting curbstones and flagging sidewalks a space four feet wide, laying of crosswalks, building approaches and erecting fences where necessary in West Two Hundred and Thirty-fifth street, easterly from Spuyten Duyvil parkway to Riverdale avenue; in Cambridge avenue, from Two Hundred and Thirty-fifth street north to Two Hundred and Thirty-sixth street, and in Two Hundred and Thirty-sixth street, from its intersection with the westerly line of Cambridge avenue to the intersection with Riverdale avenue. The object of this petition being to regulate and grade all of the above streets, excepting that part of Two Hundred and Thirty-fifth street lying between Cambridge avenue and Riverdale avenue, which your petitioners desire to have regulated and graded as a pathway or steps leading to Riverdale avenue.

Petition signed by M. J. Hart and others.

Estimated cost \$48,500. Assessed value of the real estate included within the probable area of assessment is \$75,600.

Opposition only on Two Hundred and Thirty-sixth street, as noted at previous meetings.

Laid over on account of cost. Chief Engineer to be requested to make further report.

No. 754 of 1907. Widening and extension of Van Cortlandt Park South, from Van Cortlandt avenue to Mosholu Parkway North; the widening of Dickinson place from Van Cortlandt Park South to Sedgwick avenue; the widening of Van Cortlandt avenue, at its junction with Albany road, and the change of grades in the territory bounded by Van Cortlandt Park South, Mosholu Parkway North, etc.

Recommended to the favorable consideration and approval of the Board of Estimate and Apportionment.

Placing gas mains, lamp-posts, gas lamps, lighting and maintenance of same. Walton avenue, from One Hundred and Eightieth to One Hundred and Eighty-third street.

Chief Engineer Lacombe reported under December 1, 1908, that the Northern Union Gas Company claimed that there were not enough consumers to warrant this work. Papers filed.

Laying of gas main in Bailey avenue, from Kingsbridge road to Sedgwick avenue.

By Alderman Crowley—Recommended to the favorable consideration of the Department and Water Supply, Gas and Electricity that a gas main be laid in Bailey avenue, from Kingsbridge road to Sedgwick avenue.

On motion, seconded, it was

Resolved, That the Board adjourn until the 23d day of December, 1908, at 3 p. m.

HENRY A. GUMBLETON, Secretary.

POLICE DEPARTMENT.

December 19, 1908.

I transmit herewith for publication in the CITY RECORD the following list of deaths, retirements, etc., from December 7 to 12, 1908:

December 7.

Transferred to Department of Public Charities—Michael McMorrow, Stoker.

December 8.

Retired—Sergeant John Breen, Sixty-eighth Precinct, at \$750 per annum.

December 9.

Death Reported—Patrolman William Seip, Nineteenth Precinct, at 3:45 p. m., December 8, 1908.

December 10.

Death Reported—Patrolman William Keegan, Sixty-third Precinct, at 12:20 a. m., December 10, 1908.

Employed as Doormen on Probation—Charles W. Nash, John T. Reilly.

Employed as Patrolmen—Jesse M. Bedell, Joseph A. Cody, William P. Napier, Thomas J. Weber, Robert L. Cahill, John A. Furey, Eugene H. Pulch, Edward Zapke, William Clausen, Jr., Patrick J. Murnane, John S. Stanford.

December 11.

Recognized as Lieutenant of Police—Samuel A. McElroy.
Probationary Patrolmen Dismissed—Michael J. Benedetto, James McDermott, Henry Hochswender, James McMahon, Philip McCarthy.

December 12.

Employed as Patrolman—Joseph P. Wind.
Retired—Inspector Max Steinbruck, Central Office Squad, at \$1,375 per annum.
Patrolman James J. Major, Seventy-fourth Precinct, at \$700 per annum.
Patrolman John J. Michels, Two Hundred and Seventy-ninth Precinct, at \$423 per annum. Patrolman Thomas J. Clarke, Bureau of Electrical Service, at \$700 per annum. Patrolman Thomas Deyell, One Hundred and Forty-sixth Precinct, at \$700 per annum. Doorman John Ott, One Hundred and Fifty-third Precinct, at \$500 per annum.

THEO. A. BINGHAM, Police Commissioner.

CHANGES IN DEPARTMENTS, ETC.

FIRE DEPARTMENT.

December 17—Appointed:

Borough of Manhattan.

As ununiformed Firemen for a probationary term of one month, with salary at the rate of \$800 per annum:

To take effect December 15, 1908:

August Dahle, assigned to Engine Company 6; Joseph A. Woods, assigned to Hook and Ladder Company 7; William F. Murphy, assigned to Hook and Ladder Company 20.

To take effect December 17, 1908:

Willie E. Scapplehorn, assigned to Engine Company 16.

Appointment Revoked.

Borough of Manhattan.

John J. Murray, appointed as an ununiformed Fireman, with assignment to Engine Company 16, to take effect November 21, 1908, has been dropped from the rolls, to take effect from 8 o'clock a. m. November 21, he having been appointed a Patrolman in the Police Department.

Promoted.

Fireman first grade Louis Higgins, Engine Company 109, Brooklyn, is hereby promoted to be an Engineer of Steamer with salary at the rate of \$1,600 per annum, to take effect from December 10, 1908, and assigned to Engine Company 5, Manhattan.

Dismissed.

Borough of Brooklyn.

Fireman first grade John W. Durand, Engine Company 144, having been found guilty of the charges of "absence without leave" (three in number) and disobedience of orders preferred against him, tried November 30, 1908, has been dismissed the service of the Department, to take effect from 8 o'clock a. m., December 1, 1908.

Detailed as Acting Engineer of Steamer. Borough of Manhattan.

Fireman first grade George E. McEvoy, Engine Company 1, detailed as an Acting Engineer of Steamer for a probationary term of ninety days, to take effect from December 14, 1908, and assigned to Engine Company 14.

Leave of Absence Granted.

Boroughs of Manhattan, The Bronx and Richmond.

Driver James McGoldrick, Hospital and Training Stables, granted leave of absence without pay for thirty (30) days, from 8 o'clock a. m., December 12, 1908.

Extension of Leave of Absence Granted.

Stoker John Reiner, Engine Company 57, Borough of Manhattan, for one month without pay from December 1, 1908.

Retired.

On own application after more than twenty years' service:

Borough of Richmond.

Foreman William H. McCarthy, Engine Company 206, on \$1,080 per annum, to take effect January 1, 1909.

Borough of Brooklyn.

Fireman first grade Anthony A. Cooke, Engine Company 140, on \$700 per annum, to take effect from January 1, 1909.

Borough of The Bronx.

Fireman first grade William O'Brien, Hook and Ladder Company 29, on \$700 per annum, to take effect from December 18, 1908.

Transferred.

Boroughs of Manhattan, The Bronx and Richmond.

Stoker John Alcorta, Repair Shops, transferred to Engine Company 66, to take effect from December 17, 1908.

Died.

Borough of Manhattan.

Fireman third grade Michael J. Considine, Hook and Ladder Company 1, on December 7, 1908.

DEPARTMENT OF BRIDGES.

December 21—The compensation of Herman J. Barnett, No. 296 Madison street, Manhattan, is fixed at \$24 a week, to date from December 20, 1908.

The compensation of Aaron Weinstock, No. 32 Attorney street, Manhattan, as La-

December 11.

Recognized as Lieutenant of Police—Samuel A. McElroy.
Probationary Patrolmen Dismissed—Michael J. Benedetto, James McDermott, Henry Hochswender, James McMahon, Philip McCarthy.

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Borough of Manhattan.

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Branch Office, Richmond Borough Hall, Room 23, New Brighton, S. I.
Branch Office, Hackett Building, Long Island City, Borough of Queens.

AQUEDUCT COMMISSIONERS.

Room 207, No. 280 Broadway, 5th floor, 9 a. m. to 4 p. m.
Telephone, 1942 Worth.

The Mayor, the Comptroller, ex-officio, Commissioners John F. Cowan (President), William H. Ten Eyck, John J. Ryan and John P. Windolph; Harry W. Walker, Secretary; Walter H. Sears, Chief Engineer.

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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.

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City Hall, Room 21.
Telephone call, 1107 Cortlandt.

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Telephone, 7560 Cortlandt.

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Office, No. 320 Broadway, 9 a. m. to 4 p. m.; Saturdays, 12 m.
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Paul Weimann.

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Telephone, 2946 Worth.

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William C. Baxter, Chief Clerk.

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OFFICE OF THE SECRETARY.

No. 277 Broadway, Room 1406. Telephone, 2280 Worth.

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Harry P. Nichols, Engineer in charge Division of Franchises, No. 277 Broadway, Room 801. Telephone, 2282 Worth.

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Rooms 6027 and 6028 Metropolitan Building, No. 1 Madison avenue, Borough of Manhattan, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

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John H. McCooey and N. Taylor Phillips, Deputy Comptrollers.

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James J. Sullivan, Chief Stock and Bond Clerk, Room 85.

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P. H. Quinn, Chief Auditor of Accounts, Room 27.

LAW AND ADJUSTMENT DIVISION.

Jeremiah T. Mahoney, Auditor of Accounts, Room 185.

BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS.

Charles S. Hervey, Supervising Statistician and Examiner, Room 180.

CHARITABLE INSTITUTIONS DIVISION.

Daniel C. Potter, Chief Examiner of Accounts of Institutions, Room 38.

OFFICE OF THE CITY PAYMASTER.

No. 83 Chambers street and No. 65 Reade street. John H. Timmerman, City Paymaster.

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Stewart Building, Chambers street and Broadway, Chandler Withington, Chief Engineer, Room 55.

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Mortimer J. Brown, Appraiser of Real Estate, Rooms 101, 103 and 105.

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Borough of Manhattan—Stewart Building, Room 0.

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John J. McDonough and William H. Loughran, Deputy Receivers of Taxes.

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

John B. Underhill and Stephen A. Nugent, Deputy Receivers of Taxes.

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

James B. Bouch and William Gallagher, Deputy Receivers of Taxes.

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

George H. Creed and Mason O. Smedley, Deputy Receivers of Taxes.

Borough of Richmond—Borough Hall, St. George, New Brighton.

John De Morgan and F. Wilsey Owen, Deputy Receivers of Taxes.

BUREAU FOR THE COLLECTION OF ASSESSMENTS AND ARREARS.

Borough of Manhattan—Stewart Building, Room 1.

Daniel Moynahan, Collector of Assessments and Arrears.

Richard E. Weldon, Deputy Collector of Assessments and Arrears.

Borough of The Bronx—Municipal Building, Rooms 1-3.

James J. Donovan, Jr., Deputy Collector of Assessments and Arrears.

Borough of Brooklyn—Mechanics' Bank Building, corner Court and Montague streets.

Thomas J. Drennan, Deputy Collector of Assessments and Arrears.

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

Patrick E. Leahy, Deputy Collector of Assessments and Arrears.

Borough of Richmond—St. George, New Brighton.

George Brand, Deputy Collector of Assessments and Arrears.

BUREAU FOR THE COLLECTION OF CITY REVENUE AND OF MARKETS.

Stewart Building, Chambers street and Broadway, Room 141.

John M. Gray, Collector of City Revenue and Superintendent of Markets.

John F. Hobbs, Deputy Superintendent of Markets.

David O'Brien, Deputy Collector of City Revenue.

BUREAU FOR THE EXAMINATION OF CLAIMS.

Frank J. Prial, Chief Examiner, Room 181.

BUREAU OF THE CITY CHAMBERLAIN.

Stewart Building, Chambers street and Broadway, Rooms 63 to 67.

James J. Martin, City Chamberlain.

Henry J. Walsh, Deputy Chamberlain.

Telephone, 4270 Worth.

DEPARTMENT OF HEALTH.

Southwest corner of Fifty-fifth street and Sixth avenue, Borough of Manhattan, 9 a. m. to 4 p. m.

Burial Permit and Contagious Disease Offices always open.

Telephone, 4900 Columbus.

Thomas Darlington, M. D., Commissioner of Health and President.

Alvah H. Doty, M. D.; Theodore A. Bingham, Commissioners.

Eugene W. Scheffer, Secretary.

Herman M. Biggs, M. D., General Medical Officer.

James McC. Miller, Chief Clerk.

Walter Bensel, M. D., Sanitary Superintendent.

William H. Guillot, M. D., Registrar of Records.

Borough of Manhattan.

Alonzo Blauvelt, M. D., Assistant Sanitary Superintendent; George A. Roberts, Assistant Chief Clerk.

Charles J. Burke, M. D., Assistant Registrar of Records.

Borough of The Bronx, No. 3731 Third avenue. Alonzo Blauvelt, M. D., Acting Assistant Sanitary Superintendent; Ambrose Lee, Jr., Assistant Chief Clerk; Arthur J. O'Leary, M. D., Assistant Registrar of Records.

Borough of Brooklyn, Nos. 38 and 40 Clinton street. Traverse R. Maxfield, M. D., Assistant Sanitary Superintendent; Alfred T. Metcalfe, Assistant Chief Clerk; S. J. Byrne, M. D., Assistant Registrar of Records.

Borough of Queens, Nos. 372 and 374 Fulton street, Jamaica.

John H. Barry, M. D., Assistant Sanitary Superintendent; George R. Crowley, Assistant Chief Clerk; Robert Campbell, M. D., Assistant Registrar of Records.

Borough of Richmond, Nos. 54 and 56 Water street, Stapleton, Staten Island.

John T. Sprague, M. D., Assistant Sanitary Superintendent; Charles E. Hoyer, Assistant Chief Clerk; J. Walter Wood, M. D., Assistant Registrar of Records.

BOROUGH OF PARKS.

Henry Smith, Commissioner of Parks for the Boroughs of Manhattan and Richmond, and President Park Board.

William J. Fransoli, Secretary, Offices, Arsenal, Central Park.

Telephone, 201 Plaza.

Michael J. Kennedy, Commissioner of Parks for the Boroughs of Brooklyn and Queens.

Offices, Litchfield Mansion, Prospect Park, Brooklyn.

Telephone, 2300 South.

Joseph I. Berry, Commissioner of Parks for the Borough of the Bronx.

Office, Zbrowski Mansion, Claremont Park.

Office hours, 9 a. m. to 4 p. m.; Saturdays, 12 m.

Telephone, 2640 Tremont.

BOROUGH OF PUBLIC CHARITIES.

PRINCIPAL OFFICE.

Foot of East Twenty-sixth street, 9 a. m. to 4 p. m. Saturdays, 12 m.

Telephone, 3350 Madison Square.

Robert W. Heberd, Commissioner.

Richard C. Baker, First Deputy Commissioner.

Thomas W. Hynes, Second Deputy Commissioner for Brooklyn and Queens, Nos. 327 to 331 Schermerhorn street, Brooklyn Telephone, 2977 Main.

J. McKea Borden, Secretary.

Plans and Specifications, Contracts, Proposals and Estimates for Work and Materials for Building, Repairs and Supplies, Bills and Accounts, 9 a. m. to 4 p. m.; Saturdays, 12 m.

Bureau of Dependent Adults, foot of East Twenty-sixth street. Office hours, 8:30 a. m. to 4 p. m.

The Children's Bureau, No. 66 Third avenue Office hours, 8:30 a. m. to 4 p. m.

Jeremiah Connelly, Superintendent for Richmond Borough, Borough Hall, St. George, Staten Island.

Telephone, 1000 Tompkinsville.

DEPARTMENT OF STREET CLEANING.

Nos. 13 to 21 Park row, 9 a. m. to 4 p. m.

Telephone, 3863 Cortlandt.

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. McCormack, 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, 8520 Cortlandt; Brooklyn, 3980 Main; Queens, 439 Greenpoint; Richmond, 94 Tompkinsville; Bronx, 62 Tremont.

John H. O'Brien, Commissioner.

M. F. Loughman, Deputy Commissioner.

John F. Garvey, Secretary to Department.

1. M. de Varona, Chief Engineer.

George W. Birdsall, Consulting Hydraulic Engineer.

George F. Sever, Consulting Electrical Engineer.

Charles F. Lacombe, Chief Engineer of Light and Power.

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, Crotona Park Building, One Hundred and Seventy-seventh street and Third avenue.

Thomas M. Lynch, Water Register, The Bronx.

Charles C. Wissel, Deputy Commissioner, Borough of Queens, Hackett Building, Long Island City.

John E. Bowe, Deputy Commissioner, Borough of Richmond, Municipal Building, St. George.

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Rooms Nos. 14, 15 and 16 Aldrich Building, Nos. 149 and 151 Church street.

Office open during business hours every day in the year (except legal holidays). Examinations are held on Monday, Wednesday and Friday after 1 p. m.

FIRE DEPARTMENT.

Office hours for all, except where otherwise noted, from 9 a. m. to 4 p. m.; Saturdays 12 m.

HEADQUARTERS.

Nos. 157 and 159 East Sixty-seventh street, Manhattan.

Telephone, 640 Plaza, Manhattan; 2653 Main, Brooklyn.

Nicholas J. Hayes, Commissioner.

P. A. Whitney, Deputy Commissioner.

Charles C. Wise, Deputy Commissioner, Borough of Brooklyn and Queens.

William A. Larney, Secretary; Mark Levy, Secretary to the Commissioner; George F. Dobson, Jr., Secretary to the Deputy Commissioner, Boroughs of Brooklyn and Queens.

Edward F. Croker, Chief of Department.

Thomas Lally, Deputy Chief of Department in charge, Boroughs of Brooklyn and Queens.

Joseph L. Burke, Inspector of Combustibles, Nos. 157 and 159 East Sixty-seventh street, Manhattan. Telephone, 640 Plaza.

Franz S. Wolf, Inspector of Combustibles, Boroughs of Brooklyn and Queens, Nos. 365 and 367 Jay street, Brooklyn. Telephone, 3520 Main.

Peter Seery, Fire Marshal, Boroughs of Manhattan, The Bronx and Richmond.

William L. Beers, Fire Marshal, Boroughs of Brooklyn and Queens.

Andrew P. Martin, Chief Inspector in Fire Alarm Telegraph Bureau.

William T. Beggin, Chief of Battalion in charge

Bureau of Violations and Auxiliary Fire Appliances, Boroughs of Manhattan, The Bronx and Richmond.

Nos. 157 and 159 East Sixty-seventh street, Manhattan.

Boroughs of Brooklyn and Queens, Nos. 365 and 367 Jay street, Brooklyn.

Central office open at all hours.

LAW DEPARTMENT.

OFFICE OF CORPORATION COUNSEL.

Hall of Records, Chambers and Centre streets, 6th, 7th and 8th floors, 9 a. m. to 4 p. m.; Saturdays, 9 a. m.

Wm. Travers Jerome, District Attorney.
John A. Henneberry, Chief Clerk.
Telephone, 2304 Franklin.

PUBLIC ADMINISTRATOR.
No. 119 Nassau street, 9 a. m. to 4 p. m.
William M. Hoes, Public Administrator.
Telephone, 6376 Cortlandt.

REGISTER.

Hall of Records. Office hours from 9 a. m. to 4 p. m.; Saturdays 9 a. m. to 12 m. During the months of July and August the hours are from 9 a. m. to 2 p. m.

Frank Gass, Register.
William H. Sinnott, Deputy Register.
Telephone, 3900 Worth.

SHERIFF.

No. 299 Broadway, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Thomas F. Foley, Sheriff.
John F. Gilchrist, Under Sheriff.
Telephone, 4984 Worth.

SURROGATES.

Hall of Records. Court open from 9 a. m. to 4 p. m., except Saturday, when it closes at 12 m. During the months of July and August the hours are from 9 a. m. to 2 p. m.

Abner C. Thomas and John P. Cahalan, Surrogates; William V. Leahy, Chief Clerk.

KINGS COUNTY.

COMMISSIONER OF JURORS.

County Court-house.
Jacob Brenner, Commissioner.
Jacob A. Livingston, Deputy Commissioner.
Albert B. Waldron, Secretary.
Office hours from 9 a. m. to 4 p. m.; Saturdays, from 9 a. m. to 12 m.

Office hours during July and August, 9 a. m. to 2 p. m.; Saturdays, 9 a. m. to 12 m.
Telephone, 1454 Main.

COMMISSIONER OF RECORDS.

Hall of Records.
Office hours, 9 a. m. to 4 p. m., excepting months of July and August, then 9 a. m. to 2 p. m., Saturdays 9 a. m. to 12 m.
Lewis M. Swasey, Commissioner.
D. H. Ralston, Deputy Commissioner.
Telephone, 1114 Main.
Thomas D. Mossop, Superintendent.
William J. Beattie, Assistant Superintendent.
Telephone, 1082 Main.

COUNTY CLERK.

Hall of Records, Brooklyn. Office hours, 9 a. m. to 4 p. m.; during months of July and August, 9 a. m. to 2 p. m.; Saturdays, 9 a. m. to 12 m.
Frank Ehlers, County Clerk.
Robert A. Sharkey, Deputy County Clerk.
John Cooper, Assistant Deputy County Clerk.
Telephone call, 4930 Main.

COUNTY COURT.

County Court-house, Brooklyn, Rooms 10, 17, 18, 22 and 23. Court opens at 10 a. m. daily and sits until business is completed. Part I., Room No. 23; Part II., Room No. 10, Court-house. Clerk's Office, Rooms 17, 18 and 22, open daily from 9 a. m. to 4 p. m.; Saturdays, 12 m.

Norman S. Dike and Lewis L. Fawcett, County Judges.
Charles S. Devoy, Chief Clerk.
Telephone, 4154 and 4155 Main.

DISTRICT ATTORNEY.

Office, County Court-house, Borough of Brooklyn. Hours, 9 a. m. to 5 p. m.
John F. Clarke, District Attorney.
Telephone number, 2955-6-7-Main.

REGISTER.

Hall of Records. Office hours, 9 a. m. to 4 p. m., excepting months of July and August; then from 9 a. m. to 2 p. m., provided for by statute.
William A. Prendergast, Register.
Frederick H. E. Epstein, Deputy Register.
Telephone, 2830 Main.

SHERIFF.

County Court-house, Brooklyn, N. Y.
9 a. m. to 4 p. m.; Saturdays, 12 m.
Alfred T. Hobley, Sheriff.
James P. Connell, Under Sheriff.
Telephone, 6845, 6846, 6847, Main.

SURROGATE.

Hall of Records, Brooklyn, N. Y.
Herbert T. Ketcham, Surrogate.
Edward J. Bergen, Chief Clerk and Clerk of the Surrogate's Court.
Court opens at 10 a. m. Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.
Telephone, 3954 Main.

QUEENS COUNTY.

COMMISSIONER OF JURORS.
Office hours, 9 a. m. to 4 p. m.; July and August, 9 a. m. to 2 p. m.; Saturdays 9 a. m. to 12 m. Queens County Court-house, Long Island City.
John P. Balbert, Commissioner of Jurors.
Rodman Richardson, Assistant Commissioner.
Telephone, 455 Greenpoint.

COUNTY CLERK.

No. 364 Fulton street, Jamaica, Fourth Ward, Borough of Queens, City of New York.
Office open, 9 a. m. to 4 p. m.; Saturday, 9 a. m. to 12 m.
John Niederstein, County Clerk.
Henry Walter, Jr., Deputy County Clerk.
Telephone, 151 Jamaica.

COUNTY COURT.

Temporary County Court-house, Long Island City. County Court opens at 10 a. m. Trial Terms begin first Monday of each month, except July, August and September. Special Terms each Saturday, except during August and first Saturday of September.
County Judge's office always open at No. 336 Fulton street, Jamaica, N. Y.
Burt J. Humphrey, County Judge.
Telephone, 286 Jamaica.

DISTRICT ATTORNEY.
Office, Queens County Court-house, Long Island City, 9 a. m. to 5 p. m.
Ira G. Darrin, District Attorney.
Telephone, 39 Greenpoint.

PUBLIC ADMINISTRATOR.
No. 17 Cook avenue, Elmhurst.
John T. Robinson, Public Administrator, County of Queens.
Telephone, 335 Newtown.

SHERIFF.

County Court-house, Long Island City, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.
Herbert S. Harvey, Sheriff.
John M. Phillips, Under Sheriff.
Telephone, 43 Greenpoint (office).
Henry O. Schleth, Warden, Queens County Jail.
Telephone, 372 Greenpoint.

SURROGATE.

Daniel Noble, Surrogate.
Wm. F. Hendrickson, Clerk.
Office, No. 364 Fulton street, Jamaica.
Except on Sundays, holidays and half holidays, the office is open from 9 a. m. to 4 p. m.; Saturdays, from 9 a. m. to 12 m.
The calendar is called on Tuesday of each week at 10 a. m., except during the month of August, when no court is held, and the court sits every day thereafter until all contested cases have been disposed of.
Telephone, 397 Jamaica.

RICHMOND COUNTY.

COMMISSIONER OF JURORS.
Village Hall, Stapleton.
Charles J. Kullman, Commissioner.
John J. McCaughey, Assistant Commissioner.
Office open from 9 a. m. until 4 p. m.; Saturdays, from 9 a. m. to 12 m.
Telephone, 81 Tompkinsville.

COUNTY CLERK.

County Office Building, Richmond, S. I., 9 a. m. to 4 p. m.
C. L. Bostwick, County Clerk.
County Court-house, Richmond, S. I., 9 a. m. to 4 p. m.
Telephone, 28 New Dorp.

COUNTY JUDGE AND SURROGATE.
Terms of Court, Richmond County, 1909.
County Courts—Stephen D. Stephens, County Judge.
First Monday of June, Grand and Trial Jury.
Second Monday of November, Grand and Trial Jury.

Fourth Wednesday of January, without a Jury.
Fourth Wednesday of February, without a Jury.
Fourth Wednesday of March, without a Jury.
Fourth Wednesday of April, without a Jury.
Fourth Wednesday of July, without a Jury.
Fourth Wednesday of September, without a Jury.
Fourth Wednesday of October, without a Jury.
Fourth Wednesday of December, without a Jury.
Surrogate's Court—Stephen D. Stephens, Surrogate.

Mondays, at the Borough Hall, St. George, at 10:30 o'clock a. m.
Tuesdays, at the Borough Hall, St. George, at 10:30 o'clock a. m.
Wednesdays, at the Surrogate's Office, Richmond at 10:30 o'clock a. m.

DISTRICT ATTORNEY.

Borough Hall, St. George, S. I.
Samuel H. Evans.
Telephone, 50 Tompkinsville.

SHERIFF.

County Court-house, Richmond, S. I.
Office hours, 9 a. m. to 4 p. m.
Joseph J. Barth.

THE COURTS.

APPELLATE DIVISION OF THE SUPREME COURT.

FIRST JUDICIAL DEPARTMENT.

Court-house, Madison avenue, corner Twenty-fifth street. Court opens at 1 p. m.

Edward Patterson, Presiding Justice; George L. Ingraham, Chester B. McLaughlin, Frank C. Laughlin, John Proctor Clarke, James W. Houghton, Francis M. Scott, Justices; Alfred Wagstaff, Clerk; William Lamb, Deputy Clerk.

Clerk's Office opens at 9 a. m.
Telephone, 3840 Madison Square

SUPREME COURT-FIRST DEPARTMENT.

County Court-house, Chambers street. Court open from 10:15 a. m. to 4 p. m.

Special Term, Part I. (motions), Room No. 16.
Special Term, Part II. (ex parte business), Room No. 13.

Special Term, Part III., Room No. 19.
Special Term, Part IV., Room No. 20.

Special Term, Part V., Room No. 6.
Special Term, Part VI. (Elevated Railroad cases), Room No. 31.

Trial Term, Part II., Room No. 34.
Trial Term, Part III., Room No. 22.

Trial Term, Part IV., Room No. 21.
Trial Term, Part V., Room No. 24.

Trial Term, Part VI., Room No. 18.
Trial Term, Part VII., Room No. 23.

Trial Term, Part VIII., Room No. 23.

Trial Term, Part IX., Room No. 35.

Trial Term, Part X., Room No. 26.

Trial Term, Part XI., Room No. 27.

Trial Term, Part XII., Room No. 27.

Trial Term, Part XIII., and Special Term, Part VII., Room No. 36.

Trial Term, Part XIV., Room No. 28.
Trial Term, Part XV., Room No. 37.

Trial Term, Part XVI., Room No. 26.

Trial Term, Part XVII., Room No. 20.

Trial Term, Part XVIII., Room No. 29.

Appellate Term, Room No. 29.
Naturalization Bureau, Room No. 38, third floor.
Assignment Bureau, room on mezzanine floor, northeast.

Clerks in attendance from 10 a. m. to 4 p. m.

Clerk's Office, Special Term, Part I. (motions), Room No. 15.

Clerk's Office, Special Term, Part II. (ex parte business), ground floor, southeast corner.

Clerk's Office, Special Term, Calendar, ground floor, south.

Clerk's Office, Trial Term, Calendar, room northeast corner, second floor, east.

Clerk's Office, Appellate Term, room southwest corner, third floor.

Trial Term, Part I. (criminal business).

Criminal Court-house, Centre street.

Justices—Charles H. Truax, Charles F. MacLean, Henry Bischoff, Leonard A. Giegerich, P. Henry Dugro, Henry A. Gildersleeve, James Fitzgerald, James A. O'Gorman, James A. Blanchard, Samuel Greenbaum, Edward E. McCall, Edward B. Amend, Vernon M. Davis, Victor J. Dowling, Joseph E. Newburger, John W. Goff, Samuel Seabury, M. Warley Platzen, Peter A. Hendrick, John Ford, Charles W. Dayton, John J. Brady, Mitchell L. Erlanger, Charles L. Guy, James W. Gerard, Matthew Linn Bruce, Peter J. Dooling, Clerk, Supreme Court.
Telephone, 4580 Cortlandt.

SUPREME COURT—SECOND DEPARTMENT.

Kings County Court-house, Borough of Brooklyn, N. Y.

Court open daily from 10 o'clock a. m. to 5 o'clock p. m. Seven jury trial parts. Special Term for Trials. Special Term for Motions.

James F. McGee, General Clerk.
Telephone, 5460 Main.

CRIMINAL DIVISION—SUPREME COURT.

Building for Criminal Courts, Centre, Elm, White and Franklin streets.

Court opens at 10:30 a. m.
Peter J. Dooling, Clerk; Edward R. Carroll, Special Deputy to the Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Telephone, 6064 Franklin.

COURT OF GENERAL SESSIONS.

Held in the Building for Criminal Courts, Centre, Elm, White and Franklin streets.

Court opens at 10:30 a. m.

Thomas C. T. Crain, Otto A. Rosalsky, Warren W. Foster, Thomas C. O'Sullivan, Edward Swann, Joseph F. Mulqueen, James T. Malone, Judges of the Court of General Sessions. Edward R. Carroll, Clerk. Telephone, 1201 Franklin.

Clerk's Office open from 9 a. m. to 4 p. m.

During July and August Clerk's Office will close at 2 p. m., and on Saturdays at 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. Delehanty, Joseph I. Green, Alexander Finelite, Thomas F. Donnelly, John V. McAvoy, Peter Schmuck, Richard T. Lynch, Edward B. La Petra, Justices. Thomas F. Smith, Clerk. Telephone, 6142 Cortlandt.

COURT OF SPECIAL SESSIONS.

Building for Criminal Courts, Centre street between Franklin and White streets, Borough of Manhattan.

Court opens at 10 a. m.

Justices—First Division—William E. Wyatt, Willard H. Olmsted, Joseph M. Deuel, Lorenz Zeller, John B. Mayo, Franklin Chase Hoyt, Charles W. Culkin, Clerk; William M. Fuller, Deputy Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Telephone, 2092 Franklin, Clerk's office.

Telephone, 60 Franklin, Justices' chambers.

SECOND DIVISION—TRIAL DAYS.

No. 171 Atlantic avenue, Brooklyn, Mondays, Thursdays and Fridays at 10 o'clock; Town Hall, Jamaica, Borough of Queens, Tuesday at 10 o'clock; Town Hall, New Brighton, Borough of Richmond, Wednesdays at 10 o'clock.

Justices—Howard J. Forker, John Fleming, Morgan M. L. Ryan, Robert J. Wilkin, George J. O'Keefe, James J. McInerney, Joseph L. Kerrigan, Clerk; John J. Dorman, Deputy Clerk.

Clerk's Office, No. 171 Atlantic avenue, Borough of Brooklyn, open from 9 a. m. to 4 p. m.

CHILDREN'S COURT.

First Division—No. 66 Third avenue, Manhattan.

First Division—No. 100 Franklin, Clerk.

Telephone, 5353 Stuyvesant.

Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.
Telephone, 3550 Harlem.

Ninth District—The Ninth District embraces the territory bounded on the south by the centre line of Fourteenth street and by the centre line of Fifty-ninth street from the centre line of Seventh avenue to the centre line of Central Park West, on the east by the centre line of Lexington avenue and by the centre line of Irving place, including its projection through Gramercy Park, and by the centre line of Fifth avenue from the centre line of Ninety-sixth street to the centre line of One Hundred and Tenth street, on the north by the centre line of Ninety-sixth street from the centre line of Lexington avenue to the centre line of Fifth avenue and by One Hundred and Tenth street from Fifth avenue to Central Park West, on the west by the centre line of Seventh avenue and Central Park West.

Edgar J. Lauer, Frederick De Witt Wells, Frank D. Sturges, William C. Wilson, Justices.

William J. Chamberlain, Clerk; Charles Healy, Deputy Clerk.

Location of Court—Southwest corner of Madison avenue and Fifty-ninth street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.
Telephone, 3873 Plaza.

Borough of The Bronx.

First District—All that part of the Twenty-fourth Ward which was lately annexed to the City and County of New York by chapter 934 of the Laws of 1895, comprising all of the late Town of Westchester and part of the Towns of Eastchester and Pelham, including the Villages of Wakefield and Williamsbridge. Court-room, Town Hall, No. 1400 Williamsbridge road, Westchester Village. Court open daily (Sundays and legal holidays excepted), from 9 a. m. to 4 p. m. Trial of causes, Tuesday and Friday of each week.

Peter A. Sheil, Justice.

Stephen Collins, Clerk.

Office hours from 9 a. m. to 4 p. m.; Saturdays closing at 12 m.
Telephone, 457 Westchester.

Second District—Twenty-third and Twenty-fourth Wards, except the territory described in chapter 934 of the Laws of 1895. Court-room, southeast corner of Washington avenue and One Hundred and Sixty-second street. Office hours, from 9 a. m. to 4 p. m. Court opens at 9 a. m.

John M. Tierney, Justice. Thomas A. Maher, Clerk.
Telephone, 3043 Melrose.

Borough of Brooklyn.

First District—Comprising First, Second, Third, Fourth, Fifth, Sixth, Tenth and Twelfth Wards and that portion of the Eleventh Ward beginning at the intersection of the centre lines of Hudson and Myrtle avenues, thence along the centre line of Myrtle avenue to North Portland avenue, thence along the centre line of North Portland avenue to Flushing avenue, thence along the centre line of Flushing avenue to Navy street, thence along the centre line of Navy street to Johnson street, thence along the centre line of Johnson street to Hudson avenue, and thence along the centre line of Hudson avenue to the point of beginning of the Borough of Brooklyn. Court-house, northwest corner State and Court streets. Parts I. and II.

John J. Walsh, Justice. Edward Moran, Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Second District—Seventh Ward and that portion of the Twenty-first and Twenty-third Wards west of the centre line of Stuyvesant avenue and the centre line of Schenectady avenue, also that portion of the Twenty-third Ward beginning at the intersection of the centre lines of North Portland and Myrtle avenues, thence along the centre line of Myrtle avenue to Waverly avenue, thence along the centre line of Waverly avenue to Park avenue, thence along the centre line of Park avenue to Washington avenue, thence along the centre line of Washington avenue to Flushing avenue, thence along the centre line of Flushing avenue to North Portland avenue, and thence along the centre line of North Portland avenue to the point of beginning.

Court-room, No. 405 Gates avenue.

Gerard B. Van Wart and Charles J. Dodd, Justices. Franklin B. Van Wart, Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Third District—Embraces the Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth and Nineteenth Wards, and that portion of the Twenty-seventh Ward lying northwest of the centre line of Starr street between the boundary line of Queens County and the centre line of Central avenue, and northwest of the centre line of Suydam street between the centre lines of Central and Bushwick avenues, and northwest of the centre line of Willoughby avenue between the centre lines of Bushwick avenue and Broadway. Court-house, Nos. 6 and 8 Lee avenue, Brooklyn.

Philip D. Meagher and William J. Bogenshutz, Justices. John W. Carpenter, Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Court opens at 9 a. m.

Fourth District—Embraces the Twenty-fourth and Twenty-fifth Wards, that portion of the Twenty-first and Twenty-third Wards lying east of the centre line of Stuyvesant avenue and east of the centre line of Schenectady avenue, and that portion of the Twenty-seventh Ward lying southeast of the centre line of Starr street between the boundary line of Queens and the centre line of Central avenue, and southeast of the centre line of Suydam street between the centre lines of Central and Bushwick avenues, and southeast of the centre line of Willoughby avenue between the centre lines of Bushwick avenue and Broadway.

Court-room, No. 14 Howard avenue.

Thomas H. Williams, Justice. G. J. Wiederhold, Clerk. Milton I. Williams, Assistant Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Fifth District—Contains the Eighth, Thirtieth and Thirty-first Wards, and so much of the Twenty-second Ward as lies south of Prospect avenue. Court house, northwest corner of Fifty-third street and Thirteenth avenue.

Cornelius Furgeson, Justice. Jeremiah J. O'Leary, Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Telephone, 407 Bay Ridge.

Sixth District—The Sixth District embraces the Ninth and Twenty-ninth Wards and that portion of the Twenty-second Ward north of the centre line of Prospect avenue; also that portion of the Eleventh and the Twentieth Wards beginning at the intersection of the centre lines of Bridge and Fulton streets; thence along the centre line of Fulton street to Flatbush avenue; thence along the centre line of Flatbush avenue to Atlantic avenue; thence along the centre line of Atlantic avenue to Washington avenue; thence along the centre line of Washington avenue to Park avenue; thence along the centre line of Park avenue to Waverly avenue; thence along the centre line of Waverly avenue to Myrtle avenue; thence along the centre line of Myrtle avenue to Hudson avenue; thence along the centre line of Hudson avenue to Johnson street; thence along the centre line of Johnson street to Bridge street, and thence along the centre line of Bridge street to the point of beginning.

Lucien S. Bayliss and George Fielder, Justices. Charles P. Bible, Clerk.

Court-house, No. 611 Fulton street.

Seventh District—The Seventh District embraces the Twenty-sixth, Twenty-eighth and Thirty-second Wards.

Alexander S. Rosenthal and Edward A. Richards, Justices. Samuel F. Brothers, Clerk.

Court-house, corner Pennsylvania avenue and Fulton street (No. 31 Pennsylvania avenue).

Clerk's Office open from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Trial days, Tuesdays, Wednesdays, Thursdays and Fridays.

Jury days, Wednesdays and Thursdays.

Telephone, 904 East New York.

Borough of Queens.

First District—First Ward (all of Long Island City formerly composing five wards). Court-room, St. Mary's Lyceum, Nos. 115 and 117 Fifth street, Long Island City.

Clerk's Office open from 9 a. m. to 4 p. m. each day, excepting Saturdays, closing at 12 m. Trial days, Mondays, Wednesdays and Fridays. All other business transacted on Tuesdays and Thursdays.

Thomas C. Kadien, Justice. Thomas F. Kennedy Clerk.

Telephone, 2376 Greenpoint.

Second District—Second and Third Wards, which include the territory of the late Towns of Newtown and Flushing. Court-room in Court-house of the late Town of Newtown, corner of Broadway and Court street, Elmhurst, New York. P. O. Address, Elmhurst, Queens County, New York.

William Rasquin, Jr., Justice. Luke J. Connor, Clerk. William Repper, Assistant Clerk. James B. Snediker, Stenographer.

Trial days, Tuesdays and Thursdays.

Clerk's Office open from 9 a. m. to 4 p. m.

Telephone, 87 Newtown.

Third District—Fourth and Fifth Wards, comprising the territory of the former Towns and Villages of Jamaica, Far Rockaway and Rockaway Beach.

James F. McLaughlin, Justice. George W. Damon, Clerk.

Court-house, Town Hall, Jamaica.

Telephone, 189 Jamaica.

Clerk's Office open from 9 a. m. to 4 p. m.

Court held on Mondays, Wednesdays and Fridays at 9 a. m.

Borough of Richmond.

First District—First and Third Wards (Towns of Castleton and Northfield). Court-room, former Village Hall, Lafayette avenue and Second street, New Brighton.

Thomas C. Brown, Justice. Anning S. Prall, Clerk.

Clerk's Office open from 8.45 a. m. to 4 p. m.

Telephone, 503 Tompkinsville.

Second District—Second, Fourth and Fifth Wards (Towns of Middletown, Southfield and Westfield). Court-room, former Edgewater Village Hall, Stapleton.

George W. Stake, Justice. Peter Tiernan, Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Court opens at 9 a. m. Calendar called at 10 a. m. Court continued until close of business. Trial days, Mondays, Wednesdays and Fridays.

Telephone, 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.

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 19, 1906. Amended June 20, 1906; September 30, 1907; February 24, 1908; March 5 and 16, and August 4, 1908.

BOROUGH OF MANHATTAN.

"Manhattan and Bronx Advocate" (Washington Heights, Morningside Heights and Harlem Districts).

Designated by Board of City Record June 19, 1906. Amended June 20, 1906; September 30, 1907; February 24, 1908; March 5 and 16, and August 4, 1908.

BOROUGH OF RICHMOND.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF RICHMOND, BOROUGH HALL, ST. GEORGE, NEW BRIGHTON, 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 noon

TUESDAY, DECEMBER 22, 1908.

Borough of Richmond.

FOR FURNISHING AND DELIVERING FORTY-FIVE THOUSAND (45,000) FEET (B. M.) SPRUCE AND TWENTY THOUSAND (20,000) FEET (B. M.) YELLOW PINE LUMBER AT CITY STABLE, COLUMBIA STREET, WEST NEW BRIGHTON.

The time for the completion of the work and the full performance of the contract is ten (10) days.

The amount of security required is One Thousand Dollars (\$1,000).

The contracts must be bid for separately, and the bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Bidders are requested to make their bids or estimates upon the blank form prepared by the President, a copy of which, with the proper envelope in which to enclose the bid, together with a copy of the contract, including the specifications, in the form approved by the Corporation Counsel, can be obtained upon application therefor at the office of the said President. The plans and drawings may be seen and other information obtained at the office of the Commissioner of Public Works of the Borough of Richmond, Borough Hall, New Brighton, Borough of Richmond.

GEORGE CROMWELL, President.
The City of New York, December 5, 1908.

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF BRIDGES.

DEPARTMENT OF BRIDGES, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Bridges at the above office until 11 o'clock a. m. on

THURSDAY, DECEMBER 24, 1908,

FOR FURNISHING AND DELIVERING DRY GOODS, HARDWARE, PAINTS, OILS, LEATHER, TIN, CROCKERY AND MISCELLANEOUS ARTICLES.

The time for the delivery of the articles, materials and supplies and the performance of the contract is during the year 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the totals and awards made to the lowest bidder on each item.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Department of Correction, the Borough of Manhattan, No. 148 East Twentieth street.

JOHN V. COGGEY, Commissioner. Dated December 15, 1908.

See General Instructions to Bidders on the last page, last column, of the "City Record."

BELLEVUE AND ALLIED HOSPITALS.

BELLEVUE AND ALLIED HOSPITALS DEPARTMENT OF NEW YORK CITY, TWENTY-SIXTH STREET AND FIRST AVENUE, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Board of Trustees at the above office until 3 p. m. on

TUESDAY, DECEMBER 22, 1908,

FOR "DESKS."

The surety required will be not less than fifty per cent. (50%) of the amount of the bid.

The time for the delivery of the supplies and the full performance of the contract is within 60 days after award is made.

The bids will be read from the total, and will be compared and awarded to the lowest bidder for the line or class, as specified, as soon thereafter as practicable, according to law.

Blank forms may be obtained at the office of the Contract Clerk, No. 419 East Twenty-sixth street, Borough of Manhattan, where the bids and deposits are also delivered.

JOHN W. BRANNAN, President of the Board of Trustees, Bellevue and Allied Hospitals.

Dated December 10, 1908.

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF STREET CLEANING.

MAIN OFFICE OF THE DEPARTMENT OF STREET CLEANING, ROOM 1403, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Street Cleaning at the above office until 12 o'clock m. on

THURSDAY, DECEMBER 31, 1908.

Boroughs of Manhattan, The Bronx and Brooklyn.

bids will be tested. The extensions must be made and footed up, as 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 Department of Street Cleaning, the Borough of Manhattan, Nos. 13 to 21 Park row.

FOSTER CROWELL.

Commissioner of Street Cleaning.

Dated December 19, 1908.

d19,17

See General Instructions to Bidders on the last page, last column, of the "City Record."

MAIN OFFICE OF THE DEPARTMENT OF STREET CLEANING, ROOM 1403, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Street Cleaning at the above office until 12 o'clock m.

TUESDAY, DECEMBER 29, 1908.

Borough of Brooklyn.

CONTRACT FOR FURNISHING AND DELIVERING FORAGE.

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before March 31, 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

Borough of Manhattan.

CONTRACT FOR FURNISHING AND DELIVERING FORAGE.

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before March 31, 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

Borough of The Bronx.

CONTRACT FOR FURNISHING AND DELIVERING FORAGE.

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before March 31, 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per hundred pounds or other unit of measure, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total and awards made to the lowest bidder.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Department of Street Cleaning, the Borough of Manhattan, Nos. 13 to 21 Park row.

FOSTER CROWELL.

Commissioner of Street Cleaning.

Dated December 14, 1908.

d15,29

See General Instructions to Bidders on the last page, last column, of the "City Record."

ASHES, ETC., FOR FILLING IN LANDS.

PERSONS HAVING LANDS OR PLACES in the vicinity of New York Bay to 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.

POLICE DEPARTMENT.

POLICE DEPARTMENT OF THE CITY OF NEW YORK, PROPERTY CLERK'S OFFICE, NO. 300 MULBERRY STREET, NEW YORK, December 17, 1908.

PUBLIC NOTICE IS HEREBY GIVEN that the one hundred and first public auction sale, consisting of condemned Police Department horses, will be held at Nos. 153 and 155 East Thirty-second street, Borough of Manhattan, at 11 a. m., on

TUESDAY, DECEMBER 31, 1908.

Horse Barron, No. 203.

Horse Nick, No. 366.

Horse Phil, No. 501.

Horse Bijou, No. 370.

Horse Spy, No. 520.

Horse Hermit, No. 444.

Horse Pioneer, No. 356.

Horse Red Wing, No. 474.

Horse Robin, No. 460.

Horse Dakota, No. 113.

Horse Handspring, No. 679.

THEODORE A. BINGHAM, Commissioner.

d18,31

POLICE DEPARTMENT OF THE CITY OF NEW YORK, NO. 300 MULBERRY STREET, BOROUGH OF MANHATTAN.

SEALED BIDS OR ESTIMATES WILL BE received by the Police Commissioner of the Police Department of the City of New York at the Bookkeeper's office until 10 o'clock a. m. on

TUESDAY, DECEMBER 29, 1908.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED IN MAKING AND COMPLETING ELECTRIC LIGHT AND POWER INSTALLATION THROUGHOUT THE POLICE DEPARTMENT STABLE, NOS. 153 AND 155 EAST THIRTY-SECOND STREET, IN THE BOROUGH OF MANHATTAN, FOR THE POLICE DEPARTMENT OF THE CITY OF NEW YORK.

The time allowed for the completion of the work and the full performance of the contract is thirty days.

The amount of security required will be fifty per cent. (50%) of the amount of bid or estimate.

The bids will be compared and award made to the lowest bidder.

The bidder will state the price for which he will do all the work and provide, furnish and deliver all the labor and materials mentioned and described in said contract and specifications.

For particulars as to the nature and extent of the work required or of the materials to be furnished, bidders are referred to the specifications and to the plans on file in the office of the Inspector of Repairs and Supplies of the Police Department, No. 300 Mulberry street, City of New York.

THEODORE A. BINGHAM, Commissioner.

d16,30

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Brooklyn at the above office until 11 o'clock a. m. on

WEDNESDAY, DECEMBER 30, 1908.

No. 1. FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED TO PAINT CORRIDORS AND VARNISH ALL THE CORRIDORS, STAIRWAYS, SHAFTS, ETC., IN THE HALL OF RECORDS.

The time allowed for the completion of the work and full performance of the contract will be thirty days.

The amount of security required will be \$1,000.

No. 2. FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED FOR REPAIRS AND ALTERATIONS TO THE INSIDE AND OUTSIDE HARDWOOD DOORS, JAMBS, ETC., IN THE THREE (3) DOOR

THEODORE A. BINGHAM, Commissioner.

d19,21,22

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

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See General Instructions to Bidders on the last page, last column, of the "City Record."

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d19,21,22

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Brooklyn at the above office until 11 o'clock a. m. on

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4,165 feet wooden fencing, 6 feet high.

15 iron gates.

6 wooden gates.

10 granite gate-posts.

225 cubic yards concrete.

500 cubic yards rock excavation.

500 cubic yards earth excavation.

4,500 cubic yards earth filling.

The work is authorized by chapter 400, Laws of 1883, of the State of New York, and the amendments thereto.

No bid will be received or considered unless accompanied by either a certified check upon one of the State or National banks in The City of New York, drawn to the order of the Comptroller, or money to the amount of One Thousand Dollars (\$1,000).

Copies of pamphlet containing further information for bidders, form of proposal, form of contract and bond approved by the Corporation Counsel, lithographs of the contract drawings and the specifications can be obtained at the office of the Aqueduct Commissioners on application in person or by mail.

JOHN F. COWAN, President.

HARRY W. WALKER, Secretary.

d19,12

See General Instructions to Bidders on the last page, last column, of the "City Record."

BOROUGH OF QUEENS.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF QUEENS, THIRD FLOOR OF THE BOROUGH HALL, FIFTH STREET AND JACKSON AVENUE, LONG ISLAND CITY, BOROUGH OF QUEENS, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED by the President of the Borough of Queens at the above office until 11 o'clock a. m. on

WEDNESDAY, DECEMBER 30, 1908.

No. 1. FOR REGULATING, GRADING AND REPAVING WITH SECOND-HAND GRANITE BLOCK PAVEMENT ON A SAND FOUNDATION THE ROADWAY OF COLLEGE POINT CAUSEWAY, INCLUDING ALL GRADING AND THE EXTENSION OF THE PRESENT CULVERT, AS PER PLANS, FROM A POINT 200 FEET NORTH OF MYRTLE AVENUE TO A POINT 3,400 FEET NORTH OF MYRTLE AVENUE, THIRD WARD.

The Engineer's estimate of the quantities is as follows:

7,475 square yards second-hand pavement on a sand foundation, including all grading, as shown on the drawing in the office of the President of the Borough.

14.25 tons of steel.

185 cubic yards of concrete in abutment and retaining wall.

3,220 linear feet of piles.

11,500 feet timber platforms.

18.25 cubic yards reinforced arched concrete floor.

12 cubic yards cut masonry.

Pulling and removing old piles in front of present culvert.

The time allowed for doing and completing the above work will be one hundred and twenty (120) working days.

The amount of security required will be Fifteen Thousand Dollars (\$15,000).

No. 2. FOR REGULATING, GRADING, CONCRETE CURBING, LAYING BLUESTONE SIDEWALKS AND CROSSWALKS ON POTTER AVENUE, FROM ELEVENTH AVENUE TO FLUSHING AVENUE, FIRST WARD.

The Engineer's estimate of the quantities is as follows:

20,200 cubic yards of earth excavation.

2,850 linear feet of concrete curb.

12,750 square feet of new flagstone.

930 square feet of new bluestone bridging.

The time allowed for doing and completing the above work will be ninety (90) working days.

The amount of security required will be Five Thousand Dollars (\$5,000).

No. 3. FOR REGULATING, GRADING, CURBING, LAYING SIDEWALKS AND CROSSWALKS OF BLUESTONE ON ELEVENTH AVENUE, FROM FLUSHING AVENUE TO POTTER AVENUE, FIRST WARD.

The Engineer's estimate of the quantities is as follows:

1,350 cubic yards of earth excavation.

3,100 cubic yards of earth filling.

1,700 linear feet of new bluestone curbstone.

7,900 square feet of new flagstone.

450 square feet of new bluestone bridging.

The time allowed for doing and completing the above work will be forty-five (45) working days.

The amount of security required will be Two Thousand Five Hundred Dollars (\$2,500).

No. 4. FOR REGULATING, GRADING, AND LAYING CONCRETE CEMENT SIDEWALKS ON THE NORTH SIDE OF JAMAICA AVENUE, WHERE NOT ALREADY LAID, FROM FOREST PARKWAY TO LEGGETT AVENUE, FOURTH WARD.

The Engineer's estimate of the quantities is as follows:

705 square feet of cement sidewalks, including excavation.

The time allowed for doing and completing the above work will be ten (10) working days.

The amount of security required will be One Hundred Dollars (\$100).

No. 5. FOR REGULATING, GRADING, CURBING AND LAYING BLUESTONE SIDEWALKS ON TWELFTH AVENUE, FROM GRAND AVENUE TO NEWTOWN ROAD, FIRST WARD.

The Engineer's estimate of the quantities is as follows:

9,450 cubic yards of earth excavation.

25 cubic yards of rock excavation.

1,550 linear feet of new bluestone curbstone.

7,720 square feet of new bluestone flagstone.

The time allowed for doing and completing the above work will be forty (40) working days.

The amount of security required will be Two Thousand Five Hundred Dollars (\$2,500).

No. 6. FOR FURNISHING AND DELIVERING SEVEN HUNDRED AND FIFTY (750) GROSS TONS OF BITUMINOUS COAL TO THE FAR ROCKAWAY DISPOSAL PLANT, FIFTH WARD.

To be delivered at such times and in such quantities as may be directed until December 31, 1909.

The amount of security required will be Fifteen Hundred Dollars.

No. 7. FOR FURNISHING AND DELIVERING THREE HUNDRED AND FIFTY (350) GROSS TONS OF PEA COAL TO THE NEWTOWN DISPOSAL PLANT, SECOND WARD.

To be delivered at such times and in such quantities as may be directed until December 31, 1909.

The amount of security required will be Eleven Hundred Dollars.

No. 8. FOR FURNISHING AND DELIVERING ONE HUNDRED AND TWENTY-FIVE (125) GROSS TONS OF PEA COAL TO THE JAMAICA DISPOSAL PLANT, FOURTH WARD.

To be delivered at such times and in such quantities as may be directed until December 31, 1909.

The amount of security required will be Four Hundred Dollars.

No. 9. FOR FURNISHING AND DELIVERING NINE HUNDRED (900) GROSS TONS OF ANTHRACITE COAL TO THE COUNTY AND BOROUGH BUILDINGS IN THE BOROUGH OF QUEENS.

To be delivered at such times and in such quantities as may be directed until December 31, 1909.

The amount of security required will be Two Thousand Dollars.

No. 10. FOR CONSTRUCTING SEWER AND APPURTENANCES IN EMMA STREET, FROM WILLIAM STREET TO NURGE STREET, AND A TEMPORARY SEWER AND APPURTENANCES IN EMMA STREET, FROM NURGE STREET TO FLUSHING AVENUE, SECOND WARD.

The Engineer's estimate of the quantities is as follows:

415 linear feet of 10-inch vitrified salt-glazed pipe sewer.

525 linear feet of 12-inch vitrified salt-glazed pipe sewer.

6 manholes, complete.

20 cubic yards of rock, excavated and removed.

2,000 feet (B. M.) timber for foundation.

5,000 feet (B. M.) timber for bracing and sheet piling.

The time allowed for doing and completing the above work will be thirty working days.

The amount of security required will be Thirteen Hundred Dollars.

The bidder will state the price of each item or article contained in the specifications or schedule herein contained or hereto annexed, per square yard, linear foot 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 a total.

Bids will be compared and contracts awarded at a lump or aggregate sum.

Blank forms and further information may be obtained at the office of the President of the Borough of Queens.

Dated Long Island City, December 17, 1908.

LAWRENCE GRESSER, President.

d17,30

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF QUEENS, THIRD FLOOR OF THE BOROUGH HALL, FIFTH STREET AND JACKSON AVENUE, LONG ISLAND CITY, BOROUGH OF QUEENS, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED by the President of the Borough of Queens at the above office until 11 o'clock a. m. on

WEDNESDAY, DECEMBER 30, 1908.

No. 1. FOR CONSTRUCTING A TEMPORARY SEWER AND APPURTENANCES IN FOURTEENTH AVENUE, FROM TWENTY-SEVENTH STREET TO FOURTEENTH STREET, AND IN FOURTEENTH STREET, FROM FOURTEENTH AVENUE TO A POINT ONE THOUSAND FEET EASTERLY THEREFROM, AT WHITESTONE, THIRD WARD.

The Engineer's estimate of the quantities is as follows:

1,050 linear feet 12-inch vitrified salt glazed pipe sewer.

995 linear feet 15-inch vitrified salt glazed pipe sewer.

15 manholes, complete.

200 cubic yards of rock, excavated and removed.

5,000 feet (B. M.) timber, for foundation.

25,000 feet (B. M.) timber, for bracing and sheet piling.

The time allowed for doing and completing the above work will be one hundred and twenty working days.

The amount of security required will be Four Thousand Dollars.

No. 2. FOR CONSTRUCTING SEWER AND APPURTENANCES IN FREEMAN AVENUE, FROM THE EAST RIVER TO VAN ALST AVENUE, FIRST WARD.

The Engineer's estimate of the quantities is as follows:

235 linear feet 3-foot circular reinforced concrete sewer, including junction chamber.

250 linear feet 3-foot circular reinforced concrete sewer.

750 linear feet 2-foot 6-inch circular reinforced concrete sewer.

770 linear feet 2-foot $\frac{3}{8}$ -inch by 3-foot 1 $\frac{1}{4}$ -inch reinforced concrete sewer.

260 linear feet 12-inch vitrified salt glazed pipe sewer.

325 linear feet 12-inch vitrified salt glazed culvert pipe.

17 manholes, complete.

13 receiving basins, complete.

1,000 cubic yards of rock, excavated and removed.

100 cubic yards concrete, in place.

15,000 feet (B. M.) timber, for foundation.

5,000 feet (B. M.) timber, for bracing and sheet piling.

7,500 linear feet piles below caps furnished, driven and cut off.

The time allowed for doing and completing the above work will be one hundred and twenty (120) working days.

The amount of security required will be Fifteen Thousand Dollars (\$15,000).

No. 3. FOR CONSTRUCTING SEWER AND APPURTENANCES IN PROSPECT STREET, FROM SOUTH STREET TO ATLANTIC STREET, FOURTH WARD.

The Engineer's estimate of the quantities is as follows:

708 linear feet 12-inch vitrified salt-glazed pipe sewer.

650 linear feet 6-inch vitrified salt-glazed pipe sewer, for house connections.

5 manholes, complete.

20 cubic yards of rock excavated and removed.

2,000 feet (B. M.) timber, for foundation.

5,000 feet (B. M.) timber, for bracing and sheet piling.

The time allowed for doing and completing the above work will be thirty (30) working days.

The amount of security required will be Fifteen Hundred Dollars (\$15,000).

No. 4. TO CONSTRUCT SEWER AND APPURTENANCES IN VANDEVENTER AVENUE, FROM FOURTEENTH AVENUE, FIRST WARD.

The Engineer's estimate of the quantities is as follows:

480 linear feet 12-inch vitrified salt-glazed pipe sewer.

256 linear feet 15-inch vitrified salt-glazed pipe sewer.

30 linear feet 12-inch vitrified salt-glazed culvert pipe.

1,056 linear feet 6-inch vitrified salt-glazed pipe, for house connections.

6 manholes, complete.

1 receiving basin, complete.

100 cubic yards rock excavated and removed.

2,000 feet (B. M.) timber, for foundation.

5,000 feet (B. M.) timber, for bracing and sheet piling.

The time allowed for doing and completing the above work will be ninety (90) working days.

The amount of security required will be Two Thousand Dollars (\$2,000).

No. 5. TO CONSTRUCT TWO TEMPORARY CATCH BASINS AND APPURTENANCES ON TWENTY-EIGHTH STREET, BETWEEN FOURTEENTH AVENUE AND FIFTEENTH AVENUE, WHITESTONE, THIRD WARD.

The Engineer's estimate of the quantities is as follows:

40 linear feet 12-inch vitrified salt-glazed culvert pipe.

2 receiving basins, complete.

5 cubic yards of rock excavated and removed.

1,000 feet (B. M.) timber for foundation.

2,000 feet (B. M.) timber for bracing and sheet piling.

The time allowed for doing and completing the above work will be thirty working days.

The amount of security required will be Three Hundred Dollars.

No. 6. FOR PAVING WITH ASPHALT BLOCK PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF TWELFTH AVENUE, FROM BROADWAY TO JAMAICA AVENUE, FIRST WARD.

The Engineer's estimate of the quantities is as follows:

3,190 square yards of asphalt block pavement.

400 cubic yards of concrete, including mortar bed.

The time allowed for doing and completing the above work will be thirty working days.

The amount of security required will be Three Thousand Dollars.

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, linear foot 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 a total.

exceed the sum of six thousand two hundred dollars (\$6,200).

The gross receipts mentioned above shall be the gross earnings of the Company from all sources within the limits of the City. The payment of such minimum sums shall begin from the date 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 such 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 manner of payments and statements of percentages of gross receipts of street railway companies not inconsistent with this contract, shall be strictly complied with.

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 cause, or upon the dissolution of the Company before such termination the tracks and equipments of the Company constructed pursuant to this contract within the streets, 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 railway 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 the title thereto, or right, interest or property therein, pass to or vest in any other person or corporation whatsoever, either by the act of the Company, or by operation of law, whether under the provisions of the statutes relating to the consolidation or merger of corporations, or otherwise, without the consent of the City, acting by the Board, evidenced by an instrument under seal, anything herein contained to the contrary thereof in anywise notwithstanding, and the granting, giving or waiving of any one or more of such consents shall not render unnecessary any subsequent consent or consents.

Seventh—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.

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 for street railway purposes, for a distance not exceeding six thousand (6,000) feet of street, 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 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 pavements 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 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 the abutting property owners, in accordance with the provisions of law, and by the Public Service Commission for the First District of the State of New York.

Provided, however, that the Board, at any time after the first ten years of this contract, upon giving to the grantee one year's notice, may require the Company to operate its railway upon the whole or upon any portion of its route, by underground electric power substantially similar to the system now in use on the street surface railways in the Borough of Manhattan, and thereupon to discontinue the use of the overhead trolley system, and to remove its poles, wires and other structures used by it for that purpose from the streets, avenues and highways of the City.

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

Tenth—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 eighteen months from the date of obtaining such consents or such decision, otherwise this right shall cease and determine, and all sums paid, or which may be deposited with the Comptroller of the City, as hereinafter provided, shall thereupon be forfeited to the City; provided, that such periods may be extended by the Board for a period or periods not exceeding in the aggregate six 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.

Eleventh—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.

Twelfth—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.

Thirteenth—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 of any connecting line or branch thereof, within the limits of the City.

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

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

Fifteenth—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.

Sixteenth—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.

Seventeenth—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.

Eighteenth—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 thirty-five 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.

Nineteenth—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.

Twentieth—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 two (2) feet beyond the rails on either side thereof, free and clear from ice and snow; provided, however, that the Company shall, at the option of the President of the Borough of Queens, enter into an agreement for each winter season, or part thereof, to clean an equivalent amount of street surface from house line to house line.

Twenty-first—As long as said railway, or any portion thereof, remains in any street, avenue or highway, the Company shall pave and keep in permanent repair that portion of the surface of the street, avenue or highway in 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, 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—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 opera-

tion of the railway, shall be made at the sole cost of the Company, and in such manner as the proper City officials may prescribe.

Twenty-third—Before any construction shall be commenced upon any portion of the route, written permits shall be obtained from the President of the Borough of Queens, 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-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 Queens.

Twenty-fifth—Should, in the opinion of the President of the Borough of Queens, the present roadway or any of said streets, avenues or highways be of insufficient width to accommodate both railway and other vehicular traffic, the Company shall widen such roadway under the direction of the President of the Borough of Queens to a width sufficient to accommodate such traffic, provided that no roadway shall be widened beyond the total width of the street, avenue or highway.

Twenty-sixth—Should, in the opinion of the Board at any time before or during construction of the railway, any of said streets, avenues or highways be of insufficient width to accommodate both railway and other vehicular traffic, the Company shall either construct and operate its railway upon a private right of way outside of the lines of such streets, avenues or highways, or shall purchase and cede to the City a strip of land adjacent thereto, for the purpose of widening the same to a width sufficient for the use of a street surface railway and for the accommodation of other vehicular traffic. If such street, avenue or highway is so widened, the Company shall grade the roadway thereon as directed by the President of the Borough of Queens.

Twenty-seventh—Where the bridges, viaducts or culverts encountered in the route are of insufficient width to carry the roadway as the same may be widened, as herein provided, or of insufficient strength to bear the additional load of a street surface railway, the Company shall either carry its tracks upon new structures independent of the existing ones, so as not to interfere with the present and future use by the City of such bridges, viaducts or culverts, or shall, without cost to the City, construct new bridges, viaducts or culverts sufficiently wide to carry the roadway as the same may be widened, as herein provided.

Twenty-eighth—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-ninth—The Company hereby agrees that if the City is or shall become entitled to acquire, and shall at any time during the term of this contract acquire, or otherwise come into possession of any of the property on which this Company shall construct railway tracks, on the route herein described, no compensation shall be awarded for the right to have railway tracks thereon.

Thirtieth—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.

Thirty-first—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.

Thirty-second—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 thereafter 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.

Thirty-third—If the Company shall fail to give efficient public service at the rates herein fixed, or fail to maintain its structures and equipment as herein provided in good condition throughout the whole term of this contract, the

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

Thirty-fourth—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-fifth—This grant is upon the express condition that the Company, within four (4) months 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 ten thousand dollars (\$10,000), 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 ten thousand dollars (\$10,000), 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-sixth—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-seventh—The words "notice" of "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-eighth—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 grant is also upon the further 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.

including the provision as to rates, fares and charges, are as hereinbefore specified and fully set forth in and by the foregoing form of proposed contract for the grant of such franchise or right.

Resolved, That these preambles and resolutions, including the said resolution for the grant of a franchise or right applied for by the New York and North Shore Traction Company, and the said form of proposed contract for the grant of such franchise or right containing said results of such inquiry, after the same shall be entered in the minutes of the Board, shall be published for at least twenty (20) days immediately prior to Friday, January 8, 1909, in the City Record, and at least twice during the ten days immediately prior to Friday, January 8, 1909, 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 and North Shore Traction 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 grant of the franchise or right applied for by the New York and North Shore Traction Company, and 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, City Hall, Borough of Manhattan, City of New York, on Friday, January 8, 1909, 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 December 4, 1908.

dr5.j8

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, ROOM 1526, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED by the Commissioner of Water Supply, Gas and Electricity at the above office until 2 o'clock p. m. on

WEDNESDAY, DECEMBER 30, 1908.

Boroughs of Manhattan and The Bronx.

No. 1. FOR FURNISHING AND DELIVERING SIX-INCH INSIDE SCREW VALVES AND HYDRANT VALVE BOXES AND COVERS.

The time for the delivery of the articles, materials and supplies and the performance of the contract is one hundred and eighty calendar days.

The amount of security required will be as follows:

Item No. 1, Two Thousand Dollars (\$2,000).

Item No. 2, One Thousand Dollars (\$1,000).

No. 2. FOR FURNISHING, DELIVERING AND LAYING WATER MAINS IN AMSTERDAM, HAVEN, LEXINGTON AND SEVENTH AVENUES; IN NINETY-SIXTH, ONE HUNDRED AND THIRTY-SECOND, ONE HUNDRED AND THIRTY-EIGHTH, ONE HUNDRED AND FORTIETH, ONE HUNDRED AND FORTY-FIRST, ONE HUNDRED AND FIFTY-FIFTH, ONE HUNDRED AND SEVENTY-FIRST, ONE HUNDRED AND EIGHTY-FIRST AND EXTERIOR STREETS, AND IN BROADWAY, BOROUGH OF MANHATTAN.

The time allowed for doing and completing the work will be one hundred and twenty working days.

The security required will be Twenty-five Thousand Dollars (\$25,000).

The bidder will state the price, per unit, of each item of work or supplies contained in the specifications or schedule, by which the bids will be tested.

The bids will be compared and each contract awarded for all the work, articles, materials and supplies contained in the specifications or schedule attached thereto, except No. 1, which will be awarded to the lowest bidder on each item.

Bidders are requested to make their bids or estimates upon the blank form prepared by the Department, a copy of which, with the proper envelope in which to inclose the bid, together with a copy of the contract, including the specifications, in the form approved by the Corporation Counsel, may be obtained upon application therefor at the office of the Department, Bureau of Chief Engineer, Room 922, No. 21 Park Row, New York City, where the plans, if any, which are made a part of the specifications, may also be seen and any further information obtained from the Chief Engineer.

JOHN H. O'BRIEN, Commissioner.

The City of New York, December 17, 1908.

dr13.30

See General Instructions to Bidders on the last page, last column, of the "City Record."

NORMAL COLLEGE OF THE CITY OF NEW YORK.

EXAMINATIONS FOR POSITIONS ON the Eligible List of College Instructors, High School Tutors and Laboratory Assistants (college and high school) will be held in the College building, Sixty-eighth street and Park Avenue, Tuesday, December 29, 1908, and Wednesday, December 30, 1908, at 9 a. m.

For circular of information, etc., apply to Ernest C. Hunt, Secretary, Normal College Park Avenue and Sixty-eighth street.

GEORGE S. DAVIS, LL.D., President.

dr23, d26

DEPARTMENT OF DOCKS AND FERRIES.

DEPARTMENT OF DOCKS AND FERRIES, PIER "A," FOOT OF BATTERY PLACE, NORTH RIVER, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS WILL BE RECEIVED BY the Commissioner of Docks at the above office until 12 o'clock m. on

THURSDAY, DECEMBER 31, 1908.

FOR THE PRIVILEGE OF OPERATING A BOOT BLACKING BUSINESS ON THE MUNICIPAL FERRYBOATS OF THE STATEN ISLAND FERRY AND ALSO IN THE TERMINALS OF THE ABOVE FERRY FOR A PERIOD OF ONE (1) YEAR, BEGINNING JANUARY 1, 1909.

Said privilege will allow the boot blacks on all parts of the boats and at the terminals of said ferry, under such restrictions as the Commissioner of Docks shall direct, but in no case will they be permitted to solicit trade.

Said privilege to be revocable at the pleasure of the Commissioner of Docks, and to expire by limitation of time on December 31, 1909.

The bidders will state the amount offered per annum for this privilege, which will be payable in monthly installments, in advance, to the Cashier of the Department.

A bond in the sum of Two Thousand Dollars (\$2,000) will be required as surety for compliance with the terms of the privilege.

No bid or estimate will be considered unless, as a condition precedent to the reception or consideration of any proposal, it be accompanied by a certified check upon one of the State or National banks of The City of New York, drawn to the order of the Commissioner of Docks, or cash, in the sum of \$150.

ALLEN N. SPOONER,
Commissioner of Docks.

December 18, 1908.

dr19.31

See General Instructions to Bidders on the last page, last column, of the "City Record."

FILLING-IN PRIVILEGE.

DEPARTMENT OF DOCKS AND FERRIES, PIER "A," FOOT OF BATTERY PLACE, NORTH RIVER, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED by the Commissioner of Docks at Pier "A," foot of Battery place, in The City of New York, until 12 o'clock noon on

THURSDAY, DECEMBER 24, 1908.

FOR THE RIGHT TO DUMP AND FILL IN BEHIND THE RIPRAP EMBANKMENT RECENTLY BUILT, OR TO BE BUILT, ON THE NORTHERLY PART OF THE CARMANVILLE SECTION, ON THE NORTH RIVER, BOROUGH OF MANHATTAN.

TERMS AND CONDITIONS OF SALE.

The work to be done is the filling in with suitable material as hereinabove described of the area behind the riprap embankment extending from about the northerly side of West One Hundred and Fifty-fifth street, North River, northerly a distance of about 675 feet to a line about 100 feet south of and parallel with the south side of One Hundred and Fifty-eighth street pier, North River, and from the rear face of the riprap embankment and filling now in place in rear of same to the embankment along the right of way of the New York Central and Hudson River Railroad. The exact limits of the basin to be filled in under this agreement, together with the soundings and other data used in making the estimate, may be seen on a map at the office of the Engineer at Pier "A," which map makes part of this agreement.

It is estimated that the lines above described outline a basin to be filled in under this agreement, the cubic capacity of which in net void space is about 30,000 cubic yards. In this estimate the amount in cubic yards is arrived at without making any allowance for shrinkage, settlement, swelling, compression of or penetration into the mud.

Bidders are warned that the Department is not bound in any way by the above estimate, and must satisfy themselves of the actual quantity required to fill in the above described basin, by examination of the premises, or such other means as they may prefer; the intention of the Department being to fill in the whole of the basin above described under this agreement at the price agreed upon for the whole work.

All the filling, except as otherwise specified, shall be of ashes, cellar dirt, broken stone, etc., free from garbage or any other organic matter objectionable in the opinion of the Engineer.

The fill shall, unless otherwise directed, be placed directly in the rear of the riprap embankment and be carried therefrom inshore until the bank has been carried out at the finished grade for a distance of 50 feet from the inshore face of the embankment; at which time, if so directed by the Engineer, the filling may be started at the bank and carried outshore. All the filling shall be brought to a level of about 10 feet above mean low water, as determined by the Engineer.

All material must be dumped and filled in only in such manner, at such points and in such order of procedure and at such times and seasons as may from time to time be directed, and the work of filling in may be entirely suspended for such periods of time as may be directed by the Engineer.

The purchaser shall have no claim for damage or for any allowance from the purchase money on account of such suspension of the work.

Bidders will state in writing a lump sum price, which they agree to pay for the privilege of filling in the void space behind the riprap embankment built or to be built on the northerly part of the Carmansville Section, as described above and as appears in detail on the map at Pier "A," and which becomes a part of this agreement.

All directions shall be given by the Engineer, and wherever the word "Engineer" is used in these specifications it refers to and designates the Chief Engineer of the Department of Docks and Ferries, or such officer or employee as may be designated by him.

The filling shall be commenced within five days after the date of the receipt of a notification from the Engineer that the work, or any part of it, is ready to be begun. The Department reserves the right of ordering the Contractor to deposit not less than 150 cubic yards per day, as directed by the Engineer, and the whole amount of the filling called for to bring the above described basin up to grade shall be completed within one year from the date of the receipt of said notification. At the expiration of this time this agreement shall be considered closed, unless a further extension of time shall be given by the Commissioner of Docks. If at any time during the progress of the work it shall be deemed necessary to order the suspension of the whole or any part of the filling, the time for completing said filling shall be extended as much as it may have been delayed by such suspension.

In case the purchaser at any time does not proceed with the work of filling in to the satisfaction of the Commissioner of Docks the Commissioner may at once terminate the privilege of filling in and proceed to have the remainder of the filling in done by other parties in such way and manner as he deems proper, and any loss which may result therefrom shall be charged against the Contractor and his surety.

The Contractor shall, during the work of filling in and at all times until the completion thereof, take all necessary precautions and place proper guards for the prevention of accidents, and put up and maintain at night sufficient lights, and he shall indemnify and save harmless The City of New York from all damages and costs to which it 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 guarding the same, to which the surety is also bound.

No bid or estimate will be considered unless accompanied by a certified check drawn to the order of the Commissioner of Docks, or money to the amount of twenty-five per centum of the bid, which amount shall be applied in the case of the successful bidder to the first one-quarter of the amount of the filling to be deposited; twenty-five per centum to be paid when the first one-quarter of the filling has been completed; twenty-five per centum additional when

one-half the filling has been completed, and the balance, twenty-five per centum, when three-quarters of said filling has been completed.

A surety or guaranty company, duly authorized by law to act as surety, to be approved by the Commissioner of Docks, will be required to enter into a bond or obligation jointly and severally with the purchaser in the sum of double the amount of the purchase price as security for the satisfactory performance of said work, in accordance with the terms and conditions hereof.

A. N. SPOONER, Commissioner.

Dated The City of New York, December 15, 1908.

dr17.24

See General Instructions to Bidders on the last page, last column, of the "City Record."

BOROUGH OF MANHATTAN.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF MANHATTAN, CITY HALL, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED by the President of the Borough of Manhattan, at the City Hall, Room 16, until 2 o'clock p. m. on

WEDNESDAY, DECEMBER 30, 1908.

No. 1. FOR REGULATING AND REPAVING WITH GRANITE BLOCK PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF THE INTERSECTION OF CHURCH AND DUANE STREETS.

Engineer's estimate of amount of work to be done:

80 square yards of granite block pavement with paving cement joints, except the railroad area.

63 square yards of granite block pavement with paving cement joints in the railroad area (no guarantee).

140 square yards of old stone blocks to be purchased and removed by the contractor.

25 cubic yards of Portland cement concrete.

56 square feet of new granite bridgestone furnished and laid.

Time allowed to complete above work will be ten (10) working days.

Amount of security required will be One Hundred Dollars (\$100).

No. 2. FOR REGULATING AND REPAVING WITH GRANITE BLOCK PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF VARICK STREET, FROM THE NORTH SIDE OF FRANKLIN STREET TO THE NORTH SIDE OF BEACH STREET.

Engineer's estimate of amount of work to be done:

1,800 square yards of granite block pavement with paving cement joints, except the railroad area.

89 square yards of granite block pavement with paving cement joints in the railroad area (no guarantee).

1,825 square yards of old stone blocks to be purchased and removed by the contractor.

350 cubic yards of Portland cement concrete.

655 linear feet of new bluestone curbstone furnished and set.

40 linear feet of old bluestone curbstone redressed, rejoined and reset.

805 square feet of new granite bridgestone furnished and laid.

Time allowed to complete above work will be thirty (30) working days.

Amount of security required will be Two Thousand Dollars (\$2,000).

No. 3. FOR REGULATING AND REPAVING WITH GRANITE BLOCK PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF WHITE STREET, FROM THE WEST SIDE OF BROADWAY TO THE EAST SIDE OF BROADWAY.

Engineer's estimate of amount of work to be done:

2,525 square yards of granite block pavement with paving cement joints, except the railroad area.

35 square yards of granite block pavement with paving cement joints in the railroad area (no guarantee).

2,475 square yards of old stone blocks to be purchased and removed by the contractor.

450 cubic yards of Portland cement concrete.

370 linear feet of new bluestone curbstone furnished and set.

50 linear feet of old bluestone curbstone redressed, rejoined and reset.

470 square feet of new granite bridgestone furnished and laid.

Time allowed to complete above work will be thirty (30) working days.

Amount of security required will be Two Thousand Five Hundred Dollars (\$2,500).

No. 4. FOR REGULATING AND PAVING WITH GRANITE BLOCK PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF ONE HUNDRED AND FORTY-EIGHTH STREET, FROM BROADWAY TO RIVER-SIDE DRIVE.

Engineer's estimate of amount of work to be done:

1,050 square yards of granite block pavement with paving cement joints.

205 cubic yards of Portland cement concrete.

300 linear feet of new bluestone curbstone, furnished and set.

350 linear feet of old bluestone curbstone redressed, rejoined and reset.

Time allowed to complete above work will be thirty (30) working days.

Amount of security required will be One Thousand Dollars (\$1,000).

No. 5. FOR REGULATING AND REPAVING WITH SHEET ASPHALT PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF CHRYSIE STREET, FROM THE SOUTH SIDE OF HESTER STREET TO THE SOUTH SIDE OF GRAND STREET.

Engineer's estimate of amount of work to be done:

1,300 square yards of asphalt pavement, including binder course.

260 cubic yards of Portland cement concrete.

775 linear feet of new bluestone curbstone, furnished and set.

50 linear feet of old bluestone curbstone redressed, rejoined and reset.

5 noiseless heads and covers, complete, for sewer manholes, furnished and set.

4 noiseless heads and covers, complete, for water manholes, furnished and set.

Time allowed to complete above work will be twenty (20) working days.

Amount of security required will be One Thousand Dollars (\$1,000).

No. 6. FOR REGULATING AND REPAVING WITH SHEET ASPHALT PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF ELDREDGE STREET, FROM THE NORTH SIDE OF DIVISION STREET TO THE SOUTH SIDE OF EAST HOUSTON STREET.

Engineer's estimate of amount of work to be done:

8,910 square yards of asphalt pavement, including binder course, except in railroad area.

140 square yards of asphalt pavement, including binder course, in railroad area (no guarantee).

1,810 cubic yards of Portland

Engineer's estimate of amount of work to be done:

14,300 square yards of asphalt block pavement, except in railroad area.
1,500 square yards of asphalt block pavement in railroad area (no guarantee).
2,900 cubic yards of Portland cement concrete including mortar bed.
4,860 linear feet of new bluestone curbstone, furnished and set.
350 linear feet of old bluestone curbstone, redressed, rejoined and reset.
15 noiseless heads and covers, complete, for sewer manholes, furnished and set.
15 noiseless heads and covers, complete, for water manholes, furnished and set.
15,350 square yards of old stone blocks to be purchased by the contractor and removed by him.

Time allowed for completing above work will be one hundred (100) working days.

Amount of security required will be Fifteen Thousand Dollars (\$15,000).

No. 13. FOR REGULATING AND REPAVING WITH ASPHALT BLOCK PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF EIGHTY-SECOND STREET, FROM THE WEST SIDE OF SECOND AVENUE TO THE EAST SIDE OF PARK AVENUE.

Engineer's estimate of amount of work to be done:

5,135 square yards of asphalt block pavement.
5,100 cubic yards of Portland cement concrete, including mortar bed.
2,880 linear feet of new bluestone curbstone furnished and set.
160 linear feet of old bluestone curbstone redressed, rejoined and reset.
13 noiseless heads and covers, complete, for sewer manholes, furnished and set.
5 noiseless heads and covers, complete, for water manholes, furnished and set.
5,030 square yards of old stone blocks to be purchased by the contractor and removed by him.

Time allowed for completing above work is fifty (50) working days.

Amount of security required will be Five Thousand Dollars (\$5,000).

No. 14. FOR REGULATING AND REPAVING WITH ASPHALT BLOCK PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF NINETY-FIRST STREET, FROM THE WEST SIDE OF AMSTERDAM AVENUE TO THE EAST SIDE OF BROADWAY.

Engineer's estimate of amount of work to be done:

1,200 square yards of asphalt block pavement.
235 cubic yards of Portland cement concrete, including mortar bed.
600 linear feet of new bluestone curbstone furnished and set.
100 linear feet of old bluestone curbstone redressed, rejoined and reset.
4 noiseless heads and covers, complete, for sewer manholes, furnished and set.
2 noiseless heads and covers, complete, for water manholes, furnished and set.
1,170 square yards of old stone blocks to be purchased by the contractor and removed by him.

Time allowed for completing above work will be twenty (20) working days.

Amount of security required will be Twelve Hundred Dollars (\$1,200).

No. 15. FOR REGULATING AND REPAVING WITH ASPHALT BLOCK PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF NINETY-FOURTH STREET, FROM THE WEST SIDE OF THIRD AVENUE TO THE EAST SIDE OF PARK AVENUE.

Engineer's estimate of amount of work to be done:

2,960 square yards of asphalt block pavement.
570 cubic yards of Portland cement concrete, including mortar bed.
1,450 linear feet of new bluestone curbstone furnished and set.
70 linear feet of old bluestone curbstone redressed, rejoined and reset.
9 noiseless heads and covers, complete, for sewer manholes, furnished and set.
2 noiseless heads and covers, complete, for water manholes, furnished and set.
2,900 square yards of old stone blocks to be purchased by the contractor and removed by him.

Time allowed for completing above work is thirty (30) working days.

Amount of security required will be Three Thousand Dollars (\$3,000).

No. 16. FOR REGULATING AND REPAVING WITH ASPHALT BLOCK PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF NINETY-FIFTH STREET, FROM THE WEST SIDE OF SECOND AVENUE TO THE EAST SIDE OF PARK AVENUE.

Engineer's estimate of amount of work to be done:

5,170 square yards of asphalt block pavement.
1,015 cubic yards of Portland cement concrete, including mortar bed.
2,750 linear feet of new bluestone curbstone, furnished and set.
270 linear feet of old bluestone curbstone, redressed, rejoined and reset.
14 noiseless heads and covers, complete, for sewer manholes, furnished and set.
5 noiseless heads and covers, complete, for water manholes, furnished and set.
5,050 square yards of old stone blocks, to be purchased by contractor and removed by him.

Time allowed for completing above work is fifty (50) working days.

Amount of security will be Five Thousand Dollars (\$5,000).

No. 17. FOR REGULATING AND REPAVING WITH ASPHALT BLOCK PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF NINETY-SEVENTH STREET, FROM THE WEST SIDE OF THIRD AVENUE TO THE EAST SIDE OF PARK AVENUE.

Engineer's estimate of amount of work to be done:

2,990 square yards of asphalt block pavement.
590 cubic yards of Portland cement concrete, including mortar bed.
1,700 linear feet of new bluestone curbstone, furnished and set.
60 linear feet of old bluestone curbstone, redressed, rejoined and reset.
6 noiseless heads and covers, complete, for sewer manholes, furnished and set.
2 noiseless heads and covers, complete, for water manholes, furnished and set.
2,920 square yards of old stone blocks, to be purchased by contractor and removed by him.

Time allowed for completing above work will be thirty (30) working days.

Amount of security required will be Three Thousand Dollars (\$3,000).

No. 18. FOR REGULATING AND PAVING WITH ASPHALT BLOCK PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF ONE HUNDRED AND THIRTY-SEVENTH STREET, FROM BROADWAY TO RIVERSIDE DRIVE, WHERE NOT ALREADY PAVED.

Engineer's estimate of amount of work to be done:

160 square yards of asphalt block pavement.
26 cubic yards of Portland cement concrete, including mortar bed.
20 linear feet of new bluestone curbstone, furnished and set.
80 linear feet of old bluestone curbstone, redressed, rejoined and reset.

Time allowed for completing above work is ten (10) working days.

Amount of security required will be One Hundred Dollars (\$100).
No. 19. FOR REGULATING AND PAVING WITH ASPHALT BLOCK PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF ONE HUNDRED AND SIXTY-THIRD STREET, FROM ST. NICHOLAS AVENUE TO BROADWAY.

Engineer's estimate of amount of work to be done:

1,777 square yards of asphalt block pavement.
349 cubic yards of Portland cement concrete, including mortar bed.
400 linear feet of new bluestone curbstone, furnished and set.

670 linear feet of old bluestone curbstone, redressed, rejoined and reset.
5 noiseless heads and covers, complete, for sewer manholes, furnished and set (not to be bid for).

1 noiseless head and cover, complete, for water manhole, furnished and set (not to be bid for).

Time allowed for completing above work is thirty (30) working days.

Amount of security required will be Fifteen Hundred Dollars (\$1,500).

No. 20. FOR REGULATING AND PAVING WITH ASPHALT BLOCK PAVEMENT ON CONCRETE FOUNDATION THE ROADWAY OF ONE HUNDRED AND SIXTY-FOURTH STREET, FROM AMSTERDAM AVENUE TO BROADWAY.

Engineer's estimate of amount of work to be done:

2,467 square yards of asphalt block pavement.
484 cubic yards of Portland cement concrete, including mortar bed.
500 linear feet of new bluestone curbstone, furnished and set.
980 linear feet of old bluestone curbstone, redressed, rejoined and reset.
8 noiseless heads and covers, complete, for sewer manholes, furnished and set (not to be bid for).

1 noiseless head and cover, complete, for water manhole, furnished and set (not to be bid for).

Time allowed for completing above work is forty (40) working days.

Amount of security required will be Twenty-five Hundred Dollars (\$2,500).

No. 21. FOR REGULATING, GRADING, CURBING AND FLAGGING ONE HUNDRED AND SIXTY-SEVENTH STREET, FROM AUDUBON AVENUE TO BROADWAY.

Engineer's estimate of amount of work to be done:

260 cubic yards of earth excavation.
300 cubic yards of filling, to be furnished, exclusive of that secured from excavation.

40 cubic yards of Portland cement concrete.
575 linear feet of new curbstone, furnished and set.

50 linear feet of old curbstone, redressed, rejoined and reset (not to be bid for).

2,320 square feet new flagging, furnished and laid.

100 square feet old flagging, retrimmed and laid (not to be bid for).

Time allowed for completing above work is twenty (20) working days.

Amount of security required will be Four Hundred Dollars (\$400).

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per foot, yard or other unit of measure, or article, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total. The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Blank forms and specifications may be had at the office of the Commissioner of Public Works, Nos. 13 to 21 Park row, Bureau of Highways, Room 1607, Borough of Manhattan.

JOHN F. AHEARN, President.

The City of New York, December 18, 1908.

d18,30

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF MANHATTAN, CITY HALL, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Manhattan, at the City Hall, Room 16, until 2 o'clock p. m. on

MONDAY, DECEMBER 28, 1908.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR REPAIRS TO HEATING SYSTEMS IN THE QUARTERS OF THE FOLLOWING COMPANIES IN THE BOROUGHS OF MANHATTAN, THE BRONX, BROOKLYN AND QUEENS:

thousand, barrel, per thousand feet (B. M.), 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 and awards made to the lowest bidder.

Deliveries 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 Bureau of Sewers, No. 13 Park row.

Samples may be seen at the Corporation Yard, at the corner of Rivington and Tompkins streets, Borough of Manhattan.

JOHN F. AHEARN, President.
The City of New York, December 18, 1908.

The time for the delivery of the articles, materials and supplies and the performance of the contract is ten (10) days.

The amount of security required is fifty percent. (50%) of the amount of the bid or estimate.

Separate estimates will be accepted for the supplies for each Borough.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total for each class, and awards made to the lowest bidder on each class. 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 December 10, 1908.

d11,23

See General Instructions to Bidders on the last page, last column, of the "City Record."

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Fire Commissioner at the above office until 10:30 o'clock a. m. on

WEDNESDAY, DECEMBER 23, 1908.

Borough of Manhattan.

No. 1. FOR FURNISHING AND DELIVERING TEN (10) TOP BUGGIES FOR CHIEF OFFICERS.

The time for the delivery of the articles, materials and supplies and the performance of the contract is ninety (90) 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. 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.

d16,28

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, 1906. Amended March 1, 1906, November 20, 1906; February 20, 1907, and March 5, 1908.

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, DECEMBER 28, 1908.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR REPAIRS TO HEATING SYSTEMS IN THE QUARTERS OF THE FOLLOWING COMPANIES IN THE BOROUGHS OF MANHATTAN, THE BRONX, BROOKLYN AND QUEENS:

Borough of Manhattan.

Engine Company 53, located at No. 175 East One Hundred and Fourth street; Engine Company 1, located at No. 165 West Twenty-ninth street; Engine Company 24, located at No. 78 Morton street; Hook and Ladder Company 9, located at No. 209 Elizabeth street; Hook and Ladder Company 11, located at No. 742 East Fifth street; Hook and Ladder Company 25, located at No. 205 West Seventy-seventh street.

Borough of The Bronx.

Engine Company 75, located at Jerome avenue and One Hundred and Eighty-third street; Engine Company 68, located at No. 1116 Ogden avenue.
Engine Company 136, located at No. 998 Liberty avenue; Engine Company 137, located at No. 55 Morgan avenue; Engine Company 153, located at Eighty-sixth street, near Twenty-fourth avenue; Engine Company 146, located at East Twenty-third street, near Voorhees avenue, Sheephead Bay; Engine Company 131, located at No. 107 Watkins street; Engine Company 120, located at No. 530 Eleventh street; Hook and Ladder Company 64, located at Fifth avenue, near Fifty-second street; Hook and Ladder Company 53, located at No. 183 Concord street; Hook and Ladder Company 52, located at No. 893 Bedford avenue.

Borough of Brooklyn.

Hook and Ladder Company 65 and Engine Company 158, located at No. 136 East Eighth street, Long Island City.

Separate estimates will be accepted for the works in each Borough.

The time for the completion of the works and the performance of the contract is forty (40) days.

The amount of security required is fifty percent. (50%) of the amount of the bid or estimate.

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 at the office of the Fire Department, Nos. 157 and 159 East Sixty-seventh street, Manhattan.

NICHOLAS J. HAYES, Fire Commissioner.

Dated December 11, 1908.

d12,28

See General Instructions to Bidders on the last page, last column, of the "City Record."

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Fire Commissioner at the above office until 10:30 o'clock a. m. on

WEDNESDAY, DECEMBER 23, 1908.

Boroughs of Brooklyn and Queens.

FOR FURNISHING AND DELIVERING GENERAL SUPPLIES FOR THE BOROUGHS OF BROOKLYN AND QUEENS.

The time for the delivery of the articles, materials and supplies and the performance of the contract is sixty (60) calendar days.

The amount of security required is Two Thousand Five Hundred Dollars (\$2,500).

OFFICE OF THE DEPARTMENT OF PARKS, ZBROWSKI MANSION, CLAREMONT PARK, BOROUGH OF THE BRONX.

SEALED BIDS WILL BE RECEIVED BY the Park Commissioner at the above office of the Department of Parks until 12 o'clock m. on

MONDAY, DECEMBER 28, 1908.

FOR THE RENTAL OF STAND OPPOSITE WOODLAWN GATE, ON JEROME AVENUE, VAN CORTLANDT PARK, AND PRIVILEGE OF SELLING REFRESHMENTS (SPIRITUOUS AND MALT LIQUORS EXCEPTED) THEREIN.

No bids will be considered unless accompanied by a certified check or money to the amount of one-quarter of the sum bid for the rent and privilege per year.

The bids will be compared and the privilege will be awarded to the highest responsible bidder.

The Commissioner reserves the right to reject any or all bids.

Form of proposal and full information as to bidding can be obtained at the office of the Department of Parks, Zbrowski Mansion, Claremont Park, New York City.

HENRY I. BERRY, Commissioner of Parks, Borough of The Bronx.

d16.28

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, DECEMBER 24, 1908.

Borough of Manhattan.

FOR FURNISHING AND DELIVERING COAL FOR PARKS IN THE BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the delivery will be as required before July 1, 1909.

The amount of security required is Five Thousand Dollars (\$5,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH, President; MICHAEL J. KENNEDY, Commissioners of Parks.

Dated December 14, 1908.

d14.24

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, DECEMBER 24, 1908.

Borough of Manhattan.

FOR FURNISHING AND SETTING NEW CURBSTONE IN THE PARKS ON BROADWAY, BETWEEN EIGHTIETH AND NINETEEN-FIFTH STREETS, IN THE BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the completion of the whole work will be forty consecutive working days.

The amount of the security required is Four Thousand Five Hundred Dollars (\$4,500).

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 December 14, 1908.

d14.24

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, DECEMBER 24, 1908.

Borough of Manhattan.

FOR FURNISHING AND DELIVERING THREE THOUSAND (3,000) CUBIC YARDS OF MOULD ON PARKS IN THE BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the delivery is thirty (30) days.

The amount of security required will be Three Thousand Dollars (\$3,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms 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 December 14, 1908.

d14.24

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, DECEMBER 24, 1908.

Borough of Manhattan.

FOR FURNISHING AND SETTING NEW CURBSTONE IN THE PARKS ON BROADWAY, BETWEEN NINETEEN-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 forty consecutive working days.

The amount of the security required is Four Thousand Five Hundred Dollars (\$4,500).

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 December 14, 1908.

d14.24

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, DECEMBER 24, 1908.

Borough of Manhattan.

FOR FURNISHING AND DELIVERING 500 BARRELS OF PORTLAND CEMENT FOR PARKS, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the delivery is twenty (20) days.

The amount of security required is Five Hundred Dollars (\$500).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH, President; JOSEPH I. BERRY, MICHAEL J. KENNEDY, Commissioners of Parks.

Dated December 14, 1908.

d14.24

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, DECEMBER 24, 1908.

Boroughs of Brooklyn and Queens.

FOR REPAIRS AND ALTERATIONS TO LAWN MOWERS OF THE DEPARTMENT OF PARKS, BOROUGH OF BROOKLYN AND QUEENS.

The time allowed for the completion of the whole work will be on or before November 15, 1909.

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.

HENRY SMITH, President; JOSEPH I. BERRY, MICHAEL J. KENNEDY, Commissioners of Parks.

Dated December 14, 1908.

d14.24

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, DECEMBER 24, 1908.

Boroughs of Brooklyn and Queens.

FOR FURNISHING AND DELIVERING COAL IN PARKS AND PARKWAYS, BOROUGH OF BROOKLYN AND QUEENS.

The time allowed for the completion of the contract is on or before December 31, 1909.

The amount of security required is Six Thousand Dollars (\$6,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Litchfield Mansion, Prospect Park, Brooklyn.

HENRY SMITH, President; JOSEPH I. BERRY, MICHAEL J. KENNEDY, Commissioners of Parks.

Dated December 14, 1908.

d14.24

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF EDUCATION.

DEPARTMENT OF EDUCATION, CORNER OF PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Superintendent of School Supplies at the above office of the Department of Education until 12 o'clock noon on

WEDNESDAY, DECEMBER 30, 1908.

FOR PRINTING AND FOR FURNISHING AND DELIVERING STATIONERY AND PRINTED SUPPLIES FOR THE BOARD OF EDUCATION OF THE CITY OF NEW YORK.

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before December 31, 1909.

The amount of the security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, by which the bids will be tested. The extensions must be made and footed, as the bid will be read from the total for each item and award made to the lowest bidder on each item, or the bids will be compared and the contract awarded at a lump or aggregate sum.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Superintendent of School Supplies, Board of Education, southwest corner of Park avenue and Fifty-ninth street.

PATRICK JONES, Superintendent of School Supplies.

Dated December 18, 1908.

d18.30

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF EDUCATION, CORNER OF PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Superintendent of School Buildings at the above office of the Department of Education until 11 o'clock a. m. on

MONDAY, DECEMBER 28, 1908,

Borough of Brooklyn.

FOR ALTERATIONS, REPAIRS, ETC., AT ERASMUS HALL HIGH SCHOOL, PUBLIC SCHOOLS 6, 16, 17, 19, 23, 31, 33, 34, 39, 51, 59, 71, 78, 90, 95, 98, 99, 100, 101, ANNEX, 101, 102, 104, 105, 107, 122, 124, 128, 139 AND 142, BOROUGH OF BROOKLYN.

The time allowed to complete the whole work on each school will be fifty-five (55) working days, as provided in the contract.

The amount of security required is as follows:

Erasmus Hall High School.....	\$1,600 00
Public School 6.....	200 00
Public School 16.....	400 00
Public School 17.....	200 00
Public School 19.....	300 00
Public School 23.....	200 00
Public School 31.....	500 00
Public School 33.....	300 00
Public School 34.....	200 00
Public School 39.....	400 00
Public School 51.....	300 00
Public School 59.....	600 00
Public School 71.....	200 00
Public School 78.....	300 00
Public School 82.....	300 00
Public School 90.....	100 00
Public School 95.....	200 00
Public School 98.....	200 00
Public School 100.....	800 00
Public School 100 Annex.....	1,600 00
Public School 101.....	1,000 00
Public School 102.....	600 00
Public School 104.....	600 00
Public School 105.....	300 00
Public School 107.....	200 00
Public School 122.....	200 00
Public School 124.....	200 00
Public School 128.....	200 00
Public School 139.....	200 00
Public School 142.....	300 00

TWENTY-FOURTH WARD, SECTION 13.
WEST TWO HUNDRED AND SIXTY-FIRST STREET—SEWER, between Broadway and Riverdale avenue. Area of assessment: 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 Tyndall 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 von Humboldt, 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.

— that the same was confirmed by the Board of Assessors on December 15, 1908, and entered December 15, 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 159 of this act."

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessment is payable to the Collector of Assessments and Arrears, at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, Room H, No. 280 Broadway, Borough of Manhattan, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before February 13, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessment became a lien to the date of payment.

HERMAN A. METZ, Comptroller.
 City of New York, Department of Finance,
 Comptroller's Office, December 15, 1908.

d17.31

avenues; southeast corner of THIRTY-THIRD STREET AND THIRD AVENUE; west side of SANFORD STREET, and east side of WALWORTH STREET, between Park and Flushing avenues; east side of OAKLAND STREET, between Greenpoint avenue and Kent street. Area of assessment: North side of West Ninth street, between Gowanus Canal and Smith street; north side of Seventy-ninth street, between Sixth and Fort Hamilton avenues; southwest corner of Forty-third street and Fifth avenue; southeast corner of Thirty-third street and Third avenue; west side of Sanford street and east side of Walworth street, between Park and Flushing avenues; east side of Oakland street, between Greenpoint avenue and Kent street.

TWENTY-SIXTH WARD, SECTION 11.
NEW JERSEY AVENUE—REGULATING, GRADING, CURBING AND LAYING CEMENT SIDEWALKS, between Jamaica avenue and Highland boulevard. Area of assessment: Both sides of New Jersey avenue, between Jamaica avenue and the Highland boulevard, and to the extent of half the block at the intersecting streets and avenues.

TWENTY-SIXTH WARD, SECTION 12.
CHRISTOPHER STREET—PAVING, between Livonia avenue and Riverdale avenue. Area of assessment: Both sides of Christopher street, between Riverdale avenue and a point about 250 feet north of Livonia avenue, and to the extent of half the block at the intersecting streets and avenues.

TWENTY-NINTH WARD, SECTION 15.
LINDEN AVENUE—PAVING, between Nosstrand and New York avenues. Area of assessment: Both sides of Linden avenue, from Nosstrand to New York avenue, and to the extent of half the block at the intersecting avenues.

TWENTY-NINTH WARD, SECTION 16.
DITMAS AVENUE—CURBING, RECURBING, GRADING AND LAYING CEMENT SIDEWALKS, from Flatbush avenue to Ocean avenue. Area of assessment: Both sides of Ditmas avenue, between Flatbush avenue and Ocean avenue.

THIRTIETH WARD, SECTION 18.

EIGHTY-EIGHTH STREET—SEWER, between First and Narrows avenues. Area of assessment: Both sides of Eighty-eighth street, from First avenue to Narrows avenue.

THIRTIETH WARD, SECTION 19.

SEVENTIETH STREET—REGULATING, GRADING, CURBING AND LAYING CEMENT SIDEWALKS, between Fourteenth and Fifteenth avenues. Area of assessment: Both sides of Seventieth street, between Fourteenth and Fifteenth avenues, and to the extent of half the block at the intersecting avenues.

— that the same were confirmed by the Board of Assessors on December 15, 1908, and entered December 15, 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 by section 1019 of the Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears, at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Mechanics' Bank Building, Court and Montague streets, Borough of Brooklyn, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before February 13, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessment became a lien to the date of payment.

HERMAN A. METZ, Comptroller.
 City of New York, Department of Finance,
 Comptroller's Office, December 15, 1908.

d17.31

ment, interest will be collected thereon, as provided by section 1019 of the Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment, from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessment is payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Mechanics' Bank Building, Court and Montague streets, Borough of Brooklyn, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before February 8, 1909, will be exempt from interest as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when such assessment became a lien to the date of payment.

HERMAN A. METZ, Comptroller.
 City of New York, Department of Finance,
 Comptroller's Office, December 10, 1908.

d12,26

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, 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 now owned by The City of New York, acquired by it for street opening purposes, in the

Borough of Brooklyn.

Being all the buildings, parts of buildings, etc., standing within the lines of the new street to be opened as an approach to the Manhattan Bridge, extending from Nassau street to the intersection of Flatbush avenue and Fulton street, in the Fourth, Fifth and Eleventh Wards of the Borough of Brooklyn, City of New York, and being more particularly described as being that three-story and basement brick building, No. 30 Debevoise place, all of which property is more particularly shown on a draft damage 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 February 20, 1907, the sale of the above described buildings and appurtenances thereto will be held by direction of the Comptroller on

THURSDAY, DECEMBER 24, 1908

at 10 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 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, 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 Sewers with a certificate from the Bureau of Sewers that the work has been properly performed.

The permit for all openings 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 possession will work forfeiture of ownership of such buildings, appurtenances or portion as shall then be left standing, together with all moneys paid by said purchaser on account thereof at the time of the sale, and the bidder's assent to the above conditions being understood to be implied by the act of bidding, and The City of New York will, without notice to the purchaser, cause the same to be removed and the costs and expense thereof charged against the security above mentioned.

The work of removal must be carried on in every respect in a thorough and workmanlike manner, and must be completed within sixty days from the day of possession, and the successful bidder will provide and furnish all materials

of labor and machinery necessary thereto, and will place proper and sufficient guards and fences and warning signs by day and night for the prevention of accidents, and will indemnify and save harmless The City of New York, its officers, agents and servants, and each of them, against any and all suits and actions, claims and demands of every name and description brought against it, them or any of them, and against and from all damage and costs to which it, they or any of them be put by reason of injury to the person or property of another, resulting from negligence or carelessness in the performance of the work, or in guarding the same, or from any improper or defective materials or machinery, implements or appliances used in the removal of said buildings.

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, beamholes, etc., bricked up, and the wall pointed and made to exclude wind and rain and present a clean exterior. The roofs of adjacent buildings shall be properly flashed and painted and made watertight where they have been disturbed by the operations of the contractor.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids; and it is further

Resolved, That, while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized to cause the sale to be advertised and to direct the sale thereof as financial officer of the City.

H. A. METZ, Comptroller.
 City of New York, Department of Finance,
 Comptroller's Office, December 10, 1908.

d11,24

NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF THE GREATER NEW YORK CHARTER, THE COMPTROLLER OF THE CITY OF NEW YORK HEREBY GIVES PUBLIC NOTICE TO ALL PERSONS, OWNERS OF PROPERTY, AFFECTED BY THE FOLLOWING ASSESSMENTS FOR LOCAL IMPROVEMENTS IN THE BOROUGH OF MANHATTAN:

TWELFTH WARD, SECTION 8 (MARBLE HILL).

TERRACE VIEW AVENUE (south)—PAVING, CURBING AND RECURBING, from the westerly line of Jansen avenue to the westerly side of Kingsbridge avenue. Area of assessment: Both sides of Terrace View avenue, south, from Jansen avenue to the westerly side of Kingsbridge avenue;

— that the same was confirmed by the Board of Revision of Assessments on December 10, 1908, and entered December 10, 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 1019 of the Greater New York Charter.

Said section provides in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessment is payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, Room H, No. 280 Broadway, Borough of Manhattan, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before February 8, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessment became a lien to the date of payment.

HERMAN A. METZ, Comptroller.
 City of New York, Department of Finance,
 Comptroller's Office, December 10, 1908.

d11,24

NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF THE GREATER NEW YORK CHARTER, THE COMPTROLLER OF THE CITY OF NEW YORK HEREBY GIVES PUBLIC NOTICE TO ALL PERSONS, OWNERS OF PROPERTY, AFFECTED BY THE FOLLOWING ASSESSMENTS FOR LOCAL IMPROVEMENTS IN THE BOROUGH OF BRONX:

TWENTY-FOURTH WARD, SECTION 11.
PARK AVENUE, EAST SIDE—PAVING AND CURBING, from East One Hundred and Seventy-seventh street to One Hundred and Eighty-third street. Area of assessment: Both sides of Park avenue, east side, from One Hundred and Seventy-seventh to One Hundred and Eighty-third street, and to the extent of half the block at the intersecting streets.

PARK AVENUE—REGULATING, GRADING, SETTING CURBSTONES, FLAGGING SIDEWALKS, LAYING CROSSWALKS, PLACING FENCES AND PLANTING TREES, from Pelham avenue to Tremont avenue. Area of assessment: Both sides of Park avenue, from Tremont avenue to Pelham avenue, and to the extent of half the block at the intersecting and terminating streets and avenues.

TWENTY-FOURTH WARD, SECTION 12.
WEBSTER AVENUE—PAVING, from Gun Hill road (Olin avenue) to the northerly boundary line of The City of New York. Area of assessment: Both sides of Webster avenue, from Gun Hill road to the northerly boundary line of The City of New York, and to the extent of half the block at the intersecting and terminating streets and avenues.

— that the same were confirmed by the Board of Revision of Assessments on December 10, 1908, and entered December 10, 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 1019 of the 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 from the day of possession, and unless the amount assessed for benefit on any person or property shall be paid within sixty days from the day of possession, and the successful bidder will provide and furnish all materials

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 February 8, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.
City of New York, Department of Finance,
Comptroller's Office, December 10, 1908.

d11,24

FOURTEENTH AVENUE (STEMLER STREET)—SEWER, from Vandeventer avenue to Grand avenue. Area of assessment: Both sides of Fourteenth avenue, from Vandeventer avenue to Grand avenue.

THIRD WARD.

TENTH AVENUE—TEMPORARY SEWER, from the Long Island Railroad Bridge to Fourteenth street; and FOURTEENTH STREET—TEMPORARY SEWER, from Eighth to Tenth avenue. Area of assessment: Both sides of Fourteenth street, from Eighth to Tenth avenue, and both sides of Tenth avenue, from Fourteenth to Seventeenth street.

MAPLE AVENUE—SEWER, from Summit street to Lawrence street. Area of assessment: Both sides of Maple avenue, from Summit street to Lawrence street.

NINETEENTH STREET—TEMPORARY SEWER, from the southerly side of Sixth avenue to a point about 250 feet southerly. Area of assessment: Both sides of Nineteenth street, between Sixth and Seventh avenues.

—that the same were confirmed by the Board of Assessors December 8, 1908, and entered on December 8, 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 1010 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, at the Hackett Building, No. 51 Jackson avenue, Long Island City, Borough of Queens, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. until 12 m., and all payments made thereon on or before February 6, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.
City of New York, Department of Finance,
Comptroller's Office, December 8, 1908.

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, December 8, 1908.

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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, December 8, 1908.

d9,23

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE.

AT THE REQUEST OF THE BRIDGE Commissioner, public notice is hereby given that the Commissioners of the Sinking Fund, by virtue of the powers vested in them by law, will offer for sale at public auction the building now standing upon property owned by The City of New York, acquired by it for bridge purposes in the Borough of Brooklyn, said building being situated at the northeast corner of Jay and High streets, in the

Borough of Brooklyn.

Being that two and one-half story frame building known as No. 169 Jay street, Borough of Brooklyn, and which is more particularly described on a certain 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 June 11, 1908, the sale of the above described building and appurtenances thereto will be held under the direction of the Comptroller on

WEDNESDAY, DECEMBER 23, 1908, at 10 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 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, 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 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 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, 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 watertight, where they have been disturbed by the operations of the contractor.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids; and it is further

Resolved, That, while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized

to cause the sale to be advertised and to direct the sale thereof as financial officer of the City.

H. A. METZ, Comptroller.

City of New York, Department of Finance,
Comptroller's Office, December 8, 1908.

d9,23

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE.

AT THE REQUEST OF THE PRESIDENT of the Borough of Queens, 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 the building now standing upon property owned by The City of New York, acquired by it for bridge purposes in the Borough of Brooklyn, said building being situated within the lines of property owned by The City of New York, acquired by it for street opening purposes in the

Borough of Queens.

Being all the buildings, parts of buildings, fences, etc., standing within the lines of a new street, between Bay View avenue and Eldert avenue, from the Boulevard to the southerly property line of the New York and Rockaway Beach Railway, in the Borough of Queens, 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 September 18, 1908, the sale of the above described buildings and appurtenances thereto will be held, under the direction of the Comptroller, on

WEDNESDAY, DECEMBER 23, 1908, at 3:30 p. 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 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 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 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, 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 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

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.

ACADEMY STREET—REGULATING, GRADING, CURBING AND FLAGGING, from Grand avenue to Broadway. Area of assessment: Both sides of Academy street, from Grand avenue to Broadway, and to the extent of half the block at the intersecting streets.

ACADEMY STREET (West Side)—RECEIVING BASIN, opposite Washington place. Area of assessment: West side of Academy street, between Wilbur and Payntar avenues, and south side of Payntar avenue, between Academy and Radde streets.

FIRST AVENUE—REGULATING, GRADING, CURBING, FLAGGING AND LAYING CROSSWALKS, from Webster avenue to Payntar avenue. Area of assessment: Both sides of First avenue, from Webster avenue to Payntar avenue, and to the extent of half the block at the intersecting streets and avenues.

—that the same were confirmed by the Board of Revision of Assessments December 10, 1908, and entered on December 10, 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 1010 of said Greater New York Charter.

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."

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 MANHATTAN:

TWELFTH WARD, SECTION 8.

VERMILYEA AVENUE—SEWER, between Two Hundred and Eleventh street and Dyckman street; also HAWTHORNE STREET—SEWER, between Broadway and summit east of Vermilyea avenue. Area of assessment: Both sides of Vermilyea avenue, between Dyckman street and Two Hundred and Eleventh street; both sides of Hawthorne street, between Broadway and Sherman avenue; both sides of Emerson street, between Cooper street and Sherman street; east side of Hawthorne street, between Emerson street and Emerson street, and west side of Broadway, between Hawthorne street and Emerson street.

TWO HUNDRED AND ELEVENTH STREET—OUTLET SEWER, between Harlem River and Broadway; and SEWERS in TENTH AVENUE, between Two Hundred and Ninth street and Two Hundred and Eleventh street; between Two Hundred and Thirteenth street and Two Hundred and Sixteenth street; between Two Hundred and Eleventh street and Two Hundred and Thirteenth street; and TWO HUNDRED AND THIRTEENTH STREET—SEWER, between Tenth avenue and Broadway; Area of assessment: Both sides of Two Hundred and Eleventh street, from Broadway to the Harlem River; both sides of Tenth avenue, from Two Hundred and Ninth street to Two Hundred and Sixteenth street; also both sides of Ninth avenue, from Two Hundred and Tenth to Two Hundred and Twelfth street; both sides of Sherman avenue, from Emerson street to Two Hundred and Eleventh street; both sides of Vermilyea avenue, beginning at a point about 175 feet southerly from Isham street, and extending northerly to Two Hundred and Eleventh street; east side of Broadway, from Emerson street to Two Hundred and Fourteenth street; west side of Broadway, from Emerson street to a point about 615 feet north of Isham street; both sides of Isham street, from Tenth avenue to a point about 100 feet west of Cooper street; both sides of Emerson street, from Post avenue to a point about 150 feet west of Emerson street; both sides of Two Hundred and Twelfth, Two Hundred and Thirteenth and Two Hundred and Fourteenth streets, from Tenth avenue to Broadway, and the north side of Emerson street, from Cooper street to Broadway.

—that the same were confirmed by the Board of Assessors on December 8, 1908, and entered December 8, 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 1010 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 February 6, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum

paid after the expiration of thirty days from the time the same shall have become due and payable there shall be added to and collected as part of every such assessment * * * interest at the rate of nine per cent. per annum, to be computed from the time the same became due and payable to the date of payment.

HERMAN A. METZ, Comptroller.
City of New York, Department of Finance,
Comptroller's Office, December 9, 1908.

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, December 8, 1908.

d9.23

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO UPON CITY REAL ESTATE.

AT THE REQUEST OF THE BOARD OF EDUCATION, 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 all the buildings, parts of buildings, etc., now standing upon property owned by The City of New York, acquired by it for school purposes in the

Borough of Brooklyn.

Being all those buildings, parts of buildings, etc., standing on that certain plot of ground described as follows:

Beginning at the point of intersection of the southerly side of Bartlett street with the westerly side of Throop avenue, and running thence westerly along the southerly side of Bartlett street 125 feet; thence southerly and parallel with Throop avenue 100 feet; thence easterly, parallel with Bartlett street, 25 feet; thence southerly and parallel with Throop avenue 100 feet to the northerly side of Whipple street; thence easterly along the northerly side of Whipple street 100 feet to the westerly side of Throop avenue; thence northerly along the westerly side of Throop avenue 200 feet, to the point or place of beginning.

—all of which are more particularly described on a certain map now on file in the office of the Collector of City Revenue, Department of Finance, Comptroller's Office, Room 141, No. 280 Broadway, Borough of Manhattan.

Pursuant to a resolution adopted by the Commissioners of the Sinking Fund at a meeting held December 9, 1908, the sale of the above described buildings and appurtenances thereto will be held under direction of the Comptroller on

THURSDAY, DECEMBER 24, 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 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, walks, structures and celars 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 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 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 furrings, plaster, chimneys, project-

ing brick, etc., on the faces of such party walls, are to be taken down and removed. The walls shall be made permanently self-supporting, beam holes, etc., bricked up, and the wall pointed and made to exclude wind and rain and present a clean exterior. The roofs of adjacent buildings shall be properly flashed and painted and made watertight where they have been disturbed by the operations of the contractor.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids; and it is further

Resolved, That, while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized to cause the sale to be advertised and to direct the sale thereof as financial officer of the City.

H. A. METZ, Comptroller.
City of New York, Department of Finance,
Comptroller's Office, December 8, 1908.

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CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO UPON CITY REAL ESTATE.

AT THE REQUEST OF THE BOARD OF EDUCATION, 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 all the buildings, parts of buildings, etc., now standing upon property owned by The City of New York, acquired by it for school purposes in the

Borough of Brooklyn.

Being all those buildings, parts of buildings, etc., standing on that certain plot of ground described as follows:

Beginning at the point of intersection of the southerly side of Bartlett street with the westerly side of Throop avenue, and running thence westerly along the southerly side of Bartlett street 125 feet; thence southerly and parallel with Throop avenue 100 feet; thence easterly, parallel with Bartlett street, 25 feet; thence southerly and parallel with Throop avenue 100 feet to the northerly side of Whipple street; thence easterly along the northerly side of Whipple street 100 feet to the westerly side of Throop avenue; thence northerly along the westerly side of Throop avenue 200 feet, to the point or place of beginning.

—all of which are more particularly described on a certain map now on file in the office of the Collector of City Revenue, Department of Finance, Comptroller's Office, Room 141, No. 280 Broadway, Borough of Manhattan.

Pursuant to a resolution adopted by the Commissioners of the Sinking Fund at a meeting held December 9, 1908, the sale of the above described buildings and appurtenances thereto will be held under direction of the Comptroller on

WEDNESDAY, DECEMBER 23, 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 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, walks, structures and celars 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 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 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 furrings, plaster, chimneys, project-

ing brick, etc., on the faces of such party walls, are to be taken down and removed. The walls shall be made permanently self-supporting, beam holes, etc., bricked up, and the wall pointed and made to exclude wind and rain and present a clean exterior. The roofs of adjacent buildings shall be properly flashed and painted and made watertight where they have been disturbed by the operations of the contractor.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids; and it is further

Resolved, That, while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized to cause the sale to be advertised and to direct the sale thereof as financial officer of the City.

H. A. METZ, Comptroller.
City of New York, Department of Finance,
Comptroller's Office, December 8, 1908.

circular, 14½ feet inside diameter, and the aqueduct 17 feet high by 17½ feet wide inside. The work is located in the Towns of New Paltz and Gardiner, Ulster County, N. Y.

Bids or proposals are invited for each contract separately and for both contracts combined. Any bidder may make a bid for either contract or for the two contracts combined. A separate form of proposal will be furnished for the purpose of the combined bid.

The Board may reject any or all bids.

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 four hundred and fifty thousand dollars (\$450,000) under each contract, 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 fifty thousand dollars (\$50,000) for each contract. Only one check for each contract will be required, whether bids are submitted for the contracts separately or combined.

Time allowed for the completion of the work under each contract is 42 months from the service of notice by the Board to begin work.

Pamphlets containing information for bidders, forms of proposal, contract and bond, approved by the Corporation Counsel, and specifications, and pamphlets containing 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, or twenty dollars (\$20) for each set. This deposit will be refunded upon the return of the pamphlets in acceptable condition within thirty days from the date on which bids are to be opened.

JOHN A. BENSEL, President;
CHARLES N. CHADWICK,
CHARLES A. SHAW.

Commissioners of the Board of Water Supply.

J. WALDO SMITH, Chief Engineer.

THOMAS HASSETT, Secretary.

d18.57

See General Instructions to Bidders on the last page, last column, of the "City Record."

TO CONTRACTORS.

SEALED BIDS OR PROPOSALS WILL BE received by the Board of Water Supply, in the office of the Board, No. 299 Broadway, New York, Room 910, ninth floor, until 11 a. m. on

TUESDAY, JANUARY 5, 1909, for

CONTRACT NO. 40.

FOR THE CONSTRUCTION OF THREE FIELD OFFICE BUILDINGS, THREE HORSE SHEDS AND ONE STABLE, IN THE EOUS- PUS DIVISION OF THE CATSKILL AQUE- DUCT, IN THE TOWNS OF OLIVE AND MARBLETON, ULSTER COUNTY, N. Y.

Further information is 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. The Board reserves the right to reject any or all bids.

A bond in the sum of Five Thousand Dollars (\$5,000) will be required for the faithful performance of the contract. This bond must be signed by the contractor and the surety, who must be satisfactory to the Board. The name and address of the surety offered must be stated in the bid or proposal.

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 Four Hundred Dollars (\$400).

Time allowed for the completion of the work is seven months from the service of notice by the Board to begin work.

Pamphlets containing information for bidders, forms of proposal, contract and bond, approved by the Corporation Counsel, and specifications, and pamphlets containing 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 Five Dollars (\$5) in currency, or check drawn to the order of the Board of Water Supply, for each pamphlet, or Ten Dollars (\$10) for each set. This deposit will be refunded upon the return of the pamphlets in acceptable condition within thirty days from the date on which bids are to be opened.

JOHN A. BENSEL, President;
CHARLES N. CHADWICK,
CHARLES A. SHAW.

Commissioners, Board of Water Supply.

THOMAS HASSETT, Secretary.

d17.55

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. received by the Department of Public Charities at the above office until 2:30 o'clock p. m. on

TUESDAY, DECEMBER 20, 1908.

FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED FOR ALTERING AND REPAIRING PRESENT KITCHEN BUILDING AND OLD BOILER HOUSE AT THE METROPOLITAN HOSPITAL, BLACKWELLS ISLAND.

The time allowed for the completion of the work and full performance of the contract is seventy-five (75) consecutive working days.

The security required will be Three Thousand Dollars (\$3,000).

The bidder will state one aggregate price for the whole work described and specified, as the contract is entire and for a complete job.

Blank forms and further information may be obtained at the office of the Architect of the Department, foot of East Twenty-sixth street,

The City of New York, where plans and specifications may be seen.
ROBERT W. HEBBERD, Commissioner.
Dated December 17, 1908.

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF PUBLIC CHARITIES, FOOT OF EAST TWENTY-SIXTH STREET, NEW YORK.

TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

SEALED BIDS OR ESTIMATES WILL BE received by the Department of Public Charities at the above office until 2:30 o'clock p. m. on

WEDNESDAY, DECEMBER 23, 1908.
FOR FURNISHING AND DELIVERING:
FOOD, STABLE AND BUILDING SUPPLIES.

2. COAL.

The time for the performance of the contract is during the year 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price per barrel, per ton, per pound, per dozen, etc., by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total and awards made to the lowest bidder on each class, line or item, as stated in the specifications.

Blank forms and further information may be obtained at the office of the Department, foot of East Twenty-sixth street, Borough of Manhattan.

ROBERT W. HEBBERD, Commissioner.

The City of New York, December 12, 1908.

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF PUBLIC CHARITIES, FOOT OF EAST TWENTY-SIXTH STREET, NEW YORK.

TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

SEALED BIDS OR ESTIMATES WILL BE received by the Department of Public Charities at the above office until 2:30 o'clock p. m. on

WEDNESDAY, DECEMBER 23, 1908.

FOR ALL MATERIALS AND LABOR REQUIRED FOR THE COMPLETE CONDUITING, ELECTRIC WIRING, AND ALL OTHER WORK IN CONNECTION WITH THE INSTALLATION OF A COMPLETE ELECTRIC LIGHTING AND POWER SYSTEM FOR CERTAIN OF THE BUILDINGS AND GROUNDS UNDER THE JURISDICTION OF THE DEPARTMENT OF PUBLIC CHARITIES, CITY HOSPITAL DISTRICT, BLACKWELL'S ISLAND, 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 sixty (60) consecutive calendar days.

The surety required will be Five Thousand Dollars (\$5,000).

The bidder shall state, in writing and in figures (without interlineation, alterations or erasure), one (1) aggregate price for the whole work as shown, noted, indicated or specified, as the contract is entire and for a complete job, and embraces the entire completion of the work in every respect and detail.

Bidders are requested to make their bids or estimates upon the blank form prepared by said Department, a copy of which, together with a copy of the contract, including the specifications, in the form approved by the Corporation Counsel, can be obtained upon application therefor at the office of Raymond F. Almirall, architect, No. 51 Chambers street, The City of New York, where the drawings, which are made a part of the specifications, can be seen.

ROBERT W. HEBBERD, Commissioner.

The City of New York, December 11, 1908.

See General Instructions to Bidders on the last page, last column, of the "City Record."

BOARD OF ASSESSORS.

PUBLIC NOTICE IS HEREBY GIVEN TO the owner or owners of all houses and lots, improved or unimproved lands affected thereby, that the following proposed assessments have been completed and are lodged in the office of the Board of Assessors for examination by all persons interested, viz.:

Borough of The Bronx.

List 335, No. 1. Repairing sidewalk and placing guard rail where necessary on the westerly side of the Southern boulevard, beginning at a point 222 feet northerly of the northwest corner of Jennings street and Southern boulevard, and running northerly for a distance of 102 feet.

List 347, No. 2. Paving with granite blocks and curbing where necessary Tiffany street, from Westchester avenue north to Intervale avenue.

List 349, No. 3. Repairing sidewalk, placing guard rail where necessary on the westerly side of Tinton avenue, 267 feet north of One Hundred and Sixty-first street, and running northerly about 83 feet.

List 352, No. 4. Repairing sidewalk and placing guard rail where necessary on the easterly side of Washington avenue, beginning about 75 feet north of One Hundred and Sixty-seventh street, and extending about 120 feet.

Borough of Queens.

List 70, No. 5. Regulating, grading and laying cement sidewalks on the west side of Whitestone avenue, from Broadway to State street, Third Ward.

List 166, No. 6. Sewer in Lamont avenue, between Fifth and Eleventh streets, Second Ward.

List 175, No. 7. Sewer in Potter avenue, from Kouwenhoven street to Debevoise avenue, 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. West side of Southern boulevard, from a point 200 feet north of Jennings street to a point about 125 feet northerly.

No. 2. Both sides of Tiffany street, from Westchester avenue to Intervale avenue, and to the extent of half the block at the intersecting streets.

No. 3. West side of Tinton avenue, between One Hundred and Sixty-first and One Hundred and Sixty-second streets, Lot No. 47, Block 2658.

No. 4. East side of Washington avenue, between One Hundred and Sixty-seventh and One Hundred and Sixty-eighth streets, Lot No. 7, Block 2372.

No. 5. West side of Whitestone avenue, from Broadway to State street.

No. 6. Both sides of Lamont avenue, from Fifth street to Eleventh street; north side of Fifth street and south side of Sixth street, between Lamont and Whitney avenues.

No. 7. Both sides of Potter avenue, from Debevoise avenue to Kouwenhoven 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 January 19, 1909, at 11 a. m., at which time and place the said objections will be heard and testimony received in reference thereto.

ANTONIO ZUCCA,

PAUL WEIMANN,

JAMES H. KENNEDY,

Board of Assessors.

WILLIAM H. JASPER, Secretary, No. 320 Broadway.

The amount of security required will be Twenty-five Hundred Dollars.

NO. 2. FOR FURNISHING AND DELIVERING HARD COAL CLEAN STEAM BOILER ASHES.

Six thousand cubic yards of hard coal clean steam boiler ashes to be furnished and delivered within two and one-half miles of the docks east of the Bronx River at such times and in such quantities as may be directed during 60 days following execution.

The amount of security required will be Eighteen Hundred Dollars.

NO. 3. FOR FURNISHING AND DELIVERING BROKEN TRAP-ROCK STONE OR SCREENINGS.

Nine thousand cubic yards of broken trap-rock stone or screenings to be furnished and delivered by the contractor at such time and at such points as shall be designated by the President, and shall be hauled and delivered as required to any designated place or places. The broken trap-rock stone is to be newly broken, with sharp edges and of uniform quality throughout; free from dirt or disintegrated stone or screenings, or any other foreign matter. It shall be of such size as to pass through a screen having a 2-inch mesh, and be retained by a screen having a 34-inch mesh. The screenings shall be of trap-rock and of uniform quality, free from dirt and other foreign matter. The particles of stone in the screenings shall not exceed in size 34 inch. The screenings shall not contain more than 25 per cent. of stone dust, which shall be distributed evenly throughout the entire mass.

Samples must be submitted on day of letting.

The amount of security required will be Eight Thousand Dollars.

The time allowed for delivery will be sixty days.

NO. 4. FOR REGULATING, GRADING, SETTING CURBSTONE, FLAGGING THE SIDEWALKS, LAYING CROSSWALKS, BUILDING APPROACHES AND PLACING FENCES IN EDENWALD AVENUE (JEFFERSON AVENUE), BETWEEN EAST TWO HUNDRED AND THIRTY-THIRD STREET AND THE BOUNDARY LINE BETWEEN NEW YORK AND MOUNT VERNON.

The Engineer's estimate of the work is as follows:

9,200 cubic yards of earth excavation.

5,200 cubic yards of rock excavation.

29,300 cubic yards of filling.

6,900 linear feet of new curbstone, furnished and set.

25,400 square feet of new flagging, rejoined and relaid.

500 square feet of old flagging, rejoined and relaid.

7,650 square feet of new bridgestone for crosswalks, furnished and laid.

1,000 cubic yards of dry rubble masonry in retaining walls, culverts and gutters.

125 cubic yards of rubble masonry in mortar.

225 linear feet of vitrified stoneware pipe, 12 inches in diameter.

1,150 linear feet of vitrified stoneware pipe, 15 inches in diameter.

15 cubic yards of concrete.

1,300 pounds of steel rods, in place.

3,000 pounds of cast iron frames and covers for rubble masonry inlets, other than

Types "A" and "B."

5 drainage inlets, Type "A."

8 drainage inlets, Type "B."

2,350 linear feet of guard rail.

The time allowed for the completion of the work will be 150 working days.

The amount of security required will be Seventeen Thousand Dollars.

Blank forms and further information may be obtained upon application thereto, and the plans and specifications may be seen and other information obtained at said office.

LOUIS F. HAFFEN, President.

d12,24

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF HEALTH.

DEPARTMENT OF HEALTH, CORNER OF FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health of the Department of Health until 10 a. m. on

THURSDAY, DECEMBER 31, 1908.

FOR FURNISHING AND DELIVERING AS REQUIRED, BREAD, FISH, ICE, MINERAL WATERS, VEGETABLES AND FRUITS TO THE WILLARD PARKER, RECEPTION, RIVERSIDE AND KINGSTON AVENUE HOSPITALS AND THE HOSPITAL FOR CONTAGIOUS EYE DISEASES, AND ICE ONLY TO THE DEPARTMENT DISINFECTION STATIONS, LABORATORIES AND OFFICE BUILDINGS OF THE DEPARTMENT OF HEALTH, CITY OF NEW YORK, IN THE VARIOUS BOROUGHS, DURING THE YEAR 1909.

The time for the delivery of the supplies and the performance of the contract is during the year 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid.

Bids will be compared and the contract awarded to the lowest bidder for each class or item, as indicated by the specifications.

Blank forms and further information may be obtained and samples may be seen at the office of the Chief Clerk of the Department of Health, southwest corner of Fifty-fifth street and Sixth avenue, Borough of Manhattan.

THOMAS DARLINGTON, M. D., President;

ALVAH H. DOTY, M. D.,

THEODORE A. BINGHAM,

Board of Health.

Dated December 18, 1908.

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF HEALTH, CORNER OF FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health of the Department of Health until 10 a. m. on

WEDNESDAY, DECEMBER 30, 1908.

FOR FURNISHING AND DELIVERING MEAT, AS REQUIRED, TO THE WILLARD PARKER AND RECEPTION HOSPITALS, AT THE FOOT OF EAST SIXTEENTH STREET; THE HOSPITAL FOR CONTAGIOUS EYE DISEASES, AT THE NORTHWEST CORNER OF ONE HUNDRED AND EIGHTEENTH STREET AND PLEASANT AVENUE, BOROUGH OF MANHATTAN; THE RIVERSIDE HOSPITAL, AT NORTH BROTHER ISLAND, BOROUGH OF THE BRONX, AND THE KINGSTON AVENUE HOSPITAL, AT KINGSTON AVENUE AND FENIMORE STREET, BOROUGH OF BROOKLYN, CITY OF NEW YORK, DURING THE YEAR 1909.

The time for the delivery of the supplies and the performance of the contract is during the year 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid.

Bids will be compared and the contract awarded to the lowest bidder for each class, as indicated by the specifications.

Blank forms and further information may be obtained at the office of the Chief Clerk of the Department of Health, southwest corner of Fifty-fifth street and Sixth avenue, Borough of Manhattan.

THOMAS DARLINGTON, M. D., President;

ALVAH H. DOTY, M. D.,

THEODORE A. BINGHAM,

Board of Health.

Dated December 18, 1908.

d18,30

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF HEALTH, CORNER OF FIFTY-FIFTH STREET AND SIXTH AVENUE, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Health of the Department of Health until 10 a. m. on

WEDNESDAY, DECEMBER 30, 1908.

FOR FURNISHING AND DELIVERING BUTTER, CHEESE AND EGGS AS REQUIRED, TO THE WILLARD PARKER AND RECEPTION HOSPITALS AT THE FOOT OF EAST SIXTEENTH STREET; THE HOSPITAL FOR CONTAGIOUS EYE DISEASES, NORTHWEST CORNER OF ONE HUNDRED AND EIGHTEENTH STREET AND PLEASANT AVENUE, BOROUGH OF MANHATTAN; THE RIVERSIDE HOSPITAL, AT NORTH BROTHER ISLAND, BOROUGH OF THE BRONX, AND THE KINGSTON AVENUE HOSPITAL AT KINGSTON AVENUE AND FENIMORE STREET, BOROUGH OF BROOKLYN, CITY OF NEW YORK, DURING THE YEAR 1909.

The time for the delivery of the supplies and the performance of the contract is during the year 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid.

BUILDINGS, HOSPITALS, AND DISINFECTION STATIONS OF THE DEPARTMENT OF HEALTH, IN THE DIFFERENT BOROUGHS OF THE CITY OF NEW YORK, DURING THE YEAR 1909.

The time for the delivery of the supplies and the performance of the contract is during the year 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid.

Bids will be compared and the contract awarded to the lowest bidder for each class complete, as indicated by the specifications.

Blank forms and further information may be obtained at the office of the Chief Clerk of the Department of Health, southwest corner of Fifty-fifth street and Sixth avenue, Borough of Manhattan.

THOMAS DARLINGTON, M. D., President;
ALVAH H. DOTY, M. D.,
THEODORE A. BINGHAM,

Board of Health.

Dated December 18, 1908.

d18,30

See General Instructions to Bidders on the last page, last column, of the "City Record."

SUPREME COURT—FIRST DEPARTMENT.

FIRST DEPARTMENT.

In the matter of acquiring title by The City of New York to certain lands and premises situated on the EASTERLY SIDE OF CLINTON STREET, between Broome street and the southerly clearance of the Williamsburg Bridge, in the Borough of Manhattan, in The City of New York, duly selected as a site for buildings for police purposes, according to law.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Appraisal in the above-entitled proceeding, do hereby give notice to the owner or owners, lessee or lessees, parties or persons respectively entitled to or interested in the lands, tenements, hereditaments and premises, title to which is sought to be acquired in this proceeding, and to all others whom it may concern, to wit:

First—That we have completed our estimate of the loss and damage to the respective owners, lessees, parties or persons respectively entitled to or interested in the lands and premises affected by this proceeding, or having any interest therein, and have filed a true report or transcript of such estimate in the office of the Police Commissioner of The City of New York, situated at No. 400 Mulberry street, in the Borough of Manhattan, City of New York, for the inspection of whomsoever it may concern.

Second—That all parties or persons whose rights may be affected by the said estimate, or who may object to the same, or any part thereof, may, within ten days after the first publication of this notice, Tuesday, December 22, 1908, file their objections, in writing, with us, at our office, Room 401, No. 258 Broadway, in the Borough of Manhattan, in The City of New York, and we, the said Commissioners, will hear parties so objecting, at our said office, on the 5th day of January, 1909, at 10 o'clock in the forenoon of that day, and upon such subsequent days as may be found necessary.

Dated New York, December 16, 1908.

ADAM WIENER,
JAMES S. MENZ,
Commissioners.

JOSEPH M. SCHENCK, Clerk.

d22,4

FIRST DEPARTMENT.

In the matter of the application of The City of New York, by the Corporation Counsel, for the appointment of Commissioners of Estimate and Assessment to ascertain and determine the compensation which should justly be made to Harriet R. McKim, I. Frederick Kernochnan, as trustees for Harriet R. McKim, and Amos R. E. Pinchot and Gifford Pinchot, as executors of the will of James W. Pinchot, deceased, as owners of interests in premises abutting on the easterly side of Dewey place, between Forty-second street and Forty-third street, in The City of New York, for the discontinuance and closing of the portion of Depew place, 12 feet in width and 35 feet in length on its westerly side, 121.83 feet north of Forty-second street, in the Borough of Manhattan, City of New York.

NOTICE IS HEREBY GIVEN, PURSUANT to chapter 1006 of the Laws of 1895, that an application will be made to the Supreme Court of the State of New York, First Department, at a Special Term, Part III, thereof, at the County Court House, in the Borough of Manhattan, City of New York, on the 28th day of December, 1908, for the appointment of a Commissioner of Estimate and Assessment in the above-entitled proceeding in the place and stead of Harvey Watterson, deceased.

Dated Borough of Manhattan, City of New York, December 22, 1908.

FRANCIS K. PENDLETON,
Corporation Counsel.

Hall of Records, Borough of Manhattan, City of New York.

d22,28

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the widening of RIVERSIDE DRIVE, on the easterly side, from West One Hundred and Fifty-eighth street to West One Hundred and Sixty-fifth street, in the Twelfth Ward, Borough of Manhattan, City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate of assessment, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, and having objections thereto, do present their said objections, in writing, duly verified, to us at our office, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in The City of New York, on or before the 15th day of January, 1909, and that we, the said Commissioners, will hear parties so objecting, and for that purpose will be in attendance at our said office on the 18th day of January, 1909, at 11 o'clock a. m.

Second—That the abstract of our said estimate of assessment, together with our benefit maps, and also all the affidavits, estimates, proofs and

other documents used by us in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in said City, there to remain until the 18th day of January, 1909.

Third—That the limits of our assessment for benefit include all those lands, tenements and hereditaments and premises situate, lying and being in the Borough of Manhattan, in The City of New York, which, taken together, are bounded and described as follows, viz:

On the west by the Hudson River; on the north by Dyckman street; on the east by Broadway, and on the south by One Hundred and Thirty-fifth street.

Fourth—That, provided there be no objections filed to said abstract, our final last partial and separate report herein will be presented for confirmation to the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part III, to be held in the County Court House in the Borough of Manhattan, in The City of New York, on the 11th day of March, 1909, at the opening of the Court on that day.

Fifth—In case, however, objections are filed to said abstract of estimate of assessment, the notice of motion to confirm our final last partial and separate report herein will stand adjourned to the date to be hereafter specified, and of which notice will be given to all those who have theretofore appeared in this proceeding, as well as by publication in the City Record, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Manhattan, New York, December 19, 1908.

ARTHUR D. TRUAX, Chairman;
PATRICK J. CONWAY,
LAWRENCE KELLY,

Commissioners.

JOHN P. DUNN, Clerk.

d22,j3

FIRST DEPARTMENT.

In the matter of the application of The City of New York, by the Corporation Counsel, for the appointment of Commissioners of Estimate and Assessment to ascertain and determine the compensation which should justly be made to Henry R. Winthrop, individually, and to Henry R. Winthrop, I. Frederick Kernochnan and William Jay, as trustees under the will of Thomas Buchanan Winthrop, deceased, as owners of the premises abutting on the easterly side of Dewey place, between Forty-second street and Forty-third street, in The City of New York, for the discontinuance and closing of the portion of Depew place, 12 feet in width and 35 feet in length, on its westerly side, 121.83 feet north of Forty-second street, in the Borough of Manhattan, City of New York.

NOTICE IS HEREBY GIVEN, PURSUANT to chapter 1006 of the Laws of 1895, that an application will be made to the Supreme Court of the State of New York, First Department, at a Special Term, Part III, thereof, at the County Court House, in the Borough of Manhattan, City of New York, on the 28th day of December, 1908, for the appointment of a Commissioner of Estimate and Assessment in the above-entitled proceeding in the place and stead of Harvey Watterson, deceased.

Dated Borough of Manhattan, City of New York, December 22, 1908.

FRANCIS K. PENDLETON,

Corporation Counsel.

Hall of Records, Borough of Manhattan, City of New York.

d22,28

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, for the same purpose, in fee, to the lands, tenements and hereditaments required for the opening and extending of MOHEGAN AVENUE, between East One Hundred and Seventy-fifth street and East One Hundred and Seventy-sixth street, in the Twenty-fourth Ward, Borough of The Bronx, 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 4th day of January, 1909, at 10:30 o'clock in 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, December 19, 1908.

F. W. HOTTENROTH,

ALBERT ELTERICH,
JOHN B. REYNOLDS,

Commissioners of Estimate.

F. W. HOTTENROTH,

Commissioner of Assessment.

JOHN P. DUNN, Clerk.

d19,31

FIRST DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title, wherever the same has not been heretofore acquired, to BAYCHESTER AVENUE (although not yet named by proper authority), from West Fourth street to the northerly boundary of Pelham Bay Park, at Baychester Station, in the Twenty-fourth Ward, Borough of The Bronx, City of New York, and relative to acquiring title to all the lands and premises required for the purpose of opening BAYCHESTER AVENUE, from Fourth avenue or street and Vernon Parkway East westerly to White Plains road, in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

NOTICE IS HEREBY GIVEN THAT THE supplemental and additional bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I, to be held at the County Court House, in the Borough of Manhattan, in The City of New York, on the 30th day of December, 1908, at 10:30 o'clock in 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 section 999 of the Greater New York Charter, as amended 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

Greater New York Charter, as amended by chapter 466 of the Laws of 1901.

Dated Borough of Manhattan, New York, December 17, 1908.

CHAS. DONOHUE,
GRENVILLE T. EMMET,
MICHAEL E. DEVLIN,

Commissioners.

JOHN P. DUNN, Clerk.

d17,29

FIRST DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the extending of HIGHBRIDGE PARK, as shown on a map filed in the office of the Register of the County of New York December 21, 1903, in accordance with the plan adopted by the Board of Estimate and Apportionment December 11, 1903, and approved by the Mayor December 18, 1903, in the Twelfth Ward, Borough of Manhattan, City of New York.

NOTICE IS HEREBY GIVEN THAT THE supplemental and additional bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part III, to be held in the County Court House, in the Borough of Manhattan, in The City of New York, on the 21st day of December, 1908, at 10:30 o'clock in 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 section 999 of the Greater New York Charter, as amended.

Dated Borough of Manhattan, New York, December 10, 1908.

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 23d day of December, 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 section 999 of the Greater New York Charter, as amended.

Dated Borough of Manhattan, New York, December 10, 1908.

JOSEPH M. SCHENCK, Clerk.

d11,22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the opening and extending of HAVEN AVENUE (although not yet named by proper authority), from West One Hundred and Seventy-seventh street to West One Hundred and Eighty-first street, 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 24th day of December, 1908, at 10:30 o'clock in forenoon of that day, or as soon thereafter as counsel can be heard thereon; and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by the provisions of section 999 of the Greater New York Charter, as amended by chapter 466 of the Laws of 1901.

Dated Borough of Manhattan, New York, December 11, 1908.

EDWARD J. McGEEAN,
EDWARD D. FARRELL,
JOHN J. O'CONNELL,

Commissioners.

JOHN P. DUNN, Clerk.

d11,22

FIRST DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of WEST ONE HUNDRED AND SEVENTY-FOURTH STREET, from Aqueduct avenue to Undercliff avenue; WEST ONE HUNDRED AND SEVENTY-FIFTH STREET, from Aqueduct avenue to Undercliff avenue; WEST ONE HUNDRED AND SEVENTY-SIXTH STREET, from Aqueduct avenue to Sedgwick avenue; MONTGOMERY AVENUE, from West One Hundred and Seventy-fourth street to West One Hundred and Seventy-sixth street; and POPHAM AVENUE, from West One Hundred and Seventy-fourth street to West One Hundred and Seventy-sixth street (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

NOTICE IS HEREBY GIVEN THAT THE supplemental and additional bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I, to be held at the County Court House, in the Borough of Manhattan, in The City of New York, on Thursday, the 24th day of December, 1908, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate in the above-entitled matter, one of whom shall be designated as a Commissioner of Assessment. The nature and extent of the improvement hereby intended is the acquisition of title in fee by The City of New York, for the use of the public, to all lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of certain streets or avenues known as West One Hundred and Seventy-fourth street, from Aqueduct avenue to Undercliff avenue; West One Hundred and Seventy-fifth street, from Aqueduct avenue to Undercliff avenue; West One Hundred and Seventy-sixth street, from Aqueduct avenue to Sedgwick avenue; Montgomery avenue, from West One Hundred and Seventy-fourth street to West One Hundred and Seventy-sixth street, and Popham avenue, from West One Hundred and Seventy-fourth street to West One Hundred and Seventy-sixth street, Twenty-fourth Ward, Borough of The Bronx, City of New York, being the following described lots, pieces or parcels of land, viz:

West One Hundred and Seventy-fourth Street.

Beginning at a point in the eastern line of Undercliff avenue distant 2,185.03 feet southwesterly from the intersection of said line with the southern line of Sedgwick avenue;

1. Thence southwesterly curving to the left on the arc of a circle for 30.15 feet along the eastern line of Undercliff avenue;

7. Thence westerly deflecting 110 degrees 40 minutes 53 seconds to the left for 26.42 feet;
8. Thence westerly deflecting 9 degrees 27 minutes 44 seconds to the left for 60.83 feet;
9. Thence northwesterly deflecting 9 degrees 27 minutes 44 seconds to the right for 460 feet;
10. Thence westerly deflecting 29 degrees 6 minutes 43 seconds to the left for 68.68 feet;
11. Thence westerly for 203.11 feet to the point of beginning.

WEST ONE HUNDRED AND SEVENTY-SIXTH STREET.

Parcel "A."

Beginning at a point in the eastern line of Montgomery avenue distant 1,000.96 feet southwesterly from the intersection of said line with the southern line of Tremont avenue;

1. Thence southwesterly along the eastern line of Montgomery avenue for 63.11 feet;

2. Thence easterly deflecting 108 degrees 3 minutes 40 seconds to the left for 470.06 feet to the western line of Aqueduct avenue;

3. Thence northeasterly along last-mentioned line for 71.87 feet;

4. Thence westerly for 490.06 feet to the point of beginning.

Parcel "B."

Beginning at a point in the western line of Montgomery avenue distant 851.80 feet southwesterly from the intersection of said line with the southern line of Popham avenue;

1. Thence northeasterly along the western line of Montgomery avenue for 63.11 feet;

2. Thence westerly deflecting 108 degrees 3 minutes 40 seconds to the left for 210.36 feet to the eastern line of Popham avenue;

3. Thence southwesterly along last-mentioned line for 63.11 feet;

4. Thence easterly deflecting 108 degrees 3 minutes 40 seconds to the left for 210.36 feet to the point of beginning.

Parcel "C."

Beginning at a point in the eastern line of Undercliff avenue distant 1,153 feet southwesterly from the intersection of said line with the southern line of Sedgwick avenue;

1. Thence southwesterly along the eastern line of Undercliff avenue for 31.55 feet;

2. Thence easterly deflecting 108 degrees 3 minutes 40 seconds to the left for 210.36 feet to the western line of Popham avenue;

3. Thence northeasterly along last-mentioned line for 31.55 feet;

4. Thence westerly for 210.36 feet to the point of beginning.

Parcel "D."

Beginning at a point in the western line of Undercliff avenue distant 1,011.24 feet southwesterly from the intersection of said line with the southern line of Sedgwick avenue;

1. Thence southwesterly along the western line of Undercliff avenue for 31.55 feet;

2. Thence westerly deflecting 71 degrees 56 minutes 21 seconds to the right for 236.96 feet to the eastern line of Sedgwick avenue;

3. Thence northeasterly along last-mentioned line for 31.55 feet;

4. Thence easterly for 236.97 feet to the point of beginning.

MONTGOMERY AVENUE.

Beginning at a point in the western line of Montgomery avenue distant 851.80 feet southwesterly from the intersection of said line with the southern line of Popham avenue;

1. Thence easterly along the southern line of West One Hundred and Seventy-sixth street for 63.11 feet;

2. Thence southwesterly deflecting 108 degrees 3 minutes 40 seconds to the right for 984.23 feet;

3. Thence westerly deflecting 76 degrees 50 minutes 26 seconds to the right for 61.62 feet;

4. Thence northeasterly for 978.69 feet to the point of beginning.

POPHAM AVENUE.

Beginning at a point in the western line of Popham avenue, distant 914.24 feet southwesterly from the intersection of said line with the southern line of Palisade place;

1. Thence easterly along the southern line of West One Hundred and Seventy-sixth street for 63.11 feet;

2. Thence southwesterly deflecting 108 degrees 3 minutes 40 seconds to the right for 962.17 feet;

3. Thence westerly deflecting 52 degrees 50 minutes 5 seconds to the right for 75.29 feet;

4. Thence northeasterly for 988.09 feet to the point of beginning.

West One Hundred and Seventy-fourth street, West One Hundred and Seventy-fifth street, West One Hundred and Seventy-sixth street, Montgomery avenue and Popham avenue are shown on the following maps: "Map or plan of Section 15 of the final maps and profiles of the Twenty-third and Twenty-fourth Wards, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of The City of New York, on December 16, 1895; in the office of the Register of the County of New York, on December 17, 1895, as Map No. 1065, and in the office of the Secretary of State of the State of New York on December 17, 1895." And also on a map entitled "Map or plan showing the locating and laying out and the grades of the streets and avenues and public parks within the area bounded by Undercliff avenue, West One Hundred and Seventy-sixth street, Aqueduct avenue and Washington Bridge, in the Twenty-fourth Ward, Borough of The Bronx, City of New York. Prepared by the President of the Borough of The Bronx, under authority of chapter 266 of the Laws of 1901." Which map was filed in the office of the President of the Borough of The Bronx on February 9, 1907; in the office of the Register of the County of New York on February 7, 1907, as Map No. 1157, and in the office of the Corporation Counsel of The City of New York on or about the same date in pigeonhole 69.

Land taken for the above streets is located in Blocks 2877, 2878 and 2880 of the Land Map of The City of New York.

Dated New York, December 2, 1908.

The Board of Estimate and Apportionment, on the 20th day of December, 1907, duly fixed and determined the area of assessment in the proceeding as follows:

Beginning at a point on the easterly line of Undercliff avenue, distant 400 feet southerly from its intersection with the southerly line of West One Hundred and Seventy-fourth street, and running thence westerly at right angles to Undercliff avenue a distance of 160 feet; thence northwardly and always parallel with and 100 feet distant from the westerly line of Undercliff avenue to a point distant 400 feet southerly from the southerly line of West One Hundred and Seventy-sixth street as West One Hundred and Seventy-sixth street is laid out between Sedgwick avenue and Popham avenue, the said distance being measured at right angles to the line of West One Hundred and Seventy-sixth street; thence westwardly and parallel with West One Hundred and Seventy-sixth street to a point distant 100 feet westerly from the westerly line of Sedgwick avenue, the said distance being measured at right angles to the line of Sedgwick avenue; thence northwardly and always parallel with and 100 feet distant from the westerly line of Sedgwick avenue to

the intersection with the prolongation of a line distant 400 feet northerly from the northerly line of West One Hundred and Seventy-sixth street as laid out east of Sedgwick avenue, the said distance being measured at right angles to the line of West One Hundred and Seventy-sixth street; thence eastwardly and parallel with West One Hundred and Seventy-sixth street as laid out east of Sedgwick avenue to the westerly line of Andrews avenue; thence southeasterly at right angles to Andrews avenue to its intersection with the prolongation of a line distant 100 feet southeasterly from the southeasterly line of Aqueduct avenue as laid out in the tangent southwest of Macombs road, the said distance being measured at right angles to the said southeasterly line of Aqueduct avenue; thence southwardly, parallel with and always 100 feet distant southeasterly from the southeasterly line of Aqueduct avenue to the northerly line of Featherbed lane; thence southwardly to a point on the southerly line of Featherbed lane where it is intersected by the prolongation of a line distant 100 feet easterly from and parallel with the easterly line of Aqueduct avenue as laid out in the tangent between Boscombe avenue and Featherbed lane, the said distance being measured at right angles to the said line of Aqueduct avenue; thence southwardly along the said line parallel with College avenue to the intersection with a line distant 100 feet westerly from and parallel with the westerly line of Teller avenue; thence southwardly along the said line parallel with the westerly line of Teller avenue to the intersection with a line at right angles to the line of Teller avenue; thence northwardly along the said line parallel with Teller avenue to the intersection with a line at right angles to the line of Morris avenue, and passing through the point of beginning; thence eastwardly along the said line at right angles to Morris avenue to the point or place of beginning.

Dated New York, December 11, 1908.

FRANCIS K. PENDLETON,

Corporation Counsel.

Hall of Records, Borough of Manhattan, City of New York.

d12,24

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired for the same purpose in fee, to the lands, tenements and hereditaments required for the opening and extending of KNOX PLACE, from Moshulu Parkway North to Gun Hill road, and GATES PLACE, from Moshulu Parkway North to Gun Hill road (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III, THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE-ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE IN FEES BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL THE LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF A CERTAIN STREET OR AVENUE KNOWN AS TWO HUNDRED AND FIFTH STREET (ADEE AVENUE), FROM WHITE PLAINS ROAD TO BOSTON POST ROAD, IN THE TWENTY-FOURTH WARD, BOROUGH OF THE BRONX, CITY OF NEW YORK.

Land to be taken for Teller avenue is located in Blocks 2784, 2788 and 2787 of Section 11 of the Land Map of The City of New York.

The Board of Estimate and Apportionment on the 25th day of September, 1908, duly fixed and determined the area of assessment in this proceeding as follows:

Beginning at a point on the westerly line of Morris avenue distant 100 feet northerly from the angle point at Teller avenue, and running thence eastwardly at right angles to the line of Morris avenue a distance of 180 feet; thence southwardly and always 100 feet easterly from and parallel with the easterly line of Teller avenue to the intersection with the northerly line of East One Hundred and Seventy-sixth street; thence southwardly at right angles to the line of East One Hundred and Seventy-sixth street; thence southwardly, parallel with and always 100 feet distant southerly from and parallel with the southerly line of East One Hundred and Seventy-sixth street to the intersection with a line distant 125 feet easterly from and parallel with the easterly line of College avenue, the said distance being measured at right angles to the line of College avenue; thence northwardly along the said line parallel with College avenue to the intersection with a line a distance of 100 feet westerly from and parallel with the westerly line of Teller avenue; thence northwardly along the said line parallel with the westerly line of Teller avenue to the intersection with a line at right angles to the line of Teller avenue; thence northwardly along the said line parallel with Teller avenue to the intersection with a line at right angles to the line of Morris avenue, and passing through the point of beginning; thence eastwardly along the said line at right angles to Morris avenue to the point or place of beginning.

Dated New York, December 11, 1908.

FRANCIS K. PENDLETON,

Corporation Counsel.

Hall of Records, Borough of Manhattan, City of New York.

d12,24

FIRST DEPARTMENT.

IN THE MATTER OF THE APPLICATION OF THE CITY OF NEW YORK, RELATIVE TO ACQUIRING TITLE IN FEES, WHEREVER THE SAME HAS NOT BEEN HERETOFORE ACQUIRED FOR THE SAME PURPOSE IN FEES, TO THE LANDS, TENEMENTS AND HEREDITAMENTS REQUIRED FOR THE OPENING AND EXTENDING OF A CERTAIN STREET OR AVENUE KNOWN AS TWO HUNDRED AND FIFTH STREET (ADEE AVENUE), FROM WHITE PLAINS ROAD TO BOSTON POST ROAD, IN THE TWENTY-FOURTH WARD, BOROUGH OF THE BRONX, CITY OF NEW YORK, BEING THE FOLLOWING-DESCRIBED LOTS, PIECES OR PARCELS OF LAND, VIZ.:

Beginning at a point in the eastern line of White Plains road distant 541.42 feet southerly from the intersection of said line with the southern line of Burke avenue (Morris street);

1. Thence southerly along the eastern line of White Plains road for 80 feet;

2. Thence easterly deflecting 90 degrees to the left for 2,554.96 feet;

3. Thence northeasterly deflecting 49 degrees 36 minutes to the left for 35.10 feet;

4. Thence northeasterly curving to the left on the arc of a circle of 2,300 feet radius and tangent to the preceding course for 60.08 feet;

5. Thence westerly for 2,621.68 feet to the point of beginning.

EAST TWO HUNDRED AND FIFTH STREET (ADEE AVENUE), FROM WHITE PLAINS ROAD TO BOSTON POST ROAD, IS SHOWN ON SECTION 30 OF THE FINAL MAPS OF THE BOROUGH OF THE BRONX, PREPARED BY THE PRESIDENT OF THE BOROUGH OF THE BRONX UNDER AUTHORITY OF CHAPTER 466 OF THE LAWS OF 1901 AND AMENDATORY ACTS; WHICH MAP WAS FILED IN THE OFFICE OF THE PRESIDENT OF THE BOROUGH OF THE BRONX ON FEBRUARY 2, 1906; IN THE OFFICE OF THE REGISTER OF THE COUNTY OF NEW YORK ON JANUARY 30, 1906, AS MAP NO. 1103, AND IN THE OFFICE OF THE COUNSEL TO THE CORONER OF THE CITY OF NEW YORK, ON OR ABOUT THE SAME DATE, IN PIGEONHOLE 57.

LAND TAKEN FOR EAST TWO HUNDRED AND FIFTH STREET (ADEE AVENUE) IS LOCATED EAST OF THE BRONX RIVER.

THE BOARD OF ESTIMATE AND APPORTIONMENT ON THE 13TH DAY OF MARCH, 1908, DULY FIXED AND DETERMINED THE AREA OF ASSESSMENT IN THIS PROCEEDING AS FOLLOWS:

BOUNDED ON THE NORTH BY A LINE MIDWAY BETWEEN ADEE AVENUE AND BURKE AVENUE; ON THE EAST BY A LINE PARALLEL WITH AND ALWAYS DISTANT 100 FEET FROM THE EASTERLY LINE OF BOSTON POST ROAD, THE SAID DISTANCE BEING MEASURED AT RIGHT ANGLES TO THE LINE OF BOSTON POST ROAD; ON THE SOUTH BY A LINE MIDWAY BETWEEN ADEE AVENUE AND ARNOW AVENUE, AND ON THE WEST BY A LINE DISTANT 100 FEET WESTERLY FROM AND PARALLEL WITH THE WESTERLY LINE OF WHITE PLAINS ROAD.

DATED NEW YORK, DECEMBER 8, 1908.

FRANCIS K. PENDLETON, Corporation Counsel.

Hall of Records, Borough of Manhattan, City of New York.

d8,22

FIRST DEPARTMENT.

IN THE MATTER OF THE APPLICATION OF THE CITY OF NEW YORK, RELATIVE TO ACQUIRING TITLE IN FEES, WHEREVER THE SAME HAS NOT BEEN HERETOFORE ACQUIRED FOR THE SAME PURPOSE IN FEES, TO THE LANDS, TENEMENTS AND HEREDITAMENTS REQUIRED FOR THE OPENING AND EXTENDING OF VAN COURTLAND AVENUE, FROM SEDGWICK AVENUE TO VAN COURTLAND PARK SOUTH, IN THE TWENTY-FOURTH WARD, BOROUGH OF THE BRONX, CITY OF NEW YORK.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III, THEREOF, IN THE COUNTY COURT HOUSE IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE-ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE IN FEES BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF A CERTAIN STREET OR AVENUE KNOWN AS VAN COURTLAND AVENUE, FROM SEDGWICK AVENUE TO VAN COURTLAND PARK SOUTH, IN THE TWENTY-FOURTH WARD, BOROUGH OF THE BRONX, CITY OF NEW YORK, WHICH, TAKEN TOGETHER, ARE BOUNDED AS FOLLOWS, VIZ.:

BEGINNING AT THE INTERSECTION OF THE SOUTHERN LINE OF VAN COURTLAND AVENUE WITH THE EASTERLY LINE OF ALBANY ROAD;

1. THENCE EASTERLY ALONG THE SOUTHERN LINE OF VAN COURTLAND AVENUE FOR 157.41 FEET;

2. THENCE SOUtherly DEFLECTING 90 DEGREES TO THE RIGHT FOR 61.53 FEET;

3. THENCE SOUtheasterly CURVING TO THE LEFT ON THE ARC OF A CIRCLE OF 31.53 FEET RADIUS AND TANGENT TO THE PRECEDING COURSE FOR 30 FEET TO A POINT OF REVERSE CURVE;

4. THENCE SOUtheasterly ON THE ARC OF A CIRCLE OF 180 FEET RADIUS FOR 139.56 FEET TO A POINT OF REVERSE CURVE;

5. THENCE SOUtheasterly ON THE ARC OF A CIRCLE OF 236 FEET RADIUS FOR 257.81 FEET TO A POINT OF REVERSE CURVE;

6. THENCE SOUtheasterly ON THE ARC OF A CIRCLE OF 185.35 FEET RADIUS FOR 135.15 FEET;

7. THENCE SOUtheasterly ON A LINE TANGENT TO THE PRECEDING COURSE FOR 620 FEET

9. Thence northwesterly deflecting 46 degrees 49 minutes 23 seconds to the right for 554.93 feet;

10. Thence northwesterly curving to the left on the arc of a circle of 105.35 feet radius and tangent to the preceding course for 76.84 feet to a point of reverse curve;

11. Thence northwesterly on the arc of a circle of 316 feet radius for 345.20 feet to a point of reverse curve;

12. Thence northwesterly on the arc of a circle of 100 feet radius for 177.70 feet to the eastern line of Albany road;

13. Thence northerly for 143.96 feet to the point of beginning.

Van Courtlandt avenue, from Sedgwick avenue to Van Courtlandt Park South, is shown on Section 21 of the final maps and profiles of the Twenty-third and Twenty-fourth Wards, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York, on December 16, 1895; in the office of the Register of the County of New York December 17, 1895, as Map No. 1065, and in the office of the Secretary of State of the State of New York on December 17, 1895.

Land taken for Van Courtlandt avenue is located in Blocks 3252 and 3263 of Section 12 of the Land Map of The City of New York.

The Board of Estimate and Apportionment, on the 26th day of June, 1908, duly fixed and determined the area of assessment in this proceeding as follows:

Bounded on the west by a line distant 400 feet westerly from and parallel with the westerly line of Van Courtlandt avenue as laid out in the tangent between Bailey avenue and Sedgwick avenue, and by the prolongation of the said line, the said distance being measured at right angles to the line of Van Courtlandt avenue; on the north by a line distant 100 feet northerly from and parallel with the northerly line of Van Courtlandt Park South, the said distance being measured at right angles to the line of Van Courtlandt Park South; on the east by a line distant 400 feet easterly from and parallel with the easterly line of Van Courtlandt avenue, as laid out in the tangent between Bailey avenue and Gouverneur avenue, and by the prolongation of said line, the said distance being measured at right angles to the line of Van Courtlandt avenue, and on the south by a line always distant 100 feet southerly from and parallel with the southerly line of Sedgwick avenue, the said distance being measured at right angles to the line of Sedgwick avenue.

Dated New York, December 8, 1908.

FRANCIS K. PENDLETON,
Corporation Counsel,
Hall of Records, Borough of Manhattan, City of New York.

d8,22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of GLOVER STREET (Grace avenue), from Castle Hill avenue to Westchester avenue, and DORIS STREET (or avenue), from Glebe avenue to Westchester avenue (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, First Department, at a Special Term of said Court, to be held at Part III, thereof, in the County Court House, in the Borough of Manhattan, in The City of New York, on Tuesday, the 22d day of December, 1908, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate in the above-entitled matter, one of whom shall be designated as a Commissioner of Assessment. The nature and extent of the improvement hereby intended is the acquisition of title in fee by The City of New York, for the use of the public, to all lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Glover street (Grace avenue), from Castle Hill avenue to Westchester avenue, and Doris street (or avenue), from Glebe avenue to Westchester avenue (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York, being the following-described lots, pieces or parcels of land, viz.:

Glover Street.

Beginning at a point in the western line of Westchester avenue distant 521.52 feet northerly from the first angle point in said line east of Castle Hill avenue;

1. Thence northeasterly along the western line of Westchester avenue for 60 feet;

2. Thence northwesterly deflecting 90 degrees 15 minutes 55 seconds to the left for 1,624.91 feet;

3. Thence southerly deflecting 140 degrees 15 minutes 20 seconds to the left for 93.84 feet;

4. Thence southeasterly for 1,552.47 feet to the point of beginning.

Doris Street.

Beginning at a point in the western line of Westchester avenue distant 271.52 feet northerly from the first angle point in said line east of Castle Hill avenue;

1. Thence northeasterly along the western line of Westchester avenue for 60 feet;

2. Thence northwesterly deflecting 90 degrees 15 minutes 55 seconds to the left for 707.50 feet;

3. Thence southerly deflecting 143 degrees 23 minutes to the left for 100.50 feet;

4. Thence southeasterly for 626.48 feet to the point of beginning.

Glover street and Doris street are shown on a map or plan entitled "Map or Plan showing the location, laying out and the grades of the streets in the area bounded by Castle Hill Avenue, Bear Swamp Road, the line of The New York, New Haven and Hartford Railroad, Blondell Avenue and Westchester Avenue, in the Twenty-fourth Ward, Borough of The Bronx, City of New York. Prepared by the President of the Borough of The Bronx, under authority of chapter 466 of the Laws of 1901." Which map was filed in the office of the President of the Borough of The Bronx on June 10, 1907; in the office of the Register of the County of New York on June 4, 1907, and in the office of the Counsel to the Corporation of The City of New York, on or about the same date, in pigeonhole 78.

Land taken for Glover street (Grace avenue) and Doris street (avenue) is located east of the Bronx River.

The Board of Estimate and Apportionment on the 22d day of May, 1908, duly fixed and determined the area of assessment in this proceeding as follows:

Beginning at a point on the northwesterly line of Westchester avenue where it is intersected by the line bisecting the angle formed by the intersection of the prolongations of the centre line of Glebe avenue as laid out southerly from Glover street and the centre line of Doris street, and running thence northerly along the said bisecting

line to the intersection with a line distant one hundred feet southwesterly from and parallel with the southwesterly line of Doris street, the said distance being measured at right angles to the line of Doris street; thence northwesterly along the said line parallel with Doris street and the prolongation thereof to the intersection with a line distant 100 feet westerly from and parallel with the westerly line of Glebe avenue, the said distance being measured at right angles to the line of Glebe avenue; thence northwesterly along the said line parallel with Glebe avenue to the intersection with a line distant 100 feet southwesterly from and parallel with the southwesterly line of Glover street, the said distance being measured at right angles to the line of Glover street; thence northwesterly along the said line parallel with Glover street to the intersection of the easterly line of Castle Hill avenue; thence westwardly at right angles to the line of Castle Hill avenue a distance of 200 feet; thence northwardly and parallel with Castle Hill avenue to the intersection with a line at right angles to the line of Castle Hill avenue and passing through a point on its westerly side where it is intersected by the prolongation of a line midway between Glover street and Parker street; thence eastwardly along the said line at right angles to Castle Hill avenue to its westerly side; thence southeastwardly along the said line midway between Glover street and Parker street, and the prolongation thereof, to a point distant 100 feet southeasterly from the southeasterly line of Westchester avenue; thence southwesterly and parallel with Westchester avenue to the intersection with a line at right angles to Westchester avenue and passing through the point of beginning.

Dated New York, December 8, 1908.

FRANCIS K. PENDLETON,

Corporation Counsel,

Hall of Records, Borough of Manhattan, City of New York.

d8,22

WALLACE AVENUE.

Parcel "A."

Beginning at a point in the southern line of Burke avenue (Morris street) distant 720 feet easterly from the intersection of said line with the eastern line of White Plains road;

1. Thence easterly along the southern line of Burke avenue (Morris street) for 60 feet;

2. Thence southerly, deflecting 90 degrees to the right for 918.52 feet;

3. Thence northwesterly deflecting 115 degrees 51 minutes 20 seconds to the right for 66.67 feet;

4. Thence northerly for 889.44 feet to the point of beginning.

Parcel "B."

Beginning at a point in the northern line of Burke avenue (Morris street) distant 720 feet easterly from the intersection of said line with the eastern line of White Plains road;

1. Thence easterly along the northern line of Burke avenue (Morris street) for 60 feet;

2. Thence northerly deflecting 90 degrees to the left for 237.21 feet;

3. Thence southwesterly curving to the right on the arc of a circle of 444.72 feet radius for 61.08 feet, the radius of said circle drawn northwesterly from northern extremity of the preceding course defects 14 degrees 29 minutes 4 seconds to the left from the prolongation of said course;

4. Thence southerly for 226.04 feet to the point of beginning.

Parcel "C."

Beginning at a point in the southern line of Gun Hill road distant 795.45 feet easterly from the intersection of said line with the eastern line of White Plains road;

1. Thence easterly along the southern line of Gun Hill road for 61.89 feet;

2. Thence southerly deflecting 75 degrees 49 minutes 2 seconds to the right for 1,094.79 feet;

3. Thence southwesterly curving to the right on the arc of a circle of 343 feet radius and tangent to the preceding course for 178.11 feet to a point of reverse curve;

4. Thence southerly curving to the right on the arc of a circle of 10 feet radius for 16.86 feet;

5. Thence westerly on a line tangent to the preceding course for 64.31 feet;

6. Thence westerly deflecting 15 degrees 9 minutes 35 seconds to the left for 50.78 feet;

7. Thence northeasterly curving to the left on the arc of a circle of 61.75 feet radius and tangent to the preceding course for 79.51 feet to a point of compound curve;

8. Thence northerly curving to the left on the arc of a circle of 283 feet radius for 119.72 feet;

9. Thence northerly for 1,109.95 feet to the point of beginning.

Bronxwood avenue, from Burke avenue to Gun Hill road; Barnes avenue, from Williamsbridge road to Tilden street, and Wallace avenue, from Williamsbridge road to Gun Hill road (although not yet named by proper authority), in the Twenty-third Ward, Borough of The Bronx, City of New York.

Land taken for the widening of East One Hundred and Sixty-first street is located in Block 2366 of Section 9 of the Land Map of The City of New York.

The Board of Estimate and Apportionment on the 25th day of September, 1908, duly fixed and determined the area of assessment in this proceeding as follows:

Beginning at a point on the centre line of Brook avenue, where it is intersected by the prolongation of a line midway between East One Hundred and Fifty-seventh street and East One Hundred and Fifty-eighth street, as laid out between Brook avenue and Park avenue, and running thence westwardly along the said line midway between East One Hundred and Fifty-seventh street and East One Hundred and Fifty-eighth street, as laid out in the office of the President of The Bronx on May 14, 1907; in the office of the Register of the County of New York on May 14, 1907, as Map No. 1170; and in the office of the Counsel to the Corporation of The City of New York on or about the same date, in pigeonhole 72.

Land taken for the widening of East One Hundred and Sixty-first street is located in Block 2366 of Section 9 of the Land Map of The City of New York.

The Board of Estimate and Apportionment, on the 10th day of January, 1908, duly fixed and determined the area of assessment in this proceeding as follows:

Beginning at the point where the southerly line of Tilden street intersects the prolongation of a line midway between Barnes avenue and Bronxwood avenue, as these streets are laid out between Gun Hill road and East Two Hundred and Eleventh street, and running thence southwardly along the said line midway between Barnes avenue and Bronxwood avenue and the prolongation thereof to a point distant 100 feet northerly from the northerly line of Gun Hill road; thence eastwardly and parallel with Gun Hill road to the intersection with a line at right angles to Gun Hill road, and passing through a point on the southerly line of Gun Hill road midway between Paulding avenue and Hone avenue; thence southwardly along the said line at right angles to Gun Hill road to the intersection with a line parallel with and distant 100 feet westerly from the westerly line of Hone avenue, the said distance being measured at right angles to the line of Hone avenue; thence southwardly along the said line parallel with Hone avenue to a point distant 100 feet southerly from the southerly line of Burke avenue; thence eastwardly and parallel with Burke avenue to the intersection with a line midway between Sheridan avenue and Mott avenue; thence southwardly along the said line midway between Barnes avenue and Mathews avenue; thence southwardly along the said line midway between Barnes avenue and Mathews avenue to the northerly line of Williamsbridge road; thence westwardly along the northerly line of Williamsbridge road to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out north of Bartholdi street; thence northwardly along the said line midway between Holland avenue and Wallace avenue as laid out north of Bartholdi street and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out south of South Oak drive and along the prolongation of the said line to the intersection with a line midway between Holland avenue and Wallace avenue as these streets are laid out

York, being the following described lots, piece or parcel of land, viz.:

Beginning at a point in the southerly line of West Two Hundred and Eighteenth street, distant 874.08 feet, as measured along the said southerly line from Broadway; thence southerly and deflecting to the left 72 degrees and 55 minutes, distance 476.23 feet, to the northerly line of West Two Hundred and Fifteenth street; thence westerly and deflecting to the right 87 degrees 51 minutes and 10 seconds, distance 80.06 feet; thence northerly and deflecting to the right and parallel to the first course, distance 448.64 feet, to the southerly line of West Two Hundred and Eighteenth street; thence easterly along said line, distance 83.69 feet, to the point or place of beginning.

Said street to be found in Section 88, Blocks 2243 and 2250 of the Land Map of the Borough of Manhattan, City of New York, and is shown on a certain map entitled map or plan showing the locating, laying out and the grades of streets within the lines of the property of Lawrence Drake, southerly of Two Hundred and Eighteenth street, and westerly of Kingsbridge road (Broadway), in the Borough of Manhattan, City of New York. Filed in the offices of the president of the Board of Public Improvements, the Register of the City and County of New York, and the Corporation Counsel, on or about the 17th day of October, 1900.

The Board of Estimate and Apportionment on the 10th day of January, 1908, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

Beginning at the intersection of a line midway between Seaman avenue and Isham street with a line distant 100 feet southerly from and parallel with the southerly line of West Two Hundred and Fifteenth street, the said distance being measured at right angles to the line of West Two Hundred and Fifteenth street, and running thence northwardly along the said line midway between Seaman avenue and Isham street to the northerly line of West Two Hundred and Eighteenth street; thence northwardly at right angles to the northerly line of West Two Hundred and Eighteenth street, a distance of 100 feet; thence eastwardly along a line parallel with West Two Hundred and Eighteenth street, to its intersection with a line at right angles to the northerly line of West Two Hundred and Eighteenth street, and passing through a point on the said northerly line of West Two Hundred and Eighteenth street where it is intersected by the prolongation of a line distant 165 feet easterly from the easterly line of Park Terrace West, the said distance being measured at right angles to the line of Park Terrace West; thence southwardly at right angles to the line of West Two Hundred and Eighteenth street to the aforesaid point on the northerly line of the said West Two Hundred and Eighteenth street; thence southwardly along a line distant 165 feet easterly from and parallel with the easterly line of Park Terrace West, and along the prolongation of the said line, to the intersection with a line distant 100 feet south of and parallel with the southerly line of West Two Hundred and Fifteenth street, the said distance being measured at right angles to the line of West Two Hundred and Fifteenth street; thence westwardly and parallel with the southerly line of West Two Hundred and Fifteenth street to the point or place of beginning.

Dated New York, December 8, 1908.

FRANCIS K. PENDLETON,

Corporation Counsel.

Hall of Records, Borough of Manhattan, City of New York.

d8.22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of CHITTENDEN AVENUE, from Northern avenue to Riverside drive, and the BRANCH STREET leading to Northern avenue, near Fort Washington avenue, in the Twelfth Ward, Borough of Manhattan, City of New York.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III, THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE-ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT.

THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL THE LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF A CERTAIN STREET OR AVENUE KNOWN AS CHITTENDEN AVENUE AND RIVERSIDE DRIVE, AND PASSING THROUGH THE POINT DESCRIBED AS THE POINT OR PLACE OF BEGINNING AND THENCE WESTWARDLY TO THE POINT OR PLACE OF BEGINNING.

Dated New York, December 8, 1908.

FRANCIS K. PENDLETON,

Corporation Counsel.

Hall of Records, Borough of Manhattan, City of New York.

d8.22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of HILLSIDE AVENUE, from Nagle avenue, near Broadway, to Nagle avenue, near Dyckman street, as heretofore laid out on the map or plan of Chittenden avenue and passing through a point on the said boundary line midway between Chittenden avenue and Riverside drive; thence northwardly to the said point on the southerly park boundary line midway between Chittenden avenue and Riverside drive; thence northwardly and always midway between Chittenden avenue and Riverside drive to the intersection with a line drawn at right angles to Riverside drive, and passing through the point described as the point or place of beginning and thence westwardly to the point or place of beginning.

Dated New York, December 8, 1908.

FRANCIS K. PENDLETON,

Corporation Counsel.

Hall of Records, Borough of Manhattan, City of New York.

d8.22

FIRST DEPARTMENT.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III, THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE-ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL THE LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF A CERTAIN STREET OR AVENUE KNOWN AS TWO HUNDRED AND TWENTY-FIFTH STREET (Muscoota street), FROM BROADWAY TO THE LINE DIVIDING THE BOROUGHS OF MANHATTAN AND THE BRONX, IN THE TWELFTH WARD, BOROUGH OF MANHATTAN, CITY OF NEW YORK, BEING THE FOLLOWING DESCRIBED LOTS, PIECE OR PARCEL OF LAND, VIZ.:

Beginning at a point in the westerly line of Northern avenue distant 1,235.89 feet as measured along said westerly line northerly from West One Hundred and Eighty-first street; thence westerly at right angle, distance 75 feet; thence in a curved line to the right, radius 75 feet, distance 117.81 feet. At this point the width of the avenue changes to 40 feet in width, thence northerly and tangent to last curve, distance 625 feet; thence still northerly and deflecting to the right 4 degrees 9 minutes and 35 seconds, distance 365 feet to a point marked "A"; thence still northerly and in the same course, and passing through point marked "A" distance 355 feet, being a total distance of 720 feet from the last angle; thence in a curved line to the left, radius 295 feet, distance 240.69 feet, thence in a reversed curve to the right, radius 95.89 feet, distance 92.12 feet; thence northerly and curving to the right, radius 370 feet, distance 18.05 feet; thence in a curved line to the left, radius 40 feet, distance 60.88 feet to the easterly line of the Riverside drive; thence southerly along said drive, distance 40 feet; thence still southerly along the drive, radius 410 feet, distance 20 feet; thence still southerly and curving to the left, radius 135.89 feet, distance 130.55 feet; thence southerly and curving to the right, radius 255 feet, distance 208.05 feet; thence southerly and tangent distance 721 feet; thence southerly and deflecting to the left 4 degrees 9 minutes and 35 seconds, distance 636.454 feet; thence southerly and easterly, and curving to the left, radius 115 feet, distance 180.64 feet. At this point the avenue changes to 50 feet in width, thence easterly and tangent to the last curve, distance 75 feet to the westerly line of Northern avenue; thence northerly along said avenue, distance 50 feet to the point or place of beginning.

Also easterly branch of Chittenden avenue. Beginning at a point in the westerly line of Northern avenue distant 405.97 feet as measured

along said line from Fort Washington avenue; thence southerly and along said westerly line, distance 633.97 feet; thence southerly and deflecting to the right 22 degrees 23 minutes and 14 seconds, distance 209.79 feet; thence in a curved line to the right, radius 60 feet, distance 83.18 feet to point "A" in the easterly line of Chittenden avenue; thence northerly along said avenue, distance 40 feet; thence northerly and parallel to last course but one, and 40 feet distance therefrom, radius 20 feet, distance 27.73 feet; thence northerly and tangent to the last curve, distance 201.88 feet; thence northerly and deflecting to the left 22 degrees 23 minutes and 14 seconds, distance 220.08 feet; thence curving to the right, radius 1,050 feet, distance 232.95 feet; thence curving to the right, radius 40 feet, distance 63.62 feet to the westerly line of Northern avenue; thence southerly along said line distance 40 feet to the point or place of beginning.

Land to be taken is found in Section 8, Block 2179 of the Land Map of the Borough of Manhattan, City of New York, and is shown on a certain map entitled "Map, plan and profile of the avenues, streets, roads, public parks and places in that part of the Twelfth Ward, Borough of Manhattan, bounded by West One Hundred and Eighty-first street, Broadway, Dyckman street and Boulevard Lafayette, showing the existing street and the new streets with their grade now laid out, fixed and established under authority of the Greater New York Charter, which said map was filed in the offices of the President of the Borough of Manhattan, City of New York, the Register of the County of New York, and the office of the Corporation Counsel of The City of New York, on or about the 25th day of May, 1890, and also shown on a certain map entitled "Map, plan and profile of the alteration of the lines and grades of St. Nicholas avenue and Hillside avenue, at their intersection with Nagle avenue and Dyckman street," in the Twelfth Ward, Borough of Manhattan, City of New York, which said map was filed in the offices of the President of the Borough of Manhattan, City of New York, the Register of the County of New York, and in the office of the Corporation Counsel of The City of New York on or about the 25th day of May, 1890.

The Board of Estimate and Apportionment on the 28th day of June, 1907, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

Beginning at a tangent point on the easterly side of Riverside drive about opposite the intersection of the branch street with Chittenden avenue and running northwardly along the said easterly side of Riverside drive to the intersection with a line distant 100 feet northerly from and parallel with the northerly boundary of the park traversed by Chittenden avenue, the said distance being measured at right angles to the said boundary line; running thence eastwardly along a line parallel with the northern park boundary to the intersection with the westerly line of Northern avenue; thence eastwardly at right angles to the line of Northern avenue to a point distant 100 feet easterly from the easterly line of Northern avenue; thence southwardly and parallel with the line of Northern avenue to the intersection with a line distant 100 feet southwardly from and parallel with the southerly line of Nagle avenue to the intersection with a line distant 100 feet northerly from and parallel with the southerly line of Hillside avenue through that portion of its length south of and immediately adjoining its intersection with Northern avenue, the said distance being measured at right angles to the line of Northern avenue, the said distance being measured at right angles to the line of the branch street; thence southwardly and along the said line always parallel with and distant 100 feet from the branch street heretofore described to the intersection with a line distant 100 feet easterly from and parallel with the easterly line of Chittenden avenue, the said distance being measured at right angles to the line of Chittenden avenue; thence southwardly and eastwardly along a line always parallel with and distant 100 feet from the easterly and northerly lines of Chittenden avenue, the said distance being measured at right angles to the line of Chittenden avenue, and along the prolongation of the said line to a point distant 100 feet eastwardly from the easterly line of Northern avenue; thence southwardly and parallel with Northern avenue to the intersection with a line parallel with and distance 100 feet southwardly from the southerly line of Chittenden avenue at its intersection with Northern avenue, the said distance being measured at right angles to the line of Chittenden avenue; thence westwardly from and distant 100 feet from the branch street heretofore described to the intersection with a line distant 100 feet easterly from and parallel with the easterly line of Chittenden avenue, the said distance being measured at right angles to the line of Chittenden avenue; thence southwardly and eastwardly along a line always parallel with and distant 100 feet from the easterly and northerly lines of Chittenden avenue, the said distance being measured at right angles to the line of Chittenden avenue, and along the prolongation of the said line to a point distant 100 feet eastwardly from the easterly line of Northern avenue; thence southwardly and parallel with Northern avenue to the intersection with a line parallel with and distance 100 feet southwardly from the southerly line of Chittenden avenue, the said distance being measured at right angles to the line of Chittenden avenue, the said distance being measured at right angles to the line of the branch street; thence southwardly and along the said line always parallel with and distant 100 feet from the branch street heretofore described to the intersection with a line distant 100 feet easterly from and parallel with the southerly line of Nagle avenue and along the prolongation of the said line to the intersection with the southerly line of St. Nicholas avenue; thence southwardly and along the westerly line of St. Nicholas avenue and along the prolongation of the said line to the intersection with a line 100 feet southeasterly from and parallel with the southeasterly line of Hillside avenue, the said distance being measured at right angles to the line of Hillside avenue; thence southwardly and along the southeasterly line of Nagle avenue and along the prolongation of the said line to the intersection with the southeasterly line of St. Nicholas avenue; thence southwardly and along the westerly line of St. Nicholas avenue and along the prolongation of the said line to the intersection with a line 100 feet southeasterly from and parallel with the southeasterly line of Hillside avenue, the said distance being measured at right angles to the line of Hillside avenue; thence southwardly and westwardly and along a line always distant 100 feet from the southerly line of Hillside avenue, the said distance being measured at right angles to the line of Hillside avenue, to the point or place of beginning.

Dated New York, December 8, 1908.

FRANCIS K. PENDLETON,

Corporation Counsel.

Hall of Records, Borough of Manhattan, City of New York.

d8.22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of TWO HUNDRED AND TWENTY-FIFTH STREET (Muscoota street), from Broadway to the line dividing the Boroughs of Manhattan and The Bronx, in the Twelfth Ward, Borough of Manhattan, City of New York.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III, THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE-ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL THE LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF A CERTAIN STREET OR AVENUE KNOWN AS TWO HUNDRED AND TWENTY-FIFTH STREET (Muscoota street), FROM BROADWAY TO THE LINE DIVIDING THE BOROUGHS OF MANHATTAN AND THE BRONX, IN THE TWELFTH WARD, BOROUGH OF MANHATTAN, CITY OF NEW YORK, BEING THE FOLLOWING DESCRIBED LOTS, PIECES OR PARCELS OF LAND, VIZ.:

Beginning at a point in the easterly line of Broadway distant 389.63 feet northerly from United States channel line Harlem River; thence easterly at right angles to Broadway, distance 394.50 feet; thence easterly and deflecting to the left 30 degrees 19 minutes and 19 seconds, distance 484.80 feet to the westerly line of Exterior street, in the Borough of The Bronx; thence southerly along said line, distance 100.24 feet; thence westerly and parallel to last course but one, distance 504.91 feet; thence still deflecting to the right 30 degrees 19 minutes and 19 seconds, distance 421.51 feet to the easterly line of Broadway; thence northerly along said line, distance 100 feet to the point or place of beginning.

Beginning at a point in the southerly line of Nagle avenue distant 774.64 feet westerly from Ellwood street; thence southerly and deflecting to the left 126 degrees 26 minutes and 17 seconds, distance 453.36 feet; thence in a curved line to the left, radius 300 feet, distance 332.93 feet; thence easterly and tangent to last curve, distance 174.73 feet; thence in curved line to the left, radius 200 feet, distance 97.25 feet; thence easterly and tangent to last curve, and forming an angle with the easterly side of Ellwood street of 52 degrees 7 minutes and 7 seconds, distance 210.51 feet; thence in a curved line to the right, radius 250 feet, distance 129.65 feet; thence easterly and tangent to last curve

distance 370.71 feet; thence deflecting to the left 26 degrees 50 minutes and 42 seconds, distance 304.81 feet to a point in the southerly line of Nagle avenue distant 896.05 feet easterly from Ellwood street; thence deflecting to the right 53 degrees 11 minutes and 10 seconds, distance 62.46 feet; thence westerly and parallel to the last course but one, distance 354.17 feet; thence westerly and deflecting to the right 26 degrees 50 minutes and 42 seconds, distance 382.64 feet; thence curving to the left, radius 200 feet, distance 103.72 feet; thence westerly and deflecting to the left, radius 250 feet, distance 121.56 feet; thence westerly and tangent to the last curve, distance 174.73 feet; thence northerly and curving to the right, radius 350 feet, distance 383.41 feet; thence northerly and tangent to the last curve, distance 482.68 feet, to the southerly line of Nagle avenue; thence westerly along the southerly line of Nagle avenue and in a curved line, radius 165.48 feet, distance 45.08 feet; thence easterly and tangent to the last curve, distance 13.12 feet, to the point or place of beginning.

Said street to be found in Section 8, Blocks 2171 and 2173 of the Land Map of the Borough of Manhattan, City of New York, and is shown on a certain map or survey showing streets, roads, public squares and places that have been laid out by the Commissioners of the Central Park; within that part of the City of New York to the northward of the southerly line of One Hundred and Fifty-fifth street, in pursuance of chapter 565 of the Laws of 1865, which said map was filed in the office of the Commissioners of the Central Park, the office of the Commissioner of the Department of Public Works, and with the Register of the County of New York on or about the 25th day of May, 1869, and also shown on a certain map entitled "Map, plan and profile of the alteration of the lines and grades of St. Nicholas avenue and Hillside avenue, at their intersection with Nagle avenue and Dyckman street," in the Twelfth Ward, Borough of Manhattan, City of New York, which said map was filed in the office of the President of the Borough of Manhattan, City of New York, the Register of the County of New York, and the office of the Corporation Counsel of The City of New York on or about the 25th day of May, 1869.

Said street to be found in Section 8, Blocks 2171 and 2173 of the Land Map of the Borough of Manhattan, City of New York, and is shown on a certain map or survey showing streets, roads, public squares and places that have been laid out by the Commissioners of the Central Park; within that part of the City of New York to the northward of the southerly line of One Hundred and Fifty-fifth street, in pursuance of chapter 565 of the Laws of 1865, which said map was filed in the office of the Commissioners of the Central Park, the office of the Commissioner of the Department of Public Works, and with the Register of the County of New York on or about the 25th day of May, 1869, and also shown on a certain map entitled "Map, plan and profile of the alteration of the lines and grades of St. Nicholas avenue and Hillside avenue, at their intersection with Nagle avenue and Dyckman street," in the Twelfth Ward, Borough of Manhattan, City of New York, which said map was filed in the office of the President of the Borough of Manhattan, City of New York, the Register of the County of New York, and the office of the Corporation Counsel of The City of New York on or about the 25th day of May, 1869.

Said street to be found in Section 8, Blocks 2171 and 2173 of the Land Map of the Borough of Manhattan, City of New York, and is shown on a certain map or survey showing streets, roads, public squares and places that have been laid out by the Commissioners of the Central Park; within that part of the City of New York to the northward of the southerly line of One Hundred and Fifty-fifth street, in pursuance of chapter 565 of the Laws of 1865, which said map was filed in the office of the Commissioners of the Central Park, the office of the Commissioner of the Department of Public Works, and with the Register of the County of New York on or about the 25th day of May, 1869, and also shown on a certain map entitled "Map, plan and profile of the alteration of the lines and grades of St. Nicholas avenue and Hillside avenue, at their intersection with Nagle avenue and Dyckman street," in the Twelfth Ward, Borough of Manhattan, City of New York, which said map was filed in the office of the President of the Borough of Manhattan, City of New York, the Register of the County of New York, and the office of the Corporation Counsel of The City of New York on or about the 25th day of May, 1869.

Said street to be found in Section 8, Blocks 2171 and 2173 of the Land Map of the Borough of Manhattan, City of New York, and is shown on a certain map or survey showing streets, roads, public squares and places that have been laid out by the Commissioners of the Central Park; within that part of the City of New York to the northward of the southerly line of One Hundred and Fifty-fifth street, in pursuance of chapter 565 of the Laws of 1865, which said map was filed in the office of the Commissioners of the Central Park, the office of the Commissioner of the Department of Public Works, and with the Register of the County of New York on or about the 25th day of May, 1869, and also shown on a certain map entitled "Map, plan and profile of the alteration of the lines and grades of St. Nicholas avenue and Hillside avenue, at their intersection with Nagle avenue and Dyckman street," in the Twelfth Ward, Borough of Manhattan, City of New York, which said map was filed in the office of the President of the Borough of Manhattan, City of New York, the Register of the County of New York, and the office of the Corporation Counsel of The City of New York on or about the 25th day of May, 1869.

Said street to be found in Section 8, Blocks 2171 and 2173 of the Land Map of the Borough of Manhattan, City of New York, and is shown on a certain map or survey showing streets, roads, public squares and places that have been laid out by the Commissioners of the Central Park; within that part of the City of New York to the northward of the southerly line of One Hundred and Fifty-fifth street, in pursuance of chapter 565 of the Laws of 1865, which said map was filed in the office of the Commissioners of the Central Park, the office of the Commissioner of the Department of Public Works, and with the Register of the County of New York on or about the 25th day of May, 1869, and also shown on a certain map entitled "Map, plan and profile of the alteration of the lines and grades of St. Nicholas avenue and Hillside avenue, at their intersection with Nagle avenue and Dyckman street," in the Twelfth Ward, Borough of Manhattan, City of New York, which said map was filed in the office of the President of the Borough of Manhattan, City of New York, the Register of the County of New York, and the office of

being measured at right angles to the line of Leggett avenue, with a line midway between Fox street and Beck street, and running thence eastwardly along the said line midway between Beck street and Fox street as the said streets are laid out west of Leggett avenue, and along the prolongation of the said course to the intersection with a line midway between Fox street and Beck street as the said streets are laid out northeast of Leggett avenue; thence northeastwardly and along the said line midway between Beck street and Fox street as laid out northeast of Leggett avenue, to the intersection with a line distant 100 feet northeasterly from and parallel with the northeasterly line of Longwood avenue, the said distance being measured at right angles to the line of Longwood avenue; thence southeastwardly and parallel with Longwood avenue to the intersection with a line midway between Fox street and the Southern boulevard; thence southwardly and along the said line midway between Fox street and the Southern boulevard as the said streets are laid out north of East One Hundred and Fifty-sixth street, and along the prolongation of the said course to the intersection with a line midway between Fox street and the Southern boulevard as the said streets are laid out at and east of Avenue St. John; thence westwardly and along the said line midway between Fox street and the Southern boulevard as the said streets are laid out at and east of Avenue St. John to the intersection with a line distant 100 feet westerly from and parallel with the westerly line of Leggett avenue, the said distance being measured at right angles to the line of Leggett avenue; thence northwardly and parallel with the westerly line of Leggett avenue to the point or place of beginning.

Dated New York, December 8, 1908.
FRANCIS K. PENDLETON,
Corporation Counsel.
Hall of Records, Borough of Manhattan, City of New York.

d8.22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of ROSEWOOD STREET, from Bronx boulevard to White Plains road and from White Plains road to Cruger avenue (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III. THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE IN FEES BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF A CERTAIN STREET OR AVENUE KNOWN AS ROSEWOOD STREET, FROM BRONX BOULEVARD TO WHITE PLAINS ROAD, AND FROM WHITE PLAINS ROAD TO CRUGER AVENUE (ALTHOUGH NOT YET NAMED BY PROPER AUTHORITY), IN THE TWENTY-FOURTH WARD, BOROUGH OF THE BRONX, CITY OF NEW YORK, BEING THE FOLLOWING DESCRIBED LOTS, PIECES OR PARCELS OF LAND, VIZ.:

Parcel "A."

Beginning at a point in the western line of White Plains road distant 564.088 feet northerly from the intersection of said line with the northern line of Morris street (Burke avenue). First—Thence northerly along the western line of White Plains road for 60.002 feet; Second—Thence westerly deflecting 89 degrees 34 minutes 30 seconds to the left for 805.022 feet; Third—Thence southerly deflecting 90 degrees 25 minutes 30 seconds to the left for 60.002 feet; Fourth—Thence westerly for 805.022 feet to the point of beginning.

Parcel "B."

Beginning at a point in the eastern line of White Plains road distant 525 feet northerly from the intersection of said line with the northern line of Morris street. First—Thence northerly along the eastern line of White Plains road for 150 feet; Second—Thence southeasterly curving to the left on the arc of a circle of 25 feet radius and tangent to the preceding course for 39.27 feet; Third—Thence easterly on a line tangent to the preceding course for 105 feet; Fourth—Thence northeasterly curving to the left on the arc of a circle of 50 feet radius and tangent to the preceding course for 76.806 feet; Fifth—Thence southerly on a line tangent to the preceding course for 28.357 feet; Sixth—Thence southerly deflecting 9 degrees 28 minutes 43 seconds to the right for 135.761 feet; Seventh—Thence westerly curving to the left on the arc of a circle of 25 feet radius for 26.897 feet, the centre of said circle lies in a line drawn southwesterly from the southern extremity of the preceding course and which deflects 50 degrees 10 minutes 37 seconds to the right from said course; Eighth—Thence westerly on a line tangent to the preceding course for 105 feet; Ninth—Thence southwesterly curving to the left on the arc of a circle of 25 feet radius and tangent to the preceding course for 39.27 feet to the point of beginning.

Rosewood street, from Bronx boulevard to White Plains road, and from White Plains road to Cruger avenue is shown on Section 30 of Final Maps of the Borough of The Bronx and on a map entitled "Map or Plan amending Sections 30 and 31 of Final Maps by changing the lines of Rosewood street (Elizabeth street), from the Bronx River to White Plains road, in the Twenty-fourth Ward, Borough of The Bronx, City of New York. Prepared by the President of the Borough of The Bronx under authority of chapter 466 of the Laws of 1901." Which map was filed respectively as follows: In the office of the President of the Borough of The Bronx, on June 19, 1905, and February 19, 1908; in the office of the Register of the County of New York, on June 14, 1905, as Map No. 132B, and in the office of the Counsel to the Corporation of The City of New York, on or about the same date in pigeonhole 63.

The widening of Tiebout avenue from Ford street to East One Hundred and Eighty-third street is shown on a map entitled "Map or Plan showing the widening of Tiebout avenue from Ford street to East One Hundred and Eighty-third street and the grades of Ford street and East One Hundred and Eighty-third street from Tiebout avenue to Folin street (East One Hundred and Eighty-first street), in the Twenty-fourth Ward, Borough of The Bronx, City of New York. Prepared by the President of the Borough of The Bronx under authority of chapter 466 of the Laws of 1901." Which map was filed in the office of the President of the Borough of The Bronx, on October 29, 1906; in the office of the Register of the County of New York, on October 16, 1906, as Map No. 1136, and in the office of the Counsel to the Corporation of The City of New York, on or about the same date, in pigeonhole 47, and on February 20, 1908, in pigeonhole 92.

Land to be taken for Rosewood street is located east of the Bronx River.

The Board of Estimate and Apportionment on the 17th day of January, 1908, duly fixed and determined the area of assessment in these proceedings as follows:

Beginning at a point on the prolongation of a line midway between Rosewood street and Burke avenue, as laid out between Bronx boulevard and White Plains road, distant 100 feet westerly from the westerly line of Bronx boulevard, and running thence northwardly and parallel with Bronx Boulevard to the intersection with a line midway between Rosewood street and Magenta street; thence eastwardly along the said line midway between Rosewood street and Magenta street to a point distant 100 feet westerly from the westerly line of White Plains road; thence northwardly and parallel with White Plains road to the intersection with the prolongation of a line distant 100 feet northerly from and parallel with the northerly line of Bartholdi street, the said distance being measured at right angles to the line of Bartholdi street; thence eastwardly along the said line parallel with Bartholdi street

and the prolongation thereof to a point distant 100 feet easterly from the easterly line of Cruger avenue; thence southwardly and parallel with Cruger avenue and the prolongation thereof to the southerly line of North Oak drive; thence southwardly in a straight line to a point on the northerly line of South Oak drive, where it is intersected by the prolongation of a line distant 100 feet easterly from and parallel with the easterly line of Cruger avenue, as laid out south of South Oak drive; thence southwardly along the said line parallel with Cruger avenue to the intersection with a line which is the bisector of the angle formed by the intersection of the northerly line of Burke avenue and the prolongation of the southerly line of South Oak drive, as laid out immediately east of Cruger avenue; thence westwardly along the said bisecting line to the intersection with the prolongation of a line midway between Rosewood street and Burke avenue, as laid out between Bronx boulevard and White Plains road; thence westwardly along the said line midway between Rosewood street and Burke avenue and the prolongations thereof, to the point or place of beginning.

Dated New York, December 8, 1908.
FRANCIS K. PENDLETON,
Corporation Counsel.
Hall of Records, Borough of Manhattan, City of New York.

d8.22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of ROSEWOOD STREET, from Bronx boulevard to White Plains road and from White Plains road to Cruger avenue (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III. THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE IN FEES BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF A CERTAIN STREET OR AVENUE KNOWN AS ROSEWOOD STREET, FROM BRONX BOULEVARD TO WHITE PLAINS ROAD, AND FROM WHITE PLAINS ROAD TO CRUGER AVENUE (ALTHOUGH NOT YET NAMED BY PROPER AUTHORITY), IN THE TWENTY-FOURTH WARD, BOROUGH OF THE BRONX, CITY OF NEW YORK, BEING THE FOLLOWING DESCRIBED LOTS, PIECES OR PARCELS OF LAND, VIZ.:

FRANCIS K. PENDLETON,
Corporation Counsel.
Hall of Records, Borough of Manhattan, City of New York.

d8.22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of ROSEWOOD STREET, from Bronx boulevard to White Plains road and from White Plains road to Cruger avenue (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III. THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE IN FEES BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF A CERTAIN STREET OR AVENUE KNOWN AS ROSEWOOD STREET, FROM BRONX BOULEVARD TO WHITE PLAINS ROAD, AND FROM WHITE PLAINS ROAD TO CRUGER AVENUE (ALTHOUGH NOT YET NAMED BY PROPER AUTHORITY), IN THE TWENTY-FOURTH WARD, BOROUGH OF THE BRONX, CITY OF NEW YORK, BEING THE FOLLOWING DESCRIBED LOTS, PIECES OR PARCELS OF LAND, VIZ.:

Parcel "A."

Beginning at a point in the western line of Broadway distant 430.21 feet southerly from the intersection of said line with the southern line of West Two Hundred and Thirty-second street.

First—Thence northerly along the western line of White Plains road for 60.002 feet;

Second—Thence westerly deflecting 89 degrees 34 minutes 30 seconds to the left for 805.022 feet;

Third—Thence southerly deflecting 90 degrees 25 minutes 30 seconds to the left for 60.002 feet;

Fourth—Thence westerly for 805.022 feet to the point of beginning.

Parcel "B."

Beginning at the intersection of the eastern line of Broadway with the southern line of West Two Hundred and Thirty-first street (legally opened July 2, 1866);

Fifth—Thence northerly along last mentioned line for 80.15 feet;

Sixth—Thence southeasterly deflecting 10 minutes 39 seconds to the left from the eastern prolongation of the radius of the preceding course drawn through its northern extremity for 918.11 feet;

Seventh—Thence easterly deflecting 3 degrees 23 minutes 49 seconds to the left for 70.12 feet;

Eighth—Thence easterly for 498.30 feet to the point of beginning.

Parcel "C."

Beginning at the intersection of the eastern line of Broadway with the southern line of West Two Hundred and Thirty-first street (legally acquired).

First—Thence southerly along the eastern line of Broadway for 20.01 feet;

Second—Thence easterly deflecting 92 degrees 8 minutes 36 seconds to the left for 291.07 feet to the western line of Albany road;

Third—Thence northerly along last mentioned line for 20.01 feet to the southern line of West Two Hundred and Thirty-first street (as legally acquired);

Fourth—Thence westerly for 289.61 feet to the point of beginning.

Parcel "D."

Beginning at the intersection of the western line of Bailey avenue with the southern line of West Two Hundred and Thirty-first street (as legally acquired).

First—Thence southerly along the western line of Bailey avenue for 20.16 feet;

Second—Thence westerly deflecting 82 degrees 49 minutes 22 seconds to the right for 303.74 feet to the eastern line of Albany road;

Third—Thence northerly along last mentioned line for 20.01 feet to the southern line of West Two Hundred and Thirty-first street (as legally acquired);

Fourth—Thence easterly for 307 feet to the point of beginning.

West Two Hundred and Thirty-first street is shown on a map entitled "Map or Plan showing the change of lines of West Two Hundred and Thirty-first street, from Riverdale avenue to Kingsbridge avenue and from Albany road to Bailey avenue and changing the grades of West Two Hundred and Thirty-first street, between Riverdale avenue and Bailey avenue and of the intersecting streets affected thereby, Borough of The Bronx." Prepared by the President of The Bronx under authority of chapter 466 of the Laws of 1901. Which map was filed in the office of the President of the Bronx, on June 19, 1905, and February 19, 1908; in the office of the Register of the County of New York, on June 14, 1905, as Map No. 1059, and on February 18, 1908, as Map No. 1245, and in the office of the Counsel to the Corporation of The City of New York, on or about the same date in pigeonhole 47, and on February 20, 1908, in pigeonhole 92.

Land to be taken for Rosewood street is located east of the Bronx River.

The Board of Estimate and Apportionment on the 17th day of January, 1908, duly fixed and determined the area of assessment in these proceedings as follows:

Beginning at a point on the prolongation of a line midway between Rosewood street and Burke avenue, as laid out between Bronx boulevard and White Plains road, distant 100 feet westerly from the westerly line of Bronx boulevard, and running thence northwardly and parallel with Bronx Boulevard to the intersection with a line midway between Rosewood street and Magenta street; thence eastwardly along the said line midway between Rosewood street and Magenta street to a point distant 100 feet westerly from the westerly line of White Plains road; thence northwardly and parallel with White Plains road to the intersection with the prolongation of a line distant 100 feet northerly from and parallel with the northerly line of Bartholdi street, the said distance being measured at right angles to the line of Bartholdi street; thence eastwardly along the said line parallel with Bartholdi street

and in the office of the Counsel to the Corporation of The City of New York, on December 10, 1907, in pigeonhole 90.

Land to be taken for West Two Hundred and Thirty-first street, from Bailey avenue to Riverdale avenue is located in Blocks 3403, 3404 and 3406 of Section 13 and Blocks 3266 and 3267 of Section 12 of the Land Map of The City of New York.

The Board of Estimate and Apportionment on the 5th day of June, 1908, duly fixed and determined the area of assessment in these proceedings as follows:

Beginning at a point on a line bisecting the angle formed by the intersection of the prolongations of the centre lines of West Two Hundred and Thirty-second street and West Two Hundred and Thirty-fourth street, as laid out between Spuyten Duyvil road and Kingsbridge avenue distant 100 feet westerly from the westerly line of Riverdale avenue, the said distance being measured at right angles to the line of Riverdale avenue, and running thence southeasterly along the said bisecting line to the intersection with the prolongation of a line midway between West Two Hundred and Thirty-second street and West Two Hundred and Thirty-fourth street, as laid out between Kingsbridge avenue and Broadway; thence southeastwardly along the said line midway between West Two Hundred and Thirty-second street and West Two Hundred and Thirty-fourth street to the northwesterly line of Broadway; thence eastwardly in a straight line to a point on the southeasterly line of Broadway where it is intersected by a line bisecting the angle formed by the intersection of the prolongations of the centre lines of West Two Hundred and Thirty-second street and West Two Hundred and Thirty-fourth street, as laid out between Broadway and Bailey avenue; thence southeastwardly along the said bisecting line to a point distant 100 feet southeasterly from the southeasterly line of Bailey avenue, the said distance being measured at right angles to the line of Bailey avenue; thence southwardly and always distant 100 feet southeasterly from and parallel with the southeasterly line of Bailey avenue to the intersection with the prolongation of a line distant 200 feet southwesterly from and parallel with the southwesterly line of West Two Hundred and Thirty-second street, as laid out between Bailey and Broadway, the said distance being measured at right angles to the line of West Two Hundred and Thirty-second street; thence northwardly along the said line parallel with West Two Hundred and Thirty-second street and the prolongations of the said line to the intersection with the northwesterly line of Broadway; thence northwestwardly in a straight line to a point on the northwesterly line of Tibbett avenue where it is intersected by a line distant 200 feet southwesterly from and parallel with the southwesterly line of Tibbett avenue and Spuyten Duyvil road; thence northwestwardly along the said line parallel with West Two Hundred and Thirty-second street to a point distant 100 feet northwesterly from the northwesterly line of Spuyten Duyvil road, the said distance being measured at right angles to the line of Spuyten Duyvil road; thence northwardly and always distant 100 feet northwesterly from and parallel with the northwesterly lines of Spuyten Duyvil road and Riverdale avenue to the point or place of beginning.

Dated New York, December 8, 1908.
FRANCIS K. PENDLETON,
Corporation Counsel.
Hall of Records, Borough of Manhattan, City of New York.

d8.22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of THE TRIANGULAR AREA bounded by the Lafontaine avenue, Quarry road and the south side of Oak Tree place, in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III. THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE-ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE IN FEES BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF A CERTAIN STREET OR AVENUE KNOWN AS THE TRIANGULAR AREA, BOUNDED BY LAFONTAINE AVENUE, QUARRY ROAD AND THE SOUTH SIDE OF OAK TREE PLACE, IN THE TWENTY-FOURTH WARD, BOROUGH OF THE BRONX, CITY OF NEW YORK, BEING THE FOLLOWING DESCRIBED LOTS, PIECES OR PARCELS OF LAND, VIZ.:

BEGINNING AT THE INTERSECTION OF THE WESTERN LINE OF BAILEY AVENUE WITH THE SOUTHERN LINE OF WEST TWO HUNDRED AND THIRTY-FIRST STREET, AS LAYED OUT BETWEEN RIVERDALE AVENUE AND ALBANY ROAD; THENCE NORTHERLY ALONG THE WESTERN LINE OF BAILEY AVENUE FOR 20.01 FEET; THENCE EASTERLY DEFLECTING 82 DEGREES 49 MINUTES 22 SECONDS TO THE RIGHT FOR 303.74 FEET; THENCE NORTHERLY ALONG THE EASTERN LINE OF BAILEY AVENUE FOR 20.01 FEET TO THE SOUTHERN LINE OF WEST TWO HUNDRED AND THIRTY-FIRST STREET (AS LEGALLY ACQUIRED); THENCE EASTERLY FOR 307 FEET TO THE POINT OF BEGINNING.

The Triangular Area bounded by Lafontaine avenue, Quarry road and the south side of Oak Tree place is shown as street area on Section 13 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of The City of New York, on October 31, 1895; in the office of the Register of the City and County of New York on November 2, 1895, as Map No. 1061, and in the office of the Secretary of State of the State of New York, on November 2, 1895.

The land to be taken for the Triangular Area bounded by Lafontaine avenue, Quarry road and the south side of Oak Tree place is located in Block 3063 of Section 11 of the Land Map of The City of New York.

The Board of Estimate and Apportionment on the 6th day of December, 1907, duly fixed and determined the area of assessment in these proceedings as follows:

Beginning at the intersection of a line 125 feet distant southerly from and parallel with the southerly line of Oak Tree place, the said distance being measured at right angles to the line

point on its northwesterly side where it is intersected by a line distant 200 feet northerly from and parallel with the northerly line of Oak Tree place, the said distance being measured at right angles to the line of Oak Tree place; thence southeastwardly to the last mentioned point on the northwesterly side of the Quarry road; thence eastwardly along a line parallel with the northerly side of Oak Tree place, and along the prolongation of the said line to the intersection with a line 100 feet distant easterly from and parallel with the easterly line of Lafontaine avenue, the said distance being measured at right angles to the line of Lafontaine avenue; thence southwardly along a line parallel with Lafontaine avenue to the intersection with a line distant 125 feet southerly from and parallel with the southerly line of Oak Tree place; thence westwardly along the said line parallel with Oak Tree place to the point or place of beginning.

Dated New York, December 8, 1908.

FRANCIS K. PENDLETON,

Corporation Counsel.

Hall of Records, Borough of Manhattan, City of New York.

d8,22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of WEST TWO HUNDRED AND THIRTY-FOURTH STREET, from Albany road to Kingsbridge avenue (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, First Department, at a Special Term of said Court, to be held at Part III, thereof, in the County Court House, in the Borough of Manhattan, in The City of New York, on Tuesday, the 22d day of December, 1908, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate in the above entitled matter, one of whom shall be designated as a Commissioner of Assessment. The nature and extent of the improvement hereby intended is the acquisition of title in fee by The City of New York, for the use of the public, to all lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as West Two Hundred and Thirty-fourth street, from Albany road to Kingsbridge avenue (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York, being the following described lots, pieces or parcels of land, viz.:

Parcel "B."

Beginning at a point in the western line of Broadway distant 586.94 feet northerly from the intersection of said line with the northern line of West Two Hundred and Thirty-second street.

First—Thence northerly along the western line of Broadway for 60.55 feet;

Second—Thence westerly deflecting 82 degrees 16 minutes to the left for 348.94 feet;

Third—Thence southerly deflecting 89 degrees 51 minutes 50 seconds to the left for 60 feet;

Fourth—Thence easterly for 357.24 feet to the point of beginning.

Parcel "A."

Beginning at a point in the eastern line of Broadway distant 362.10 feet northerly from the intersection of said line with the northern line of West Two Hundred and Thirty-third street.

First—Thence northerly along the eastern line of Broadway for 60.55 feet;

Second—Thence easterly deflecting 97 degrees 44 minutes to the right for 672.96 feet to the western line of Albany road as legally acquired;

Third—Thence southerly along last mentioned line for 60.54 feet;

Fourth—Thence westerly for 672.88 feet to the point of beginning.

West Two Hundred and Thirty-fourth street is shown as East and West Two Hundred and Thirty-fourth street on Section 21 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of The City of New York, on December 16, 1895; in the office of the Register of The City and County of New York, on December 17, 1895, as Map No. 1065, and in the office of the Secretary of State of the State of New York, on December 17, 1895.

The land to be taken for West Two Hundred and Thirty-fourth street is located in Blocks 3268 and 3269 of Section 12 and Block 3405 of Section 13 of the Land Map of The City of New York.

The Board of Estimate and Apportionment on the 6th day of December, 1907, duly fixed and determined the area of assessment in these proceedings as follows:

Beginning at the intersection of a line 290 feet southerly from and parallel with the southerly line of West Two Hundred and Thirty-fourth street, the said distance being measured at right angles to the line of West Two Hundred and Thirty-fourth street, with a line 120 feet westerly from and parallel with the westerly line of Kingsbridge avenue, the said distance being measured at right angles to the line of Kingsbridge avenue, and running thence northwardly and parallel with the line of Kingsbridge avenue to the intersection with a line passing through a point on the easterly side of Kingsbridge avenue distant 200 feet north of the intersection of the said east line of Kingsbridge avenue with the northerly side of West Two Hundred and Thirty-fourth street, and through a point on the westerly side of Albany road distant 232 feet north of the point where the said westerly line of Albany road intersects the northerly line of West Two Hundred and Thirty-fourth street; thence eastwardly along the said line passing through a point on the easterly side of Albany road distant 232 feet north of its intersection with the northerly side of West Two Hundred and Thirty-fourth street, and along the prolongation of the said line, to the intersection with a line distant 100 feet easterly from and parallel with the easterly line of Albany road, the said distance being measured at right angles to the line of Albany road; thence southwardly and parallel with Albany road and always distant 100 feet from the easterly line of the said road to the intersection with a line passing through a point on the westerly side of Albany road distant 139 feet southerly from the intersection of the said line with the southerly line of West Two Hundred and Thirty-fourth street, and through a point on the easterly side of Broadway distant 182 feet south of the intersection of the said easterly line of Broadway with the southerly line of West Two Hundred and Thirty-fourth street; thence westwardly and passing through the previously described points located on the west-

erly side of Albany road distant 139 feet south of the intersection of the said westerly line of Albany road with the southerly line of West Two Hundred and Thirty-fourth street, and through a point on the easterly line of Broadway distant 182 feet south of the intersection of the said easterly line of Broadway with the southerly line of West Two Hundred and Thirty-fourth street, and along the prolongation of the said line, to the intersection with a line distant 200 feet easterly from and parallel with the easterly line of Kingsbridge avenue, the said distance being measured at right angles to the line of Kingsbridge avenue; thence southwardly and parallel with Kingsbridge avenue to the intersection with a line distant 200 feet southerly from and parallel with the southerly line of West Two Hundred and Thirty-fourth street as laid out west of Kingsbridge avenue, the said distance being measured at right angles to the line of West Two Hundred and Thirty-fourth street; thence westwardly and parallel with West Two Hundred and Thirty-fourth street as laid out west of Kingsbridge avenue to the point or place of beginning.

Dated New York, December 8, 1908.

FRANCIS K. PENDLETON,

Corporation Counsel,

Hall of Records, Borough of Manhattan, City of New York.

d8,22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of EAST ONE HUNDRED AND SEVENTY-SEVENTH STREET, or WYATT STREET, from Tremont avenue to Morris Park avenue, and BRONX PARK AVENUE (Berrian street), from Tremont avenue to Morris Park avenue (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, First Department, at a Special Term of said Court, to be held at Part III, thereof, in the County Court House, in the Borough of Manhattan, in The City of New York, on Tuesday, the 22d day of December, 1908, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate in the above entitled matter, one of whom shall be designated as a Commissioner of Assessment. The nature and extent of the improvement hereby intended is the acquisition of title in fee by The City of New York, for the use of the public, to all lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as East One Hundred and Seventy-seventh street or Wyatt street, from Tremont avenue to Morris Park avenue, and Bronx Park avenue (Berrian street), from Tremont avenue to Morris Park avenue (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York, being the following described lots, pieces or parcels of land, viz.:

EAST ONE HUNDRED AND SEVENTY-SEVENTH STREET, or WYATT STREET.

Beginning at a point in the eastern line of Tremont avenue (East One Hundred and Seventy-seventh street) distant 137.811 feet southerly from the intersection of said line with the southern line of West Farms road (Walker avenue);

First—Thence southerly along the eastern line of Tremont avenue (East One Hundred and Seventy-seventh street) for 60 feet;

Second—Thence easterly deflecting 90 degrees to the left for 874.654 feet;

Third—Thence southerly deflecting 92 degrees 46 minutes 20 seconds to the right for 14.923 feet;

Fourth—Thence northeasterly deflecting 145 degrees 32 minutes 40 seconds to the left for 94.074 feet;

Fifth—Thence westerly for 930.845 feet to the point of beginning.

BRONX PARK AVENUE (BERRIAN STREET).

Parcel "A."

Beginning at a point in the southern line of West Farms road (Walker avenue) distant 431.01 feet easterly from the intersection of said line with the eastern line of Tremont avenue (East One Hundred and Seventy-seventh street);

First—Thence easterly along the southern line of West Farms road (Walker avenue) for 64.651 feet;

Second—Thence southerly deflecting 111 degrees 52 minutes to the right for 584.998 feet to the northern line of Tremont avenue (East One Hundred and Seventy-seventh street);

Third—Thence westerly along last-mentioned line for 60.486 feet;

Fourth—Thence northerly for 553.271 feet to the point of beginning.

Parcel "B."

Beginning at a point in the northern line of West Farms road (Walker avenue) distant 431.01 feet easterly from the intersection of said line with the eastern line of Devoe avenue;

First—Thence easterly along the northern line of West Farms road (Walker avenue) for 86.202 feet;

Second—Thence northerly deflecting 68 degrees 8 minutes to the left for 976.804 feet;

Third—Thence northeasterly curving to the right on the arc of a circle tangent to the preceding course and of 560 feet radius for 788.553 feet to a point of compound curve;

Fourth—Thence southeasterly on the arc of a circle of 46.803 feet radius for 85.880 feet;

Fifth—Thence southerly on line tangent to the preceding course for 38.970 feet to the western line of Morris Park avenue;

Sixth—Thence northeasterly along last-mentioned line for 258.290 feet;

Seventh—Thence westerly curving to the right on the arc of a circle tangent to the preceding course and of 115.300 feet radius for 121.898 feet to a point of reverse curve;

Eighth—Thence southwesterly on the arc of a circle of 640 feet radius for 956.589 feet;

Ninth—Thence southerly for 1,008.908 feet to the point of beginning.

East One Hundred and Seventy-seventh street, or Wyatt street, and Bronx Park Avenue (Berrian street) are shown on a map entitled "Map or Plan showing the locating, laying out and the grades of the streets within the area bounded by Bronx River, Bronx Park, Rhinelander avenue, Bear Swamp road, the line of the New York, New Haven and Hartford Railroad, Bronx River avenue and East One Hundred and Seventy-seventh street, in the Twenty-fourth Ward, Borough of The Bronx, City of New York. Prepared by the President of the Borough of The Bronx, under authority of chapter 466 of the Laws of 1901." Which map was filed in the office of the President of the Borough of The Bronx, on October 24, 1907; in the office of the Register of the County of New York, on October 17, 1907; as Map No. 1227; and in the

office of the Counsel to the Corporation of The City of New York, on or about the same date in pigeonhole.

Land to be taken for East One Hundred and Seventy-seventh street, or Wyatt street, and Bronx Park avenue (Berrian street) is located east of the Bronx River.

The Board of Estimate and Apportionment on the 22d day of November, 1907, duly fixed and determined the area of assessment in these proceedings as follows:

Beginning at the intersection of a line distant 100 feet southerly from and parallel with the southerly line of East One Hundred and Seventy-seventh street, the said distance being measured at right angles to the line of East One Hundred and Seventy-seventh street, with a line distant 200 feet westerly from and parallel with the westerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue, and running thence northwardly and parallel with Bronx Park avenue to the point midway between the intersection with the northerly line of East One Hundred and Seventy-seventh street and with the northerly line of Wyatt street; thence westwardly and parallel with Wyatt street to the easterly line of Devoe avenue; thence northwardly along the easterly line of Devoe avenue to a point distant 100 feet north of the northerly line of Wyatt street; thence eastwardly and parallel with Wyatt street to the intersection with the northerly line of East One Hundred and Seventy-seventh street and with the northerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence northwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side midway between Melville street and Taylor street; thence southeastwardly at right angles to the line of Morris Park avenue 100 feet; thence southwardly at right angles to the line of Bronx Park avenue; thence northwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its westerly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along the easterly line of Bronx Park avenue to the intersection with the westerly line of Morris Park avenue; thence across Morris Park avenue to a point on its easterly side, where the same meets a line distant 200 feet southerly from the southerly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence westwardly along

office of the President of the Borough of The Bronx on February 19, 1908.

Technical Description: In the office of the Register of the County of New York on February 19, 1908, as Map No. 1243, and in the office of the Counsel to the Corporation of The City of New York on February 18, 1908, in pigeon hole 92.

The land to be taken for Kingsbridge avenue is located in Blocks 3403, 3404, 3405 and 3406 of Section 13 of the Land Map of The City of New York.

The Board of Estimate and Apportionment on the 27th day of March, 1908, duly fixed and determined the area of assessment in these proceedings as follows:

Beginning at a point on the line bisecting the angle formed by the prolongation of the centre lines of West Two Hundred and Thirty-fourth street and of West Two Hundred and Thirty-sixth street as laid out between Kingsbridge avenue and Putnam avenue, distant 100 feet easterly from the easterly line of Broadway, the said distance being measured at right angles to the line of Broadway, and running thence westwardly along the said bisecting line to the intersection with a line which bisects the angle formed by the prolongations of the easterly line of Kingsbridge avenue and the westerly line of Broadway as the said streets are laid out south of West Two Hundred and Thirty-fourth street; thence southwardly along the said line bisecting the angle formed between Kingsbridge avenue and Broadway to the intersection with a line distant 100 feet southwesterly from and parallel with the southwesterly line of West Two Hundred and Thirtieth street, the said distance being measured at right angles to the line of West Two Hundred and Thirtieth street; thence northwardly, northeasterly and northwardly and always parallel with and distant 100 feet southwesterly, northwardly and southwesterly from the southwesterly, northwesterly and southwesterly side of West Two Hundred and Thirtieth street to the intersection with the prolongation of a line midway between Corlear avenue and Tibbett avenue; thence northeasterly and along the said line always midway between Corlear avenue and Tibbett avenue, and along the prolongation of the said line to the intersection with a line passing through the angle point on the easterly side of Corlear avenue, located between West Two Hundred and Thirty-eighth street and West Two Hundred and Forty-first street, having a direction at right angles to the line of Broadway as laid out north of West Two Hundred and Thirty-eighth street; thence eastwardly along the said course at right angles to Broadway to a point distant 100 feet easterly from the easterly line of Broadway; thence southwardly and always parallel with the easterly line of Broadway and distant 100 feet therefrom to the point or place of beginning.

Dated New York, December 8, 1908.

FRANCIS K. PENDLETON,
Corporation Counsel,
Hall of Records, Borough of Manhattan, City
of New York.

d8,22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of LACOMBE AVENUE, from the bulkhead line of the Bronx River to the bulkhead line of Westchester Creek; RANDALL AVENUE, from the bulkhead line of the Bronx River to the bulkhead line of Westchester Creek, and COMMONWEALTH AVENUE, from Patterson avenue to Lacombe avenue (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III. THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL THE LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF CERTAIN STREETS OR AVENUES KNOWN AS LACOMBE AVENUE, FROM THE BULKHEAD LINE OF THE BRONX RIVER TO THE BULKHEAD LINE OF WESTCHESTER CREEK; RANDALL AVENUE, FROM THE BULKHEAD LINE OF THE BRONX RIVER TO THE BULKHEAD LINE OF WESTCHESTER CREEK, AND COMMONWEALTH AVENUE, FROM PATTERSON AVENUE TO LACOMBE AVENUE (ALTHOUGH NOT YET NAMED BY PROPER AUTHORITY), IN THE TWENTY-FOURTH WARD, BOROUGH OF THE BRONX, CITY OF NEW YORK, BEING THE FOLLOWING DESCRIBED LOTS, PIECES OR PARCELS OF LAND, VIZ.:

RANDALL AVENUE.

Parcel "A."

Beginning at a point in the western line of Clason's Point road distant 5,626.93 feet south-easterly from the intersection of said line with the southern line of Westchester avenue.

First—Thence southeasterly along the western line of Clason's Point road for 91.02 feet;

Second—Thence westerly deflecting 118 degrees 28 minutes 55 seconds to the right for 2,406.77 feet;

Third—Thence southerly deflecting 90 degrees to the left for 26 feet;

Fourth—Thence westerly deflecting 90 degrees to the right for 840 feet;

Fifth—Thence southwesterly deflecting 56 degrees 29 minutes 28 seconds to the left for 181.94 feet to the bulkhead line of the Bronx River;

Sixth—Thence northwesterly deflecting 90 degrees to the right along last mentioned line for 100 feet;

Seventh—Northeasterly deflecting 90 degrees to the right for 300 feet;

Eighth—Thence easterly deflecting 68 degrees 3 minutes 23 seconds to the right for 267.59 feet;

Ninth—Thence easterly for 2,959.41 feet to the point of beginning.

Parcel "B."

Beginning at a point in the eastern line of Clason's Point road distant 5,649.15 feet south-easterly from the intersection of said line with the southern line of Westchester avenue.

First—Thence southeasterly along the eastern line of Clason's Point road for 91.02 feet;

Second—Thence easterly deflecting 61 degrees 31 minutes 5 seconds to the left for 5,381.13 feet;

Third—Thence southeasterly deflecting 41 degrees 35 minutes 40 seconds to the right for 394.48 feet, to the bulkhead line of Westchester Creek;

Fourth—Thence northeasterly deflecting 90 degrees to the left along last mentioned line for 150 feet;

Fifth—Thence northeasterly deflecting 90 degrees to the left for 329.65 feet;

Sixth—Thence westerly deflecting 33 degrees 57 minutes 27 seconds to the left for 80.72 feet;

Seventh—Thence westerly for 5,492.46 feet to the point of beginning.

LACOMBE AVENUE.

Parcel "A."

Beginning at a point in the intersection of Clason's Point road distant 6,514.33 feet south-easterly from the intersection of said line with the southern line of Westchester avenue.

First—Thence southeasterly along the western line of Clason's Point road for 91.02 feet;

Second—Thence westerly deflecting 118 degrees 28 minutes 55 seconds to the right for 2,269.96 feet;

Third—Thence westerly deflecting 5 degrees 4 minutes 21 seconds to the left for 193.14 feet;

Fourth—Thence southwesterly deflecting 18 degrees 57 minutes 19 seconds to the left for 300.09 feet to the bulkhead line of the Bronx River;

Fifth—Thence northwesterly along last mentioned line curving to the left in the arc of a circle of 1,475.55 feet radius for 80.01 feet; the centre of said circle lies in a line which deflects 1 degree 33 minutes 12 seconds to the right drawn from the prolongation of the previous course;

Sixth—Thence northeasterly for 300.09 feet on a line deflecting 1 degree 33 minutes 12 seconds to the right from the prolongation of the radius of the preceding course, through its northern extremity;

Seventh—Thence easterly deflecting 10 degrees 24 minutes 57 seconds to the right for 162.01 feet;

Eighth—Thence easterly for 2,352.37 feet to the point of beginning.

Parcel "B."

Beginning at a point in the eastern line of Clason's Point road distant 6,536.55 feet south-easterly from the intersection of said line with the southern line of Westchester avenue.

First—Thence southeasterly along the eastern line of Clason's Point road for 91.02 feet;

Second—Thence easterly deflecting 61 degrees 31 minutes 5 seconds to the left for 4,165.82 feet;

Third—Thence southeasterly deflecting 39 degrees 3 minutes 45 seconds to the right for 91.70 feet;

Fourth—Thence easterly deflecting 55 degrees 30 minutes 23 seconds to the left for 145.96 feet;

Fifth—Thence southeasterly deflecting 58 degrees 2 minutes 18 seconds to the right for 300 feet to the bulkhead line of Westchester Creek;

Sixth—Thence northeasterly deflecting 90 degrees to the left along last mentioned line for 80 feet;

Seventh—Thence northwesterly deflecting 90 degrees to the left for 300 feet;

Eighth—Thence northwesterly deflecting 15 degrees 23 minutes 25 seconds to the left for 82.97 feet;

Ninth—Thence westerly for 4,399.08 feet to the point of beginning.

COMMONWEALTH AVENUE.

Beginning at a point in the southern line of Lacombe avenue (before described) distant 1,209.90 feet westerly from the intersection of said line with the western line of Clason's Point road.

First—Thence westerly along the southern line of Lacombe avenue for 60 feet;

Second—Thence southerly deflecting 90 degrees to the left for 700 feet;

Third—Thence easterly deflecting 90 degrees to the left for 60 feet;

Fourth—Thence northerly for 700 feet to the point of beginning.

Lacombe avenue, Randall avenue and Commonwealth avenue are shown on "Section 49, Final Maps of the Borough of The Bronx, prepared by the President of the Borough of The Bronx, under authority of chapter 466 of the Laws of 1901." Which map was filed in the office of the President of the Borough of The Bronx on February 19, 1908; in the office of the Register of the County of New York on February 18, 1908, as Map No. 1241, and in the office of the Counsel to the Corporation of The City of New York on February 18, 1908, in pigeon-hole No. 93, and also on a map entitled "Map or Plan showing the location, laying out, and the grades of Randall avenue, from U. S. Pier and Bulkhead Line of Bronx River to Leland avenue and from Havemeyer avenue to U. S. Bulkhead Line of Westchester Creek, Lacombe avenue, from U. S. Pier and Bulkhead Line of Bronx River to St. Lawrence avenue and from Castle Hill avenue to U. S. Bulkhead Line of Westchester Creek. Metcalf avenue, from Bronx River avenue to East One Hundred and Seventy-seventh street. Bronx River avenue, from Flieley avenue to Metcalf avenue. Patterson avenue, from Commonwealth avenue to St. Lawrence avenue. Commonwealth avenue, from Lacombe avenue to Patterson avenue, and Taylor avenue, from Lacombe avenue to Ludlow avenue, in the Twenty-fourth Ward, Borough of The Bronx, City of New York. Prepared by the President of the Borough of The Bronx, under authority of chapter 466 of the Laws of 1901." Which map was filed in the office of the President of the Borough of The Bronx, on April 20, 1908; in the office of the Register of the County of New York, on April 17, 1908, as Map No. 1265, and in the office of the Counsel to the Corporation of The City of New York on or about the same date.

The land to be taken for Lacombe avenue, Randall avenue and Commonwealth avenue is located east of the Bronx River.

The Board of Estimate and Apportionment on the 27th day of March, 1908, duly fixed and determined the area of assessment in these proceedings as follows:

Beginning at a point on the northeasterly bulkhead line of Bronx River distant 600 feet northwesterly from the intersection of the northeasterly line of Randall avenue with the said bulkhead line, and running thence northeasterly at right angles to the said bulkhead line to the intersection with a line midway between Genner avenue and Ward avenue; thence northwesterly along the said line midway between Genner avenue and Ward avenue to a point distant 100 feet northerly from the northerly line of Seward avenue; thence easterly and parallel with Seward avenue to the intersection with a line midway between Harrod avenue and Metcalf avenue; thence southwesterly along the said line midway between Harrod avenue and Metcalf avenue to the intersection with a line midway between Seward avenue and Randall avenue; thence eastwardly along the said line midway between Seward avenue and Randall avenue to the intersection with a line midway between Allaire avenue and Farrington avenue; thence northwesterly along the said line midway between Allaire avenue and Farrington avenue a distance of 530 feet; thence eastwardly and parallel with Randall avenue to the intersection with the high water line of Westchester creek; thence southwesterly along the said high water line to the intersection with the prolongation of the northeasterly bulkhead line of Westchester creek; thence southwesterly along the said bulkhead line to a point distant 350 feet southwesterly from the intersection of the northeasterly line of Lacombe avenue with the said bulkhead line of Westchester creek; thence northwesterly and westwardly and always 350 feet dis-

tant from and parallel with the southwesterly and southerly lines of Lacombe avenue to the intersection with a line midway between St. Lawrence avenue and Commonwealth avenue; thence southwesterly along the said line midway between St. Lawrence avenue and Commonwealth avenue to a point distant 100 feet southerly from the southerly line of Patterson avenue; thence westwardly and parallel with Patterson avenue to the intersection with a line midway between Commonwealth avenue and Rosedale avenue; thence northwesterly along the said line midway between Commonwealth avenue and Rosedale avenue to the intersection with a line midway between Lacombe avenue and Patterson avenue; thence westwardly along the said line midway between Lacombe avenue and Patterson avenue and the prolongation thereof to the intersection with a line distant 300 feet southerly from and parallel with the southerly line of Lacombe avenue, as laid out between Bronx River avenue and the bulkhead line of Bronx River, the said distance being measured at right angles to the line of Lacombe avenue; thence westwardly along the said line parallel with Lacombe avenue and distant 300 feet therefrom, to the intersection with the easterly bulkhead line of Bronx River; thence northwesterly and northwardly along the said bulkhead line to the point or place of beginning.

Dated New York, December 8, 1908.

FRANCIS K. PENDLETON,
Corporation Counsel,
Hall of Records, Borough of Manhattan, City
of New York.

d8,22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of the SECOND NEW STREET (West One Hundred and Eighty-sixth street) north of West One Hundred and Eighty-first street, from Broadway west to Overlook terrace, and the THIRD NEW STREET (West One Hundred and Eighty-seventh street) north of West One Hundred and Eighty-first street, between Broadway and Overlook terrace, in the Twelfth Ward, Borough of Manhattan, City of New York.

d8,22

FIRST DEPARTMENT.

of the Corporation Counsel of The City of New York, on or about the 6th day of January, 1904.

The Board of Estimate and Apportionment on the 8th day of February, 1907, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

Beginning at a point 100 feet west of the westerly side of Overlook terrace, measured at right angles to the said Overlook terrace, and on the prolongation of a line midway between the first and second new streets north of West One Hundred and Eighty-first street, between Broadway and Overlook terrace, and running thence eastwardly on a line midway between the first and second new streets north of West One Hundred and Eighty-first street and the prolongation thereof to the westerly side of Broadway; thence northwardly to the northeasterly corner of Broadway and West One Hundred and Eighty-fifth street; thence eastwardly along the northerly side of West One Hundred and Eighty-fifth street to a point 100 feet east of the easterly side of Broadway, measured at right angles thereto; thence northwardly on a line 100 feet east of the easterly side of Broadway and parallel therewith to its intersection with the prolongation of a line midway between the northerly side of the third new street north of West One Hundred and Eighty-first street and the southerly side of the fourth new street north of West One Hundred and Eighty-first street; thence westwardly along the said line midway between the third and fourth new streets north of West One Hundred and Eighty-first street and the prolongation thereof, to the westerly side of Bennett avenue; thence westwardly on a line parallel with the northerly side of the third new street north of West One Hundred and Eighty-first street and the prolongation thereof to a point 100 feet west of the westerly side of Overlook terrace and parallel therewith to the place of beginning.

Dated New York, December 8, 1908.

FRANCIS K. PENDLETON,
Corporation Counsel,
Hall of Records, Borough of Manhattan, City
of New York.

d8,22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of WEST ONE HUNDRED AND SEVENTY-EIGHT STREET, from Haven avenue to Buena Vista avenue; WEST ONE HUNDRED AND SEVENTY-NINTH STREET, from Haven avenue to Buena Vista avenue, and BUENA VISTA AVENUE, from West One Hundred and Eighty-first street to the southerly line of West One Hundred and Seventy-sixth street extended in the Twelfth Ward, Borough of Manhattan, City of New York.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III. THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL THE LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF CERTAIN STREETS OR AVENUES KNOWN AS WEST ONE HUNDRED AND SEVENTY-EIGHT STREET, FROM HAVEN AVENUE TO BUENA VISTA AVENUE; WEST ONE HUNDRED AND SEVENTY-NINTH STREET, FROM HAVEN AVENUE TO BUENA VISTA AVENUE, AND BUENA VISTA AVENUE, FROM WEST ONE HUNDRED AND EIGHTY-FIRST STREET TO THE SOUTHERLY LINE OF WEST ONE HUNDRED AND SEVENTY-SIXTH STREET EXTENDED IN THE TWELFTH WARD, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III. THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL THE LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF CERTAIN STREETS OR AVENUES KNOWN AS WEST ONE HUNDRED AND SEVENTY-EIGHT STREET, FROM HAVEN AVENUE TO BUENA VISTA AVENUE; WEST ONE HUNDRED AND SEVENTY-NINTH STREET, FROM HAVEN AVENUE TO BUENA VISTA AVENUE, AND BUENA VISTA AVENUE, FROM WEST ONE HUNDRED AND EIGHTY-FIRST STREET TO THE SOUTHERLY LINE OF WEST ONE HUNDRED AND SEVENTY-SIXTH STREET EXTENDED IN THE TWELFTH W

The land to be taken for the above streets is shown on a certain map entitled "Map, plan and profiles of New street, with their established grades within the area bounded by One Hundred and Seventy-first street, One Hundred and Eighty-first street, Kingsbridge road and Boulevard Lafayette, to be known as One Hundred and Seventy-third Street, One Hundred and Seventy-fourth street and One Hundred and Seventy-fifth street, between Kingsbridge road and Fort Washington, One Hundred and Seventy-sixth, One Hundred and Seventy-eighth, One Hundred and Seventy-ninth and One Hundred and Eightieth streets, between Kingsbridge road and Buena Vista avenue; Haven avenue, between One Hundred and Seventy-seventh and One Hundred and Eighty-first streets, and Buena Vista from the present terminus of Haven avenue north of One Hundred and Seventy-first street to One Hundred and Eighty-first street, in the Twelfth Ward, Borough of Manhattan, City of New York," which said map was filed in the offices of the President of the Borough of Manhattan, City of New York, the Register of the County of New York and the offices of the Corporation Counsel, on or about the 24th day of December, 1907, and also shown on a certain map entitled "Map, plan and profile of the laying out and extending of West One Hundred and Seventy-second street, West One Hundred and Seventy-third street and West One Hundred and Seventy-fourth street, from Fort Washington avenue to Buena Vista avenue, a new avenue between Fort Washington avenue and Buena Vista avenue, from West One Hundred and Seventy-third street to West One Hundred and Seventy-seventh street; the widening of Buena Vista avenue from the present terminus of Haven avenue to West One Hundred and Seventy-seventh street, and the change of grade on West One Hundred and Seventy-sixth street from Fort Washington avenue to Buena Vista avenue, in the Twelfth Ward, Borough of Manhattan, City of New York," which said map was filed in the offices of the President of the Borough of Manhattan, City of New York and the office of the Corporation Counsel of The City of New York on or about the 1st day of August, 1907.

The Board of Estimate and Apportionment on the 8th day of July, 1907, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

Beginning at the intersection of a line distant 100 feet northerly from and parallel with the northerly side of West One Hundred and Eightieth street, the said distance being measured at right angles to the line of West One Hundred and Eightieth street, with a line midway between Haven avenue and the unnamed street immediately adjoining on the east, and running thence southwardly along the said line midway between Haven avenue and the unnamed street immediately adjoining on the east, and along the prolongation of the said line to the intersection with a line midway between West One Hundred and Seventy-seventh street and West One Hundred and Seventy-sixth street; thence westwardly along the said line midway between West One Hundred and Seventy-seventh street and West One Hundred and Seventy-sixth street; thence eastwardly along the last mentioned line for 1.23 feet;

Fourth—Thence southerly for 490.02 feet to the point of beginning.

Parcel "A."

Beginning at a point in the southern line of East One Hundred and Eighty-second street distant 195 feet westerly from the intersection of said line with the western line of Walton avenue.

First—Thence westerly along the southern line of East One Hundred and Eighty-second street, for 1.09 feet to the eastern line of Jerome avenue;

Second—Thence southerly along last mentioned line for 395.02 feet, to the northern line of Cameron place;

Third—Thence easterly along last mentioned line for 1 foot;

Fourth—Thence northerly for 395.02 feet to the point of beginning.

Parcel "B."

Beginning at a point in the northern line of East One Hundred and Eighty-second street distant 195 feet westerly from the intersection of said line with the western line of Walton avenue.

First—Thence westerly along the northern line of East One Hundred and Eighty-second street for 1.11 feet to the eastern line of Jerome avenue;

Second—Thence northerly along the last mentioned line for 490.02 feet, to the southern line of East One Hundred and Eighty-third street;

Third—Thence easterly along the last mentioned line for 1.23 feet;

Fourth—Thence southerly for 490.02 feet to the point of beginning.

Parcel "C."

Beginning at a point in the southern line of East One Hundred and Eighty-fourth street, distant 195 feet westerly from the intersection of said line with the western line of Walton avenue.

First—Thence westerly along the southern line of East One Hundred and Eighty-fourth street for 1.41 feet, to the eastern line of Jerome avenue;

Second—Thence southerly along the last mentioned line for 693.03 feet to the northern line of East One Hundred and Eighty-third street;

Third—Thence easterly along the last mentioned line for 1.24 feet;

Fourth—Thence northerly for 693.03 feet to the point of beginning.

The widening of that portion of Jerome avenue on the easterly side from Cameron place to East One Hundred and Eighty-fourth street, is shown on a map entitled "Map or Plan showing the widening of Jerome avenue from Cameron place to East One Hundred and Eighty-fourth street, in the Twenty-fourth Ward, Borough of The Bronx, City of New York. Prepared by the President of the Borough of The Bronx under authority of Chapter 466 of the Laws of 1901." Which map was filed in the office of the President of the Borough of The Bronx on September 19, 1906, in the office of the Register of the County of New York on September 18, 1906, as Map No. 1132 and in the office of the Counsel to the Corporation of The City of New York, on or about the same date, in pigeonhole 62.

Land to be taken for the widening of Jerome avenue is located in Blocks Nos. 3186 and 3187 of Section 11 of the Land Map of the former City of New York.

The Board of Estimate and Apportionment on the 29th day of September, 1907, duly fixed and determined the area of assessment in these proceedings as follows:

Bounded on the north by the southerly line of East One Hundred and Eighty-fourth street; on the east by a line distant 100 feet easterly from and parallel with the easterly line of Jerome avenue, the said distance being measured at right angles to the line of Jerome avenue; on the south by the northerly line of Cameron place, and on the west by the easterly line of Jerome avenue.

Dated New York, December 8, 1908.
FRANCIS K. PENDLETON,
Corporation Counsel.
Hall of Records, Borough of Manhattan, City of New York.

d8,22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of MAGENTA STREET, from White Plains road to Colden avenue, and BARTHOLDI STREET, from White Plains road to Bronxwood avenue (although not yet named by proper authority), in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III, THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE IN THE ABOVE ENTITLED MATTER, ONE OF WHOM SHALL BE DESIGNATED AS A COMMISSIONER OF ASSESSMENT. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE IN FEE BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF A CERTAIN STREET OR AVENUE KNOWN AS MAGENTA STREET, FROM WHITE PLAINS ROAD TO COLDEN AVENUE, AND BARTHOLDI STREET, FROM WHITE PLAINS ROAD TO BRONXWOOD AVENUE (ALTHOUGH NOT YET NAMED BY PROPER AUTHORITY), IN THE TWENTY-FOURTH WARD, BOROUGH OF THE BRONX, CITY OF NEW YORK.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, NOTICE IS HEREBY GIVEN THAT AN APPLICATION WILL BE MADE TO THE SUPREME COURT OF THE STATE OF NEW YORK, FIRST DEPARTMENT, AT A SPECIAL TERM OF SAID COURT, TO BE HELD AT PART III, THEREOF, IN THE COUNTY COURT HOUSE, IN THE BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, ON TUESDAY, THE 22D DAY OF DECEMBER, 1908, AT THE OPENING OF THE COURT ON THAT DAY, OR AS SOON THEREAFTER AS COUNSEL CAN BE HEARD THEREON, FOR THE APPOINTMENT OF COMMISSIONERS OF ESTIMATE. THE NATURE AND EXTENT OF THE IMPROVEMENT HEREBY INTENDED IS THE ACQUISITION OF TITLE IN FEE BY THE CITY OF NEW YORK, FOR THE USE OF THE PUBLIC, TO ALL LANDS AND PREMISES, WITH THE BUILDINGS THEREON AND THE APPURTENANCES THERETO BELONGING, REQUIRED FOR THE OPENING OF A CERTAIN STREET OR AVENUE KNOWN AS EAST ONE HUNDRED AND EIGHTY-FIRST STREET, FROM PARK AVENUE TO RIDER AVENUE (ALTHOUGH NOT YET NAMED BY PROPER AUTHORITY), IN THE TWENTY-FOURTH WARD, BOROUGH OF THE BRONX, CITY OF NEW YORK.

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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 the wharfage rights, terms, easements, emoluments and privileges appurtenant to PIER (OLD) NO. 13, EAST RIVER, in the Borough of Manhattan, City of New York, not now owned by The City of New York, and all right, title and interest in and to said pier, or any portion thereof, not now owned by The City of New York, and all wharfage rights, terms, easements, emoluments and privileges appurtenant to all that certain bulkhead, dock or wharf property on or near the southerly line of South street, in said Borough and City, between the easterly side of Pier (old) No. 12 and the westerly side of Pier (old) No. 13, and appurtenant to the westerly one-half part of the bulkhead, dock or wharf property between the easterly side of Pier (old) No. 13 and the westerly side of Pier (old) No. 14, East River, not now owned by The City of New York, for the improvement of the waterfront of The City of New York, on the East River, pursuant to the plan heretofore adopted by the Board of Docks, and approved by the Commissioners of the Sinking Fund.

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 23d day of December, 1908, at 10.30 o'clock in 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 section 999 of the Greater New York Charter, as amended.

Dated Borough of Manhattan, New York, December 10, 1908.

JOSEPH M. SCHENCK, Clerk.

d11,22

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 the wharfage rights, terms, easements, emoluments and privileges appurtenant to PIER (OLD) NO. 36, OR MARKET SLIP PIER, WEST, EAST RIVER, in the Borough of Manhattan, City of New York, not now owned by The City of New York, and all right, title and interest in and to said pier, or any portion thereof, not now owned by The City of New York, and all wharfage rights, terms, easements, emoluments and privileges appurtenant to said bulkheads, dock or wharf property, on or near the southerly line of South street, in said Borough and City, lying on both the easterly and westerly sides of said Pier (old) No. 36, or Market Slip Pier, West, not now owned by The City of New York, for the improvement of the waterfront of The City of New York on the East River, pursuant to the plan heretofore adopted by the Board of Docks, and approved by the Commissioners of the Sinking Fund.

NOTICE IS HEREBY GIVEN THAT A 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 23d day of December, 1908, at 10.30 o'clock in 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 section 999 of the Greater New York Charter, as amended.

Dated Borough of Manhattan, New York, December 10, 1908.

JOSEPH M. SCHENCK, Clerk.

d11,22

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of an UN-NAMED STREET (to be known as West One Hundred and Eighty-seventh street), located about 1,500 feet north of West One Hundred and Eighty-first street, extending from Fort Washington avenue to Northern avenue, in the Twelfth Ward, Borough of Manhattan, City of New York.

PURSUANT TO THE STATUTES IN such cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, First Department, at a Special Term of said Court, to be held at Part III. thereof, in the County Court House, in The City of New York, on Tuesday, the 22d day of December, 1908, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate in the above-entitled matter, one of whom shall be designated as a Commissioner of Assessment.

The nature and extent of the improvement hereby intended is the acquisition of title by The City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street to be known as an unnamed street (to be known as West One Hundred and Eighty-seventh street), located about 1,500 feet north of West One Hundred and Eighty-first street, extending from Fort Washington avenue to Northern avenue, in the Twelfth Ward, Borough of Manhattan, City of New York, being the following-described lots, piece or parcel of land, viz.:

Beginning at a point in the westerly line of Fort Washington avenue, distant as measured along the westerly line of said avenue, 1,507.22 feet, northerly from West One Hundred and Eighty-first street; thence westerly at an angle to said avenue 101 degrees 20 minutes and 1.6 seconds distance 279.18 feet; to the easterly line of Northern avenue to a point 1,563 feet northerly from West One Hundred and Eighty-first street, as measured along said line distance 60.31 feet; thence easterly and parallel to the first course distance 261.06 feet, to the westerly line of Fort Washington avenue; thence southerly

along said avenue distance 61.10 feet to the point or place of beginning.

Land to be found in Section 8, Block 2179 of the Land Map of the Borough of Manhattan, City of New York, and is shown on a certain map, entitled "Map, plan and profile of the avenue, streets, roads, public parks and places in that part of the Twelfth Ward, Borough of Manhattan, bounded by West One Hundred and Eighty-first street, Broadway, Dyckman street and Boulevard Lafayette, showing the existing streets and the new streets, with their grades now laid out, fixed and established under authority of the Greater New York Charter, which said map was filed in the offices of the President of the Borough of Manhattan, City of New York, the Register of the County of New York, and the offices of the Corporation Counsel of The City of New York on or about the 6th day of January, 1904.

The Board of Estimate and Apportionment on the 22d day of November, 1907, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

Bounded on the west by a line distant one hundred (100) feet westerly from and parallel with the westerly line of Northern avenue, the said distance being measured at right angles to the line of Northern avenue; on the north by a line distant one hundred (100) feet northerly from and parallel with the northerly line of the unnamed street to be opened, the said distance being measured at right angles to the line of the said street, and by the prolongation of the said line.

Dated New York, December 8, 1908.

FRANCIS K. PENDLETON, Corporation Counsel. Hall of Records, Borough of Manhattan, City of New York.

d18,22

SUPREME COURT—SECOND DEPARTMENT.

SECOND DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of WILLIAM STREET (although not yet named by proper authority), from Graham avenue to Thirteenth street, in the First Ward, Borough of Queens, The City of New York.

NOTICE IS HEREBY GIVEN THAT THE final report of the Commissioners of Estimate and Assessment in the above entitled matter will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof for the hearing of motions, to be held in the County Court House, in the Borough of Brooklyn, in The City of New York, on the 23d day of December, 1908, at 10.30 o'clock in forenoon of that day, and that the said final report has been deposited in the office of the Clerk of the County of Queens, there to remain for and during the space of five days, as required by law.

Dated Borough of Manhattan, New York, December 15, 1908.

AUGUST REYMERT, THOMAS B. SEAMAN, Commissioners.

JOHN P. DUNN, Clerk.

d15,21

SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title to the lands, tenements and hereditaments required for the purpose of opening and extending SCOTT AVENUE, from Flushing avenue to St. Nicholas avenue, in the Twenty-seventh Ward, in the Borough of Brooklyn, The City of New York, as the same has been heretofore laid out.

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, at a Special Term thereof to be held for the hearing of motions, at the Kings County Court House in the Borough of Brooklyn in The City of New York, on the 24th day of December, 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 Kings, there to remain for and during the space of ten days, as required by the provisions of section 999 of title 4 of chapter 17, of chapter 328 of the Laws of 1897, as amended by chapter 466 of the Laws of 1901.

Dated Borough of Brooklyn, New York, December 11, 1908.

HERBERT S. WORTHLEY, JACOB A. WILLIAMS, HARRY H. DALE, Commissioners of Estimate.

HERBERT S. WORTHLEY, Commissioner of Assessment.

JAMES F. QUIGLEY, Clerk.

d11,22

SECOND JUDICIAL DEPARTMENT.

In the matter of the application of The City of New York, acting by and through the Commissioner of Docks, relative to acquiring right and title to and possession of 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 waterfront 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.

NOTICE IS HEREBY GIVEN THAT A 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 23d day of December, 1908, at 10.30 o'clock in 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 Kings, there to remain for and during the space of ten days, as required by section 999 of the Greater New York Charter, as amended.

Dated Borough of Manhattan, New York, December 10, 1908.

JOSEPH M. SCHENCK, Clerk.

d11,22

SUPREME COURT—THIRD JUDICIAL DISTRICT.

THIRD JUDICIAL DISTRICT.

ULSTER COUNTY.

Ashokan Reservoir, Section No. 5, Town of Olive, Ulster County.

In the matter of the application and petition of J. Edward Simmons, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905, and the acts amendatory thereof, in the Town of Olive, Ulster County, N. Y., for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York.

PUBLIC NOTICE IS HEREBY GIVEN that the order of confirmation of the first separate report of William D. Brinnier, John B. Harrison and Eugene F. Patten, who were appointed Commissioners in the above entitled matter by an order of this Court, made at a Special Term thereof, held at the Court House in the City of Kingston, Ulster County, N. Y., May 18, 1907, was filed in the office of the Clerk of the County of Ulster, at Kingston, N. Y., on the 10th day of November, 1908, and affects Parcels numbers one hundred and eighty-five (185), one hundred and eighty-six (186), one hundred and eighty-eight (188), one hundred and ninety (190), one hundred and ninety-one (191), one hundred and ninety-two (192), one hundred and ninety-three-C (193-C), one hundred and ninety-six-A (196-A), one hundred and ninety-six-B (196-B), one hundred and ninety-seven (197), two hundred and four (204), two hundred and seven (207), two hundred and eight (208), two hundred and ten (210), two hundred and eleven (211), two hundred and twelve (212) and two hundred and sixteen (216), shown on the map in this proceeding.

Dated New York, December 10, 1908.

FRANCIS K. PENDLETON, Corporation Counsel.

Hall of Records, New York City.

d12,22

THIRD JUDICIAL DISTRICT.

ULSTER COUNTY.

Ashokan Reservoir, Section No. 1, Town of Olive, Ulster County.

In the matter of the application and petition of J. Edward Simmons, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905, and the acts amendatory thereof, in the Town of Olive, Ulster County, N. Y., for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York.

PUBLIC NOTICE IS HEREBY GIVEN that the order of confirmation of the first separate report of George M. Palmer, Frederick J. Clarke and Macdonough Craven, who were appointed Commissioners in the above entitled matter by two orders of this Court, made at Special Term, bearing date respectively April 20, 1907, and September 21, 1907, was filed in the office of the Clerk of the County of Ulster, at Kingston, N. Y., on the 2d day of July, 1908, and affects Parcels Nos. two (2), five (5), six (6), four (4), thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), nineteen (19), twenty (20), twenty-one (21), twenty-three (23), twenty-four (24), twenty-six (26), thirty-five (35), forty (40), nine (9) and twelve (12), shown on the map in this proceeding.

Dated New York, December 1, 1908.

FRANCIS K. PENDLETON, Corporation Counsel.

Hall of Records, New York City.

d15,21

SUPREME COURT—NINTH JUDICIAL DISTRICT.

NINTH JUDICIAL DISTRICT.

In the matter of the application and petition of J. Edward Simmons, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905, and the acts amendatory thereof, in the City of Yonkers, Westchester County, New York, for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York, Hill View Reservoir, Section 1.

PUBLIC NOTICE IS HEREBY GIVEN that the fourth separate report of George N. Rigby, James K. Agar and Bernard F. Martin, Commissioners of Appraisal in the above-entitled matter, dated November 18, 1908, covering Parcels Nos. 1 and 3, was filed in the office of the Clerk of Westchester County on November 20, 1908.

Further notice is hereby given that an application will be made to the Supreme Court at a Special Term thereof to be held at the Judge's Chambers, Nyack, Rockland County, N. Y., on January 9, 1909, at 10.30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order confirming said report and for such other and further relief as to the Court may seem just.

Dated New York, December 12, 1908.

FRANCIS K. PENDLETON, Corporation Counsel.

Office and Post Office Address, Hall of Records, Corner of Chambers and Centre Streets, Borough of Manhattan, New York City.

d10,19

NINTH JUDICIAL DISTRICT.

In the matter of the application and petition of J. Edward Simmons, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905, and the acts amendatory thereof, in the towns of North Castle and Mount Pleasant, Westchester County, New York, for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York, Kensico Reservoir, Section No. 4.

PUBLIC NOTICE IS HEREBY GIVEN that the second separate report of William B. Greeley, Henry G. Gray and H. Hobart Keeler, Commissioners of Appraisal in the above entitled matter, dated November 19, 1908, covering Parcels Nos. 197, 199, 201, 204, 205, 206, 208, 214, 216, 217, 219, 221, 224, 225, 226, 230, 234, 236, 245, 250, 251, 255, 256, 262 and 277, was filed in the office of the Clerk of Westchester County on November 20, 1908.

Further notice is hereby given that an application will be made to the Supreme Court at a Special Term thereof, to be held at the Judge's Chambers, Nyack, Rockland County, New York, on January 9, 1909, at 10.30 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard, for an order confirming said report and for such other and further relief as to the Court may seem just.

Dated New York, December 12, 1908.

FRANCIS K. PENDLETON, Corporation Counsel.

Office and Post Office Address, Hall of Records, corner of Chambers and Centre Streets, Borough of Manhattan, New York City.

d19,19

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 2 o'clock p. m., until further notice.

Dated New York City, October 12, 1907.

WILLIAM E. STILLINGS, Corporation Counsel.

GEORGE C. NORTON, LEWIS A. ABRAMS, Commissioners.

LAMONT MCGLOUGHLIN, Clerk.

PROPOSALS FOR BIDS AND ESTIMATES FOR THE CITY OF NEW YORK.

NOTICE TO CONTRACTORS.

GENERAL INSTRUCTIONS TO BIDDERS.

The person or persons making a bid or estimate for any services, work, materials or supplies for The City of New York, or for any of its departments, bureaus or offices, shall furnish the same in a sealed envelope, indorsed with the title of the supplies, materials, work or services for which the bid or estimate is made, with his or their name or names and the date of presentation to the President or Board or to the head of the Department at his or its office, on or before the date and hour named in the advertisement for the same, at which time and place the estimates received will be publicly opened by the President or Board or head of said Department and read, and the award of the contract made according to law as soon thereafter as practicable.

Each bid or estimate shall contain the name and place of residence of the person making the same, and names of all persons interested with him therein, and, if no other person be so interested, it shall distinctly state that fact; also, that it is made without any connection with any other person making an estimate for the same purpose, and is in all respects fair and without collusion or fraud, and that no member of the Board of Aldermen, head of a department, chief of a bureau, deputy thereof, or clerk therein, or other officer of The City of New York is, shall be or become interested, directly or indirectly, as contracting party, partner, stockholder