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THE CITY RECORD.

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GEORGE B. McCLELLAN, MAYOR.

FRANCIS K. PENDLETON, CORPORATION COUNSEL.

HERMAN A. METZ, COMPTROLLER.

PATRICK J. TRACY, SUPERVISOR.

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PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT,

No. 154 NASSAU STREET, NEW YORK CITY.

CALENDAR OF HEARINGS.

The following hearings will be held during the remainder of the week beginning Monday, Dec. 7, 1908:

Thursday, December 10—10 a. m.—Room 305.—Order No. 850.—YONKERS RAILROAD COMPANY AND UNION RAILWAY COMPANY.—Nathan A. Warren, Complainant.—“Discontinuance of through rates between Yonkers and New York.”—Commissioner Eustis of the First District and Commissioner Decker of the Second District.

11 a. m.—Mr. Harkness’ Room.—CITY OF NEW YORK AND DEGNON CONTRACTING COMPANY.—“Arbitration of determination of Henry B. Seaman, Chief Engineer.”

2:30 p. m.—Room 305.—Case 1002 under Order No. 615.—METROPOLITAN STREET RAILWAY COMPANY.—“Operation of cars on 116th Street.”—Commissioner Maltbie.

4 p. m.—Room 310.—Order No. 420.—CONEY ISLAND & BROOKLYN R. R. CO.—“Application for permission to issue \$462,000 additional bonds.”—Commissioner Bassett.

Friday, December 11—2 p. m.—Room 305.—Order No. 786.—CENTRAL PARK, NORTH AND EAST RIVER RAILROAD COMPANY AND FREDERICK W. WHITRIDGE, RECEIVER OF THIRD AVENUE RAILROAD COMPANY.—“Why companies should not make joint rate for through transportation of passengers.”—Whole Commission.

2 p. m.—Room 305.—Order No. 796.—CENTRAL PARK, NORTH AND EAST RIVER RAILROAD COMPANY AND FREDERICK W. WHITRIDGE, RECEIVER OF FORTY-SECOND STREET, MANHATTANVILLE AND ST. NICHOLAS AVENUE RAILROAD COMPANY.—“Why companies should not make joint rate for through transportation of passengers.”—Whole Commission.

2:30 p. m.—Commissioner Eustis’ Room.—Order No. 790.—NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO.—South Bronx Property Owners’ Association, Complainant.—“Unsanitary methods in loading cars in Harlem River Yards.”—Commissioner Eustis.

2:30 p. m.—Room 310.—NEW YORK, NEW HAVEN & HARTFORD R. R. CO.—“Application for permission to exercise the right to operate the Harlem River & Portchester Railroad by high potential alternating electric current system.”—Commissioner Bassett.

3:30 p. m.—Commissioner Maltbie’s Room.—Case 1006, under Order No. 615.—RECEIVER OF METROPOLITAN STREET RAILWAY COMPANY.—“Rights and operation of 86th street line from Eighth avenue to 92d street ferry.”—Commissioner Maltbie.

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

THE BOARD OF ALDERMEN OF THE CITY OF NEW YORK.

STATED MEETING.

Tuesday, December 8, 1908, 1:30 o’clock p. m.

The Board met in the Aldermanic Chamber, City Hall.

Present:

Hon. Patrick F. McGowan, President of the Board of Aldermen.

Aldermen

Timothy P. Sullivan, Vice-Chairman; James H. Finnigan, Joseph Flanagan, Patrick F. Flynn, John Sylvester Gaynor, Bernhard Goldschmidt, Henry F. Grimm, John D. Gunther, Edward V. Handy, John J. Hickey, James J. Hines, Frederick C. Hochdorffer, John J. Hogan, Tristam B. Johnson, Joseph D. Kavanagh, William P. Kenneley, Francis P. Kenney, Max S. Levine, John Loos, James F. Martyn, Samuel Marx, Thomas J. McAleer, John McCann, John J. McDonald, George Cromwell, President, Borough of Richmond. Lawrence Gresser, President, Borough of Queens, by A. A. Denton, Commissioner of Public Works.

Louis F. Haffen, President, Borough of The Bronx. Bird S. Coler, President, Borough of Brooklyn, by Thomas R. Farrell, Commissioner of Public Works.

John F. Ahearn, President, Borough of Manhattan.

The Clerk proceeded to read the Minutes of the Stated Meeting of December 1, 1908.

In connection therewith Alderman Dowling offered the following resolution:

No. 1432.

Resolved, That the roll call at the foot of page 1417 of the minutes of December 1, 1908, beginning with the words “The President then put the question, etc.,” and continued at the top of page 1418, be and the same is hereby transposed to and placed at the foot of page 1416, following the line which reads “Which motion was lost.”

Which was adopted.

The Minutes were then approved as amended.

PETITIONS AND COMMUNICATIONS.

No. 1433.

The Association of Theatre Managers of Greater New York, December 4, 1908.

The Honorable Board of Aldermen, City Hall, New York City:

Gentlemen—It was unanimously resolved at the last meeting of the Theatrical Managers Association of Greater New York, that we tender our sincere thanks to your Honorable Board for their kindness in passing the “Ticket Speculating Ordinance,” which was the greatest nuisance known in the theatrical business.

Yours truly,

LEO C. TELLER, Secretary.

Which was ordered on file.

No. 1434.

West End Citizens League of Queens Borough, Woodhaven, N. Y., December 1, 1908.

The Board of Aldermen, New York City:

Gentlemen—At a regular meeting of the above league it was resolved that we as a body call your attention to the fact that we go on record as being against any increase of cemeteries in Queens County, and to request that we be notified of any hearing on same.

Respectfully yours,

CLIFFORD C. REEVE, Secretary.

Which was referred to the Committee on Affairs of Boroughs.

COMMUNICATIONS FROM CITY, COUNTY AND BOROUGH OFFICERS.

The President laid before the Board the following communication from the President, Borough of Manhattan:

No. 1435.

City of New York, Office of the President of the Borough of Manhattan, City Hall, December 3, 1908.

Hon. PATRICK F. McGOWAN, President of the Board of Aldermen:

Dear Sir—I am directed by President Ahearn to forward to you the inclosed resolution with the request that it be introduced in the Board of Aldermen. This resolution has been drawn at the request of the Chief Engineer of Highways, who reports that numerous complaints have been received on account of the absence and irregularity of house numbers on the streets mentioned and that authority from the Board of Aldermen must be obtained before a remedy can be applied.

Very truly yours,

BERNARD DOWNING, Secretary.

Resolved, That the President of the Borough of Manhattan be and he is hereby authorized and requested to number and renumber the buildings on One Hundred and Forty-fifth street, between Broadway and Riverside drive; on Liberty street, between Greenwich and West streets; on Wooster street, between Bleecker and West Third streets; on Forty-third street, north side, from Broadway to Eighth avenue, and on Forty-fourth street, south side, from Broadway to Eighth avenue, in such manner and to such extent as may be necessary.

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

The President laid before the Board the following communication from the Comptroller:

No. 1436.

Department of Finance, City of New York,
Bureau of Municipal Investigation and Statistics, }
December 7, 1908.

To the Honorable the Board of Aldermen of The City of New York:

Gentlemen—I hereby make application for an issue of Special Revenue Bonds to the amount of \$40,000 to provide for a deficiency in the fund provided for Rents in the Budget appropriations for The City of New York for the year 1908. This deficiency has been incurred for leases entered into subsequent to the adoption of the Budget for the current year, the necessity for such leases not having been anticipated at the time the Budget estimate for the item Rents was prepared.

In a great many instances the incomes from these rentals are the principal sources of revenue for the owners of the property leased; and in order that no unnecessary hardships may be imposed upon such owners it is necessary that said fund be augmented by approximately \$40,000.

In view of these facts I ask for the adoption of the attached resolution.

Yours truly,
H. A. METZ, Comptroller.

Resolved, That, pursuant to the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment is hereby requested to authorize the Comptroller to issue Special Revenue Bonds of The City of New York, to an amount not exceeding forty thousand dollars (\$40,000), for the purpose of providing for a deficiency in the amount appropriated in the Budget for the year 1908 "for the payment of rent for property leased to The City of New York for public offices and other purposes."

City of New York,
Department of Finance, }
November 13, 1908.

Hon. HERMAN A. METZ, Comptroller:

Sir—Herewith please find report made to me by Frederick W. Taylor, Examiner in charge of the preparation of vouchers for rentals, in which he calls attention to the deficiency that will exist in the appropriation for rents for the year 1908.

The following shows the condition of the account on the books of the Department of Finance:

Appropriation for City rentals.....	\$755,835 96
Amount paid therefrom.....	657,346 14
Balance.....	\$98,489 82

An examination of the rental books shows the following conditions:

Rentals for remainder of current year.....	\$136,225 36
Balance in account.....	98,489 82
Deficit.....	\$37,735 54

This deficiency has been caused by the liability incurred for leases entered into subsequent to the preparation of the Budget for the year 1908. In a great many instances the incomes from these rentals are the principal source of revenue for the owners, and in order that no unnecessary hardship may be imposed, I would request that the sum of \$40,000 be provided by the Board of Estimate and Apportionment, either by transfer of funds or through the issuance of Special Revenue Bonds to meet the deficiency.

Respectfully,

PAT'K H. QUINN, Chief Auditor of Accounts.

Memo.

Yesterday my attention was called to the fact that there is a balance of only \$98,489.82 in the account for Rents, 1908.

An examination of my books shows that \$128,088.02 will be chargeable against said fund, while \$8,137.34 will be charged in addition, for renewals, etc., making the gross amount chargeable from present knowledge \$136,225.36, leaving a deficit of \$37,735.54.

Making due allowance for probable additional charges for repairs, taxes, retroactive leases and resolutions, I respectfully submit the suggestion that the account for Rents, 1908, be replenished to the extent of \$40,000.

Respectfully submitted,

FREDERICK W. TAYLOR, Examiner.

November 12, 1908.

SCHEDULES ATTACHED.

In re County Charges for Rents, 1908.

There is now a balance of \$61.66 in the New York County rent account for 1908, whereas there is \$4,711.67, making a deficit of \$4,650.01.

In the Kings County rent account there is a balance of \$400 to meet charges of \$1,350, thus making a deficit of \$950.

It is highly probable that this deficit will be reduced by \$250 through the Supreme Court vacating its temporary quarters in the Williamsburg Trust Company before December 15, 1908; and in that event a transfer of \$700 will be sufficient.

Respectfully submitted,

FREDERICK W. TAYLOR, Examiner.

Miscellaneous.

Book 4.

Manhattan. Metropolitan Life Insurance Company, fol. 17 (Building Examiners), October, November and December, 1908.....	\$400 00
Manhattan. Church & Warren Company, fol. 18 (Examining Board of Plumbers), November and December, 1908.....	160 00
Manhattan. F. Southack, etc., Agents, fol. 21 (Commissioner of Licenses), November and December, 1908.....	536 33
Queens.... C. Hackett, fol. 23 (various Departments), quarter ending December 1, 1908.....	2,250 00
Manhattan. Lippmann & Eismann, fol. 25 (Civil Service), November 13 to December 31, 1908.....	2,066 66
Richmond. Aug. W. Rabe, fol. 47 (Coroners), October, November and December, 1908.....	150 00
Manhattan. Park Row Realty Company, fol. 545 (miscellaneous), October, November and December.....	22,462 24
Manhattan. Park Row Realty Company, fol. 554 (Water Supply, Gas and Electricity), October, November and December.....	856 72
	\$28,881 95

Department of Public Charities.

Manhattan. Hirsch & Roth, fol. 28, November and December, 1908.....	\$600 00
Brooklyn... Louis Stauch, fol. 29, November and December, 1908.....	500 00
	\$1,100 00

Bellevue and Allied Hospitals.

Manhattan. M. J. Levi, ind., etc., fol. 55, October, November and December, 1908.....	\$300 00
Manhattan. Mrs. F. M. Gibson, fol. 57, October, November and December, 1908.....	500 00
	\$800 00

Department of Correction.

Manhattan. K. M. Murchison, fol. 474, October, November and December, 1908.....	\$700 00
Manhattan. J. U. Brookman, fol. 475, October, November and December, 1908.....	300 00
	\$1,000 00

Department of Street Cleaning.

Manhattan. Walker & Wise (fol. 229, book 3), for quarter ending December 1, 1908.....	\$450 00
In case of renewal, month of December, 1908.....	150 00
Manhattan. G. W. Plunkitt (fol. 459, book 3), September 16 to December 31, 1908.....	1,458 33
Manhattan. G. W. Plunkitt (fol. 460, book 3), September 25 to December 31, 1908.....	543 01

Book 4.

Manhattan. Thos. Moore, fol. 3, November and December, 1908.....	80 00
Manhattan. T. Connolly, fol. 4, September 13 to December 31, 1908.....	2,400 00
Manhattan. H. L. Byrnes, fol. 12, October, November and December, 1908.....	75 00
Manhattan. Patrick Purcell, fol. 13, September, October, November and December, 1908.....	200 00
Brooklyn... H. G. Taylor, etc., fol. 108, November and December, 1908.....	60 00
Brooklyn... Anne Shevlin, etc., fol. 109, November and December, 1908.....	250 00
Brooklyn... J. R. Sparrow, fol. 110, November and December, 1908.....	66 67
Brooklyn... Mrs. M. A. Schneider, fol. 111, November and December, 1908.....	80 00
Brooklyn... J. S. McGarry, fol. 112, November and December, 1908.....	58 33
Brooklyn... M. S. Niebuhr, fol. 113, November and December, 1908.....	60 00
Brooklyn... T. C. O'Brien, fol. 114, November and December, 1908.....	50 00
Manhattan. W. F. Maher, fol. 115, November and December, 1908.....	90 00
Manhattan. J. Michels, fol. 116, November and December, 1908.....	80 00
Manhattan. A. Lutz, fol. 117, November and December, 1908.....	90 00
Manhattan. T. J. Dengler, fol. 118, November and December, 1908.....	250 00
Brooklyn... T. H. Doyle, fol. 119, November and December, 1908.....	50 00
Manhattan. M. H. McCulloch, fol. 120, November and December, 1908.....	100 00
Brooklyn... J. Carlin, etc., fol. 121, November and December, 1908.....	60 00
Brooklyn... H. Obersheimer, fol. 122, November and December, 1908.....	100 00
Manhattan. Village Realty Company, fol. 123, November and December, 1908.....	130 00
Manhattan. W. Staats, fol. 124, November and December, 1908.....	91 67
The Bronx. Mrs. S. O'Brien, fol. 125, November and December, 1908.....	80 00
Manhattan. I. Bachrach, fol. 126, November and December, 1908.....	100 00
Brooklyn... H. C. Fischer, fol. 127, November and December, 1908.....	450 00
Manhattan. D. Knabe, fol. 128, November and December, 1908.....	120 00
Brooklyn... C. W. Abrams, fol. 129, November and December, 1908.....	60 00
Manhattan. E. W. Klappert, fol. 130, November and December, 1908.....	60 00
Brooklyn... J. Kenney, fol. 131, November and December, 1908.....	80 00
Brooklyn... K. I. Walsh, fol. 132, November and December, 1908.....	50 00
Brooklyn... P. J. Murphy, fol. 133, November and December, 1908.....	70 00
Manhattan. G. W. Plunkitt, fol. 134, November and December, 1908.....	1,000 00
Manhattan. G. W. Plunkitt, fol. 135, November and December, 1908.....	791 67
Manhattan. G. W. Plunkitt, fol. 136, November and December, 1908.....	433 33
Manhattan. G. W. Rader, fol. 139, November and December, 1908.....	233 33
Manhattan. C. E. Ring, fol. 140, November and December, 1908.....	200 00
Brooklyn... J. Schween, fol. 141, November and December, 1908.....	150 00
Manhattan. B. Ryan, fol. 142, November and December, 1908.....	60 00
Manhattan. W. Sporborg, fol. 143, November and December, 1908.....	34 00
Manhattan. L. Denison, fol. 144, November and December, 1908.....	233 34
Manhattan. R. Kortjohann, fol. 145, November and December, 1908.....	55 00
Manhattan. P. E. Haag, etc., fol. 146, August to December, inclusive, 1908.....	200 00
Manhattan. E. Gordon, fol. 147, November and December, 1908.....	60 00
Brooklyn... A. Hanrahan, fol. 148, November and December, 1908.....	50 00
Brooklyn... J. W. Haviland, etc., fol. 149, November and December, 1908.....	60 00
Brooklyn... E. Bolstein, fol. 150, November and December, 1908.....	70 00
Brooklyn... P. Hurwitz, etc., fol. 151, November and December, 1908.....	60 00
Manhattan. M. Lamarsche, fol. 152, November and December, 1908.....	100 00
Brooklyn... F. Bollinger, fol. 153, November and December, 1908.....	50 00
Manhattan. C. Jay, fol. 154, November and December, 1908.....	1,083 34
Manhattan. A. Jay, fol. 155, November and December, 1908.....	500 00
Brooklyn... S. H. Cohn, fol. 156, November and December, 1908.....	50 00
Brooklyn... J. J. Devine, fol. 157, November and December, 1908.....	50 00
Brooklyn... J. Egan, fol. 158, November and December, 1908.....	50 00
Brooklyn... I. Hurwitz, fol. 159, November and December, 1908.....	70 00
Brooklyn... A. Laupheimer, fol. 160, November and December, 1908.....	80 00
Manhattan. J. F. Morris, fol. 161, November and December, 1908.....	60 00
Manhattan. J. J. Pyburn, fol. 162, November and December, 1908.....	50 00
Manhattan. F. H. Hines, fol. 163, November and December, 1908.....	100 00
Manhattan. G. Labriola, fol. 164, November and December, 1908.....	60 00
Manhattan. I. Goldberg, fol. 165, October, November and December, inc.....	225 00
Manhattan. A. B. Clafin Company, fol. 166, September to December, inc.....	1,083 33
Manhattan. L. J. Cunningham, fol. 167, September to December, inc.....	100 00
Manhattan. N. J. Betjeman, etc., fol. 168, September to December, inc.....	200 00
Manhattan. J. S. Herrman, fol. 169, September to December, inc.....	2,333 34
Manhattan. M. Finkelstein, fol. 170, September to December, inc.....	300 00
Manhattan. D. F. McMahon, etc., fol. 171, September to December, inc.....	1,333 34
Manhattan. D. Devins, etc., fol. 172, September to December, inc.....	100 00
Manhattan. J. J. Pyburn, fol. 173, September to December, inc.....	140 00
Queens.... M. L. Dennler, P. B. Q., fol. 174, September to December, inc.....
Manhattan. M. L. Dennler, P. B. Q., fol. 175, September to December, inc.....
Manhattan. W. J. Solomon, fol. 176, November and December, 1908.....	233 33
Manhattan. R. Townsend, fol. 177, November and December, 1908.....	120 00
Manhattan. M. Protzmann, fol. 178, November and December, 1908.....	110 00
Manhattan. R. H. Falk, fol. 179, November and December, 1908.....	90 00
Manhattan. Bohland, Alkier & Davis, fol. 180, November and December, 1908.....	200 00
Manhattan. J. Becker, fol. 181, November and December, 1908.....	120 00
The Bronx. E. M. Greve, Exx., fol. 182, November and December, 1908.....	50 00
Manhattan. J. F. Beglan, fol. 183, November and December, 1908.....	60 00
Manhattan. A. Meyer, etc., fol. 184, November and December, 1908.....	500 00
Manhattan. G. J. Naegle, fol. 185, November and December, 1908.....	83 34
Manhattan. J. McCauley, fol. 186, September 16 to December 31, 1908.....	157 50
Manhattan. Realty Associates, fol. 187, November and December.....	305 00
Manhattan. M. & J. Monday, fol. 188, September 10 to December 31, 1908.....	256 67
Manhattan. L. Geissler, fol. 189, September 15 to December 31, 1908.....	175 00
Manhattan. W. F. Cunningham, fol. 190, September 15 to December 31, 1908.....	1,182 79
Manhattan. L. Welker, fol. 191, November 11 to December 31, 1908.....	31 94
Manhattan. C. McLoughlin, fol. 192, October, November and December, 1908.....	50 00
Brooklyn... T. Nugent, fol. 193, October, November and December, 1908.....	105 00

The Bronx. Fleischman R. and Const. Co., fol. 217, October, November and December.....
Brooklyn. F. D. Creamer, fol. 218, October, November and December.....

255 00
625 00
\$32,009 94

Courts.

Brooklyn. John Auer (fol. 79, book 3), quarter ending May 18, 1908..
Book 4.
Manhattan. John D. Crimmins, fol. 7, September 8 to December 31, 1908.
Brooklyn. Realty Associates, fol. 14, November and December, 1908.....
Brooklyn. Brooklyn Athenaeum and R. R., fol. 70, September 17 to December 1, 1908.....
Brooklyn. P. H. McCarren, fol. 74, for quarter ending December 3, 1908.....
The Bronx. Wyoming Lodge 492 F. and A. M., fol. 75, for quarter ending December 1, 1908.....
Brooklyn. J. Scheuer, fol. 76, November 16 to December 1, 1908.....
Brooklyn. J. Kennedy, fol. 77, November 16 to December 1, 1908.....
Brooklyn. J. Kennedy, fol. 77, quarter ending November 15, 1908.....
Brooklyn. Gilbert J. Sinnott, etc., fol. 78, August 15 to December 1, 1908.....
Queens. Rev. John McGuire, fol. 79, September 5 to December 5, 1908.....
Brooklyn. Jos. D. Willis, fol. 80, August 15 to December 1, 1908.....
Manhattan. John D. Crimmins, fol. 81, October, November and December, 1908.....
Manhattan. S. Jackson, fol. 82, October, November and December, 1908.....
Manhattan. T. Wandell, etc., fol. 83, October, November and December, 1908.....
Manhattan. J. D. Crimmins, fol. 84, October, November and December, 1908.....
Brooklyn. J. D. Willis, fol. 85, October, November and December, 1908.....
Brooklyn. Estate of C. A. Coe, fol. 86, July to December, 1908, inc.....
Manhattan. Lippmann & Eisman, fol. 87, October, November and December, 1908.....
Brooklyn. Penn-Fulton Company, fol. 88, October, November and December, 1908.....
Manhattan. Estate of F. Burke, deceased, fol. 89, October, November and December, 1908.....

337 50
140 00
333 33
1,419 45
583 33
562 50
375 00
104 17
75 00
450 00
641 67
450 00
1,429 17
1,250 00
1,250 00
1,375 00
1,287 50
450 00
822 00
3,875 00
1,175 00
1,792 50
\$20,178 12

Fire Department.

Queens. Henning, Borheck & Heyser (fol. 262, book 3), quarter ending December 1, 1908.....
If renewed, December, 1908.....
Queens. P. J. & C. H. Brown (fol. 264, book 3), quarter ending December 1, 1908.....
If renewed, December, 1908.....
Queens. Frank Baldwin (fol. 265, book 3), quarter ending January 8, 1909.....

500 00
166 67
300 00
100 00
150 00
\$3,501 68

Police Department.

Manhattan. J. A. & E. S. Townsend (fol. 369, book 3), for quarter ending December 1, 1908.....

150 00

Book 4.
Manhattan. R. Hoe, etc., fol. 338, November and December, 1908.....
Brooklyn. W. Schweikert, fol. 339, November and December, 1908.....
Manhattan. J. M. Carney, fol. 340, November and December, 1908.....
Brooklyn. M. J. Nielsen, fol. 341, November and December, 1908.....
Manhattan. F. L. Glover, fol. 342, November and December, 1908.....
Queens. S. M. Donnelly, fol. 343, November and December, 1908.....
Richmond. M. E. Corry, etc., fol. 344, November and December, 1908.....
Richmond. E. M. Muller, fol. 345, November and December, 1908.....
Queens. H. M. Thomson, fol. 346, November and December, 1908.....
Queens. L. Ruoff, fol. 347, November and December, 1908.....
Manhattan. C. Kaye, fol. 348, November and December, 1908.....
The Bronx. Payne Estate, fol. 349, September to December, inc.....
Brooklyn. C. Mullaly, fol. 350, November and December, 1908.....
Manhattan. J. M. Carney, fol. 351, November and December, 1908.....
Manhattan. A. F. Foley, fol. 352, November and December, 1908.....
Manhattan. S. A. Krulewitch, etc., fol. 353, October, November and December, 1908.....
Queens. M. E. Hines, fol. 354, August 22 to December 31.....
Richmond. M. L. Fischer, fol. 355, October, November and December.....
Manhattan. A. Saunders, Receiver, fol. 356, October, November and December.....

1,166 67
383 33
160 00
200 00
1,000 00
150 00
250 00
180 00
200 00
333 34
105 00
195 00
250 00
250 00
216 67
1,451 61

The Bronx. W. Henderson, fol. 357, October, November and December.....
The Bronx. W. Henderson, fol. 358, October, November and December.....
Queens. E. A. Goodridge, fol. 359, October, November and December.....
Manhattan. C. I. Campbell, fol. 360, October, November and December.....
Brooklyn. E. S. Nix, etc., fol. 361, October, November and December.....
Queens. A. Reitz, fol. 362, October, November and December.....
Manhattan. C. Kaye, fol. 363, October, November and December.....
Brooklyn. W. M. Van Ainden, fol. 364, November and December, 1908.....
Brooklyn. J. R. Sparrow, fol. 365, October, November and December, 1908.....
Manhattan. Estate of C. A. Coe, fol. 366, October, November and December, 1908.....
Manhattan. W. Anderson, fol. 367, August to December, inc.....

325 00
550 00
375 00
525 00
1,300 00
300 00
350 00
108 34
600 00
1,125 00
583 34
\$14,641 30

Presidents of the Boroughs.

The Bronx. Martin Walter (fol. 378, book 3), November, 1908.....
If renewed, December, 1908.....
The Bronx. Marcella M. Oakes, (fol. 404/5, book 3), November and December, 1908.....

The Bronx. Conrad Bill, attorney (fol. 406, book 3), November and December, 1908.....
Brooklyn. Margaret Zaccaro (fol. 410, book 3), quarter ending December 26, 1908.....
Queens. Wm. Richenstein (fol. 414, book 3), October and November, 1908.....
If renewed, December, 1908.....
Queens. New York Land and Warehouse Company (fol. 416, book 3), six months ending October 19, 1908.....
October 20, 1908, to January 1, 1909.....

70 00
90 00
100 00
50 00
350 00
153 60

Book 4.
Brooklyn. C. Albert Jacob, fol. 1, November and December, 1908.....
Queens. M. L. Dennler, fol. 174, September to December, inclusive.....
Queens. M. L. Dennler, fol. 175, September to December, inclusive.....
Richmond. J. Irving, fol. 386, November and December.....
Queens. G. E. Payne, fol. 387, November and December.....
Manhattan. E. M. Hennessy, fol. 391, November and December.....
The Bronx. A. M. McDermott, fol. 392, October, November and December.....
Queens. J. D. Trask, fol. 393, November and December, 1908.....
Brooklyn. Mechanics Bank, fol. 394, November and December, 1908.....
Brooklyn. Mechanics Bank, fol. 396, October, November and December, 1908.....
Manhattan. H. Wittenberg, fol. 397, October, November and December, 1908.....

250 00
200 00
60 00
80 00
250 00
2,750 00
100 00
566 67
770 50
2,170 75
90 00
200 00
133 34
133 34
26 67
300 00
74 00
257 42
43 33
94 44
127 77
36 00
45 00
360 00
125 00
2,250 00
150 00
150 00
97 50
75 00
12 50
25 00
12 50
25 00
36 00

\$13,101 33

Department of Finance.

Book 4.
Brooklyn. Mechanics Bank Building, fol. 9, October, November, December, 1908.....
Manhattan. Barron Realty Company, fol. 198, November and December.....
Brooklyn. N. P. Paris, etc., fol. 199, November and December.....
Brooklyn. Mechanics Bank Building, fol. 200, October 23 to December 31.....
Brooklyn. Mechanics Bank Building, fol. 201, October, November and December.....
Manhattan. Felix Isman, Incorporated, fol. 203, October, November and December.....

\$252 50
1,151 04
143 75
275 00
\$1,822 29

Department of Bridges.

Manhattan. Hy. Meyers, fol. 10, October, November and December, 1908.....
Queens. W. Richenstein, fol. 450, October, November and December, 1908.....
Manhattan. New York Central Storage Company, fol. 451, October, November and December, 1908.....

\$120 00
105 00
105 00
\$330 00

Department of Health.

The Bronx. J. H. C. Johansmeyer (fol. 284, book 3), quarter ending January 1, 1909.....
Queens. P. J. Bernard, executor (fol. 11, book 4), October, November and December, 1908.....

\$300 00
100 00

Book 4.
Manhattan. Fruit Auction Company, fol. 278, October 27 to December 31.....
Manhattan. H. J. Braker, fol. 279, November and December, 1908.....
Manhattan. C. Schneider, fol. 281, October to December, 1908.....
The Bronx. B. Frank, etc., fol. 282, September 15 to December 31.....
Brooklyn. E. Packard, fol. 283, October, November and December.....
Manhattan. R. D. Douglass, etc., fol. 284, October, November and December.....
Queens. E. Bernhard, fol. 285, October, November and December.....
Queens. E. Bernhard, fol. 286, October, November and December.....
Brooklyn. Eagle Warehouse and S. Company, fol. 287, October, November and December.....
Manhattan. B. F. Lee, etc., fol. 288, October, November and December.....
Manhattan. Weil & Mayer, fol. 289, October, November and December.....

72 22
225 00
583 33
1,000 00
750 00
100 00
350 00
150 00
400 00
500 00
\$4,530 55

Law Department.

Manhattan. E. Kelly, Jr. (off).
Manhattan. Island Realty Company, fol. 321, October, November and December.....
Brooklyn. W. J. Belford, fol. 322, year 1908.....

\$700 00
60 00

\$760 00

Tenement House Department.

Manhattan. Island Realty Company, fol. 500, November and December, 1908.....
Manhattan. Island Realty Company, fol. 501, November and December, 1908.....
Manhattan. Island Realty Company, fol. 502, November and December, 1908.....
Brooklyn. C. R. James, etc., fol. 503, October, November and December.....
The Bronx. M. Haffen, fol. 504, October, November and December.....

\$1,666 67
83 36
833 28
2,077 75
769 80
\$5,430 86

County—Rents, 1908.	
New York.	Temple Court Company, fol. 982, November and December, 1908.....
New York.	Estate Eugene Kelly, fol. 99, November and December, 1908.....
New York.	Barclay Realty Company, fol. 100, November and December, 1908.....
New York.	Felix Isman, etc., fol. 104, November and December, 1908.....
Kings.....	Williamsburgh Trust Company, fol. 101, November 15 to December 31.....
Kings.....	John F. Croson, fol. 103, July 1 to December 31.....
New York.	S. Heinemann, etc., fol. 16, November and December, 1908....
New York.	Rev. Peter Farrell, fol. 19, November and December, 1908....
New York County balance.....	
Unpaid rents	
Deficit.....	
Kings County balance.....	
Payable	
Deficit.....	
Expired, but Probably Renewable.	
Courts.....	Geo. H. Parshall (Courts) (83-3), expired June 20, 1908; if renewed, estimated.....
Fire.....	Josephine Toepfer (Fire) (239-3), expired November 1, 1908; if renewed, estimated.....
Fire.....	Sea Side Hose and Engine Company (Fire) (256-3), expired September 1, 1908; if renewed, estimated.....
Fire.....	Atlantic Engine Company, No. 1 (Fire) (258-3), expired September 1, 1908; if renewed, estimated.....
Fire.....	M. E. Baldwin (Fire) (259-3), expired October 15, 1908; if renewed, estimated.....
Fire.....	Oceanus Hook and Ladder Company (Fire) (260-3), expired September 1, 1908; if renewed, estimated.....
Fire.....	Columbia Fire Department (Fire) (263-3), expired July 5, 1908; if renewed, estimated.....
Health.....	Dwight McDonald (Fire) (282-3), expired October 1, 1908; if renewed, estimated.....
Health.....	The Chemists' Club (Zalinkie) (290-3), expired July 1, 1908; if renewed, estimated.....
Police.....	N. G. Cooper (291-3), expired August 1, 1908; if renewed, estimated.....
Police.....	Estate F. Schmidt (343-3), expired May 1, 1908; if renewed, estimated.....
Police.....	Katharina Bauer (356-3), expired April 15, 1908; if renewed, estimated.....
Police.....	E. Willmann, etc. (Gaedeke) (367-3), expired September 1, 1908; if renewed, estimated.....
P. B., Ex...	M. Walter (387-3), expired May 1, 1908; if renewed, estimated.....
P. B., Ex...	G. E. Herold (401-3), expired June 8, 1908; if renewed, estimated.....
P. B., B....	Kings County Jeff. Association (411-3), expired February 5, 1908; if renewed, estimated.....
P. B., Q....	Mary Smithwick, executrix (419-3), expired July 1, 1908; if renewed, estimated.....
P. B., R....	Estate M. Fitzgerald (422-3), expired July 1, 1908; if renewed, estimated.....
P. B., B....	C. Krabbe (425-3), expired May 1, 1908; if renewed, estimated.....
D. S. C....	J. J. Gleason Company (443-3), expired May 1, 1908; if renewed, estimated.....
P. B., Q....	Estate W. H. J. Bodine (495-3), expired June 1, 1908; if renewed, estimated.....
D. S. C....	Rose Levere (526-3), expired May 1, 1908; if renewed, estimated.....
Fire.....	Authorized by Reserve Sinking Fund Commissioners.
P. B., Q....	J. F. McCarthy, No. 683 Leonard street, Brooklyn (September 23, 1908).....
B. & A. H...	H. J. Glasser, Myrtle avenue, near Harmon avenue, Queens (October 21).....
B. & A. H...	Students' Club, No. 129 Lexington avenue, Manhattan (October 21), no lease.....
B. & A. H...	M. M. Gilday, No. 230 East Twenty-seventh street, Manhattan (October 21), no lease.....
D. S. C....	William Oppenheim, Nos. 309, 311, 313 and 315 East One Hundred and Forty-sixth street, The Bronx (November 4).....
Recapitulation.	
Miscellaneous	
Charities	
Bellevue and Allied Hospitals.....	
Correction	
Street Cleaning	
Courts	
Fire	
Police	
Borough Presidents	
Finance	
Bridges	
Health	
Law	
Tenement House Department.....	
Total	\$128,088 02
Amount on hand.....	98,489 82
Net deficit	\$29,598 20
Estimated renewals, etc.....	8,137 34
Gross deficit	\$37,735 54
Deficit in New York County (Rents, 1908).....	
Deficit in Kings County (Rents, 1908).....	\$4,650 01
	950 00

Which was referred to the Committee on Finance.

MOTIONS, ORDINANCES AND RESOLUTIONS.

Alderman B. W. B. Brown asked and obtained unanimous consent to introduce the following:

No. 1437.

AN ORDINANCE regulating the sale of milk in The City of New York.

Be it Ordained by the Board of Aldermen of The City of New York as follows: Section 1. On and after the first day of January, 1909, no milk or cream shall be sold at retail, or offered for sale at retail, in The City of New York, except as hereinafter provided, unless it comes from herds certified as free from tuberculosis and unless the milk or cream has been certified by the Department of Health as containing not more than 500,000 bacteria to the cubic centimeter.

Sec. 2. All milk and cream not from certified herds, or not conforming to the said bacterial standard, shall be pasteurized by exposure for at least twenty minutes to a temperature of 167 degrees Fahrenheit, or by exposure for at least thirty minutes to a temperature of 158 degrees Fahrenheit, under the supervision of the Department of Health, and sealed with a label showing said process, as hereinafter provided.

(a) Identification of Dairy—For the purpose of enforcing this ordinance, it shall be unlawful to ship milk or cream into this city except in closed cans or bottles on which the name and location of the dairy are distinctly marked, and it shall be unlawful to offer raw milk or cream for sale unless it is certified as hereinafter provided, and unless it is sold in bottles or from cans on which the name of the dairy is distinctly marked.

All milk pasteurized as aforesaid shall be placed in clean cans or bottles, each of which cans or bottles shall be stamped or sealed under the supervision of the Department of Health, in such a manner that said cans or bottles cannot be opened when once so sealed without breaking said seal.

(b) Certification of Herds—By certified herds shall be meant herds of which each and every cow and ox has been tested within six months with tuberculin and proved free from tuberculosis, and to which no cows or oxen have been added, except such as have been certified as free from tuberculosis after the application of the tuberculin test.

(c) Certification to be Filed—Certificates of such tuberculin tests, with the charts showing the reaction on each animal, shall be filed with the Department of Health by Inspectors who have made the tests, and upon the Board of Health approving the reports of the tests of any particular herd, the Department shall issue to the owner of said herd a certificate showing the freedom of his herd from tuberculosis. In lieu of the examination of any herd by the Inspectors of The New York City Department of Health, the said Board, in its discretion, may accept similar certification from the authorities of the State in which the dairy is located, provided that such certification is accompanied by the charts showing the application of the tuberculin test and the reaction in the case of each animal of the herd.

(d) Bacterial Standard—In order to enforce the bacterial standard of 500,000 bacteria to the cubic centimeter, it shall be the duty of the Department of Health to take samples in the City, at least once a month, of the milk and cream of each dairy shipping its product to the City for the retail trade, and said Department shall have bacterial examinations of said samples made at its laboratories.

(e) Order to Pasteurize—In case any sample of milk or cream from any dairy shows more than 500,000 bacteria to the cubic centimeter, or in case the herd of any dairy is not certified as free from tuberculosis, the Board of Health shall at once forbid the sale of milk or cream from that dairy, unless it is pasteurized as required by this ordinance.

(f) Certification of Milk—When the herd of any particular dairy has been certified as free from tuberculosis, and when the milk and cream of said herd, as offered for sale in this city, has been found to contain less than 500,000 bacteria to the cubic centimeter, on examination of at least three samples taken from three different cans or bottles, the Department of Health may certify said milk and cream and allow it to be sold raw for the space of one month under a label showing the certification of the Department. Such certification may be renewed from month to month, provided at least three bacterial examinations of the milk and cream of said dairy show the maintenance of the degree of purity set by the bacterial standard hereby established, and provided, further, that the herd has been certified as free from tuberculosis within six months of the issuance of the certification.

(g) Purity Not to be Presumed—No milk or cream shall be presumed to come within the required bacterial standard unless three samples, taken from different cans or bottles, within the city, within the month, shall show counts of less than 500,000 bacteria to the cubic centimeter.

(h) Milk Commission Certification—It is provided, further, that this ordinance shall not be construed to forbid the Department of Health to authorize the sale of raw milk or cream that has been certified by the Milk Commission of the County Medical Society as coming from herds free from tuberculosis, and as having not more than 30,000 bacteria to the cubic centimeter.

(i) No Restriction of Health Board's Power—Nothing in this ordinance shall be construed to limit or abridge the power of the Board of Health to revoke permits for the sale of milk and cream because of unsanitary conditions in dairies or creameries, or milk shops, or for any other cause that may make the sale of any particular milk or cream a menace to the public health.

Sec. 3. Penalties—For any violation of this ordinance the permit of the offender may be temporarily revoked, and for a second offense such offender's permit shall be revoked and he shall also be liable to punishment as for a misdemeanor.

Sec. 4. Repealer—All ordinances or parts of ordinances inconsistent or conflicting with the foregoing provisions are hereby repealed.

Which was referred to the Committee on Laws and Legislation.

REPORTS OF STANDING COMMITTEES.

Report of Committee on Salaries and Offices—

No. 1389.

The Committee on Salaries and Offices, to which was referred, on November 24, 1908 (Minutes, page 1391), the annexed resolution in favor of appointing Charles U. Powell and George Y. Skinner City Surveyors, respectfully

REPORTS:

That these applicants having furnished the customary letters certifying to their character and capability, the Committee recommends that the said resolution be adopted.

Resolved, That Charles U. Powell and George Y. Skinner, of Flushing, L. I., in the Borough of Queens, be and they are hereby appointed City Surveyors.

R. S. DOULL, W. P. SANDIFORD, SAMUEL MARX, EDW. V. HANDY, T. P. SULLIVAN, MICHAEL STAPLETON, Committee on Salaries and Offices.

The President put the question whether the Board would agree to accept such report and adopt said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Baldwin, Barton, Bent, Beyer, B. W. B. Brown, Carter, Case, Cole, Coleman, Colgan, Davis, Doull, Dowling, Downing, Drescher, Finnigan, Flanagan, Flynn, Gaynor, Gunther, Handy, Hickey, Hochdorffer, Johnson, Kavanagh, Kenneally, Kenney, Martyn, Marx, McAleer, Moskowitz, Muhlauer, Mulcahy, Mulligan, Nagle, O'Reilly, Potter, Smith, Stormont, Velten, Walsh, Wentz—42.

GENERAL ORDERS.

Alderman Kavanagh called up General Order No. 80, being a report and resolution, as follows:

No. 917—(G. O. No. 80).

The Committee on Public Letting, to which was referred on June 23, 1908 (Minutes, page 747), the annexed resolution in favor of authorizing the Commissioner of Public Charities to purchase patent davits for new steamboat at a cost not to exceed \$1,630, without public letting, respectfully

REPORTS:

That, having examined the subject, it believes the proposed improvement to be necessary, owing to the limited force used to man this vessel and the large passenger list it always carries. These davits are approved and used by the United States Government.

The Committee recommends that the annexed resolution be adopted.

Resolved, That, in pursuance of the provisions of section 419 of the Greater New York Charter, the Commissioner of Public Charities be and he is hereby authorized

and empowered to contract for and purchase in the open market, without public letting, four sets of Welin Quadrant davits for the new steamboat "The Lowell," at a cost not to exceed one thousand six hundred and thirty dollars (\$1,630).

FRANK L. DOWLING, MAX S. LEVINE, JACOB J. VELTEN, FREDERICK C. HOCHDORFFER, G. A. COLGAN, ROBERT F. DOWNING, Committee on Public Letting.

The President put the question whether the Board would agree to accept such report and adopt said resolution.

Which was decided in the negative by the following vote, three-fourths of all the members elected failing to vote in favor thereof.

Affirmative—Aldermen Baldwin, Barton, Bent, Beyer, B. W. B. Brown, J. W. Brown, Carter, Case, Cole, Coleman, Colgan, Collins, Corbett, Crowley, Davis, Delaney, Diemer, Doull, Dowling, Downing, Drescher, Emener, Esterbrook, Finnigan, Flanagan, Flynn, Gaynor, Goldschmidt, Grimm, Gunther, Handy, Heffernan, Hickey, Hines, Hochdorffer, Hogan, Johnson, Kavanagh, Kenneally, Kenney, Levine, Linde, Loos, Martyn, Marx, McAleer, McCann, McDonald, Morrison, Moskowitz, Muhlbauer, Mulcahy, Mulligan, Mulvaney, Murphy, Nagle, Nugent, O'Reilly, Potter, Quinn, Reardon, Redmond, Rendt, Sandiford, Schloss, Schneider, Smith, Stapleton, Stormont, Veltten, Walsh, Wentz; Presidents Cromwell, Gresser, Haffen, Coler, Ahearn, the Vice-Chairman; the President.

On motion of Alderman Kavanagh, the above vote was reconsidered and the paper was restored to its place on the list of General Orders.

MOTIONS, ORDINANCES AND RESOLUTIONS RESUMED.

No. 1438.

By the President—

[For which see CITY RECORD of December 11, 1908.]

The President put the question whether the Board would agree with said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Baldwin, Barton, Bent, J. W. Brown, Carter, Case, Colgan, Davis, Diemer, Doull, Dowling, Downing, Drescher, Emener, Finnigan, Flanagan, Flynn, Gaynor, Goldschmidt, Gunther, Hickey, Hochdorffer, Hogan, Kavanagh, Kenneally, Kenney, Levine, Loos, McAleer, McCann, Moskowitz, Muhlbauer, Mulcahy, Mulligan, Nagle, O'Reilly, Potter, Redmond, Rendt, Schloss, Schneider, Stapleton, Veltten, Walsh and Wentz—45.

No. 1439.

By Alderman Walsh—

Resolved, That the following papers now in the Committee on Bridges and Tunnels be placed on file:

No. 1052. Protest of United Irish-American Societies against changing name of Blackwells Island Bridge. Page 239, Minutes of September 22, 1908.

No. 1053. Petition in favor of changing name of Blackwells Island Bridge to Queensboro Bridge. Page 230, Minutes of September 22, 1908.

Which was adopted.

No. 1440.

By the same—

Resolved, That the following paper, now in the Committee on Public Education, be placed on file:

No. 211. Resolution requesting the Board of Education to place truant officers at theatres to deter children from frequenting such places instead of attending school. Page 994, Minutes of February 11, 1908.

Which was adopted.

No. 1441.

By Alderman Schneider—

Resolved, That permission be and the same is hereby given to James Allegra to erect, place and keep two storm doors in front of the premises, No. 466 East Thirteenth street, in the Borough of Manhattan, provided the said storm doors shall be erected so as to conform in all respects with the ordinance in such case made and provided, not be used for advertising purposes; the work to be done at his own expense, under the direction of the President of the Borough. Such permission to continue only during the pleasure of the Board of Aldermen.

Which was adopted.

No. 1442.

By Alderman Reardon—

Resolved, That permission be and the same is hereby given to John J. O'Reilly, with the consent of the occupant of the ground floor, to erect, place and keep a booth within the stoop line in front of the premises No. 1561 Second avenue, in the Borough of Manhattan, provided the said booth shall be erected so as to conform in all respects with the ordinance in such case made and provided, not be used for advertising purposes; the work to be done at his own expense, under the direction of the President of the Borough; such permission to continue only during the pleasure of the Board of Aldermen.

Which was adopted.

No. 1443.

By Alderman Redmond—

AN ORDINANCE to amend section 430 of Part I of the Code of Ordinances of the City of New York, relating to the "Discharge of Firearms."

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

Section I. Section 430 of Part I of the Code of Ordinances of The City of New York, relating to the discharge of firearms, as amended, is hereby further amended by adding at the end thereof the words "the grounds of the Parkway Driving Club, located at Ocean parkway and Kings highway, in the Borough of Brooklyn."

Sec. 2. This ordinance shall take effect immediately.

Note—New matter in *italics*.

Which was referred to the Committee on Laws and Legislation.

No. 1444.

By Alderman Nagle—

Resolved, That the following papers, now in the Committee on Railroads, be placed on file:

No. 46. Communication from the Public Service Commission informing the Board of Aldermen that certain improvements recommended by the last Board will be carried out. Page 113, Minutes of January 14, 1908.

No. 397. Resolution to investigate certain specified encroachments by the New York Central and Hudson River Railroad. Page 1218, Minutes of March 18, 1908.

No. 422. Resolution recommending prompt action on subway contracts to measurably relieve existing distress among laborers. Page 1225, Minutes of March 18, 1908.

No. 638. Resolution directing use of proper fenders for all cars. Page 176, Minutes of April 21, 1908.

No. 759. Copy of request of the Central Federated Union to Board of Estimate and Apportionment to forfeit franchise of New York and Portchester Railroad. Page 332, Minutes of May 19, 1908.

No. 1128. Resolution to request the Public Service Commission to remedy conditions of track at Eleventh avenue, Manhattan. Page 313, Minutes of September 29, 1908.

No. 1204. Petition of the Eleventh Avenue Track Removal Association. Page 47, Minutes of October 13, 1908.

Which was adopted.

No. 1445.

By Alderman Moskowitz—

Resolved, That the following papers now in the Committee on Public Health be placed on file:

No. 762. Reply from Department of Health to complaint about illegal combustion of soft coal. Page 334, Minutes of May 19, 1908.

No. 1051. Complaint by Mrs. White of noises. Page 238, Minutes of September 22, 1908.

No. 1127. Petition from the Brooklyn League relative to noises. Page 312, Minutes of September 29, 1908.

Which was adopted.

No. 1446.

By Alderman Martyn—

Resolved, That it is recommended to the Commissioner of Water Supply, Gas and Electricity that an electric light be located and maintained on the corner of East Fifty-fifth street and Linden avenue, in the Borough of Brooklyn.

Which was adopted.

No. 1447.

By Alderman Levine—

Resolved, That the Board of Estimate and Apportionment be and it is hereby respectfully requested to fix the salary of the position of Captain of Attendants in the Court of General Sessions of the Peace of The City of New York (five parts), at the rate of two thousand dollars (\$2,000) per annum, this request being predicated upon the reasons that the salary now paid is insufficient for the services rendered and that officers in courts of like jurisdiction in other parts of the City receive the amount herein requested; and further, that this request, if adopted, will bring about an equalization of salaries for like services rendered.

Which was referred to the Committee on Salaries and Offices.

No. 1448.

By the same—

Resolved, That permission be and the same is hereby given to the Mirer Young Men's Benevolent Education Society to drive an advertising automobile through the streets and thoroughfares of the Borough of Manhattan under the supervision of the Police Department. Such permission to continue only up to and including Saturday evening, December 19, 1908.

Which was adopted.

No. 1449.

By Alderman Kavanagh—

Resolved, That permission be and the same is hereby given to Alexander Velleman, proprietor of the Alaska Fur Shop, to drive an advertising automobile through the streets and thoroughfares of the Borough of Manhattan under the supervision of the Police Department. Such permission to continue only for the period of thirty days from the receipt hereof from his Honor the Mayor.

Which was adopted.

No. 1450.

By Alderman Gaynor—

Resolved, That permission be and the same is hereby given to the "Bunco in Arizona" Company to parade with music, men and horses, through the streets and thoroughfares of the Eastern District of the Borough of Brooklyn under the supervision of the Police Department. Such permission to continue only for the period of ten days from the receipt hereof from his Honor the Mayor.

Which was adopted.

No. 1451.

By Alderman Flynn—

Resolved, That permission be and the same is hereby given to the United Confectioner's Supply Company to erect, place and keep an awning over the sidewalk in front of their premises No. 561 Greenwich street, in the Borough of Manhattan, provided the said awning shall be erected so as to conform in all respects with the ordinance in such case made and provided, not be used for advertising purposes; the work to be done at their own expense, under the direction of the President of the Borough; such permission to continue only during the pleasure of the Board of Aldermen.

Which was adopted.

No. 1452.

By Alderman Dowling—

Resolved, That, pursuant to subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment is hereby requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of \$25,000 for the purpose of replenishing the appropriations for Bureau of Highways, Maintenance of Stone Block Pavements:

Salaries and wages.....	\$15,000 00
Hired teams, horses, carts, etc.....	10,000 00
	\$25,000 00

—for the year 1908.

Which was referred to the Committee on Finance.

No. 1453.

By the same—

City of New York,
Office of the President of the Borough of Manhattan,
City Hall, December 5, 1908.

Hon. PATRICK F. McGOWAN, President, Board of Aldermen:

Dear Sir—There is transmitted herewith for consideration of your Honorable Board a form of resolution to authorize the expenditure of surplus funds in the contract for maintaining asphalt pavements, 1908. The conditions of the contract prescribe a certain amount of work to be done in three districts designated as the Northern Section, Central Section and Southern Section, respectively.

The estimated amount of the Southern Section has now been reached, while there exists a surplus in the remaining two Sections. As there is considerable work which is urgent and necessary to be done in the Southern Section, permission is hereby requested to use sufficient funds therefor which will not be required in the two Sections mentioned. A similar request was made at the beginning of this year upon advice of the Corporation Counsel and which your Honorable Board adopted on March 24, 1908.

Very truly yours,

JOHN F. AHEARN, President.

Whereas, In compliance with the terms of a public advertisement inviting bids, three contracts were on May 16, 1908, awarded to the Uvalde Asphalt Paving Company for repairing and maintaining the asphalt pavement in three sections of the Borough of Manhattan, New York City, designated as the Northern Section, Central Section and Southern Section; and

Whereas, The quantities of the work to be done under the contracts in question were set forth in each contract, and in two of the contracts were found to be excessive, and one of the contracts inadequate; and

Whereas, The price set forth in each contract is the same, namely: For completed asphalt pavement, including binder course, per square yard, the sum of \$1.48; for Portland cement concrete foundation, per cubic yard, the sum of \$6.78; and

Whereas, It is deemed advisable to have the surplus moneys not used in the two sections before mentioned used in the third section at the same price which appears in all the contracts; now be it

Resolved, That pursuant to the provisions of section 419 of the Charter, the President of the Borough be and he is hereby authorized to contract without public letting for the repairs to the asphalt pavement at the before mentioned sum. The said expense to be payable from the appropriation 1908, President of the Borough of Manhattan, Bureau of Highways, Maintenance of Asphalt Pavements, including Fire Burns.

The work in question to be completed within the time originally set forth in the contracts mentioned.

Which was referred to the Committee on Public Letting.

No. 1454.

By Alderman Morrison—

Whereas, Question has arisen as to the employment of Tabulators and Clerks in the canvass of the votes of Kings County; therefore be it

Resolved, That a Committee of three members of this Board, none of whom shall be a member resident in the Borough of Brooklyn, shall be appointed by the President of the Board for the purpose of investigating the employment of clerical help in the canvass of the vote of Kings County by the members of the Board.

Which was referred to the Committee on Rules.

No. 1455.

By the same—

AN ORDINANCE to amend title 4 of chapter 13, Article 3 of Part I. of the Code of Ordinances of The City of New York, section 489, relating particularly to office hours.

Sec. 489. The office hours of all public offices in The City of New York, except as otherwise provided by law, shall be from 9 o'clock a. m. to five (4) p. m., except on Saturday when such office shall be closed at 12 o'clock noon, and the heads of all Departments, may, when public business requires it, keep said office open after 5 o'clock.

The office hours of the City Clerk and Clerk of the Board of Aldermen shall be from nine (10) o'clock a. m. until 4 o'clock p. m., except on Saturday, when the office hours shall be from nine (10) o'clock a. m. until 12 o'clock noon.

This ordinance shall take effect immediately.

New matter in italics; old matter in brackets to be omitted.

Which was referred to the Committee on Laws and Legislation.

No. 1456.

By Alderman Redmond—

Resolved, That the Board of Aldermen hereby joins in the findings of the Kings County Grand Jury respecting the Police situation and the maintenance of a Police headquarters in the Borough of Brooklyn, copy of which findings is herewith appended:

"Proposes to Deny Brooklyn Efficient Police Service.

"In our opinion the Police Commissioner of Greater New York intends to centralize Police powers at the Manhattan headquarters to the extent that the Borough of Brooklyn will be without an efficient Police service. We seriously question the wisdom of his action along this line. We believe that proper Police protection should not be sacrificed for the sake of economy.

"In our judgment—and after due deliberation, based upon personal observation and investigations—there is urgent need for a restoration of full Police powers at Brooklyn, in order to provide for an efficient Police service for the Borough's population of nearly a million and a half of people. We therefore recommend:

"First—That a Deputy Police Commissioner shall be placed in charge of Brooklyn Police Headquarters, who shall preside at all times over all Police matters affecting this Borough. He should have complete administrative powers and absolute jurisdiction, subject to review by the Police Commissioner.

"Second—That the premises on State street, at present leased and used as an alleged Police Headquarters, are inadequate and unfit for such purposes, and we recommend that provisions be promptly made for the purchase of a site and the erection of a suitable building for all purposes. This can be done in time for removal and before the present lease expires.

"Third—That a person charged with crime, and held for trial, shall not be photographed for Police purposes, nor shall the Bertillon system of measurement, etc., be applied at Police Headquarters until a conviction has been secured. Thus the discharged persons will not suffer an unwarranted humiliation, nor will the keeping of records annoy or hinder complete vindication of the accused.

"Fourth—That a room be set aside at Police Headquarters for newspaper reporters as heretofore. Such a room is provided at the County Court House. In this manner the publicity of Police work is encouraged, and the people of Brooklyn are advised of the Police situation at all times.

"Fifth—We recommend that a copy of this presentment be forwarded to his Honor the Mayor. Also that a copy of same be forwarded to the Charter Revision Committee.

Which was referred to the Committee on Police.

No. 1457.

By Alderman Drescher—

Resolved, That his Honor the Mayor be and he is hereby requested to return to this Board for further consideration Int. No. 1414, a resolution permitting the American News Company to erect two awnings in the Borough of Manhattan.

Which was adopted.

The paper was then received from his Honor the Mayor, and is as follows:

No. 1414.

Resolved, That permission be and the same is hereby given to the American News Company to erect, place and keep an awning within the stoop line in front of each of their premises, to wit: Nos. 9, 11, 13 and 15 Park place and Nos. 8, 10 and 12 Murray street, in the Borough of Manhattan, provided the said awnings shall be erected so as to conform in all respects with the ordinance in such case made and provided, not be used for advertising purposes; the work to be done at their own expense, under the direction of the President of the Borough; such permission to

On motion of Alderman Drescher the vote by which the above resolution was adopted was reconsidered, and the paper was placed on file. continue only during the pleasure of the Board of Aldermen.

No. 1458.

By the same—

Resolved, That permission be and the same is hereby given to the American News Company to erect, place and keep an awning over the sidewalk in front of each of their premises, to wit: Nos. 9, 11, 13 and 15 Park place, and Nos. 8, 10 and 12 Murray street, in the Borough of Manhattan, provided the said awnings shall be erected so as to conform in all respects with the ordinance in such case made and provided, not be used for advertising purposes; the work to be done at their own expense, under the direction of the President of the Borough. Such permission to continue only during the pleasure of the Board of Aldermen.

Which was adopted.

No. 1459.

By Alderman Crowley—

Resolved, That, pursuant to the provisions of chapter 715 of the Laws of 1892 and section 1586 of the Greater New York Charter, "Bronx Sentinel" (Democratic), whose place of publication is in the County of New York, be and the same is hereby designated as one of the two newspapers in which shall be published the Session Laws and Concurrent Resolutions of the Legislature of the State of New York for 1909, in said County of New York.

Which was adopted.

REPORTS OF STANDING COMMITTEES RESUMED.

Report of Committee on Streets, Highways and Sewers—

No. 1387.

The Committee on Streets, Highways and Sewers, to which was referred on November 24, 1908 (Minutes, page 1390), the annexed resolution in favor of changing the name of Silliman place, in the Borough of Brooklyn, to Ovington avenue, respectfully

REPORTS:

That, having examined the subject, they believe the proposed change of name to be desired by a large majority of property owners and occupants of premises on the thoroughfare named, and therefore recommends that the said resolution be adopted.

Resolved, That the name of Silliman place, from Second avenue to Third avenue, in the Borough of Brooklyn, be and the same is hereby changed to and shall hereafter be known as Ovington avenue, and the President of the Borough is hereby authorized to make the necessary changes on the maps and records of the Borough of Brooklyn and to renumber the buildings along said thoroughfare.

MICHAEL STAPLETON, JOS. D. KAVANAGH, WILLIAM DRESCHER, LEWIS M. POTTER, HERMAN W. BEYER, Committee on Streets and Highways.

The President put the question whether the Board would agree to accept such report and adopt said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Baldwin, Barton, Bent, Beyer, B. W. B. Brown, J. W. Brown, Carter, Case, Cole, Coleman, Colgan, Davis, Doull, Dowling, Drescher, Emener, Finnigan, Flanagan, Flynn, Gaynor, Goldschmidt, Hickey, Hines, Hochdorffer, Hogan, Johnson, Kavanagh, Kenneally, Kenney, Levine, Loos, Marx, McAleer, McCann, McDonald, Morrison, Moskowitz, Mulcahy, Mulligan, Nagle, Nugent, O'Reilly, Potter, Quinn, Reardon, Redmond, Rendt, Schloss, Smith, Stapleton, Velten, Walsh, Wentz, President Gresser, by A. A. Denton, Commissioner of Public Works; President Coler, by Thomas R. Farrell, Commissioner of Public Works; the Vice-Chairman and the President—63.

Kenney, Marx, McAleer, McCann, McDonald, Moskowitz, Mulcahy, Mulligan, Nagle, O'Reilly, Reardon, Redmond, Rendt, Schloss, Schneider, Smith, Stapleton, Velten, Walsh, Wentz; President Cromwell, President Coler, by Thomas R. Farrell, Commissioner of Public Works, and the Vice-Chairman—47.

GENERAL ORDERS RESUMED.

Alderman Kavanagh called up General Order No. 108, being a report and resolution, as follows:

No. 1373.

The Committee on Finance, to which was referred on November 24, 1908 (Minutes, page 827), the annexed resolution, in favor of requesting an issue of Special Revenue Bonds to replenish the appropriations of the Department of Water Supply, Gas and Electricity, respectfully

REPORTS:

That, having examined the subject, it finds that owing to emergent and unexpected causes additional help has been required to meet the needs of the public and a consequent deficiency has arisen in the funds needed to pay this very necessary help.

It therefore recommends that the accompanying substitute resolution be adopted, the original resolution as presented not conforming to the precedents established as to effective procedure.

(SUBSTITUTE.)

Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and it is hereby requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of thirteen thousand three hundred and thirty-three dollars and twelve cents (\$13,333.12), the proceeds whereof to be used by the Commissioner of the Department of Water Supply, Gas and Electricity for the purpose of replenishing the appropriations for the Department.

(ORIGINAL.)

Resolved, That the Board of Estimate and Apportionment be and is hereby requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of thirteen thousand three hundred and thirty-three dollars and twelve cents (\$13,333.12), to replenish the appropriations of the Department of Water Supply, Gas and Electricity.

T. P. SULLIVAN, R. S. DOULL, FRANK L. DOWLING, JAMES W. REDMOND, JOHN J. COLLINS, A. H. MURPHY, WM. P. KENNEALLY, Committee on Finance.

The President put the question whether the Board would agree to accept such report and adopt said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Baldwin, Barton, Bent, Beyer, J. W. Brown, Carter, Case, Cole, Coleman, Colgan, Davis, Delaney, Doull, Dowling, Downing, Drescher, Emener, Finnigan, Flanagan, Flynn, Gaynor, Goldschmidt, Gunther, Handy, Hickey, Hines, Hochdorffer, Hogan, Johnson, Kavanagh, Kenneally, Kenney, Levine, Loos, Martyn, Marx, McAleer, McCann, McDonald, Moskowitz, Muhlbauer, Mulcahy, Mulligan, Nagle, Nugent, O'Reilly, Potter, Quinn, Reardon, Redmond, Schloss, Schneider, Smith, Stapleton, Velten, Walsh, Wentz, President Gresser, by A. A. Denton, Commissioner of Public Works; President Coler, by Thomas R. Farrell, Commissioner of Public Works; the Vice-Chairman and the President—61.

Alderman Kenneally called up General Order No. 107, being a report and resolution, as follows:

No. 1328.

The Committee on Finance, to which was referred on November 17, 1908 (Minutes, page 774), the annexed resolution in favor of an issue of Special Revenue Bonds in the sum of \$7,500, to replenish appropriation of Board of City Record, respectfully

REPORTS:

That Supervisor Tracy appeared before the Committee and stated that this anticipated deficiency was caused by unforeseen and emergent printing, which had to be done to properly carry on the business of the City, and could not be estimated at the time the yearly allowance was asked for.

The Committee therefore recommends that the said resolution be adopted.

Resolved, That, in pursuance of the provisions of subdivision 8, section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and hereby is requested to authorize the Comptroller to issue Special Revenue Bonds in the sum of seven thousand five hundred dollars (\$7,500), to replenish the appropriation of the Board of City Record account "Board of City Record—For City Departments, Bureaus and Courts, Stationery, including Letter or Writing Paper or Envelopes, with Printed Headings or Endorsements," for the remainder of the year 1908.

T. P. SULLIVAN, R. S. DOULL, JOHN DIEMER, WM. P. KENNEALLY, JAMES W. REDMOND, JOHN J. COLLINS, JOHN D. GUNTHNER, FRANK L. DOWLING, Committee on Finance.

The President put the question whether the Board would agree to accept such report and adopt said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Baldwin, Barton, Bent, Beyer, B. W. B. Brown, J. W. Brown, Carter, Case, Cole, Colgan, Davis, Delaney, Doull, Dowling, Downing, Drescher, Emener, Esterbrook, Finnigan, Flanagan, Flynn, Gaynor, Goldschmidt, Grimm, Gunther, Handy, Hickey, Hines, Hochdorffer, Hogan, Johnson, Kavanagh, Kenneally, Kenney, Levine, Loos, Marx, McAleer, McCann, McDonald, Morrison, Moskowitz, Mulcahy, Mulligan, Nagle, Nugent, O'Reilly, Potter, Quinn, Reardon, Redmond, Rendt, Schloss, Smith, Stapleton, Velten, Walsh, Wentz, President Gresser, by A. A. Denton, Commissioner of Public Works; President Coler, by Thomas R. Farrell, Commissioner of Public Works; the Vice-Chairman and the President—63.

Alderman Kenneally called up General Order No. 102, being a report and resolution, as follows:

No. 1270.

The Committee on Finance, to which was referred on October 27, 1908 (Minutes, page 155), the annexed resolution in favor of an issue of \$130,109 Special Revenue Bonds to meet deficiencies, Department of Street Cleaning, respectfully

REPORTS:

That, having examined the subject, it believes the proposed equipment to be necessary in order to perform the work of the Department in an efficient manner. The annexed statement of the Commissioner of Street Cleaning gives the detail of equipment needed, and the date when it was last replenished. The Committee recommends that the said resolution be adopted.

Resolved, That in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and it is hereby requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of one hundred and thirty thousand, one hundred and nine dollars (\$130,109), the proceeds whereof to be used by the Commissioner of Street Cleaning for the purpose of replenishing such supplies and articles as have become worn out, etc., in the service of his Department.

T. P. SULLIVAN, R. S. DOULL, WM. P. KENNEALLY, FRANK L. DOWLING, JOHN DIEMER, JOHN D. GUNTHNER, JOHN J. COLLINS, JAMES W. REDMOND, Committee on Finance.

Department of Street Cleaning,
Nos. 13 to 21 Park Row, New York,
October 27, 1908.

Hon. PATRICK F. McGOWAN, President of the Board of Aldermen, City of New York:

Dear Sir—I respectfully submit herewith an itemized account of the number and kinds of various supplies which I am advised it will be necessary to purchase at once by means of an issue of Special Revenue Bonds for the purpose of replenishing such supplies and articles as have become worn out, etc., in the service:

Borough of Manhattan.		
1,000 quarter woolen-lined blankets, at \$3.50 each.....	\$3,500 00	
800 horse pipe collars, at \$4 each.....	3,200 00	
250 draught horses, at \$325 each.....	81,250 00	
250 sets of cart harness, at \$22 each.....	5,500 00	
		\$93,450 00
Borough of Brooklyn.		
250 quarter blankets, at \$3.50 each.....	\$875 00	
125 horse pipe collars, at \$4 each.....	500 00	
50 draught horses, at \$325 each.....	16,250 00	
26 sets cart harness, at \$22 per set.....	572 00	
		18,197 00
Borough of The Bronx.		
200 horse pipe collars, at \$4 each.....	\$800 00	
50 sets of cart harness, at \$22 per set.....	1,100 00	
6 sets double truck harness, at \$52.....	312 00	
50 draught horses, at \$325 each.....	16,250 00	
		18,462 00
		\$130,109 00

In explanation of this request I desire to call your attention to the fact that no authorization has been requested since May, 1905, for the above supplies. In making out the Budget one year ago for the current year of 1908 the above supplies were included, being a portion of a much larger list included in the Budget for that year, to the total amount of \$365,661.10, at the request of the Budget Committee. They were not allowed, however, by the Honorable Board of Estimate and Apportionment.

On April 2, 1908, a communication was addressed by me to the Board of Estimate and Apportionment, requesting authorization to purchase said supplies.

No such authorization has been granted, for the reason, as I am now informed, that the Corporation Counsel has rendered an opinion addressed to the Honorable Comptroller, to the effect that articles and supplies intended for current use should be purchased not from the proceeds of Corporate Stock, but from appropriations made through the Budget.

In the new Budget which has recently been submitted by this Department items required for the coming year are included, but the Department is at present at a great disadvantage because of not having sufficient supplies with which to meet the present demands, and I deem it my duty to call attention to the fact that serious trouble may result unless they are speedily provided.

The number of horses in the Department has been greatly depleted by natural causes to a point far below a prudent and economical limit, as a result of which it is impossible to properly perform the work; and also the average life of the horses is greatly reduced and the expense correspondingly increased.

Respectfully,
FOSTER CROWELL, Commissioner.

The President put the question whether the Board would agree to accept such report and adopt said resolution.

Which was decided in the affirmative by the following vote:

Affirmative—Aldermen Baldwin, Bent, Beyer, B. W. B. Brown, J. W. Brown, Case, Coleman, Colgan, Davis, Delaney, Diemer, Doull, Dowling, Drescher, Emener, Finnigan, Flynn, Gaynor, Goldschmidt, Grimm, Gunther, Handy, Hickey, Hines, Hochdorffer, Hogan, Johnson, Kavanagh, Kenneally, Kerney, Levine, Loos, Martyn, McAleer, McCann, McDonald, Moskowitz, Muhlbauer, Mulcahy, Mulligan, Nagle, Nugent, O'Reilly, Potter, Quinn, Reardon, Redmond, Rendt, Schloss, Schneider, Smith, Stapleton, Stormont, Velten, Walsh, Wentz; President Gresser, by A. A. Denton, Commissioner of Public Works; President Haffen, President Ahearn, the Vice-Chairman and the President—61.

Alderman Doull called up General Order No. 103, being a report and resolution, as follows:

No. 1276—(G. O. No. 103).

The Committee on Finance, to which was referred on October 27, 1908 (Minutes, page 181), the annexed resolution in favor of an issue of \$10,000 Special Revenue Bonds for celebration of Lincoln Centenary, respectfully

REPORTS:

That having examined the subject, it believes the proposed issue to be necessary in order to make preparations for this anniversary, and it therefore recommends that the said resolution be adopted.

Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and hereby is requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of ten thousand dollars (\$10,000), or as much thereof as may be necessary, the proceeds whereof to be applied by his Honor the Mayor, and such Committee of the Board of Aldermen as may be appointed in the premises, to meet the expenses contingent to the celebration by The City of New York in honor of the one hundredth anniversary of the birth of Abraham Lincoln.

T. P. SULLIVAN, R. S. DOULL, WM. P. KENNEALLY, FRANK L. DOWLING, JOHN DIEMER, JOHN D. GUNTHNER, JOHN J. COLLINS, JAMES W. REDMOND, Committee on Finance.

Alderman Doull moved that the resolution be amended by striking therefrom the words and figures "ten thousand dollars (\$10,000)," and inserting in lieu thereof the words and figures "twenty-five thousand dollars (\$25,000)."

Which motion was adopted.

The President then put the question whether the Board would agree to accept such report and adopt said resolution as amended.

Which was decided in the negative by the following vote, four-fifths of all the members elected failing to vote in favor thereof:

Affirmative—Aldermen Baldwin, Beyer, B. W. B. Brown, J. W. Brown, Case, Crowley, Davis, Delaney, Drescher, Emener, Esterbrook, Finnigan, Grimm, Hickey, Hochdorffer, Johnson, Kavanagh, Kenneally, Martyn, McAleer, McCann, Morrison, Reardon, Redmond, Rendt, Schneider, Stormont, Velten, Walsh and President Gresser, by A. A. Denton, Commissioner of Public Works—31.

Negative—Alderman Kenneally—1.

On motion of Alderman Doull the above vote was reconsidered, and the paper was restored to its place on the list of General Orders.

MOTIONS, ORDINANCES AND RESOLUTIONS AGAIN RESUMED.

Alderman Dowling moved that the Board do now adjourn.

The President put the question whether the Board would agree with said motion.

Which was decided in the affirmative.

And the President declared that the Board stood adjourned until Tuesday, December 15, 1908, at 1.30 o'clock p. m.

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

POLICE DEPARTMENT.

November 24, 1908.

The following proceedings were this day directed by the Police Commissioner: On reading and filing eligible list of the Municipal Civil Service Commission, dated November 19, 1908.

Ordered, That William J. Connell, No. 420 East Eightieth street, Manhattan, whose name appears on such eligible list, be and is hereby employed as Oiler in the Police Department of The City of New York, with compensation at the rate of \$780 per annum, for duty on the steam vessel "Patrol."

Ordered to Be Paid.

Contingent expenses of Police Headquarters, etc., 1908, \$1,045.40.

Contingent expenses of Police Headquarters, etc., 1908, \$20.25.

Contingent expenses of Police Headquarters, etc., 1908, \$108.90.

Granted.

Permission to Samuel Bergoffen, Star Music Hall, No. 432 Third avenue, Manhattan, to withdraw application for concert license. Deposit of \$150 to be refunded.

Concert Licenses Granted.

Louis Baron, Atlantic Garden, No. 628 Broadway, Brooklyn, from November 19, 1908, to February 18, 1909; fee, \$150. No liquors.

Grand Union Vaudeville Company, Union Vaudeville House, No. 133 Eldridge street, Manhattan, from November 26, 1908, to February 25, 1909; fee, \$150. No liquors.

Masquerade Ball Permits Granted.

J. Popper, Borough Park Club Hall, Brooklyn, November 25; fee, \$10.

B. Knobloch, Stauch's Casino, Brooklyn, November 25; fee, \$10.

T. Million, Astoria Schuetzen Park, Queens, November 25; fee, \$10.

On File, Send Copy.

Reports of Lieutenant in command of Boiler Squad, dated November 20 and 21, 1908, relative to engineers' licenses granted. For publication in the CITY RECORD.

Special Order No. 302, issued this day, is hereby made part of the proceedings of the Police Commissioner.

Special Order No. 302.

The following member of the Force is hereby relieved and dismissed from the Police Force and Service and placed on the roll of the Police Pension Fund, and is awarded the following pension:

To take effect 12 midnight, November 24, 1908:

Lieutenant Edward P. Alcorn, One Hundred and Forty-seventh Precinct, on his own application, at \$1,000 per annum. Appointed November 14, 1883.

The following transfers and assignments are hereby ordered:

To take effect 8 p. m., November 25, 1908:

Lieutenant Thomas McDonald, One Hundred and Fifty-first Precinct, transferred to Brooklyn Borough Headquarters Squad, Borough Inspector's office, duty on motorcycle, in charge of all motor and bicycle men in the Borough of Brooklyn.

Sergeant John A. Wilson, from Two Hundred and Seventy-seventh Precinct to One Hundred and Forty-fifth Precinct.

Patrolman John A. Golden, from Twenty-first Precinct to Detective Bureau, Brooklyn, duty in photograph gallery.

The following temporary assignments are hereby ordered:

Acting Captain Samuel E. Price, Detective Bureau, The Bronx, assigned in charge of Detective Bureau, during absence of Inspector James McCafferty, on vacation, from 8 a. m., November 26, 1908.

Lieutenants—Charles G. Paulding, Harbor Precinct, assigned to command precinct, during absence of Acting Captain Fred J. Mott on vacation, from 8 a. m., December 3, 1908; Patrick J. Lane, Second Precinct, assigned to command precinct, during absence of Captain Edward Gallagher on vacation, for four days, from 12 noon, November 26, 1908; James M. Walsh, One Hundred and Eighty-second Precinct, assigned to command precinct, during absence of Captain Charles C. Wendell, for one day, from 2 a. m., November 25, 1908; Richard L. Jackson, Two Hundred and Eighty-third Precinct, assigned to Detective Bureau, Manhattan, duty in Sixth Branch, for thirty days, from 8 a. m., November 23, 1908.

Patrolmen—Hubert J. Callahan, Sixty-first Precinct, assigned to clerical duty in precinct, during absence of Patrolman Michael F. Walsh on vacation, from 8 a. m., November 25, 1908; John F. Baer and Thomas Sheehy, Twenty-ninth Precinct, assigned to Central Office Squad, for ten days, from 8 p. m., November 23, 1908; John S. Seery, One Hundred and Seventy-first Precinct; Cornelius Halligan, One Hundred and Fifty-fourth Precinct; Thomas S. Duffy, One Hundred and Sixtieth Precinct, and Edward S. Mooney, One Hundred and Sixty-first Precinct, assigned to Bureau of Electrical Service, duty as Operators in Brooklyn, for ten days, from 8 a. m., November 24, 1908; Otto D. Steinway, Two Hundred and Eighty-fifth Precinct, assigned to clerical duty in precinct, during absence of Patrolman Timothy J. Connell on vacation, from 12.01 a. m., December 6, 1908.

The following extensions of temporary assignments are hereby ordered:

Patrolmen—Dominick Pisapia, Eighth Precinct, and George J. Silva, Forty-third Precinct, to Detective Bureau, Manhattan, for thirty days, from 8 a. m., November 24, 1908; Edward Castano, Tent's Precinct, to Detective Bureau, Manhattan, for thirty days, from 8 a. m., November 25, 1908; Frank C. Boekell, Twenty-eighth Precinct, to Detective Bureau, Manhattan, duty in photograph gallery, for thirty days, from 8 a. m., November 27, 1908.

The following members of the Department are excused for eighteen hours, as indicated:

Surgeon Marvin R. Palmer, Fourteenth Surgical District, from 8 a. m., November 26, 1908.

Captains—John J. Farrell, Thirty-third Precinct, from 2 p. m., November 26, 1908, with permission to leave city; Cornelius Leary, Two Hundred and Ninety-second Precinct, from 6 p. m., November 23, 1908; Thomas W. Walsh, Forty-third Precinct, from 6 a. m., November 25, 1908, with permission to leave city; John J. Murtha, One Hundred and Fourth Precinct, from 8 a. m., November 26, 1908; Bernard J. Hayes, One Hundred and Forty-sixth Precinct, from 8 a. m., November 25, 1908.

The following leaves of absence are hereby granted with full pay:

Inspector James McCafferty, Detective Bureau, for three days, from 8 a. m., November 26, 1908, to be deducted from vacation.

Patrolmen—Henry L. Bliss, Thirty-sixth Precinct, for three days, from 12 noon, November 22, 1908; Denis Sullivan, Twenty-third Precinct, for three days, from 12 noon, November 21, 1908; Peter F. Murphy, Forty-third Precinct, for three days, from 12 noon, November 22, 1908; Henry Bauernschmidt, Nineteenth Precinct, for three days, from 12.01 a. m., November 22, 1908.

Matron Mary K. Browne, Twenty-sixth Precinct, for three days, from 12.01 a. m., November 24, 1908.

The following leave of absence is hereby granted without pay:

Patrolman Patrick A. Gibbons, Sixteenth Precinct, for three days, from 12 noon, November 25, 1908.

The following members of the Force having been tried on charges before a Deputy Commissioner, the following fines are hereby imposed:

Patrolmen—John J. Quigley, Detective Bureau, Brooklyn, made improper and misleading statements to citizen; conduct unbecoming an officer; five days. William J. Conroy, Detective Bureau, Brooklyn, made misleading and improper statements to citizen; conduct unbecoming an officer; three days.

The following members of the Force having been tried on charges before a Deputy Commissioner and found guilty, are hereby dismissed from the Police Force of The City of New York:

Patrolmen.

To take effect 4.30 p. m., November 23, 1908—Joseph P. Haugh, Thirty-fifth Precinct. Charges: Conduct unbecoming an officer; violation of Rules and Regulations; neglect of duty and committing a criminal offense.

To take effect 4.45 p. m., November 23, 1908—Nicholas Costello, Twenty-second Precinct. Charges: Neglect of duty.

The following Special Patrolmen are hereby appointed:

To take effect November 23, 1908—James F. Kennedy, for the Waldorf-Astoria Hotel Company, Fifth avenue and Thirty-fourth street, Manhattan.

To take effect November 24, 1908—William Thies, for New Assembly Hall, No. 261 Driggs avenue, Brooklyn.

The resignations of the following Special Patrolmen are hereby accepted, and they are reappointed to take effect as of date indicated:

November 23, 1908—John J. McLaren, for Louis Stauch, Newark House, Coney Island; Nicholas Blasius, Jr., for George Frenz, Jackson and Skillman avenues, Long Island City; Alfred Esterbrook, for Museum of the Brooklyn Institute of Arts and Sciences, Eastern parkway and Washington avenue, Brooklyn; James E. Dougherty, for City and Suburban Homes Company, No. 281 Fourth avenue, Manhattan; James Higgins, for American Exchange National Bank, No. 128 Broadway, Manhattan.

The resignation of the following Special Patrolman is hereby accepted:

Frederick Ulrich, employed by Rev. Alex. A. Holovitzky, No. 15 East Ninety-seventh street, Manhattan.

THEO. A. BINGHAM, Police Commissioner.

POLICE DEPARTMENT.

November 25, 1908.

The following proceedings were this day directed by the Police Commissioner: On reading and filing communication from the Municipal Civil Service Commission, dated November 14, 1908, authorizing the Police Commissioner to continue the employment of Nathaniel J. Whitehead as an advisory expert in the purchase of supplies for the Police Department for an additional period of six months, and also communication from the Municipal Civil Service Commission dated November 24, 1908, giving notice of approval of the State Civil Service Commission November 19, 1908, of such employment,

Ordered, That the employment of Nathaniel J. Whitehead as an advisory expert in the purchase of supplies for the Police Department, with compensation at the rate of \$2,000 per annum, be and is hereby continued for an additional period of six months from November 11, 1908.

On reading and filing communication from the Municipal Civil Service Commission, dated November 13, 1908, authorizing the Police Commissioner to continue the employment of Otto B. Arland as an expert in temporary charge of the Bureau of Electrical Service, for an additional period of six months, and also communication from the Municipal Civil Service Commission, dated November 24, 1908, giving notice of the approval of the State Civil Service Commission November 19, 1908, of such employment,

Ordered, That the employment of Otto B. Arland as an expert in temporary charge of the Bureau of Electrical Service, with compensation at the rate of \$3,000 per annum, be and is hereby continued for an additional period of six months, from November 13, 1908.

Granted.

Permission to Joseph A. Daly, Detective, Detective Bureau, Manhattan, to receive reward of \$40 from United States Navy for arrest of two deserters. With usual deduction.

Permission to Matthew Ward, Jr., Detective, Detective Bureau, Brooklyn, to receive reward of \$50 from United States Army for arrest of deserter. With usual deduction.

Masquerade Ball Permit Granted.

M. B. Laydon, Manhattan Casino, Manhattan, November 26; fee, \$25.

Masquerade Ball Permit Revoked.

M. B. Laydon, Massage Students, Manhattan Casino, on November 26, 1908. Deposit of \$25 to be refunded.

On File, Send Copy.

Reports of Lieutenant in command of Boiler Squad, dated November 23 and 24, 1908, relative to engineers' licenses granted. For publication in the CITY RECORD.

Special Order No. 303, issued this day, is hereby made part of the proceedings of the Police Commissioner.

Special Order No. 303.

The following transfers and assignments are hereby ordered:

To take effect 8 p. m., November 25, 1908:

Sergeant John T. Horrigan, from Sixteenth Precinct to Fifteenth Precinct.

To take effect 8 p. m., November 26, 1908:

Patrolmen—John C. Schmacke, Ninth Inspection District, remanded from duty in plain clothes and transferred to One Hundred and Sixty-eighth Precinct; Charles J. Battalora, Ninth Inspection District, remanded from duty in plain clothes and transferred to One Hundred and Fifty-eighth Precinct; Roger Donohue, Tenth Inspection District, transferred to Ninth Inspection District and assigned to duty in plain clothes; David Kuhne, Tenth Inspection District, transferred to Ninth Inspection District and assigned to duty in plain clothes; Andrew V. McDonald, Thirty-ninth Precinct, transferred to Tenth Inspection District and assigned to duty in plain clothes; John J. Quigley, from Detective Bureau, Brooklyn, to One Hundred and Forty-sixth Precinct.

To take effect 8 a. m., November 26, 1908:

Patrolmen—Louis J. Price, One Hundred and Fifty-third Precinct, transferred to Eleventh Inspection District and assigned to duty in plain clothes; Philip Hoerter, One Hundred and Sixty-fifth Precinct, transferred to Eleventh Inspection District and assigned to duty in plain clothes.

Joseph Phillips, One Hundred and Sixty-sixth Precinct, transferred to Eleventh Inspection District and assigned to duty in plain clothes.

To take effect 8 p. m., November 24, 1908:

Patrolman Thomas H. Waters, One Hundred and Sixty-seventh Precinct, assigned to mounted duty in precinct.

Transferred from precincts indicated to One Hundred and Sixty-seventh Precinct and assigned to mounted duty:

Patrolmen James Rice, One Hundred and Forty-ninth Precinct; Charles R. Herting, One Hundred and Forty-third Precinct; William H. Baker, One Hundred and Seventy-first Precinct; Matthew J. Tyrrell, One Hundred and Forty-ninth Precinct.

To take effect 8 p. m., November 26, 1908:

Probationary Doorman—Harry Ward, from Twenty-sixth Precinct to Sixth Precinct.

The following temporary assignments are hereby ordered:

Lieutenants—George Rengerman, Eighteenth Precinct, assigned to command precinct during absence of Captain James Kane, for one day, from 12.01 a. m., November 26, 1908; Michael J. Murphy, One Hundred and Forty-third Precinct, assigned to command precinct during absence of Captain Patrick Summers on vacation, from 12 noon, November 25, 1908; Frederick Wills, One Hundred and Sixtieth Precinct, assigned to command precinct during absence of Captain Robert E. Dooley, for one day, from 12 noon, November 26, 1908; John Carroll, Two Hundred and Seventy-fourth Precinct, assigned to command precinct during absence of Captain Thomas F. Darcy on vacation, from 12 noon, November 26, 1908.

Sergeant Patrick J. J. Dinan, Twenty-fifth Precinct, assigned as Acting Lieutenant in precinct during absence of Lieutenant George T. Green at Supreme Court, from 10.30 a. m., November 24, 1908.

Patrolmen—Edwin F. England, Traffic Precinct B, assigned to Detective Bureau, Manhattan, for thirty days, from 8 a. m., November 25, 1908; Edward L. Wardell, One Hundred and Forty-third Precinct, assigned to clerical duty in precinct during absence of Patrolman Andrew J. Glennon on vacation and leave, from 12.01 a. m., November 26, 1908.

Matron Rose Daly, Twenty-third Precinct, assigned to Twenty-sixth Precinct during absence of Matron Mary K. Browne, for three days, from 12 noon, November 24, 1908.

The following extensions of temporary assignments are hereby ordered:

Sergeant Michael J. Fitzgerald, One Hundred and Fourth Precinct, to Central Office Squad, duty in Second Deputy Commissioner's office, for ten days, from 12 noon, November 25, 1908.

Patrolmen—Martin J. Moore, Second Precinct, and William Ryan, Fourteenth Precinct, to Corporation Counsel's office, for five days, from 8 p. m., November 24, 1908; August J. C. Kram, Sixty-first Precinct, to Detective Bureau, Manhattan, for ten days, from 8 p. m., November 25, 1908; George F. Vette and Irving E. Schramm, One Hundred and Forty-fourth Precinct, to Eighth Inspection District, duty in plain clothes, for ten days, from 8 a. m., November 26, 1908.

The following temporary assignment is hereby discontinued:

Patrolman Edward E. Siegenthaler, One Hundred and Sixty-fourth Precinct, to Fourth Inspection District, from 8 p. m., November 26, 1908.

The following members of the Department are excused for eighteen hours as indicated:

Captains—Albert Ruthenberg, Two Hundred and Eighty-second Precinct, from 8 a. m., November 28, 1908; William Hogan, First Precinct, from 8 a. m., November 28, 1908; Frederick G. Carson, Thirty-sixth Precinct, from 12 noon, November 27, 1908; Michael Naughton, Seventy-ninth Precinct, from 8 a. m., November 26, 1908; William Cruise, One Hundred and Fifty-ninth Precinct, from 6 p. m., November 24, 1908, with permission to leave city; John Becker, One Hundred and Fifty-fifth Precinct, from 2 p. m., November 24, 1908.

The following leaves of absence are hereby granted with full pay:

Captains—James E. Hussey, One Hundred and Fifty-seventh Precinct, for one and one-half days, from 12 noon, November 25, 1908, with permission to leave city, balance of vacation; Edward Gallagher, Second Precinct, for four days, from 12 noon, November 26, 1908, balance of vacation; Patrick Summers, One Hundred and Forty-third Precinct, for eight days, from 12 noon, November 25, 1908, with permission to leave city, to be deducted from vacation; Thomas W. Walsh, Forty-third Precinct, for four days, from 12.01 a. m., November 26, 1908, balance of vacation.

Acting Captain Fred J. Mott, Harbor Precinct, for fifteen days (vacation), from 8 a. m., December 3, 1908.

Patrolmen—James Fallon, One Hundred and Forty-ninth Precinct, for two days, from 12 noon, November 22, 1908, with permission to leave city; John J. Evers, One Hundred and Fifty-first Precinct, for three days, from 12 noon, November 21, 1908; Peter T. Reehil, One Hundred and Sixty-first Precinct, for three days, from 12.01 a. m., November 23, 1908; Gustave J. Papp, One Hundred and Sixty-first Precinct, for three days, from 12.01 a. m., November 22, 1908.

The following leave of absence is hereby granted with half pay:

Patrolman Gustave M. Stark, One Hundred and Fifty-first Precinct, for one-half day, from 12.01 a. m., November 27, 1908.

The following leaves of absence are hereby granted without pay:

Patrolmen—Daniel Aherne, Traffic Precinct A, for one day, from 12.01 a. m., November 25, 1908; James A. Reynolds, Twenty-fifth Precinct, for seven days, from 12 noon, November 26, 1908; John M. Carey, Twenty-first Precinct, for one day, from 12 noon, November 24, 1908, with permission to leave city; William Carroll, One Hundred and Forty-seventh Precinct, for three days, from 12.01 a. m., November 27, 1908, with permission to leave city.

The following advancements to grades are hereby ordered:

Patrolmen.

To \$1,150 Grade, November 1, 1908—Henry Halblaud, Tenth Precinct; Pierce N. Poole, Thirteenth Precinct; Walter J. Byrne, Eighteenth Precinct; John Pryor, Twenty-fifth Precinct; John F. Collins, Twenty-sixth Precinct; William F. Sammon, Twenty-eighth Precinct; Albert E. Hazlitt, Thirty-fifth Precinct; Joseph R. Boylan, Thirty-sixth Precinct; Walter Fitzgerald, Forty-ninth Precinct; Henry Schluter, Forty-third Precinct; William A. Hagan, Sixty-third Precinct; George F. Vette, One Hundred and Forty-fourth Precinct; Benjamin J. Terry, One Hundred and Forty-sixth Precinct; Walter L. Grow, One Hundred and Fifty-seventh Precinct; Francis J. Connell, One Hundred and Sixty-fourth Precinct; Henry C. Patterson, One Hundred and Sixty-ninth Precinct; James P. Flynn, Two Hundred and Seventy-fourth Precinct; Henry E. McKinley, Detective Bureau, Brooklyn; Joseph Pribyl, Traffic Precinct A; James P. Meehan, Traffic Precinct B; James J. Sheehy, Traffic Precinct C; Richard L. Lombard, Harbor Precinct B; John O'Leary, Twelfth Precinct; Edward J. Hughes, Fourteenth Precinct; Jerome F. Sullivan, Twenty-second Precinct; Jeremiah McMahon, Twenty-sixth Precinct; William F. Lovett, Twenty-eighth Precinct; John A. O'Brien, Thirty-fifth Precinct; Richard J. Flynn, Thirty-fifth Precinct; George Jossberger, Thirty-ninth Precinct; Edward J. Hoffman, Forty-third Precinct; John Herlihy, Sixty-third Precinct; Samuel Kilpatrick, Seventy-fourth Precinct; Richard J. O'Neill, One Hundred and Forty-fifth Precinct; James J. Kelly, One Hundred and Fifty-fifth Precinct; William Clark, One Hundred and Fifty-eighth Precinct; Julius R. Uhlig, One Hundred and Sixty-eighth Precinct; Edward J. Dungate, One Hundred and Seventy-first Precinct; Irving Rafsky, Detective Bureau, Manhattan; Frederick W. Wenderburgh, Detective Bureau, Brooklyn; Jacob Kraft, Traffic Precinct C; Thomas F. A. Ward, Bureau of Electrical Supplies.

To \$1,150 Grade, November 6, 1908—William J. Roche, Second Precinct; Herman C. McManus, Eighth Precinct; Edward J. Sullivan, Fourteenth Precinct; Arthur Cruice, Fifteenth Precinct; Allan F. Lanigan, Twenty-sixth Precinct; Charles J. Spengenbach, Twenty-sixth Precinct; Harry Taylor, Thirty-ninth Precinct; John MacIntyre, Fiftieth Precinct; Anton N. Troll, Sixty-sixth Precinct; James W. Mackey, Eighty-first Precinct; Michael C. Lee, One Hundred and Forty-fourth Precinct; Charles J. Gormann, Two Hundred and Seventy-fourth Precinct; James J. Coyne, Two Hundred and Seventy-sixth Precinct; Frank J. Lisante, Detective Bureau, Brooklyn.

To \$1,150 Grade, November 10, 1908—Edmund Mahoney, Ninth Precinct; John Ryan, One Hundred and Forty-fifth Precinct; Edward McCormack, One Hundred and Sixty-fifth Precinct.

To \$1,150 Grade—Denis J. Donovan, Thirteenth Precinct, August 2, 1908.

To \$1,250 Grade—James A. B. Hughes, Eighth Precinct, September 1, 1908.

To \$1,150 Grade—George W. Cook, Forty-third Precinct, November 3, 1908; Joseph T. Dermody, One Hundred and Forty-fifth Precinct, November 9, 1908; Michael Reilly, Ninth Precinct, November 12, 1908; John Ryan, One Hundred and Forty-third Precinct, November 12, 1908.

To \$1,000 Grade—Patrick Mangan, First Precinct, October 19, 1908.

The following member of the Force having been tried on charges before the Police Commissioner, the charges are hereby dismissed:

Surgeon, Henry G. Webster, Twenty-third Surgical District.

The following amendments are hereby ordered:

Special Order 302, current series, paragraph 2, to read Lieutenant John A. Wilson, from Two Hundred and Seventy-seventh Precinct to One Hundred and Forty-fifth Precinct.

Special Order 302, current series, paragraph 2, to read Patrolman John A. Golden, from Twenty-first Precinct to Detective Bureau, duty in photograph gallery, from 8 a. m., November 24, 1908.

Special Order 301, current series, to read Inspector James E. Dillon, Fifth Inspection District, four days, from 12.01 a. m., November 27, 1908, and eighteen hours, from 12.01 a. m., December 1, 1908. Assignment of Inspector Richard Walsh changed to correspond.

The resignations of the following Special Patrolmen are hereby accepted, and they are reappointed, to take effect as of date indicated:

November 24, 1908—John L. Krauch, for State Bank, No. 376 Grand street, Manhattan; Henry Metzler, for William Waldorf Astor, No. 21 West Twenty-sixth street, Manhattan; Leverett Barnes, for the Seaboard National Bank, No. 18 Broadway, Manhattan.

The resignations of the following Special Patrolmen are hereby accepted:

Fred S. Willert, employed by Holmes Electric Protective Company, No. 34 East Fourteenth street, Manhattan.

James P. Reilly, James Robertson, Eugene H. Cassidy, Matthew E. Castellanos, Dennis Gallagher, John H. McGinnis, James A. Coyne, William A. Dawkins, George F. McVeigh and Charles E. Currier, employed by the New York Taxicab Company, No. 40 West Sixty-second street, Manhattan.

THEO. A. BINGHAM, Police Commissioner.

POLICE DEPARTMENT.

December 8, 1908.

I transmit herewith for publication in the CITY RECORD the following list of deaths, retirements, etc., from November 30, to December 5, 1908:

December 1.

Death Reported—Patrolman Richard Hennig, Detective Bureau, Manhattan, at 5.40 p. m., November 29.

Employed as Patrolmen on Probation—James E. Connelly, William L. Worth, Frederick W. Wolfschlag, Peter Hoffman, Michael J. Hurley, Martin Downey, Joseph Kahn, Michael J. Burns, Jr., George P. Lang, George H. Plate, William Crowley, George W. Conners, Timothy Daly, Charles J. Hoffmann, Joseph J. Thorpe, John F. L. Dennis, Daniel A. Carroll, John J. O'Brien, Valentine O'Toole, George G. Ossmann, Joseph A. Metzler.

December 4.

Death Reported—Patrolman Edgar L. Bremen, Sixth Inspection District, at 12.45 a. m., December 3, 1908.

December 5.

Death Reported—Patrolman Charles Woods, One Hundred and Seventieth Precinct, at 9.50 p. m., December 4, 1908.

THEO. A. BINGHAM, Police Commissioner.

BOARD OF ESTIMATE AND APPORTIONMENT.

(FINANCIAL AND FRANCHISE MATTERS.)

MINUTES, MEETING, BOARD OF ESTIMATE AND APPORTIONMENT, CITY OF NEW YORK,
HELD IN ROOM 16, CITY HALL, ON FRIDAY, NOVEMBER 6, 1908.

The Board met in pursuance of an adjournment.

Present—George B. McClellan, Mayor; Herman A. Metz, Comptroller; Patrick F. McGowan, President of the Board of Aldermen; John F. Ahearn, President, Borough of Manhattan; Bird S. Coler, President, Borough of Brooklyn; Louis F. Haffen, President, Borough of The Bronx; Lawrence Gresser, President, Borough of Queens, and George Cromwell, President, Borough of Richmond.

The Mayor, Hon. George B. McClellan, presided.

After disposing of the Public Improvements Calendar, the following financial and franchise matters, not upon the Calendar for this day, were considered by unanimous consent:

FRANCHISE MATTERS.

New York and Queens County Railway Company.

In the matter of the petition of the New York and Queens County Railway Company for a franchise to construct, maintain and operate two extensions or branches to its existing street surface railway, one from the former Village of Flushing to the Village of Whitestone, and one from Ingleside to Bayside, Borough of Queens.

At the meeting of October 16, 1908, by resolution duly adopted, November 27, 1908, was fixed as the date for the final public hearing, and the form of contract was entered on the minutes of this Board, and ordered advertised in two daily newspapers and in the CITY RECORD previous to such date.

The Comptroller offered the following:

Resolved, That the resolutions adopted by this Board October 16, 1908, fixing November 27, 1908, as the date for final public hearing on the application of the New York and Queens County Railway Company for a franchise to construct, maintain and operate two extensions, in the Borough of Queens, be amended by striking therefrom the date "November 27, 1908," in each and every instance where said date appears in said resolutions, and inserting in lieu thereof in each and every instance the date "December 11, 1908."

Which was adopted by the following vote:

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

Third Avenue Railroad Company.

In the matter of the petition of the Third Avenue Railroad Company for a franchise to construct, maintain and operate a branch or extension to its existing line, upon and along Fort George and St. Nicholas avenues to West One Hundred and Ninetieth street, Borough of Manhattan.

At the meeting of June 26, 1908, a report was received from the Engineer in charge of the Division of Franchises to the Chief Engineer, together with a form of contract proposing terms and conditions to govern the grant, and at the conclusion of the public hearing, which was held on said day, the matter was referred to a Select Committee, consisting of the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan and The Bronx.

The Comptroller, as Chairman of the Select Committee, stated he had been visited by a representative of an institution holding property fronting on one of the streets proposed to be used by the railroad company, who strongly objected to such use, and he moved that the application be referred back to the Chief Engineer for further consultation with the applicant to obtain an acceptable line and agree upon terms and conditions to govern the grant.

Which motion was adopted by the following vote:

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

Union Railway Company of New York City.

In the matter of the application of the Union Railway Company of New York City for franchises to construct, maintain and operate street surface railways as extensions to its existing system, as follows:

(a) From the intersection of its existing system at Third and Pelham avenues, upon and along Pelham avenue to the Southern boulevard, Borough of The Bronx.

(b) From the intersection of Sedgwick avenue and Fordham road, Borough of The Bronx, to and across the University Heights Bridge and its approaches to Broadway, Borough of Manhattan.

At the meeting of October 30, 1908, a public hearing was had upon the aforesaid petition, and a report was received from the Engineer in charge of the Division of Franchises to the Chief Engineer, together with separate contracts proposing terms and conditions to govern the franchises for both extensions, when the matter was referred to a Select Committee.

The Secretary presented the following:

NEW YORK, November 2, 1908.

To the Board of Estimate and Apportionment:

GENTLEMEN—Your committee, to which was referred, on October 30, 1908, the application of the Union Railway Company of New York City for franchises to construct, maintain and operate street surface railways as extensions to its existing system upon, one, Pelham avenue, from Third avenue to Bronx Park, in the Borough of The Bronx, and, second, from Sedgwick avenue and Fordham road, in the Borough of The Bronx, to and across the University Heights Bridge to Broadway, in the Borough of Manhattan, would report as follows:

That, on Monday, November 2, 1908, the committee held a meeting, and after consideration of the report of the Division of Franchises, attached to which was a proposed form of contract, the terms of which had been accepted by the Receiver for the railway company, have decided that such terms and conditions are in the interests of the City and should be approved.

We therefore recommend that the Board tentatively approve the form of contract as presented, and forward the same to the Corporation Counsel for his approval as to form.

Respectfully,

H. A. METZ, Comptroller.

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

JOHN CLOUGHEN, Acting President, Borough of Manhattan.

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

The following was offered:

Whereas, The Union Railway Company of New York City, under date of July 28, 1908, made application to the Board of Estimate and Apportionment for a grant of the right, privilege and franchise to construct, maintain and operate a double track street surface railway as an extension to its existing system, from the intersection of Third and Pelham avenues, upon and along Pelham avenue to the Southern boulevard, in the Borough of The Bronx; and

Whereas, By resolution adopted October 2, 1908, the date for public hearing on the aforesaid petition was fixed as October 30, 1908, and the public hearing was duly held on such day; and

Whereas, An inquiry was conducted by the Chief Engineer of this Board, and a report, dated October 27, 1908, was presented to the Board at the meeting of October 30, 1908, when the matter was referred to a Select Committee consisting of the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan and The Bronx; and

Whereas, Said Select Committee has this day presented a report, stating the terms and conditions proposed in the form of contract submitted with the report from the Chief Engineer are in the interests of the City and should be approved; now therefore be it

Resolved, That this Board adopt the inquiry of the Chief Engineer as the inquiry of the Board, and tentatively approve the terms and conditions as proposed by the Chief Engineer in the form of contract presented to this Board on October 30, 1908; and be it further

Resolved, That the form of contract be referred to the Corporation Counsel for his approval as to form, and to incorporate therein such matter as he deems advisable to fully protect the interests of the City.

Which was adopted by the following vote:

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

The following was offered:

Whereas, The Union Railway Company of New York City, under date of July 28, 1908, made application to the Board of Estimate and Apportionment for a grant of the right, privilege and franchise to construct, maintain and operate a double track street surface railway as an extension to its existing system, from the intersection of Sedgwick avenue and Fordham road, Borough of The Bronx, to and across the University Heights Bridge and its approaches, to Broadway, Borough of Manhattan; and

Whereas, By resolution adopted October 2, 1908, the date for public hearing on the aforesaid petition was fixed as October 30, 1908, and the public hearing was duly held on such day; and

Whereas, An inquiry was conducted by the Chief Engineer of this Board, and a report, dated October 27, 1908, was presented to the Board at the meeting of October 30, 1908, when the matter was referred to a Select Committee consisting of the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan and The Bronx; and

Whereas, Said Select Committee has this day presented a report, stating the terms and conditions proposed in the form of contract submitted with the report from the Chief Engineer are in the interests of the City and should be approved; now therefore be it

Resolved, That this Board adopt the inquiry of the Chief Engineer as the inquiry of the Board, and tentatively approve the terms and conditions as proposed by the Chief Engineer in the form of contract presented to this Board on October 30, 1908; and be it further

Resolved, That the form of contract be referred to the Corporation Counsel for his approval as to form, and to incorporate therein such matter as he deems advisable to fully protect the interests of the City.

Which was adopted by the following vote:

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

Bronx Traction Company.

In the matter of the petition of the Bronx Traction Company for a franchise to construct, maintain and operate a street surface railway as an extension to its existing system from the intersection of Clasons Point road and Westchester avenue, upon and along Clasons Point road to Long Island Sound.

At the meeting of October 30, 1908, a public hearing was had upon the aforesaid petition, and a report was received from the Engineer in charge of the Division of Franchises to the Chief Engineer, together with form of contract proposing terms and conditions to govern the franchise, when the matter was referred to a Select Committee.

A communication was received from the Clason Point Taxpayers' Association recommending the franchise be granted as speedily as possible, with the proper safeguards for the City's and property owners' interests, and also free transfers.

The Secretary presented the following:

NEW YORK, November 2, 1908.

To the Board of Estimate and Apportionment:

GENTLEMEN—Your Committee, to which was referred, on October 30, 1908, the application of the Bronx Traction Company for a franchise to construct, maintain and operate a street surface railway as an extension to its existing system upon Clasons Point road, from Westchester avenue to Long Island Sound, in the Borough of The Bronx, would report as follows:

That on Monday, November 2, 1908, the Committee held a meeting, and after consideration of the report of the Division of Franchises, attached to which was a proposed form of contract, the terms of which had been accepted by the receiver for the railway company, have decided that such terms and conditions are in the interests of the City and should be approved.

We therefore recommend that the Board tentatively approve the form of contract as presented and forward the same to the Corporation Counsel for his approval as to form.

Respectfully,

H. A. METZ, Comptroller.

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

JOHN CLOUGHEN, Acting President, Borough of Manhattan.

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

The following was offered:

Whereas, The Bronx Traction Company, under date of July 28, 1908, made application to the Board of Estimate and Apportionment for a grant of the right, privilege and franchise to construct, maintain and operate a street surface railway, as an extension to its existing system, from the intersection of Clasons Point road and Westchester avenue, upon and along Clasons Point road to Long Island Sound, Borough of The Bronx; and

Whereas, By resolution adopted October 2, 1908, the date for public hearing on the aforesaid petition was fixed as October 30, 1908, and the public hearing was duly held on such day; and

Whereas, An inquiry was conducted by the Chief Engineer of this Board, and a report, dated October 27, 1908, was presented to the Board at the meeting of October 30, 1908, when the matter was referred to a Select Committee, consisting of the Comptroller, the President of the Board of Aldermen and the President of the Borough of The Bronx; and

Whereas, Said Select Committee has this day presented a report stating the terms and conditions proposed in the form of contract submitted with the report from the Chief Engineer are in the interests of the City and should be approved; now therefore be it

Resolved, That this Board adopt the inquiry of the Chief Engineer as the inquiry of the Board, and tentatively approve the terms and conditions as proposed by the Chief Engineer in the form of contract presented to this Board on October 30, 1908; and be it further

Resolved, That the form of contract be referred to the Corporation Counsel for his approval as to form, and to incorporate therein such matter as he deems advisable to fully protect the interests of the City.

Which was adopted by the following vote:

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

FINANCIAL MATTERS.

The following transfers of appropriations were made upon the recommendation of the Comptroller:

\$94,925, as requested by the Department of Health, from accounts within the appropriation made for 1908 to other accounts for the same year.

DEPARTMENT OF HEALTH,
CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE,
NEW YORK, October 16, 1908.

Hon. JOSEPH HAAG, Secretary, Board of Estimate and Apportionment, No. 280 Broadway:

SIR—At a meeting of the Board of Health of the Department of Health, held October 14, 1908, the following resolution was adopted:

Resolved, That the Board of Estimate and Apportionment be and is hereby requested to transfer the sum of forty-one thousand two hundred and twenty-five dollars (\$41,225) from the appropriation made to the Department of Health for the year 1908, entitled and as follows:

General Administration—

Supplies \$500 00
Contingencies 1,500 00

Telephones, Rental of:
The Bronx, including Riverside Hospital 500 00
Tuberculosis Sanatorium, Otisville 600 00

Borough Administration of Sanitation and Prevention of Contagious Diseases—

The Bronx:
Maintenance 300 00
Equipment 300 00

Brooklyn:
Maintenance 500 00
Equipment 400 00

Division of Communicable Diseases—
Equipment 1,500 00
Supplies 2,600 00

Laboratories—

Research Laboratory:
Maintenance 350 00
Equipment 100 00

Vaccine Laboratory:
Equipment 150 00

Chemical Laboratory:
Equipment 800 00
Supplies 300 00

Drug Laboratory:
Maintenance 200 00
Equipment 700 00

Hospitals—
Riverside:
Maintenance 700 00

Willard Parker and Reception:
Equipment 1,000 00
Supplies 2,000 00

Kingston Avenue:
Equipment 2,000 00
Supplies 10,000 00

Tuberculosis Sanatorium, Otisville:
Equipment 3,500 00
Supplies 3,000 00
Contingencies 2,000 00

Hospital Clinic for Contagious Eye Diseases—
Manhattan:
Equipment 200 00

Miscellaneous—
Support of Ambulance Service:
Queens 2,225 00

Abatement of Nuisances:
Brooklyn 1,000 00
Richmond 2,300 00

\$41,225 00

—the same being in excess of the amounts required for the purposes thereof, to the appropriations made to said Department for said year, entitled and as follows:

General Administration—
Maintenance \$350 00
Equipment 3,400 00

Telephones, Rental of:
Queens, including Hospital Service 450 00

Borough Administration of Sanitation and Prevention of Contagious Diseases—

Manhattan:
Supplies 500 00
Contingencies 5,500 00

The Bronx:
Supplies 500 00
Contingencies 100 00

Brooklyn:
Supplies 2,725 00
Contingencies 3,500 00

Borough Administration of Sanitation and Prevention of Contagious Diseases—

Queens:
Maintenance 350 00
Equipment 500 00
Supplies 650 00
Contingencies 1,000 00

Richmond:
Maintenance 1,100 00
Equipment 500 00
Supplies 400 00
Contingencies 700 00

Division of Communicable Diseases—
Maintenance 900 00
Contingencies 4,500 00

Laboratories—
Drug Laboratory:
Supplies 4,450 00

Hospitals—
Riverside:
Supplies 6,500 00

Hospital Clinic for Contagious Eye Diseases—
Manhattan:
Supplies 150 00

Tuberculosis Sanatorium, Otisville:
Maintenance 1,000 00

Miscellaneous—
Support of Ambulance Service:
Brooklyn 1,500 00

\$41,225 00

—the amount of said appropriations being insufficient.

A true copy.

EUGENE W. SCHEFFER, Secretary.

DEPARTMENT OF HEALTH,
CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE,
NEW YORK, October 16, 1908.

Hon. JOSEPH HAAG, Secretary, Board of Estimate and Apportionment, No. 280 Broadway:

SIR—At a meeting of the Board of Health of the Department of Health, held October 14, 1908, the following resolution was adopted:

Resolved, That the Board of Estimate and Apportionment be and is hereby requested to transfer the sum of fifty-three thousand seven hundred dollars (\$53,700) from the appropriations made to the Department of Health for the year 1908, entitled and as follows:

General Administration—

Salaries:
Office of Superintendent of Hospitals \$3,300 00
Office of Law Clerk 200 00

Borough Administration of Sanitation and Prevention of Contagious Diseases—

Manhattan:
Salaries:
Office of Assistant Sanitary Superintendent 2,200 00
Office of Assistant Registrar of Records 700 00

Division of Inspections:
Sanitary Inspection, i. e., Special Inspection, District Inspection, Mercantile House Inspection, Lodging House Inspection 4,400 00
Food, Fruit, Meat and Fish Inspection 1,500 00

Division of Medical Inspection (School and District):
Sanitary Police 500 00
3,000 00

The Bronx:
Salaries—Office of Assistant Chief Clerk 2,000 00

Brooklyn:
Salaries:
Office of Assistant Sanitary Superintendent 800 00
Office of Assistant Registrar of Records 800 00

Division of Inspections:
Food, Fruit, Meat and Fish Inspection 4,000 00
Sanitary Police 1,300 00

Queens:
Salaries:
Office of Assistant Chief Clerk 700 00

Division of Inspections:
Food, Fruit, Meat and Fish Inspection 200 00

Richmond:
Salaries—Office of Assistant Chief Clerk 2,000 00

Division of Communicable Diseases—

Salaries:
District Inspection, Medical Inspection, Tuberculosis Nurses: Manhattan 2,000 00

The Bronx 500 00
Brooklyn 700 00

Laboratories—
Chemical Laboratory—Salaries 400 00

Drug Laboratory—Salaries 2,200 00

Hospitals—
Hospital Clinic for Contagious Eye Diseases—Manhattan—Salaries 300 00

Kingston Avenue—Salaries 20,000 00

\$53,700 00

—the same being in excess of the amounts required for the purposes thereof, to the appropriations made to said Department for said year, entitled and as follows:

General Administration—

Salaries:
Office of the Commissioner \$5,300 00
Office of the Secretary 700 00
Office of the Chief Clerk 5,500 00
Office of Inspector of Construction and Repairs 375 00

Borough Administration of Sanitation and Prevention of Contagious Diseases—

Manhattan:
Salaries, Office of Assistant Chief Clerk 2,700 00

Division of Inspections:
Milk Inspection (all Boroughs) 4,000 00

The Bronx:
Salaries:
Office of Assistant Sanitary Superintendent 1,000 00
Office of Assistant Registrar of Records 275 00

Brooklyn:
Salaries:
Office of Assistant Chief Clerk 600 00

Division of Inspections:
Sanitary Inspection, Special Inspection, District Inspection, Mercantile House Inspection, Lodging House Inspection 5,500 00

Hospitals, Salaries—

Hospital Clinic for Contagious Eye Diseases, Manhattan.....	300 00
Kingston Avenue	20,000 00
	\$53,700 00

—the same being in excess of the amounts required for the purposes thereof, to the appropriations made to said Department for the year 1908, entitled and as follows:

General Administration, Salaries—

Office of the Commissioner.....	5,300 00
Office of the Secretary.....	700 00
Office of the Chief Clerk.....	5,500 00
Office of Inspector of Construction and Repairs.....	375 00

Borough Administration of Sanitation and Prevention of Contagious Diseases—

Manhattan—Salaries:	
Office of Assistant Chief Clerk.....	2,700 00
Division of Inspections, Milk Inspection (all Boroughs).....	4,000 00

The Bronx—Salaries:

Office of Assistant Sanitary Superintendent.....	1,000 00
Office of Assistant Registrar of Records.....	275 00

Brooklyn—Salaries:

Office of Assistant Chief Clerk.....	600 00
Division of Inspections—Sanitary Inspection, Special Inspection, District Inspection, Mercantile House Inspection, Lodging House Inspection,	5,500 00

Queens—Salaries:

Office of Assistant Sanitary Superintendent (including School and District Medical Inspection).....	700 00
Division of Inspections—Sanitary Inspection, Special Inspection, District Inspection, Mercantile House Inspection, Lodging House Inspection	1,500 00

Richmond—Salaries:

Office of Assistant Sanitary Superintendent (including School and District Medical Inspection)	4,200 00
Office of Assistant Registrar of Records.....	625 00
Division of Inspections—Sanitary Inspection.....	3,800 00
Sanitary Police	1,000 00

Division of Communicable Diseases, Salaries—

Clinics for Treatment of Communicable Pulmonary Diseases, Attending Physician and Nurses:	
Manhattan	375 00
The Bronx	375 00
Brooklyn	375 00

Hospitals, Salaries—

Willard Parker and Reception.....	5,000 00
Riverside	8,000 00
Tuberculosis Sanatorium, Otisville.....	1,800 00

	\$53,700 00
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—the amounts of said appropriations being insufficient.

Which was adopted by the following vote:

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

The Comptroller presented the following communication from the Commissioner of Street Cleaning submitting for approval specifications for the purchase of horseshoe pads for the use of said Department, together with a report thereon, recommending the approval of said specifications.

On October 30, 1908, this matter was referred to the Comptroller.

DEPARTMENT OF STREET CLEANING,
Nos. 13 to 21 PARK ROW,
October 14, 1908.

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

SIR—I submit herewith for approval by your Board, pursuant to section 1554 of the Greater New York Charter, a form of specification for the purchase of horseshoe pads for the use of this Department.

This is identically the same specification as was approved by your Board for this purpose under date of December 6, 1907, but, as I am advised by the Corporation Counsel, it must again be submitted to your Board before advertising a new contract with the said specification.

Respectfully,
FOSTER CROWELL, Commissioner.

SPECIFICATIONS FOR HORSESHOE PADS.

Each bidder shall submit, on or before making his bid, a sample of each of the pads of each of the sizes as herein specified, and if the samples be not furnished or do not conform to the specifications the bid so submitted shall be rejected. All the pads furnished under the contract shall conform to the samples submitted by the successful bidder.

The pads must be leather backed, and must have not less than 20 per cent. (20%) of genuine rubber, which must be firmly vulcanized and be securely stitched to the leather, which must be oak tanned, of uniform thickness. The pads shall be not more than three months old and must be warranted to wear from one shoeing to another shoeing, and not to become detached from the leather.

All pads that are not in conformity to the specifications or that do not wear from one shoeing to another shall be deemed defective and shall not be paid for by the City.

The pads shall be either full front pads or bar pads, as may be required. The sizes must be the standard sizes.

The thickness of the heel for full front pads shall be for sizes up to and including No. 4, not less than three-quarters (3/4) of an inch; for sizes over No. 4, not less than seven-eighths (7/8) of an inch. The thickness of the heel for bar pads shall be, for sizes up to and including No. 4, not less than seven-eighths (7/8) of an inch; for sizes No. 4 1/2 and No. 5, not less than seven-eighths (7/8) of an inch.

For the purpose of comparing bids and awarding the contract, each bidder shall state a price per pair for each of the following sizes on the basis of one hundred (100) pairs in the proportion as follows: 10 pairs of No. 3; 20 pairs of No. 3 1/2; 24 pairs of No. 4; 26 pairs of No. 4 1/2; 20 pairs of No. 5, and the prices so bid per pair on the lowest bid shall be the prices to be paid under the contract.

The pads are to be delivered at the office of the Property Clerk, at Stable "A," Seventeenth street and Avenue C, in the Borough of Manhattan, and at the office of the Property Clerk at Stable "B," Butler street, between Fourth avenue and Fifth

avenue, in the Borough of Brooklyn, in such quantities and at such times as may be required, but not to exceed three thousand (3,000) pairs per month altogether.

Each bidder must submit along with his bid a sample of each size of the pad which he proposes to furnish.

(This specification for horseshoe pads was, in accordance with section 1554 of the Greater New York Charter, approved by the Board of Estimate and Apportionment, by a resolution dated

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
November 5, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—Hon. Foster Crowell, Commissioner, Department of Street Cleaning, in a communication dated October 14, 1908, asks the Board of Estimate and Apportionment to approve a specification for the purchase of horseshoe pads for the equipment of the horses of the Department of Street Cleaning, I would report:

An examination made by thus Bureau in February of last year showed in general all pads good enough to warrant their purchase by the Department of Street Cleaning are patented articles.

The specifications now presented are similar to the specifications approved by the Board of Estimate and Apportionment on February 15 and December 6 of last year. They are carefully prepared and are probably broad enough to admit all makes of good pads.

I therefore think that, pursuant to section 1554 of the Greater New York Charter, the Board of Estimate and Apportionment may properly approve of the specifications for the purchase of horseshoe pads as requested by the Commissioner of Street Cleaning.

Respectfully,

CHANDLER WASHINGTON, Chief Engineer.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Whereas, The Commissioner of Street Cleaning is desirous of purchasing horseshoe pads and has for that purpose submitted to this Board a form of specification for the same so as to secure a fair and reasonable opportunity for competition, as provided by section 1554 of the Greater New York Charter; therefore be it

Resolved, That the Board of Estimate and Apportionment hereby prescribes that the Commissioner of Street Cleaning may purchase patented horseshoe pads for the use of the Department of Street Cleaning under a contract to be let pursuant to sections 419 and 541 of the Greater New York Charter, and in compliance with bids for a specification as follows:

SPECIFICATIONS FOR HORSESHOE PADS.

Each bidder shall submit, on or before making his bid, a sample of each of the pads of each of the sizes as herein specified, and if the samples be not furnished or do not conform to the specifications the bid so submitted shall be rejected. All the pads furnished under the contract shall conform to the samples submitted by the successful bidder.

The pads must be leather backed and must have not less than twenty (20) per cent. of genuine rubber, which must be firmly vulcanized and be securely stitched to the leather, which must be oak tanned, of uniform thickness. The pads shall be not more than three months old and must be warranted to wear from one shoeing to another shoeing, and not to become detached from the leather.

All pads that are not in conformity to the specifications or that do not wear from one shoeing to another shall be deemed defective and shall not be paid for by the City.

The pads shall be either full front pads or bar pads, as may be required. The sizes must be the standard sizes.

The thickness of the heel for full front pads shall be for sizes up to and including No. 4 not less than three-quarters (3/4) of an inch; for sizes over No. 4 not less than seven-eighths (7/8) of an inch. The thickness of the heel for bar pads shall be for sizes up to and including No. 4 not less than seven-eighths (7/8) of an inch; for sizes No. 4 1/2 and No. 5 not less than seven-eighths (7/8) of an inch.

For the purpose of comparing bids and awarding the contract each bidder shall state a price per pair for each of the following sizes on the basis of one hundred (100) pairs in the proportion as follows: Ten pairs of No. 3; 20 pairs of No. 3 1/2; 24 pairs of No. 4; 26 pairs of No. 4 1/2; 20 pairs of No. 5, and the prices so bid per pair on the lowest bid shall be the prices to be paid under the contract.

The pads are to be delivered at the office of the Property Clerk at Stable A, Seventeenth street and Avenue C, in the Borough of Manhattan, and at the office of the Property Clerk at Stable B, Butler street, between Fourth avenue and Fifth avenue, in the Borough of Brooklyn, in such quantities and at such times as may be required, but not to exceed three thousand (3,000) pairs per month altogether.

Each bidder must submit along with his bid a sample of each size of the pad which he proposes to furnish.

Which was adopted by the following vote:

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

The Comptroller, to whom, on September 18, was referred a communication from the Secretary of the Brooklyn Federation of Labor relative to the rate of wages paid and the number of hours of work required by certain manufacturing concerns in the City, presented a report recommending that in view of the statement contained in said communication, relative to municipal contracts being awarded to the lowest bidders, no further action be taken by the Board in said matter.

Which was referred to the President, Borough of Brooklyn.

The Comptroller presented a communication from the Secretary of the Citizens' Drinking Fountain Committee of Brooklyn requesting a hearing relative to an appropriation for the maintenance and increase in number of the drinking fountains in the Borough of Brooklyn.

Which was referred to the President, Borough of Brooklyn.

The Comptroller presented the following resolutions of the Board of Aldermen requesting an issue of \$13,000 Special Revenue Bonds (subdivision 8, section 188 of the Charter), to be expended under the direction of the Board of Health for the purpose of instructing the citizens of The City of New York in the prevention of a further spread of tuberculosis:

In the Board of Aldermen.

Resolved, That, in compliance with subdivision 8, section 188, of the Greater New York Charter, the Board of Estimate and Apportionment be and it is hereby requested to authorize the Comptroller to issue Special Revenue Bonds to an amount not to exceed the sum of \$13,000, to be expended under the direction of the Board of Health for the purpose of instructing the citizens of The City of New York in the prevention of a further spread of tuberculosis.

Unanimously adopted by the Board of Aldermen October 20, 1908, three-fourths of all the members voting in favor thereof.

Received from his Honor the Mayor, November 4, 1908, without his approval or disapproval thereof; therefore, as provided in section 40 of the Greater New York Charter, the same took effect as if he had approved it.

P. J. SCULLY, Clerk.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of and concurs in the resolution of the Board of Aldermen, adopted October 20, 1908, in relation to an appropriation of thirteen thousand dollars (\$13,000), to be expended under the direction of the Board of Health for the purpose of instructing the citizens of The City of New York in the prevention of a further spread of tuberculosis, and for the purpose of providing means therefor, the Comptroller be and is hereby authorized, pursuant to the provisions of subdivision 8, section 188, of the Greater New York Charter, to issue Special Revenue Bonds of The City of New York to the amount of thirteen thousand dollars (\$13,000), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:

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

The Comptroller presented the following resolution of the Board of Aldermen requesting an issue of \$10,000 Special Revenue Bonds (subdivision 8, section 188 of the Charter), or as much thereof as may be necessary, for the expenses of the committees to be appointed on the occasion of the dedication of the monument to the Prison Ship Martyrs in Fort Greene Park, Borough of Brooklyn, on November 14, 1908:

In the Board of Aldermen.

Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and hereby is requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of ten thousand dollars (\$10,000), or as much thereof as may be necessary, the proceeds whereof to be applied by his Honor the Mayor and such Committee of the Board of Aldermen as may be appointed in the premises, to meet the expenses to be incurred on the occasion of the dedication of the monument to the Prison Ship Martyrs in Fort Greene Park, in the Borough of Brooklyn, on Saturday, November 14, 1908.

Adopted by the Board of Aldermen October 27, 1908, four-fifths of all the members voting in favor thereof, having been first advertised as required by law.

Approved by the Mayor November 5, 1908.

P. J. SCULLY, Clerk.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of and concurs in the resolution of the Board of Aldermen, adopted October 27, 1908, and approved by the Mayor November 5, 1908, in relation to an appropriation of ten thousand dollars (\$10,000), the proceeds whereof to be applied by his Honor the Mayor and such Committee of the Board of Aldermen as may be appointed in the premises, to meet the expenses to be incurred on the occasion of the dedication of the monument to the Prison Ship Martyrs in Fort Greene Park, Borough of Brooklyn, on Saturday, November 14, 1908, and for the purpose of providing means therefor the Comptroller be and is hereby authorized, pursuant to the provisions of subdivision 8 of section 188 of the Greater New York Charter, to issue Special Revenue Bonds of The City of New York, to the amount of ten thousand dollars (\$10,000), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:

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

The Comptroller presented communications, etc., as follows:

Resolution of the Board of Aldermen, requesting an issue of \$50,000 Special Revenue Bonds (subdivision 8, section 188 of the Charter) to replenish accounts within the appropriation made to the President of the Borough of Manhattan for the year 1908 for the Bureau of Highways.

Resolution of the Board of Aldermen requesting an issue of \$57,561.56 Special Revenue Bonds (subdivision 8, section 188 of the Charter), the proceeds whereof to be used by the Department of Street Cleaning in feeding and shoeing horses of said Department during the balance of the year 1908.

Communication from the President of the Borough of Brooklyn submitting a statement of facts concerning his request for a transfer of \$25,000 in the funds of the Bureau of Public Buildings and Offices for the year 1908 and affecting the account repairs to the Kings County Court House, Brooklyn.

(On October 30, 1908, a resolution authorizing the transfer of \$25,000 to the account of the President of Brooklyn, entitled Bureau of Public Buildings and Offices, Maintenance of Buildings and Offices, Salaries and Wages, for the year 1908, failed of adoption, not receiving the requisite number of votes.)

Communication from the President of the Borough of Brooklyn, relative to his request for a transfer of \$25,000 in the funds of the Bureau of Public Buildings and Offices and also to a resolution of the Board of Aldermen requesting an issue of \$40,000 Special Revenue Bonds (subdivision 8, section 188 of the Charter), to meet a deficit in the appropriation made to the President of the Borough of Brooklyn, for the year 1908, entitled Bureau of Public Buildings and Offices—Salaries and Wages.

(On October 30, 1908, a resolution authorizing the transfer of \$25,000 in the funds of the Bureau of Public Buildings and Offices failed of adoption, not receiving the requisite number of votes, and the resolution of the Board of Aldermen, as above, was referred to the Comptroller.)

Communication from the Department of Health, requesting the immediate issue of \$5,000 Revenue Bonds (chapter 535, Laws of 1893), to replenish the appropriation made to said Department for the year 1908, entitled Borough Administration of Sanitation and Prevention of Contagious Diseases, Manhattan—Contingencies.

Communication from the Department of Health, requesting the amendment of resolution adopted September 14, 1906, which authorized the issue of \$225,000 Corporate Stock for the erection of buildings and for improving, permanently bettering and equipping property purchased for the use of the Tuberculosis Sanatorium in the Town of Mount Hope, Orange County, N. Y., as follows:

A. By changing the title of the item contained therein, which reads "5. For the construction and equipment of a dormitory for the use of the Department employees, \$10,000;" to read "5. For living quarters for administrative officers, \$10,000."

B. By transferring the amount set opposite the item contained therein, entitled "7. For the construction of an additional dormitory for the use of Department employees, \$10,000;" to the item entitled "9. For the construction

of and equipping, permanently bettering and improving buildings and pavilions used in connection with the sanatorium for tuberculosis at Otisville, Orange County, New York, \$22,000."

Communication from the Commissioner of Water Supply, Gas and Electricity, requesting authority, pursuant to the provisions of section 530 of the Charter, to advertise for bids for electric lighting, for the year 1909, in a subdivision of the City comprising the Boroughs of Manhattan and The Bronx, taken together.

Communication from the Fire Department, requesting authority, pursuant to the provisions of a resolution adopted December 6, 1907, to advertise for proposals and award contract for general repairs and alterations to quarters of Hook and Ladder Company 18, at No. 84 Attorney street, Manhattan, and that the cost of said repairs, estimated at \$3,000, be charged against the issue of Corporate Stock authorized on June 7, 1907, in the sum of \$1,000,000, for the acquisition of sites, erection of buildings thereon and for additions and alterations to existing buildings, in the Boroughs of Manhattan, The Bronx, Brooklyn and Queens.

Communication from the Department of Health, relative to amending its request for authority to purchase or award contract, pursuant to the provisions of a resolution adopted December 6, 1907, for furnishing the necessary labor and material required to install plumbing and heating apparatus in the dining hall, dormitory, Nurses' home and in several other buildings at the Sanatorium in Otisville, Town of Mount Hope, Orange County, N. Y., at a cost of \$5,000, by striking therefrom the figures \$5,000 and inserting in place thereof the figures \$7,500.

(On October 30, 1908, the Board upon the recommendation of the Comptroller approved of the request of the Department to purchase or award contract for the above work at a cost not exceeding \$5,000.)

Which were referred to the Comptroller.

The Comptroller submitted a presentment of the Grand Jury of Queens County (October term), recommending the appointment of three additional Keepers for the Queens County Jail, and the installation in said jail of a padded cell for the men's quarters and one for the women's quarters, and automatic system for flushing the toilets and that arc lights be placed at both entrances to the jail.

Which was referred to the President, Borough of Queens.

The Comptroller presented the following report of the Commissioner of Water Supply, Gas and Electricity, relative to the decision of the Public Service Commission for the First District on the complaint of the Department of Water Supply, Gas and Electricity against the New York Central and Hudson River Railroad Company to have restricted and discontinued the use by said company of overhead electric wires.

Which was ordered printed in the minutes and referred to the Corporation Counsel for an opinion upon the questions raised therein by the Commissioner of Water Supply, Gas and Electricity.

(On September 20, 1907, a report of the Chief Engineer of the Board concerning the stringing of wires by said railroad company over the rapid transit structure at Kingsbridge was referred to the Commissioner of Water Supply, Gas and Electricity.)

REPORT OF COMMISSIONER OF WATER SUPPLY, GAS AND ELECTRICITY TO THE HONORABLE BOARD OF ESTIMATE AND APPORTIONMENT, AS TO DECISION RECENTLY HANDED DOWN BY THE PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT ON COMPLAINT OF THE DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY VS. THE NEW YORK CENTRAL & HUDSON RIVER RAILROAD COMPANY.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, |
COMMISSIONER'S OFFICE, Nos. 13 to 21 PARK ROW, |
NEW YORK, October 25, 1908. |

Hon. Board of Estimate and Apportionment, Mr. JOSEPH HAAG, Secretary, New York:

GENTLEMEN—I beg leave to report to your Honorable Board as to the decision recently handed down by the Public Service Commission for the First District on a complaint brought before the Commission by the Department of Water Supply, Gas and Electricity, against the New York Central & Hudson River Railroad Company. This complaint was brought in an attempt to restrict and have discontinued the use by the New York Central and Hudson River Railroad, of overhead lines carrying a pressure of 11,000 volts.

The New York Central had applied to me for permission to use such overhead electric lines after having been specifically refused a permit for the same by Commissioner Ellison, my predecessor in this Department. In spite of the fact that Commissioner Ellison forbade the use of overhead lines where crossing streets, the railroad company had deliberately proceeded to build such lines and, after their practical completion, applied to me for permission.

Being confronted with this request I determined, in accordance with the Laws of 1887, chapter 716, and the Charter, section 528, under the discretion given me, that I could not give such permission and that these lines should be placed under ground. This determination was based upon the advice of the Corporation Counsel and my Engineers. They further advised me that the key to the situation of the lines over the streets lay in the hands of the Public Service Commission, for the reason that the City's jurisdiction was very doubtful as to the construction over the right of way of the railroad.

The overhead transmission lines in question run alongside of the right of way of the road, are placed on iron poles of varying heights, fourteen feet or less from the tracks, and cross a number of streets and avenues in the Borough of The Bronx. A considerable portion of the transmission lines necessary for the electrification of the railroad are underground in the Borough of Manhattan and in the Borough of The Bronx. A certain portion of them are also underground in the City of Yonkers. Between the City line, however, and the end of the underground lines in The Bronx, are the overhead lines in question.

My Engineers stated, and this was agreed to by the Engineers of the New York Central & Hudson River Railroad, that it was undesirable to electrically weaken the construction by having the wires underground at the street crossings only. Such a combination of overhead and underground construction could be operated, but from all the facts brought before me it appeared so undesirable that my only alternative was to secure the support of the Public Service Commission, if possible, and obtain still safer construction, namely, underground throughout the entire line.

Besides the New York Central & Hudson River Railroad, there are two other railroads in the City that are using systems of electrification which involve the use of overhead lines carrying 11,000 volts.

One is the Long Island, using the same electrical construction as the New York Central. This may be described as a system requiring the carrying of current at 11,000 volts pressure on feeder wires overhead, and communicating this to the train motors through the third rail by transforming same down to 600 volt direct current.

The other is the New York, New Haven and Hartford Railroad, which uses 11,000-volt feed lines and supplies the electric locomotives by trolley lines carrying 11,000-volt alternating current, this trolley line being placed directly over the tracks.

These New Haven feed lines and trolley lines do not cross over the streets and avenues anywhere at the street grade; where below grade they are carried under the street bridges. Where the right of way is above grade, on an embankment or bridge over the street, the lines are carried on poles above the right of way.

I had planned to act in regard to the Long Island Railroad and the New York, New Haven and Hartford Railroad in accordance with the lines laid down by the

decision of the Public Service Commission in the New York Central case, presuming, of course, their decision would be in accordance with the subway laws.

It is not at all my desire to reargue the case at this time before you, but the exclusive and somewhat inaccurate opinion accompanying the decision recently handed down has so confused the public electrical situation that I feel it is necessary to advise with you in regard to the matter and obtain a legal opinion from the Corporation Counsel as to the effect of this decision, and also an opinion as to whether the decision of the Commission is reviewable.

I also consider it desirable that full publicity be given to the position of this Department and the Administration so that their responsibility may be defined. I would request, therefore, that this report be published in full in the CITY RECORD, and that your Honorable Board secure from the Corporation Counsel an opinion on the following questions:

First—As to the exact legal effect of this decision upon the City's powers and duties under the Charter; such an opinion covering not only the duties of the Department of Water Supply, Gas and Electricity in this matter, but also the duties of the Board of Estimate and Apportionment under sections 528 and 529 of the Charter.

Second—An opinion on the legality and force of parts of this decision where the Commission acted on points not before them in this case, as well as the question of whether the decision can be reviewed by the proper court under what is known as "certiorari proceedings."

Third—As to whether it is not practicable to insert in future franchises to be granted by your Board to any railroad, some provision which will prevent the present situation from developing further.

I transmit herewith to your Honorable Board a copy of the decision of the Public Service Commission for your information.

To discuss this decision seriatim and quote the testimony in the case would make this report too long. The decision does not follow the lines of the arguments and testimony, but is more or less erratic. It gives certain reasoning and conclusions with which I must differ, and which are noted in this report so you can form your own opinion in regard to them. The Commission clearly, to my mind, makes some mistakes as to facts and as to certain conclusions.

Briefly as possible I shall endeavor to call attention to the main issues and to the general effect of the opinion. Any statements made here are, I think, fairly supported by the testimony and the facts.

First—The general tenor of decision leads one to believe that the Public Service Commission of the First District has no interest in complying with or enforcing the Subway Acts of 1887.

Second—It decides the overhead transmission lines in question to be safe enough, not only for use upon the right of way of the New York Central, but also across very important streets—notably, the elevated tracks of the Interborough Rapid Transit Company at Broadway. As to this particular crossing, the predecessors of the Public Service Commission—the Board of Rapid Transit Commissioners—objected to it and filed an objection with this Department desiring that the crossing be removed.

The crossing of the Interborough Railroad was considered by all the City's engineers, and was so stated in their testimony, as being one where every possible precaution should be taken and where there should be no possible question of the utmost safety. In consequence they stated that this particular section should be excepted from any possibility of overhead lines. It is pertinent in connection with this to draw your attention to the fact that wherever the railroad crossed its own main tracks within the City limits with its overhead transmission lines, it built a steel crossing bridge for them. Where it crossed streets or lines of other railroads, however, suspension wires from poles were considered good enough.

Third—Under this decision any railroad choosing a certain construction over its right of way may force its lines overhead at the street crossings to prevent weakening the electrical strength of its system, although the whole construction is not the safest or best for the traveling or general public.

When thoroughly analyzed it appears that overhead construction is chosen by the railroads on account of cheapness in first cost and in operation and repairs. The increase of these items, if underground, would be but a small percentage of the total first cost of the electrification, and a very small percentage of the cost of operation. I think, in view of the fact of increasing congestion in the city, that the decision as made accomplishes nothing for the general good of the community and confirms a penny-wise pound-foolish railway policy which will produce disastrous results in time.

The complaint filed with the Public Service Commission by this Department may be summed up very briefly.

The railroad was not given a permit to erect overhead wires carrying 11,000 volts over the streets and avenues, but they were given a permit allowing them to put such construction underground and forbidding them to place wires overhead. They accepted this permit, and in spite of the prohibition built the overhead lines and operated same.

Allegation No. VII., made in the complaint, reads as follows:

"That such overhead high tension pole line and conductors are maintained and operated without legal authority and in violation of the law and are a menace to the lives and property of the employees of said road; to the residents of The City of New York along said road; to the users of the streets and highways crossed by said road, and to the structure of the Interurban (subway) Rapid Transit Railroad at Kingsbridge, and the users of the railroad thereon."

It will be observed that this allegation covers three points:

- (a) That the lines are maintained and operated without legal authority.
- (b) That they are in violation of law.
- (c) That they are a menace to life, property and other railroads.

The defense of the New York Central as to the first two points in this allegation is that they applied for a permit on August 24, 1905, which was not granted until March 27, 1906, and at that time was returned by the railroad company for a slight modification, which was made and the permit reissued June 9. The railroad company claims that this delay, from August 24, 1905, to March 27, 1906, was so long that they would not wait for fear they could not complete their work of electrification of the road before the time set by the Legislature, July 1, 1908. Consequently, they went on with the construction without waiting for the permit. In spite of this delay, caused by themselves, the road was put in actual electrical operation in December, 1906, some nineteen months before the time expired.

It is shown by the testimony that the railroad was committed to the overhead lines long before August 24, 1905, and did not inform the City in regard to the matter. They had commenced their construction and contracted for material for same before the permit was filed with this Department. The major part of this delay, between August 24, 1905, and March 27, 1906, occurred in the Corporation Counsel's office for reasons as stated by the Corporation Counsel before the Commission, that the New York Central had applied for a permit for construction of lines through streets for which they had no franchise. The Corporation Counsel called on them for proof that they had a franchise over these streets, and the delay was caused by their being unable to furnish these papers or give him any satisfactory answer in regard to it.

A careful study of the decision of the Public Service Commission shows that the Trial Commissioner disposed of the first two points in allegation VII. in the following manner:

"The railroad, by its answer, denies in substance the allegation of operating and maintaining the overhead high tension transmission pole line without authority, but admits that it applied to the Commissioner of Water Supply, Gas and Electricity for a permit to cross with this aerial line certain streets within The City of New York, some of which were opened and traveled streets and others not opened or traveled, to obviate possible future controversy."

Further, the Commissioner states:

"It appears from the papers submitted by the Counsel to the Corporation that the application made to the City authorities by the railroad company for a permit to construct its lines was not granted at the time it was asked for and the record shows that the permit granted to the railroad company by the City * * * is dated March 27, 1906, at which time the high tension lines were nearly completed, and this permit especially excludes the erection, construction, maintaining or operation of pole lines or overhead transmission conductors along its right of way and across certain of the highways within The City of New York."

The Commission further states that the jurisdiction of this Department over the highways crossing the right of way was "virtually conceded."

The Commission avoids going into the legal aspects of these points in any way. In consequence, the Commission does not require the enforcement of the subway

laws of 1887, nor does it condemn the New York Central for having deliberately violated these laws in crossing streets with overhead lines. On the contrary, it specifically allows the construction to remain.

The Commission further states the following:

"I think the counsel to the complainant when he states his plan, is to enforce the law which requires all lines in cities to be placed underground, confuses the right of way of the railroad with the public street. The Act that he calls our attention to relates to the overhead wires on the streets, avenues and other highways, and does not pretend to apply to the right of way of railroad corporations. The provision of that Act gives to the Commissioner discretion as to the suburbs of the City or along streets, avenues or other highways in sparsely inhabited or unoccupied portions of any such city. Where the public interests do not require the electrical conductors to be placed underground and wherever in another locality in said city it is deemed by the said Board to be for any cause impracticable to construct or successfully operate underground electrical conductors, required by any company, then in either of these cases it shall be the duty of said Board of Commissioners to examine and grant the application for permission to deviate from an underground system. It appears from this that the law makers had in mind the very circumstances that surround the outlying suburban districts such as are traversed by the three great railroads leading into New York—the New York Central and Hudson River Railroad Company, the New York, New Haven and Hartford Railroad Company and the Long Island Railroad Company."

Analyzing this, first let us see where the Corporation Counsel confuses the question of the right of way of the railroad with the question of crossing streets. It was shown in the testimony that the construction on the right of way determines to a large extent the proper engineering construction over the streets. The Corporation Counsel states in his brief:

"A transmission line carried on poles over a greater part of the road and dropping underground at stated crossings, while not an engineering impossibility by any means, is without question an engineering impracticability. No where in the voluminous testimony before you can there be found anything but condemnation of such a composite system."

"Now, if your Honors authorize a pole line on the right of way, it naturally follows that you assume a responsibility for the existence of pole lines over the streets crossing the right of way so that in this unusual situation you are forced by assuming responsibility for the major part to assume responsibility for the whole."

Again he states:

"So the petitioner (Department of Water Supply, Gas and Electricity) says to you, how can I deem it practicable or impracticable within the meaning of the law to place these New York Central wires underground at street crossings when I do not yet know what construction is to be employed on the right of way? * * * Now, we offer this question for your consideration, is the Broadway crossing of the Interurban Railway an unoccupied portion of the City within the meaning of the law? If you decide that it is not then, how can you refrain from aiding the petitioner in complying with the law? * * * The petitioner tells you through the unanimous testimony of all the witnesses that it is impracticable to bury these wires at street crossings only."

With these quotations from the general testimony it seems impossible to assume that the Corporation Counsel confused the street crossings with the right of way of the railroad.

The Commission then states that this act gives to the Commissioner of Water Supply, Gas and Electricity discretion as to the suburbs of a city or along streets, avenues or other highways in sparsely inhabited or unoccupied portions of any such city. True, but let us read the law as explained in the law itself, and follow this statement to its conclusion.

"It would be made the duty of said Board of Commissioners in granting any such permit for other than underground electrical connections, to bear in mind the policy and purpose of this act, which is to convert the overhead system of electrical wires and cables now in use in such cities, to underground systems as soon as possible without impairing the efficiency of their service. * * * And that it is intended hereby to authorize other than underground electrical connections to be used in the streets, avenues or other highways in such cities only when and where it shall be deemed by the Board itself to be impracticable to place and operate conductors advantageously underground as aforesaid, and that it is hereby intended to make all aerial or other electrical connections incidental only to such underground methods, and to require that they be authorized only when and where needed for the convenient use of the public or where the underground conductors would be made thereby more useful."

This means, to my mind, that overhead lines are to be incidental only to underground lines. That they are to be authorized only when and where needed for the convenient use of the public or where underground conductors can be made thereby more useful. No one of these three conditions applies to the case of the New York Central and Hudson River Railroad.

Further the Commission states that the law makers had in mind the very circumstances of these railroads using 11,000 volts pressure overhead in outlying suburban districts.

Can it be supposed that the men who wrote that law just quoted, which carefully explains the intent of the law, would so stultify it that they would put it in the power of any railroad by building any kind of construction it wishes along its right of way, to force The City of New York to allow 11,000-volt lines over its streets?

In this matter I agree with my predecessor in refusing a permit for overhead lines in this instance as not the safest construction, and I do not consider it fairly within my discretion to absolve a railroad from compliance with the law after they had accepted a permit from my predecessor and deliberately disregarded its provisions.

The above discussion covers about all the Commission has stated in regard to the legality or illegality of the New York Central and Hudson River Railroad Company's action. You will note that the question of legality does not seem to have been given any particular weight by them, and it appears, therefore, that railroads can break plain provisions of the law and be absolved from the consequence of their own acts.

The third point at issue in this case was the statement by the City that overhead lines are a menace to life and property, to the employees of the road, to residents of The City of New York along said road, to the users of streets and highways crossed by these lines, and to the structure of the Interurban Rapid Transit Railroad at Kingsbridge, and to the users of both railroads.

In opening the case for the City, the Corporation Counsel, feeling that no man understanding the differences between aerial and underground lines, could hesitate in deciding which is safer for the general public, opened his case with a frank statement of the problem. He says:

"We say that this railroad, representing possibly the greatest railroad system in the State of New York, under conditions that affect thousands of people and millions of dollars worth of property, that the situation is one that demands that the greatest degree of safety should be arrived at, and we state that that situation can not be arrived at except by underground construction. It can not be arrived at by aerial construction. * * * We think it is generally admitted that the underground system of construction at the present time for 11,000 volts is entirely practicable, is preferable for many reasons, and is not subject to grave or frequent interruptions to service. It is also noted that there are no particular physical obstacles along the lines on the New York Central and Hudson River Railroad which would prevent the railroad's using this system."

You will note in the Commissioner's decision that after the testimony was all presented the Commission takes no exception to the practicability of putting the lines in question underground, nor was it found that there were great physical obstacles which would prevent their using such a system.

The Corporation Counsel goes on further to say:

"The Department has taken this stand in the New York Central matter on the lines of the greatest possible safety, and it admits frankly that this question is a question of degree of safety. The New York Central may have built an overhead line as safe as possible to build a line of this kind. * * * The Department does not admit, however, that this is the greatest safety which can be assured, * * * and contends, therefore, that this overhead construction is not the greatest safety which can be obtained, and that underground circuits would be safer to the general public than overhead circuits. As stated, it is therefore a question of degree of safety which the Department places before you, Mr. Commissioner, and the point to be determined by the Commission in review is whether in their opinion the degree of safety adopted by the New York Central for the use of overhead wires is sufficient."

It is to be noted that we have not quoted the opening statement in full, and that by stating the matter as above the Corporation Counsel did not at all relinquish the fundamental claim that this line is illegal.

As far as the question of safety goes, the Commission decided that the overhead construction was safe enough, so that they found it unnecessary to issue any order for the placing of the lines underground either on right of way or over streets.

I would request that you ask the Corporation Counsel to advise your Board and this Department if we are to regard the Commission's decision as to street crossings as final, and if our responsibility ceases.

The effect of the Commission's decision, if legally correct, is that the City will have little further authority over railroads crossing its streets with overhead electric wires carrying powerful currents at high pressure.

The testimony as to safety may be summed up briefly:

The three engineers, Floy, Sever and Lacombe, witnesses for the City, stated that underground construction is safer for the general public than the best kind of overhead construction.

The principal railway witness, Gibbs, replies to the following question:

"And what would you say, from the standpoint of the traveling public, whether overhead or underground construction was the safest?"

—with this answer:

"I suppose I would be misunderstood if I answer that question directly and say that overhead is not as safe as underground, but that is the answer to it."

His reasons for recommending overhead construction were on account of the expense and increased difficulty in operation and repair of underground construction as requiring more expert knowledge than overhead.

He further stated that he would never put in underground construction except in very congested districts or where he was forced to do so. This is notable for the reason that this engineer is the engineering adviser in these matters for both the New York Central and the Long Island railroads.

The other principal railway witness, Buck, testified in favor of overhead construction as at least as safe for the general public as underground.

The third railway witness, Katte, states that overhead construction is as safe as underground, carefully guarding his opinion by qualifying remarks as to conditions.

It would appear from this that the weight of evidence was in favor of the City's contention.

The Commission states in one part of its decision that the Corporation Counsel's position was that the present lines were ordinarily safe, but not the safest. Further on in his opinion the Commissioner says that the Corporation Counsel, failing to prove the lines unsafe, changed his position to its not being the safest construction. This is hardly possible, in view of the testimony and the opening statement as quoted.

In his brief the Corporation Counsel called the attention of the Commission to a series of accidents that occurred about the time of the closing of this case on the New York, New Haven and Hartford Railroad.

These accidents can happen, and it is probable in time that they will happen, on the New York Central and Hudson River Railroad, as the conditions are similar. Such conditions would not exist nor could such results have occurred on an underground transmission system.

The accidents were:

First—Several serious interruptions of service from lightning.

Second—At Rye two men were killed by a pole touching the 11,000-volt wires, the pole not making sufficient ground connection to open the circuit breakers. The insufficient ground was partially due to a prolonged period of very dry weather this summer.

Third—The trucks of a derailed train at Greenwich were thrown off at a tangent to the curve, crossed a track and hit the five-foot concrete base of a pole, fourteen feet from nearest track, cracking same badly. If this had hit a little higher up the pole and 11,000-volt wires would in all probability have fallen on the tracks.

The New York Central's attorneys treated the probability of such accident with derision, until it happened.

On the New York Central and Hudson River Railroad the 11,000-volt circuit breakers are set to open only when a considerable current is short circuited or grounded. In such an accident, if the breakers did not open at once, there would be many fatalities from electric current.

Many fatal accidents from electric currents on the New Haven and New York Central may be traced directly to the overhead system of construction, eliminating those due to the third rail on the New York Central. Many of these could not have occurred with an underground system, and the Corporation Counsel is justified in saying that overhead lines are a menace and are unsafe, even if the overhead construction is the best and safest of its kind that can be erected.

On parts of the New York Central and on the Long Island road, these lines are also a menace to the Fire Department in case of fire in contiguous buildings, as such high tension currents will follow the stream of water even if the lines are so situated that the firemen cannot reach them with their apparatus.

This was demonstrated in 1884 and 1885, and was one of the reasons for the passage of the laws of 1887.

It would seem that we are to disregard the lessons of experience in this matter.

In regard to the matter of crossing the streets only with underground lines, it is true that all the engineers on both sides stated that the mixing of underground and overhead construction was most undesirable, although the City's engineers excepted the Interborough crossing in previous testimony; but this does not appear to be a legal or effective reason for making void an existing law of the State of New York.

Early in the conduct of the case the Commission denied the New York, New Haven and Hartford Railroad the right to intervene as a party to the issue, from the fact that no complaint had been made of this road, but later in the case the Commission allowed the attorneys for the New York Central to put in a considerable amount of testimony as to other roads in the City, not on trial, and also as to conditions outside The City of New York, over which neither the Commission nor The City of New York has any authority. This one sided testimony seems to have had a considerable effect on its decision, although neither of the other roads within the City were on trial, as the Corporation Counsel pointed out.

It does not seem, either, that conditions outside of The City of New York could be similar to those within its limits, or that the conditions outside should have an effect in preventing the City from regulating the safety of its own streets. And yet the Commission states:

"It would be exceedingly unjust and unfair for this Commission to require the Railroad Company to place its wires underground so far as the City line unless it were also compelled to place its wires underground to the terminus of its line, for they are certainly no more dangerous to the traveling public south of the City line than they would be north of the City line."

On account of differences of conditions as to congestion, we cannot admit the latter part of this statement, but following the statement to its logical conclusion, it appears that in order for the law to be complied with in The City of New York, it must also be applied to the State as far as Croton, or even Albany. That the City can not obtain the enforcement of the laws for its benefit because they do not apply in the State, is certainly new doctrine.

Further, the Trial Commissioner stated in regard to the Long Island Railroad as well as to overhead 500-volt trolley lines and other overhead lines within the City limits.

"Don't you think, Mr. Burr, it would look rather funny for this Commission to order the New York Central to put its lines underground with the evidence before us that other roads had just as dangerous things and they are not asked to do it, and wouldn't it look like discrimination?"

He afterwards qualifies this by stating that he was "quizzing," but this theory seems to have had great weight in reaching a decision adverse to the City.

As to low tension overhead trolley and transmission lines within the limits of the City, the Department does not consider these lines comparable with an 11,000-volt line across the streets over the New York Central Railroad tracks.

Such lines throughout the City, except trolleys, are all on temporary permits and will be placed underground as soon as underground accommodations are obtained for them by orders from your Board. The Commission gives the mileage of these in various Boroughs and their statement shows that the very law their decision tends to destroy has kept these lines in Manhattan and The Bronx down to a minimum.

The foregoing covers the general ground taken by the Commission as to the legality and safety of the overhead lines complained of. There are a few further matters in the decision that I must draw to your attention.

As to the Long Island Railroad's installation, from what occurred during that trial and the Commission's statements quoted, I am compelled to say that apparently throughout the whole testimony there was a covert insinuation from the New York Central Railroad that my complaint unfairly discriminated against them and was made for questionable motives.

The fact that the Long Island Railroad had built overhead lines on a temporary permit, which had been refused the New York Central, seemed to have great weight with the Trial Commissioner as giving ground for supposed discrimination. Neither myself, my predecessor nor the Chief Engineer of Light and Power had anything to do with the installation of the lines on the Long Island Railroad. A temporary permit for the same was granted by Commissioner Oakley some four years ago, when conditions in Queens were quite different from what they are now and very different from what they will be three years from now.

The Corporation Counsel challenged the implied insinuation of the New York Central in the open trial of the case, but no further assertion of anything more definite could be obtained.

It was explained to the Commission in the testimony that if the New York Central case was decided favorably to the City, the case of the Long Island Railroad would also be taken up as well as that of the New York, New Haven and Hartford Railroad, and their lines put underground as soon as necessary. In fact before this decision was handed down I had already advised the Long Island Railroad, in response to their application that I would not grant permission for a change of their present lines to another locality as overhead lines, but that these lines should be placed underground where they desired to change same. In consequence it appears to me that this insinuation of discrimination is very far fetched and not borne out by the facts.

The theory and practice of temporary permits for the erection of overhead lines was explained to the Commission as being in direct accord with the law of 1887 and the rules of the Board of Electrical Control, and had been in successful use for nineteen years. Also that a temporary permit was based on the printed rules of this Department, which were accepted specifically by any party applying for or accepting a temporary permit.

Many miles of lines formerly overhead have been put underground in accordance with these temporary permits. The Commission went out of its way, in a matter not before it, to decide the force and effect of a temporary permit to be in very grave doubt. This was done without investigation of the rules and law behind such permits, merely because the rule was not printed on the back of the permit although a proper reference to it was so printed. The trend of this gratuitous opinion is to make every temporary permit outstanding a permanent one. I would suggest that you ask the Corporation Counsel for a specific opinion on this permit question, and if the permits are in any way doubtful, to supply a form which would unquestionably bind the parties erecting overhead wires to put them underground on orders from proper authorities of the City. This is very important in that many miles of lines now overhead exist on temporary permits and the Commission's grave doubt will tend to make holders of these permits assume that they are really permanent.

The Commission in its decision is in plain error in the matter of the statement as to the New York, New Haven & Hartford Railroad. They say,

"With regard to the New York, New Haven & Hartford Railroad, its system is entirely different from that of the New York Central & Hudson River Railroad Company. It uses what is known as the 'trolley system,' taking its electricity from overhead and it has this system now installed from Woodlawn to Stamford and is waiting for permits to construct the same system through its New Rochelle and Harlem branch.

"Should it be compelled to bury its wires it could not use the present system and all it has expended in developing the same would be absolutely lost."

That the New York, New Haven & Hartford Railroad must lose all its construction from Woodlawn to Stamford because it would be compelled to retire its present overhead trolley in The City of New York from the point where its construction meets the New York Central third-rail system is a mistake on its face.

The New York, New Haven & Hartford Railroad runs 1,500 feet within the City limits with an overhead trolley system, in order to connect with the Central's system and run into the Grand Central Depot. From this point it changes from overhead trolley to the New York Central's third-rail and uses this to the terminus of the Grand Central Depot. In the 1,500 feet of construction within the City it would not even have to go underground as it has only 11,000-volt trolley in this section, the 11,000-volt feed wires for the trolley stopping just outside of The City of New York. The road would merely have to extend the third-rail from where it now is to a point beyond the City line, an actual distance, on account of overlap, of not more than 600 feet. It could change over then just as it is now changing, but it would be out of the City.

The question of what form of construction is to be used on the Harlem Division of this road is another matter, and is now before you in the New York, Westchester & Boston Railroad's application for a modification of franchise.

The Commission further states in its decision:

"There is no doubt that in many sections it might be exceedingly dangerous to have this high tension (electricity) carried through the air even on such well constructed poles as those used by the defendant in this case, but what would be best in a thickly congested part might not be considered necessary in a sparsely settled section, especially where the aerial wires run over a private right of way except at a few street crossings."

The City's argument throughout the entire case was that conditions within City limits of New York along the lines of the New York Central & Hudson River Railroad reaching its greatest terminus were not comparable to the conditions outside the City in any way. It must also be pointed out that in this City the transition of a suburb to a thickly populated district is so rapid in many localities that it is necessary to prepare for it well in advance.

The City might concede overhead lines for short periods, as it attempts to do under its temporary permit, but it cannot concede that the time of change be left entirely to the railroad's initiative and voluntary action, nor can it concede that the regulations for the City's safety as provided in enacted laws should be utterly disregarded.

I would request that you ask the Corporation Counsel's particular attention to these points.

I would only call your attention to one further matter in connection with the decision of the Commission. The Commission ordered the railroad to make one or two minor changes. Unofficially, I understand the railroad is going to make these changes, but officially I will call your attention to the fact that in same copy of the CITY RECORD in which the Commission's decision is printed, the reply of the New York Central & Hudson River Railroad to their order is given, and states that while the railroad accepts the dismissal of the complaint it declines to accept the Commission's order to make the changes. In other words, the railroad does not recognize the Commission's authority in the matter any more than it does the City's. I am,

Respectfully yours,

JOHN H. O'BRIEN, Commissioner.

The Comptroller presented a communication from the Commissioner of Street Cleaning requesting approval of the award of contracts for the removal of snow and ice in the Borough of Brooklyn, as follows:

District.	Bidder.	Per Cubic Yard.
1. Charles Cranford.		\$0 33
2. Norton & Gorman Contracting Company.		27
7. Norton & Gorman Contracting Company.		29
3. James H. Holmes.		32½
4. James H. Holmes.		23½
5. James H. Holmes.		31
6. P. T. McDermott.		37½
8. Patrick Darby.		25

Which was referred to the Comptroller.

The Comptroller presented the following resolution of the Board of Aldermen, requesting an issue of \$20,000 Special Revenue Bonds (subdivision 8, section 188 of the Charter), to meet a deficiency in the appropriation made to the President, Borough of Richmond, for the year 1908, for the account entitled Bureau of Engineering, Construction Division—Salaries and Wages, together with report of the Comptroller, to whom this matter was referred on September 18, 1908, recommending the issue as requested; also communication from the Commissioner of Public Works, Borough of Richmond, requesting that this matter be placed upon the calendar for this day.

(On October 2, 1908, a resolution authorizing the issue of \$20,000 Special Revenue Bonds for said purpose failed of adoption, not receiving the unanimous vote of the Board; the vote was then reconsidered and the matter laid over.

On October 16, 1908, the President of the Borough of Richmond stated that \$15,000 would be sufficient for the purpose, and a resolution authorizing the issue of \$15,000 Special Revenue Bonds failed of adoption, not receiving the unanimous vote of the Board.

On October 30, 1908, the above resolution was again presented and failed of adoption, not receiving the unanimous vote of the Board.)

In the Board of Aldermen.

Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and it is hereby requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of twenty thousand dollars (\$20,000), the proceeds whereof to be applied by the President of the Borough of Richmond to supplement a deficiency in the appropriation for his Bureau of Engineering, Construction Division—Salaries and Wages.

Adopted by the Board of Aldermen June 30, 1908, three-fourths of all the members voting in favor thereof.

Received from his Honor the Acting Mayor July 21, 1908, without his approval or disapproval thereof; therefore, as provided in section 40 of the Greater New York Charter, the same took effect as if he had approved it.

P. J. SCULLY, Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS.
September 26, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In the matter of the following resolution:

Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and it is hereby requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of twenty thousand dollars (\$20,000), the proceeds whereof to be applied by the President of the Borough of Richmond to supplement a deficiency in the appropriation for his Bureau of Engineering, Construction Division—Salaries and Wages.

—referred by the Board of Estimate and Apportionment to the Comptroller, and by you to the Bureau of Municipal Investigation and Statistics, I beg to report as follows:

The circumstances leading up to this request are correctly and fully set forth in the accompanying papers of the Borough President. Following the recommendations previously made in reports of this Bureau, I respectfully recommend the approval of the request of the Borough President of Richmond for this allowance of \$20,000 for deficiency in Salaries and Wages Account, Bureau of Engineering, Construction Division.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF RICHMOND,
BOROUGH HALL, NEW BRIGHTON,
NEW YORK CITY, November 2, 1908.

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

DEAR SIR—On the calendar of the Board of Estimate for Friday, October 30, 1908, was a report from the Comptroller recommending an issue of \$15,000 Special Revenue Bonds, to meet a deficit in the appropriation made to the President of the Borough of Richmond for the year 1908, entitled Bureau of Engineering, Construction Division—Salaries and Wages. This resolution was defeated, due to the negative vote of President Coler.

Will you not kindly place same on the calendar for next Friday's meeting and oblige.

Yours very truly,

LOUIS L. TRIBUS, Commissioner.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of and concurs in the resolution of the Board of Aldermen, adopted June 30, 1908, to the extent of fifteen thousand dollars (\$15,000), to meet a deficiency in the appropriation made to the President, Borough of Richmond, for the year 1908, for the account entitled Bureau of Engineering, Construction Division—Salaries and Wages, and for the purpose of providing means therefor the Comptroller be and is hereby authorized, pursuant to the provisions of subdivision 8 of section 188 of the Greater New York Charter, to issue Special Revenue Bonds of The City of New York to an amount not exceeding fifteen thousand dollars (\$15,000), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:

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

The Comptroller presented communications as follows:

From the President of the Borough of Richmond, requesting an issue of \$161,000 Corporate Stock for salaries and expenses of the Topographical Bureau of the Borough of Richmond for the year 1909.

From the Department of Parks, Boroughs of Brooklyn and Queens, requesting authority, pursuant to the provisions of a resolution adopted December 6, 1907, to continue the construction of the sea wall and filling on the Bay Ridge parkway, as outlined in said communication, chargeable against Corporate Stock heretofore authorized, at an estimated cost of \$1,280,800, said work to be extended over a period of at least four years.

From the President, Borough of The Bronx, enclosing copy of report of the Chief Engineer of said Borough relative to the condition of the bridge over the Bronx River at East One Hundred and Eightieth street, which is not sufficiently strong for its purposes, and requesting an issue of \$75,000 Corporate Stock for the construction of a new bridge.

From the Department of Street Cleaning, requesting approval of the award of contracts for the removal of snow and ice in the Boroughs of Manhattan and The Bronx, as follows:

District.	Bidder.	Per Cubic Yard.
1.	Thomas M. Hart	\$0 32 ¹ / ₈
2.	Daly & McBean	43
6.	Daly & McBean	43
7.	Daly & McBean	51
8.	Daly & McBean	41
3.	Philip T. Brown Company	44 ¹ / ₂
4.	Philip T. Brown Company	44 ¹ / ₂
5.	W. J. Fitzgerald	42
9.	Hector Garten	27
10.	Hector Garten	31
11.	Hector Garten	24
The Bronx.	DeMarco & Malzone	20

Which were referred to the Comptroller.

The Comptroller presented a communication from the City Clerk and Clerk of the Board of Aldermen acknowledging receipt of the Budget for the year 1909.

Which was ordered on file.

The Comptroller presented the following resolution of the Board of Aldermen requesting an issue of \$25,000 Special Revenue Bonds to replenish the appropriation made to the President, Borough of Manhattan, for the account entitled Maintenance of Asphalt Pavements, Including Fire Burns, for the year 1908, together with report of the Comptroller (to whom this matter was referred on September 18, 1908), recommending the issue of \$10,000 Special Revenue Bonds to repair asphalt pavements between street railway tracks, under the jurisdiction of the President, Borough of Manhattan.

In the Board of Aldermen.

Resolved, That, pursuant to the provisions of subdivision 8, section 188 of the Greater New York Charter, the Board of Estimate and Apportionment is hereby requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of twenty-five thousand dollars (\$25,000) for the purpose of replenishing the appropriation, President of the Borough of Manhattan, Maintenance of Asphalt Pavements, Including Fire Burns, 1908.

Adopted by the Board of Aldermen June 30, 1908, three-fourths of all the members voting in favor thereof.

Received from his Honor the Acting Mayor, July 21, 1908, without his approval or disapproval thereof; therefore, as provided in section 40 of the Greater New York Charter, the same took effect as if he had approved it.

P. J. SCULLY, Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
November 5, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In regard to the application of the Borough President of Manhattan for the authorization of the issue of \$25,000 Special Revenue Bonds to replenish the fund for the Maintenance of Asphalt Pavements, Including Fire Burns, 1908, transmitted to the Board of Estimate and Apportionment on September 18, 1908, which was referred to the Comptroller for investigation and report, and by you referred to the Bureau of Municipal Investigation and Statistics for examination, I beg to report as follows:

Chief Engineer Tillson, of the Bureau of Highways, stated to an Examiner of the Finance Department, that receivers for the street railway companies have been twice notified of the dangerous condition of certain pavements between the tracks and been requested to have said pavements repaired, but the companies have not complied with the request; that the application for \$25,000 was granted by the Board of Aldermen on June 30 last. Meantime some of the streets in question have been repaired by the railway companies. The streets in bad condition, which the railway companies have refused to repair, and should be repaired at once to prevent accident, are Second avenue, between Houston and Twenty-third streets and Twenty-eighth and Twenty-ninth streets, between Fifth and Eighth avenues.

The engineer said that as the railway companies had declined to make repairs up to June, he had then estimated that \$25,000 would be required to repair pavements between the tracks. Part of the repairs having since been made by the companies, the amount requested might be reduced; but that at least \$10,000 would be required at once to repair particularly the asphalt pavement in the streets mentioned above as in dangerous condition before the arrival of winter.

I therefore respectfully recommend that \$10,000 be allowed for the purpose, instead of \$25,000, as requested.

Respectfully yours,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of and concurs in the resolution of the Board of Aldermen, adopted June 30, 1908, to the extent of ten thousand dollars (\$10,000) for the purpose of replenishing the appropriation made to the President of the Borough of Manhattan, Maintenance of Asphalt Pavements, Including Fire Burns, 1908, said money to be used for repairs to asphalt pavements between street railway tracks, under the jurisdiction of the President of the Borough of Manhattan, and for the purpose of providing means therefor, the Comptroller be and is hereby authorized, pursuant to the provisions of subdivision 8, section 188 of the Greater New York Charter, to issue Special Revenue Bonds of The City of New York to the amount of ten thousand dollars (\$10,000), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:

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

The Comptroller presented communications as follows:

From the President, Borough of The Bronx, requesting the transfer of \$58,850 from accounts within the appropriation made to said office for the year 1908 to other accounts for the same year.

From the President, Borough of Richmond, requesting the transfer of \$17,500 from accounts within the appropriation made to said office for the year 1908 to other accounts for the same year.

Which were referred to the Comptroller.

The President of the Board of Aldermen moved that when the Board adjourn at the meeting to be held November 20, 1908, it adjourn to meet December 4, 1908.

Which motion was adopted.

The President, Board of Aldermen, moved that when the Board adjourn it adjourn to meet Friday, November 13, 1908, at 10:30 o'clock in the forenoon.

Which motion was adopted.

The Board adjourned to meet Friday, November 13, 1908, at 10:30 o'clock in the forenoon.

JOSEPH HAAG, Secretary.

BOARD OF ESTIMATE AND APPORTIONMENT.

(FINANCIAL AND FRANCHISE MATTERS.)

MINUTES, MEETING, BOARD OF ESTIMATE AND APPORTIONMENT, CITY OF NEW YORK,
HELD IN ROOM 16, CITY HALL, ON FRIDAY, NOVEMBER 13, 1908.

The Board met in pursuance of an adjournment.

Present—George B. McClellan, Mayor; Herman A. Metz, Comptroller; Patrick F. McGowan, President, Board of Aldermen; John F. Ahern, President, Borough of Manhattan; Bird S. Coler, President, Borough of Brooklyn; Louis F. Haffen, President, Borough of The Bronx; Lawrence Gresser, President, Borough of Queens, and George Cromwell, President, Borough of Richmond.

The Mayor, Hon. George B. McClellan, presided.

The minutes of the meetings held October 16 and 23 were approved as printed.

FRANCHISE MATTERS.

Matter of Nassau Electric Railroad Company vs. Long Island Railroad Company et al.

The Chair submitted an order to show cause, returnable November 16, 1908, why this Board should not be enjoined from granting to the Long Island Railroad Company a franchise to construct, maintain and operate a railway upon and along Atlantic avenue, Borough of Brooklyn.

Which was referred to the Corporation Counsel.

Third Avenue Railroad Company, Metropolitan Street Railway Company, Brooklyn Heights Railroad Company, Brooklyn City Railroad Company.

The public hearings on the petition of the Third Avenue Railroad Company for a franchise to construct, maintain and operate a railway over the Manhattan and Queensboro (Blackwells Island) Bridges; on the petition of the Metropolitan Street Railway Company for a franchise to construct, maintain and operate a street surface railway over the Manhattan Bridge and its approaches; on the petition of the Brooklyn Heights Railroad Company for the right to use two of the street surface railway tracks upon the Manhattan Bridge, when constructed, and on the petition of the Brooklyn City Railroad Company for a franchise to construct, maintain and operate a street surface railway from the intersection of Fulton street and Flatbush avenue, upon and along Flatbush avenue to a point at or about Nassau street, Borough of Brooklyn, were opened.

The hearings were fixed for this day by resolutions adopted October 16 and 23, 1908.

Affidavits of publication were received as follows:

From the "New York Tribune," "New York Sun" and CITY RECORD on the petition of the Third Avenue Railroad Company.

From the "New York Tribune," "New York Times" and CITY RECORD on the petition of the Metropolitan Street Railway Company.

From the "Brooklyn Daily Eagle," "Brooklyn Citizen" and CITY RECORD on the petition of the Brooklyn Heights Railroad Company.

From the "Brooklyn Daily Eagle," "Brooklyn Times" and CITY RECORD on the petition of the Brooklyn City Railroad Company.

Communications were received from the Brooklyn League, the Central and Smith Street Board of Trade and the Manufacturers' Association of New York.

No one appeared in opposition to the proposed grants.

The following appeared in favor:

Henry A. Robinson, on behalf of F. W. Whitridge, Receiver, Third Avenue Railroad Company; William M. Coleman, of Counsel, Metropolitan Street Railway Company.

George D. Yeomans, on behalf of the Brooklyn Heights Railroad Company and the Brooklyn City Railroad Company.

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

The Secretary presented the following:

REPORT NO. F-133.

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER,
November 9, 1908.

Hon. GEORGE B. McCLELLAN, Mayor, Chairman of the Board of Estimate and Appor-tionment:

SIR—November 13 has been fixed as the date for a preliminary public hearing upon the applications of the Brooklyn City Railroad Company for a franchise to operate a railroad in the extension of Flatbush avenue, from Fulton street to the Manhattan Bridge, in the Borough of Brooklyn, and upon the applications of the Brooklyn Heights Railroad Company, the Third Avenue Railway Company and the Metropolitan Street Railway Company for the right to operate surface cars across the Manhattan Bridge.

The effective use of this bridge in the transportation system of the City is so important that I believe it wise to lay before the Board at this time a special report discussing the manner in which this bridge can be utilized, and upon the possibility of avoiding congested terminals at each end of the bridge, which would be the case if the transportation companies of either Borough carried their passengers simply across the bridge and then discharged them. Such a report has been prepared by the Division of Franchises and is herewith submitted to the Board. It emphasizes the desirability of extending the Brooklyn lines somewhat beyond the Manhattan end of the bridge so that more convenient connections can be made with north and south lines in Manhattan, and of extending the Manhattan lines along the Flatbush avenue extension, affording better connections with the various lines of the Brooklyn system. If such an extension were to be made by the lines of one Borough and not by those of the other, there would, perhaps, be imposed upon the company or companies so extending them a serious burden through the increase of the length of haul without an increase in the fare collected, but if such extensions are made by the surface lines of both Boroughs, it would appear that such additional burden would be avoided, as while some rides would be lengthened, others would be shortened, the average haul probably remaining just about what it is at present. The suggestion contained in the report that, if such extensions into the two Boroughs cannot be brought about, a local service be established between, say, Fulton street and Flatbush avenue in Brooklyn, and Canal street and Broadway in Manhattan, is, in my judgment, an excellent one and worthy of careful consideration.

It is suggested that copies of this report be sent to all of the companies who have asked for franchises, with the request that they endeavor to agree upon extensions beyond the termini of the bridges or upon the operation of an independent line; that a copy of the report also be sent to the Public Service Commission, with a request for advice as to whether it has the power to order such operation by the different companies, and also to the Corporation Counsel for advice as to whether the Board can grant further franchises in Canal street.

This matter is deemed of such importance that it is sent you separately without waiting for the other reports for this week's calendar.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT—THE CITY OF NEW YORK,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY,
November 4, 1908.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—There are now before the Board three petitions from street surface railway companies, praying for the right to operate cars across the Manhattan Bridge, and one petition from a street surface railway company, praying for the right to operate cars upon the Flatbush avenue extension. In addition to those of street surface railways, there is an application from an elevated railroad company now before the Public Service Commission for the First District, praying for the right to operate on the Flatbush avenue extension, to connect with the tracks upon the Manhattan Bridge, and there are proposed at least two subway rapid transit routes to cross the Manhattan Bridge.

Before reporting upon the petitions which are before the Board, that is, those of the street surface railway companies, as above noted, and submitting forms of contracts, I wish to call attention to the proposed operation of cars upon the Manhattan Bridge, as indicated by the petitions of the companies, and in connection therewith to point out what seems to be the proper procedure to facilitate street surface railway traffic between the Boroughs of Manhattan and Brooklyn, by way of the Manhattan Bridge, and to prevent, as far as possible, congestion at the terminals of the bridge.

COMPANIES PROPOSING TO USE THE BRIDGE.

At a meeting of the Board held on May 24, 1907, the Chief Engineer presented a report in which he called attention to the fact that the Flatbush avenue extension was desirable for the use of street surface railway tracks in order to make connection with those to be placed on the Manhattan Bridge. No petitions for franchises from street railway companies had prior to that time been presented covering this extension, and it was recommended that the Board adopt resolutions calling upon the Brooklyn Rapid Transit Company, the Coney Island and Brooklyn Railroad Company and the New York City Railway Company to make applications to the Board for the right to lay tracks on the Flatbush avenue extension.

In accordance with this suggestion, the Board adopted resolutions directing that the street railway companies operating in the Boroughs of Manhattan and Brooklyn be requested to present petitions prior to September 1, for the right to operate cars over the Manhattan Bridge and along the Flatbush avenue extension. No requests were received prior to September 1, but under date of September 9, 1907, three petitions were presented, as follows:

(a) From the Brooklyn City Railroad Company, for the right to construct, maintain and operate a double track street surface railway from the intersection of Fulton street and Flatbush avenue, thence upon the Flatbush avenue extension to a point at or near Nassau street or the Bridge plaza.

(b) From the Brooklyn Heights Railroad Company, as lessee of the Brooklyn City Railroad Company, for the right to use two of the street surface railroad tracks upon the Manhattan Bridge, when constructed across the East River.

(c) From the Brooklyn Union Elevated Railroad Company, for the right to the exclusive use of two of the tracks provided for elevated railroads upon the Manhattan Bridge and approaches, when constructed across the East River.

This latter petition was made in connection with one submitted by the same company to the Public Service Commission for the First District, for the right to construct an elevated structure on Flatbush avenue extension, from Fulton street to the Bridge plaza. It was assumed by the company that the jurisdiction over the route which the company sought to create, that is, from its existing elevated railroad in Fulton street to the Manhattan end of the Manhattan Bridge, was divided between the Public Service Commission for the First District and the Board of Estimate and Apportionment; the Public Service Commission having jurisdiction over that part of the route in Flatbush avenue extension, and the Board of Estimate and Apportionment over that portion of the route upon the Manhattan Bridge. Seeing that this division of jurisdiction over a continuous route might result in serious difficulties, and perhaps delays, and believing that the petition for the right to use the bridge should have been made to the Public Service Commission, the question of the jurisdiction was presented to the Corporation Counsel, who, under date of March 20, 1908, rendered an opinion in which he held that the Public Service Commission had the authority to grant franchises to the Union Elevated Railroad Company for the entire route including the bridge, and that the petition of that company for the right to operate across the Manhattan Bridge was not properly before the Board of Estimate and Apportionment, and should have been presented to the Public Service Commission.

Upon receipt of this opinion, the petition was filed and the company notified of the opinion of the Corporation Counsel, and of the action of the Board.

A petition has since been presented by the company to the Public Service Commission for the First District for the right to operate the entire route, but no decision has yet been reached by the Public Service Commission, but I am informed that action will be taken upon the petition in the near future.

No further response from the companies operating in the Borough of Brooklyn has been made to the resolution by the Board of May 24, 1907, above referred to.

Since the adoption of this resolution, the New York City Railway Company, which at that time was the only company which was expected to apply for the right to use the bridge, has been placed in the hands of receivers, and the lines owned by the Third Avenue Railroad Company, which were at that time operated by the New York City Railway Company, pursuant to a lease, are now operated as a separate and independent system under the direction of a separate receiver, so that there are now in operation in the Borough of Manhattan in the vicinity of the entrance to the Manhattan Bridge two separate street surface railway companies, namely, the Metropolitan Street Railway Company (New York City Railway Company) and the Third Avenue Railroad Company.

No petitions from either of these companies were received until August 3 of this year, under which date the Third Avenue Railroad Company, by its receiver, petitioned the Board for the right to operate cars across the Manhattan Bridge, and also the Queensboro (Blackwells Island) Bridge; the route across the Manhattan Bridge beginning at the intersection of Canal street and the Bowery, and running thence to the Brooklyn terminal of the Manhattan Bridge.

Later, under date of October 20, 1908, a petition was received from the Metropolitan Street Railway Company for the right to operate from the intersection of Canal street and the Bowery across the Manhattan Bridge to the Brooklyn terminal thereof. This right is asked for as an extension to a franchise claimed by that company in Canal street, granted to the Bleecker Street and Fulton Ferry Railroad Company, the property of which company is now held by lease by the Metropolitan Street Railway Company.

The Board has before it, therefore, petitions from two street surface railway companies in the Borough of Manhattan, which are all the street surface railways operated in the vicinity of the Manhattan terminal of the Manhattan Bridge, to operate cars from their present lines in the Borough of Manhattan across the Manhattan Bridge to the terminal in the Borough of Brooklyn, and one application from a street surface railway company in the Borough of Brooklyn to operate across the bridge to the terminal in the Borough of Manhattan, and one petition for the right to operate upon the Flatbush avenue extension, the two latter petitions being made for the purpose of permitting all the cars of the Brooklyn Rapid Transit system to operate across the bridge.

Under the present management and operation of street surface railroads in the two Boroughs it would appear that all the street surface railway companies operating in both Boroughs which could be expected to operate cars across the Manhattan Bridge, have petitioned the Board for the privilege of using the bridge, with the exception of the Coney Island and Brooklyn Railroad Company, operating in the Borough of Brooklyn. This company has not yet petitioned the Board for such right. Its present line on Jay street is operated adjacent to the bridge plaza, and could easily be connected with tracks upon the Manhattan Bridge, and I believe that it can be assumed that this company will yet apply to the Board for the right to operate its cars to the Borough of Manhattan.

RAPID TRANSIT RAILROADS PROPOSED ON MANHATTAN BRIDGE.

The Public Service Commission for the First District is now constructing a four-track subway from the Manhattan entrance to the Brooklyn Bridge to the Manhattan entrance to the Williamsburg Bridge, with a two-track branch to the Manhattan entrance to the Manhattan Bridge. Trains will be operated in this subway to the Brooklyn ends of the Williamsburg and Manhattan bridges, and possibly to the Brooklyn end of the New York and Brooklyn Bridge.

It was proposed by the former Board of Rapid Transit Railroad Commissioners to complete a loop by the use of this railway, the bridges across the East River, and the construction of a railway under Fulton street, Lafayette avenue and Broadway, in the Borough of Brooklyn, and it is probable that a rapid transit railroad will eventually be constructed upon the route so laid out in the Borough of Brooklyn, which will complete the loop.

The Public Service Commission for the First District submitted to the Board of Estimate and Apportionment on March 20, 1908, forms of contract for the construction of a subway from the Brooklyn end of the Manhattan Bridge, thence along Flatbush avenue extension and Fourth avenue to Fort Hamilton. The forms of these contracts were approved by the Board of Estimate and Apportionment on March 27, 1908. The contracts were advertised by the Public Service Commission, and bids were obtained, and on June 5, 1908, forms of contracts were again submitted to the Board of Estimate and Apportionment, with a request from the Public Service Commission to authorize and issue Corporate Stock for the construction of the subway, pursuant to the contracts. On June 12, 1908, the members of the Board were served with an injunction restraining the Board from approving or certifying contracts for the construction of the Fourth avenue subway. I understand this injunction is still in force.

On March 13, 1908, the Board of Estimate and Apportionment approved, upon request of the Public Service Commission, a rapid transit route beginning at the entrance of the Manhattan Bridge, in the Borough of Manhattan, where connection may be made with two tracks to be constructed upon the Manhattan Bridge; thence west in Canal street to West street, with a loop at West street, for the purpose of a terminal, forming a crosstown line which would be an extension of any Brooklyn route passing over the Manhattan Bridge.

It is stated in the communication from the Public Service Commission requesting the approval of this route that it may be used in connection with the proposed Fourth avenue route, referred to above. If the route in Canal street is to be operated in connection with the route upon Fourth avenue and Flatbush avenue extension, then cars would be operated from Fort Hamilton across the Manhattan Bridge and across the Borough of Manhattan by the way of Canal street. This system of subways will ultimately require four tracks upon the Manhattan Bridge, two tracks for the use of the Manhattan loop, now in the course of construction, and two tracks for the Fourth avenue subway, in connection with the Canal street route, which has been proposed by the Public Service Commission, but for which full authority has not been obtained.

EFFECT OF RAPID TRANSIT RAILROADS UPON OPERATION OF SURFACE LINES.

Since there are two rapid transit railway routes laid out crossing the Manhattan Bridge, which may ultimately be constructed and put in operation, tracks upon the bridge for that purpose should be reserved. The bridge is planned to carry two pair of railway tracks on the lower deck, and two pair of tracks on the upper deck. The rapid transit railways will necessarily use the two pair of tracks on the lower deck, for the reason that an excessive grade will be required to reach the upper deck. In consequence, the street surface cars must operate over the tracks in the upper deck of the bridge.

The petition of the Brooklyn City Railroad Company, referred to above, is accompanied by a plan and profile of the proposed railway.

It is proposed by that company to construct an incline in the Flatbush avenue extension, beginning at a point just west of Myrtle avenue, upon which cars may rise from the surface of the Flatbush avenue extension to the grade of the proposed elevated structure, for which an application of the Brooklyn Union Elevated Railroad Company is now pending before the Public Service Commission. In other words, it is proposed to construct an elevated structure in the Flatbush avenue extension nearly one-half its length. I believe that such a structure should not be considered favorably by the Board, unless there is to be constructed in Flatbush avenue extension an elevated structure for the use of elevated railroads.

As before stated, the Public Service Commission has not as yet taken any action upon the application of the Brooklyn Union Elevated Railroad Company. Assuming that the Public Service Commission does grant the right to construct an elevated railroad on the Flatbush avenue extension, I believe that this plan has some good features, though no discussion is pertinent at this time, for the reason that nothing can be done until the Public Service Commission decides the question as to whether an elevated railroad shall be constructed in this street.

PROPOSED OPERATION OF CARS ON THE MANHATTAN BRIDGE AND EFFECT OF SUCH OPERATION.

Notwithstanding that the resolution which requested the companies to apply to the Board for the right to operate upon the bridge and on Flatbush avenue applied to all companies mentioned in the resolution, that is, the companies operating both in the Boroughs of Manhattan and Brooklyn, no company has applied for the right to use Flatbush avenue extension, with the exception of the Brooklyn City Railroad Company.

The companies now operating in the Borough of Manhattan which have applied for the use of the bridge propose, judging from their petitions, to operate their cars only to the Brooklyn end of the bridge, creating a terminal at that point; likewise the Brooklyn companies propose to operate to the Manhattan end of the bridge, creating a terminal at that point. The tentative plans of the Bridge Department have been drawn with this idea in view, and terminals have been planned at either end of the bridge to be located on the plazas.

The difficulties and inconveniences to the public and to the operating companies which accompany the operation of the terminals at the ends of bridges whether for surface or elevated railroads, have been so clearly shown during the years in which the City has been endeavoring to better the terminal conditions at the end of the New York and Brooklyn Bridge that no further discussion is needed. Because of its experience in that case, the City should, I believe, prevent in every way possible the creation of such terminals when granting further rights to railroad companies to cross the East River bridges.

The Public Service Commission, when laying out the route across the Borough of Manhattan by the way of Canal street, as above noted, which route may be used as an extension to the Fourth avenue subway, has shown that it realizes the necessity of laying out rapid transit routes in such a manner as will eliminate terminals at congested points, and distribute passengers at points where intersection is made with other railroads.

I am informed that the Bridge Department, in preparing tentative plans for the structures on the bridge terminal property, has not planned for elevated railroad terminals because it is believed that if the bridge structure is used for an elevated railroad, the railroad companies should acquire property of its own for the construction of a large loop by which passengers may be carried beyond the entrance to the bridge and across other lines of travel to which passengers may change, or in case private property for this purpose cannot be obtained, the company may apply to the City for the right to construct such a loop upon public streets.

THROUGH OPERATION PROPOSED.

The question now arises what can be done to influence the operation of surface railways to prevent the establishment of over congested terminals for the use of the surface railways at the ends of the Manhattan Bridge. Certainly, the operation contemplated by the companies, as indicated by their petitions to the Board, will require terminals at both ends of the bridge, and the tendency will be, if the petitions are granted as now applied for, to create the conditions which will, in perhaps a less degree at present, but probably a greater degree in the future, duplicate those upon the New York and Brooklyn Bridge.

The Flatbush avenue extension is a street 120 feet in width, and was designed and acquired as a street approach to the Manhattan Bridge, and should be used to the best advantage in distributing all classes of traffic upon the bridge.

Canal street, in the Borough of Manhattan, between its intersection with the Bowery and Mulberry street, is 70 feet in width, and from its intersection with Mulberry street to its intersection with West street is 100 feet in width. This street may also be considered as an approach to the Manhattan Bridge, and should be used as much as possible for that purpose; that is, of course, without limiting its use by the traffic which is now on it. This street has been in use many years, and is one of the oldest streets in the City. It is used to a great extent by heavily loaded vehicles, and there is also in operation a street surface railway throughout almost its entire length.

It seems to me that if cars from the Brooklyn lines were operated through Canal street to some point on Canal street beyond the entrance to the bridge in the Borough of Manhattan and likewise cars from the Manhattan lines operated upon the Flatbush avenue extension, in the Borough of Brooklyn, that the danger of congestion at the bridge terminals will be, to a great extent, eliminated. No franchise has ever been granted upon the Flatbush avenue extension, and in consequence the City may, upon granting franchises upon that street, reserve the right to grant similar privileges to other companies, so that two or more companies may eventually use that street for street surface railways, should the City permit them to do so.

The conditions which exist in Canal street, however, are somewhat different. Several franchises have been granted to street railway companies for the right to use that street, and street railways have been operated thereon many years.

In order that the situation in regard to Canal street may become a matter of record, I have appended to this report a synopsis of the franchises granted and a statement of the present operation of cars.

Whether an arrangement between the Manhattan and the Brooklyn companies and a joint route can be established upon Canal street I am unable to state, but certainly such an arrangement, in connection with a joint route upon the Flatbush avenue extension is desirable for the distribution of traffic.

EFFECT OF THROUGH OPERATION.

If the cars of the Brooklyn companies were operated in Canal street as far as Broadway, passengers from those lines would be delivered at points where easy change could be made to several north and south surface lines in the Borough of Manhattan, and to the Subway Rapid Transit Railroad in Lafayette street, by connection with the station at Canal street.

If cars were operated as far west as West Broadway, then passengers would also be delivered at a point where change could be made to a west side elevated railroad line operated upon Sixth or Ninth avenue and to the Sixth and Eighth avenue surface lines, so that if the cars were operated as far as West Broadway practically all north and south avenues of traffic in the Borough of Manhattan would be intersected. If the cars from Manhattan were operated upon the Flatbush avenue extension, passengers would be delivered within two blocks of the elevated railroad station at the intersection of Myrtle avenue and Bridge street, at which point passengers could change to the Fifth avenue, Lexington avenue and Myrtle avenue elevated lines, and passengers would be delivered at the elevated station at the intersection of Fulton street and Flatbush avenue, where change could be made to the Fifth avenue and Fulton street elevated lines, thus making connection with all the elevated lines in the Borough of Brooklyn.

In addition to this, surface lines would be intersected or reached to which passengers could change, and upon which cars operate to practically all points in the Borough.

I do not mean that all the cars operating across the Manhattan Bridge should be continued upon the Flatbush avenue extension; neither do I mean that all the cars operated in the Borough of Brooklyn upon the Manhattan Bridge should be continued to points in Canal street; in other words, I do not think it is possible to entirely eliminate the terminals at the ends of the bridge, but I believe that the operation of at least some of these cars to points beyond the bridge entrance would, for a great many years, prevent a dangerous congested condition similar to that which now exists on the New York and Brooklyn Bridge.

POSSIBLE OBJECTIONS BY COMPANIES TO THROUGH OPERATION.

Judging by the attitude which has been assumed at times by the street surface railway companies in this City, there is little doubt but that objection will be made to the operation as outlined above, upon the ground that no extra fare will be charged for a longer haul than at the present time, or to the ends of the Manhattan Bridge, as proposed by the companies in their petitions now before the Board. This is, of course, true to some extent, but I believe the companies enjoying valuable rights from the City should work in harmony with the City to secure the best system possible to distribute the traffic, and prevent congestion at the entrances to the East River bridges, which have been constructed at so great an expense by the City, and upon which provision has been made for tracks to be used by the railway companies. This objection has, however, little weight, and cannot be made in reference to traffic terminating or originating at points other than in the area served directly by the line on Canal street and that on the Flatbush avenue extension, for the reason that a passenger traveling from one Borough to the other from and to points other than along the Flatbush avenue extension and Canal street would necessarily pay a second fare of five cents, and the work required by the companies in hauling such passengers along Canal street and the Flatbush avenue extension and upon the bridge, a distance less than twice that which the company now proposes to haul passengers, would be divided between the Manhattan and Brooklyn companies.

Upon the opening of the Manhattan Bridge there will no doubt be considerable local traffic between the two great business districts in the vicinity of Canal street and Flatbush avenue extension. The operation recommended above would provide for a single fare of five cents between the two districts, while two fares of five cents each would be exacted under the plan of operation proposed by the railway companies. Similarly, passengers from points on the Flatbush avenue extension or Canal street desiring to reach points not on those thoroughfares, in opposite Boroughs, would be required to pay only a single fare of five cents, which, under the companies' plan, would be required to pay two fares of five cents each. To these classes of traffic the objections of the companies assumed above would apply.

The East River has always been a dividing line where a second fare has been exacted until the opening of the Brooklyn extension to the Rapid Transit Railroad. This may have been necessary, since a universal fare of five cents between all points in the Boroughs of Manhattan and Brooklyn would probably not be a paying proposition to the railway companies. However, I do not believe that the two great densely populated and business sections in the vicinity of Canal street and the Flatbush avenue extension should be separated by a ten-cent fare, if it can be avoided, while other points separated by a much greater distance in both the Boroughs of Manhattan and Brooklyn, between which the traffic is not nearly as great as the anticipated traffic between these two sections, are connected by railways upon which only a single fare of five cents is charged. It appears to me that this dividing line should be eliminated, if possible.

The New York Telephone Company, in laying out its districts within which to charge different rates per message, has, in a portion of the City, removed the boundaries of such districts from the vicinity of the subscribers in all cases within a portion of the City. Anyone who has become familiar with the system of rates charged by the New York Telephone Company must at once recognize its advantages, which should, I believe, be carried into effect, to some degree at least, covering the entire City. The operation of through cars upon Canal street and Flatbush avenue extension, eliminating the extra fare at the East River, would go far in accomplishing a similar result in charges for transportation between the Boroughs of Manhattan and Brooklyn. If these two sections were connected by a line of cars upon which a single fare of five cents only is charged, with transfer privileges, it is believed that the business interests in those two sections will be increased to such an extent that the traffic upon the railways connecting them will be also increased to an amount which will compensate the railway companies for the extra haul for the single fare.

INDEPENDENT LINE OF CARS PROPOSED IF NOT THROUGH OPERATION.

If an arrangement between the companies for the operation of through cars upon these thoroughfares cannot be made, much the same result, as far as the elimination of congestion at the bridge terminals is concerned, would be accomplished by the operation of a line controlled either by a combination of the companies which propose to operate across the Manhattan Bridge, similar to the Bridge Operating Company on the Williamsburg Bridge, or by an independent company between points on the Flatbush avenue extension and points on Canal street, upon which passengers would be carried for a single fare of three cents without transfer privileges. By that

arrangement the fare between the business districts before mentioned would be only three cents, while the fare between points along the Flatbush avenue extension or Canal street to points not along those thoroughfares in the opposite Boroughs would be eight cents instead of five cents, as would be the case if the existing companies operated the street cars from the various lines. The fare between points in opposite Boroughs not along the Flatbush avenue extension or Canal street would, in that case, be ten cents, which is the same fare that would be exacted if the companies operated through cars from their present lines.

THROUGH OPERATION REQUIRES UNDERGROUND ELECTRIC SYSTEM.

The extension of the operation of the cars of the Brooklyn Company into the Borough of Manhattan would, since it would be unwise to allow such operation by the overhead trolley system, require those companies to equip the cars so operated for both the overhead and the underground system. This, however, is not so difficult as may be imagined by some. Cars in the District of Columbia are operated by both systems, outside of the city limits of Washington by the overhead trolley, and within the city limits by the underground system. The time to make the change from one system to the other requires only from ten to twenty seconds, and the cost of the double equipment is only slightly more than the cost for one system only. The cars operated in the Borough of Manhattan are now equipped for the underground system, and the tracks in Flatbush avenue extension may be constructed to admit of operation by that system. No change will therefore be necessary in the equipment of cars operated by the Manhattan Company. The operation of an independent line, as heretofore suggested, would to a considerable extent eliminate the necessity for double equipment of the cars, since under that arrangement the cars from the various lines operated in Brooklyn would not continue upon Canal street, passengers desiring to reach points on Canal street or beyond being transferred to the independent line.

CITY'S RIGHT TO GRANT FRANCHISES IN CANAL STREET.

As to the City's right to grant a franchise upon the portion of Canal street now covered by existing franchises claimed by the Metropolitan Street Railway Company and the Third Avenue Railroad Company through its ownership of stock of the Dry Dock, East Broadway and Battery Railroad Company, and its power to secure to such a company the right to operate on the existing tracks, I have only to say that this is something which must be legally determined, but I cannot believe that franchises which had been granted on that street were ever intended to exclude the operation of cars by every other company, should public convenience demand such operation. Moreover, the Legislature, in granting the franchises which have been referred to on Canal street and other streets in the City, authorized companies to operate over routes for which franchises had previously been granted by the State Legislature, which indicates that it was not the intention of the Legislature at that time to grant franchises in streets to the exclusion of all other railway companies which might be theretofore formed.

PUBLIC SERVICE COMMISSION'S AUTHORITY IN CANAL STREET.

Should it be determined by the Corporation Counsel that the City does not have the legal right to grant further franchises on Canal street, and secure the right of operation to the companies receiving such franchises, it is possible that the Public Service Commission for the First District would have the power to order the companies in Manhattan and Brooklyn to operate over that portion of Canal street jointly. A portion of section 49 of the Public Service Commissions Law reads as follows:

"The commission shall have power by order to require any two or more common carriers or railroad corporations, whose lines, owned, operated, controlled or leased form a continuous line of transportation or could be made to do so by the construction and maintenance of switch connection, to establish through route and joint rates, fares and charges for the transportation of passengers, freight and property within the state as the commission may, by its order, designate; and in case such through routes and joint rates be not established by the common carriers or railroad corporations named in any such order within the time therein specified, the commission shall establish just and reasonable rates, fares and charges to be charged for such through transportation and declare the portion thereof to which each common carrier or railroad corporation affected thereby shall be entitled and the manner in which the same shall be paid and secured."

This section would appear to give the Public Service Commission the power to enforce the operation of through cars, at rates to be agreed upon by the companies and approved by the Public Service Commission, or to be fixed by that Commission. However, before any rights are granted by the Board of Estimate and Apportionment, as now applied for by the respective companies, it would appear desirable that the Commission's opinion should be secured as to how far it would have the power to enforce such through operation.

This question as to the power of the Public Service Commission under the law, I believe should be considered at the same time as the question of the City's authority over operation in Canal street by the Law Department, for if no arrangement can be made between the several companies and the City, and the City's right to grant and power to enforce additional franchises is found inadequate, then the City should be enabled to take advantage of the only alternative which I have been able to discover at the present time, and to act upon it at once, as delay in the use of this bridge will work a great hardship upon both the public and the companies alike.

The question should therefore be submitted to the Public Service Commission, with a request that it advise the Board how far it believes its orders could be issued under the law to secure the desired results.

Recommendations.

In view of the foregoing, it is recommended:

First—That the Secretary be directed to forward copies of this report to the Brooklyn Rapid Transit Company, the Coney Island and Brooklyn Railroad Company, the Third Avenue Railroad Company, and the Metropolitan Street Railway Company, with a request that representatives of these companies confer, with a view to reaching an agreement by which cars now operated in the Borough of Brooklyn may continue across the Manhattan Bridge, and along Canal street, to some point in the Borough of Manhattan, and that cars now operated in the Borough of Manhattan may continue across the Manhattan Bridge and upon the Flatbush avenue extension, to some point in the Borough of Brooklyn; or, in case such an agreement cannot be made, that they confer for the purpose of making an arrangement by which an independent line of cars may be operated between points upon Flatbush avenue extension, in the Borough of Brooklyn, and points in Canal street, in the Borough of Manhattan, by way of the Manhattan Bridge, upon which cars the fare shall not exceed three (3) cents, without transfer privileges; and further, that the Chief Engineer be authorized to confer with representatives of such companies for the purpose of perfecting such an agreement or arrangement.

Second—That a copy of this report be forwarded to the Public Service Commission, and that the Commission be requested to inform the Board whether it has the power, pursuant to section 49 of the Public Service Commissions Law, to order the Brooklyn companies to operate their cars along Canal street, in the Borough of Manhattan, should such companies obtain a franchise upon the Manhattan Bridge, and thereby establish a thorough route and joint rates upon Canal street.

Third—That the question of the City's right to grant further franchises in Canal street and to secure the right of operation to companies receiving such franchises upon the payment of a fair compensation by said companies to the companies now owning tracks in that street, be submitted to the Corporation Counsel for an opinion.

Resolutions carrying out such recommendations are submitted herewith.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

November 9, 1908.

Since preparing the foregoing, the Public Service Commission for the First District has reached a decision in regard to the petition of the Brooklyn Union Elevated Railroad Company to construct and operate an elevated railroad extension in Flatbush avenue extension, and to use two tracks upon the Manhattan Bridge.

The petition was denied for several reasons, but the most serious obstacle to the granting of the franchise, as stated in the report of the committee to which the matter was referred, was the fact that the Company contemplated the operation of trains upon the extension and across the Manhattan Bridge only to its terminal in the Borough of

Manhattan, and create there a condition similar to that which exists at the Manhattan terminal of the Brooklyn Bridge.

Aside from the question of whether an elevated railroad should be constructed in Flatbush avenue extension, the decision is very important in that the Commission has taken a decided stand to prevent congestion at the bridge terminus, and I urge that the Board use every means in its power to prevent a similar congestion which would arise from the granting of the franchise to the street surface railway companies as applied for, without provision being made for through operation upon Canal street and Flatbush avenue extension.

HARRY P. NICHOLS, Engineer in Charge.

Proposed Resolution.

Whereas, There are now pending before the Board petitions from the Third Avenue Railroad Company and the Metropolitan Street Railway Company, for the right to operate cars across the Manhattan Bridge to the Brooklyn terminal thereof, and a petition from the Brooklyn Heights Railroad Company to operate cars across the Manhattan Bridge to the Manhattan terminal thereof, and from the Brooklyn City Railroad Company for the right to construct, maintain and operate a street surface railway upon the Flatbush avenue extension, from Fulton street to the entrance of the Manhattan Bridge, in the Borough of Brooklyn; and

Whereas, It appears that if such franchises be granted, the cars from the Borough of Brooklyn would be operated across the Manhattan Bridge to the Manhattan terminal thereof, and cars from the Borough of Manhattan would be operated across the Manhattan Bridge to the Brooklyn terminal thereof, thereby creating street surface railway terminals at the ends of the Manhattan Bridge; and

Whereas, The effect of such terminals will tend to cause congestion of traffic at the bridge terminals; and

Whereas, It is the sense of this Board that the congested condition at those points should, if possible, be avoided, and at least a portion of the cars from the Borough of Brooklyn should be continued upon Canal street to intersect the existing north and south railways in the Borough of Manhattan, and that cars in the Borough of Manhattan should be continued upon the Flatbush avenue extension to intersect the existing railway lines in the Borough of Brooklyn; therefore be it

Resolved, That the report of the Division of Franchises upon the pending petitions, dated November 4, 1908, and this day presented to the Board by the Chief Engineer, be forwarded by the Secretary to the Brooklyn Rapid Transit Company, Coney Island and Brooklyn Railroad Company, Third Avenue Railroad Company, and the Metropolitan Street Railway Company, with the request that representatives of those companies confer with the view to reaching an agreement by which cars now operated in the Borough of Brooklyn may continue across the Manhattan Bridge, and along Canal street to some point in the Borough of Manhattan, and that cars now operated in the Borough of Manhattan may continue across the Manhattan Bridge and upon the Flatbush avenue extension to some point in the Borough of Brooklyn, or in case such an agreement cannot be made that they confer for the purpose of making an arrangement by which an independent line of cars controlled by them jointly may be operated between points upon Flatbush avenue extension, in the Borough of Brooklyn, and points in Canal street, in the Borough of Manhattan, by the way of the Manhattan Bridge, upon which cars the fare shall not exceed three (3) cents, without transfer privileges, and that the Chief Engineer be authorized to confer with the representatives of such companies for the purpose of procuring such agreement or arrangement; and be it further

Resolved, That a copy of said report be forwarded to the Public Service Commission for the First District, with the request that such Commission inform the Board whether it has the power, pursuant to section 49 of the Public Service Corporations Law, to order the Brooklyn companies to operate their cars along Canal street, in the Borough of Manhattan, should such companies obtain a franchise upon the Manhattan Bridge, and thereby establish a through route and joint rates upon Canal street; and be it further

Resolved, That the Corporation Counsel be requested to advise the Board whether the City has the right to grant further franchises in Canal street, and to secure the right of operation to companies receiving such franchises upon the payment of a fair compensation by said companies to the companies now operating tracks in that street.

APPENDIX.

HISTORY OF FRANCHISES GRANTED TO RAILWAY COMPANIES TO USE CANAL STREET.

On June 3, 1851, the Board of Aldermen adopted a resolution granting to certain individuals the right to operate a street surface railway upon West Broadway, Canal street, Hudson street and Eighth avenue, the portion on Canal street being from West Broadway to Hudson street. These individuals formed what is now known as the Eighth Avenue Railroad Company, on January 10, 1855. The resolution was also adopted by the Board of Assistant Aldermen, July 14, 1851, and approved by the Mayor, July 31, 1851.

This resolution also granted to certain other individuals the right to operate a street surface railway upon Church street, Canal street, Varick street and other streets, the portion on Canal street being from Church street to Varick street.

Later, this route was changed to include West Broadway instead of Church street, and Canal street, from West Broadway to Varick street, instead of from Church street to Varick street. The resolution was adopted by the Board of Aldermen on June 17, 1852, and approved by the Mayor June 23, 1852. These individuals formed what is now known as the Sixth Avenue Railroad Company, on December 29, 1857. It is to be noted that the route on West Broadway and the portion on Canal street, between West Broadway and Hudson street, are identical, provision being made in the latter resolution for the construction of this portion of the route jointly, or, in case an arrangement for such construction cannot be made between the two companies, either one of the companies could construct the road at its own expense and use the same.

On September 6, 1851, agreements were entered into between the individuals to which the grants above mentioned were granted in accordance with the provisions of the resolutions.

A resolution adopted by the Board of Assistants on November 11, 1852, by the Board of Aldermen November 22, 1852, and received from the Mayor without his approval on December 13, 1852, which, under the Charter, became a law which extended the rights of the individuals who afterwards formed the Eighth Avenue Railroad Company, to which was granted a franchise to construct an extension on Canal street east as far as Broadway, thus giving the Eighth Avenue Railroad Company a franchise for the complete route between Hudson street and Broadway.

The New York and Harlem Railroad Company was granted the right to construct a railway in Canal street, between Centre street and a point seventy-five feet east of Broadway, by a resolution of the Board of Aldermen November 13, 1848, adopted by Board of Assistants November 13, 1848, and approved by the Mayor November 15, 1848. This was granted during the pleasure of the Common Council.

By chapter 514 of the Laws of 1860, passed April 17, a grant was made to individuals for the right to operate street surface railways upon various streets of the City, including Canal street, from the Bowery to Broadway. This right was afterwards assigned to the Bleecker Street and Fulton Ferry Railroad Company, which was incorporated December 12, 1864.

By chapter 512 of the Laws of 1860, passed April 17, there was granted to individuals the right to operate a street surface railway in various streets of the City, including Canal street, from East Broadway to Broadway, which right was afterwards assigned to the Dry Dock, East Broadway and Battery Railroad Company, which was incorporated December 8, 1863.

By chapter 513 of the Laws of 1860, passed April 17, there was granted to individuals the right to operate a street surface railway on various streets in the City including Canal street, from Wooster street to West Broadway, by single track, and from West Broadway to Varick street by double track. This right was afterwards assigned to the Broadway and Seventh Avenue Railroad Company, which was incorporated May 26, 1864.

The franchises referred to above which were granted to the Eighth Avenue Railroad Company, Sixth Avenue Railroad Company, Bleecker Street and Fulton Ferry Railroad Company, New York and Harlem Railroad Company, and the Broadway and Seventh Avenue Railroad Company, are all now owned or controlled by the Metropolitan Street Railway Company, in the following manner:

The Eighth Avenue Railroad Company and the New York and Harlem Railroad Company were leased directly to the Metropolitan Street Railway Company on November 23, 1895, and on June 11, 1896, respectively.

The Broadway and Seventh Avenue Railroad Company and the Sixth Avenue Railroad Company were leased to the Houston, West Street and Pavonia Ferry Railroad Company on May 13, 1890, and on February 1, 1892, respectively.

The Bleecker Street and Fulton Ferry Railroad Company was leased to the Twenty-third Street Railway Company on January 10, 1876, and on April 25, 1893, the Twenty-third Street Railway Company was also leased to the Houston, West Street and Pavonia Ferry Railroad Company. The latter company was afterwards merged with the Metropolitan Street Railway Company, so that all the franchises granted to the Bleecker Street and Fulton Ferry Railroad Company, the Broadway and Seventh Avenue Railroad Company and to the Sixth Avenue Railroad Company came into the possession of the Metropolitan Street Railway Company by reason of merger of the different railway companies, and the franchises granted to the Eighth Avenue Railroad Company and the New York and Harlem Railroad Company are controlled by the Metropolitan Street Railway Company by reason of leases of those companies to the Metropolitan Street Railway Company.

The franchise to the Dry Dock, East Broadway and Battery Railroad Company, above referred to, is controlled by the Third Avenue Railroad Company, the latter company owning all the capital stock of the former company. A receiver was appointed for the Dry Dock, East Broadway and Battery Railroad Company on February 8, 1908, being the same receiver which was appointed to take over the property of the Third Avenue Railroad Company.

From this it is seen that franchises which have been granted in Canal street are in the possession of two different companies, that is, the Metropolitan Street Railway Company and the Third Avenue Railroad Company.

At the present time a line of horse cars are operated upon Canal street by the Dry Dock, East Broadway and Battery Railroad Company west as far as Lafayette street, and the Metropolitan Street Railway Company operates a line of cars known as the Canal Street Crosstown Line, from the intersection of Canal street and Hudson street to the intersection of Canal street and Centre street, and, in addition, operates the cars of its Eighth avenue line on Canal street, from Hudson street to West Broadway.

The President of the Board of Aldermen moved that the question as to the grant of a franchise over the Queensboro (Blackwells Island) Bridge, as applied for by the Third Avenue Railroad Company, be referred to a Select Committee, consisting of the President of the Board of Aldermen, the Comptroller and the Presidents of the Boroughs of Manhattan and Queens, and that the question of the grant of franchises over the Manhattan Bridge be referred to a Select Committee, consisting of the President of the Board of Aldermen, the Comptroller and the Presidents of the Boroughs of Manhattan and Brooklyn.

Which motion was adopted by the following vote:

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

New York, Westchester and Boston Railway Company.

The public hearing on the form of contract consenting to a change in the line of the route of the New York, Westchester and Boston Railway Company, in the Borough of The Bronx, and to certain modifications in the ordinance of August 2, 1904, granting a franchise to said company, was opened.

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

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

No one appeared in opposition to the proposed grant.

Charles S. Graham, of counsel for the company, appeared in favor.

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

The Secretary presented the following:

REPORT NO. F-118.

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER,
November 9, 1908.

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

SIR—The final hearing is to be given on Friday, November 13, 1908, on the petition of the New York, Westchester and Boston Railway Company for a change of line and for modifications in its present form of franchise.

The situation with respect to the New York, Westchester and Boston and the New York and Portchester Railroads, both of which are now owned by the New York, New Haven and Hartford Railroad Company, has been set forth in several reports to the Board, and it is hardly necessary to discuss it at length at the present time. The company in its petition asks for an extension of the time within which the road is to be completed until August 2, 1911, for a portion of the line, and until August 2, 1913, for the remainder. Under the franchise the time for completion will expire on August 2, 1909, and it seems hardly reasonable that extensions of two and four years should be granted so long before the expiration of the time named in the franchise, especially in view of the fact that the situation may materially change within the next few months.

I am forwarding herewith a copy of a report by the Engineer in charge of the Division of Franchises showing what has been done and setting forth his views upon the situation. In my judgment the effect of control of both of these companies by the New York, New Haven and Hartford Railroad Company might result in advantage, rather than disadvantage, to The City of New York, provided the last named company will make use of one or the other of these franchises to carry its line not only to the Harlem River, but that in connection therewith it would undertake to build an east side subway largely, if not wholly, at its own expense, delivering its passengers at the lower end of Manhattan Island and providing a new transportation line which the City greatly needs, but which it does not appear to be in a position to construct at the present time. It would seem that such a rapid transit line run in conjunction with one of the trunk lines entering New York City, avoiding transfers or changes from one train to another, would be an exceedingly advantageous arrangement which would be in the interests of both the New York, New Haven and Hartford Railroad Company and The City of New York, as well as of the traveling public. If the Board grants the long extensions asked for at the present time it may defer such a solution of the problem, while the railroad company controlling both these franchises may be prompted to present to the Board a definite proposal if action upon its present application be deferred for the present.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY,
November 7, 1908.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—I desire to call your attention, and that of the members of the Board, to the status of the two petitions of the New York, Westchester and Boston Railway Company for a change of line and for various modifications in its proposed form of franchise, for the reason that the matter is on the calendar for final public hearing on November 13, 1908, and the proposed resolutions, containing a form of contract granting such change of line and modifications in exactly the manner petitioned for by the railroad company, were placed upon the minutes at the meeting of the Board held October 2, 1908.

These petitions were presented on June 19, 1908, and referred to the Chief Engineer. Subsequently the date for the preliminary public hearing was fixed for September 18, 1908, and upon that date I presented to the Board a detailed report upon the change of line and the several modifications asked for. This report is printed in the minutes of September 18, pages 2737 to 2750. No one appeared at the public hearing except Mr. Allen Wardwell, of counsel for the company. The hearing was, upon

motion of the Comptroller, continued until September 25, 1908, and the matter referred to the President of the Borough of The Bronx and to the Chief Engineer.

It appeared from a conversation which I had with one or two members of the Board at the time that they were not familiar with the contents of my report, and, for that reason, the hearing was continued until the Comptroller and the President of The Bronx could make a more extended examination.

At the meeting of October 2 no report was received from the President of The Bronx, and, as I knew of nothing further that I could add to the previous report, I could do nothing except to display upon the calendar a synopsis of that report and specifically set forth the changes and modifications asked for. No one appeared at this hearing except Mr. R. P. Buell, of counsel for the company, who requested that favorable action be taken. The Mayor requested to know the pleasure of the Board, and, there being no opposition, called for a vote upon a resolution, tentatively approving of the change in line and modifications asked for in the two petitions, and which resolution the President of the Borough of The Bronx, in reply to an inquiry from the Mayor, stated he would accept in lieu of his report. This resolution contained the usual provision that the matter be referred to the Corporation Counsel for his approval as to form of a contract containing terms and conditions to be imposed in the grant of the said modifications and alterations, and to incorporate therein such matter as, in his opinion, would seem advisable to fully protect the interests of the City, and was adopted.

In accordance with the terms of this resolution, a form of contract was prepared by this Division, granting the petitions as applied for, and the same was transmitted to the Law Department.

At the meeting of October 2 a communication was received from the Law Department suggesting certain changes in the proposed form, which were adopted by the Board, ordered placed upon the minutes for the thirty days required by the statute, fixing November 13 as the date for final public hearing, and requesting the Mayor to designate two newspapers in which the notice of such hearing and the form of contract should be advertised.

In other words, as before stated, these petitions are now before the Board for final action, with the object of granting the petitions in exactly the same form as applied for.

I cannot go into the merits of this case, except to repeat that contained in my report of September 18, 1908. The situation has changed since that report only in one respect, and that is that the Court of Appeals has sustained the validity of the Charter of New York, Westchester and Boston Railway Company, thus entitling that road to conduct condemnation proceedings, which will enable the company to establish its road upon either its original line, the alteration hereby requested, or in connection with a part of the Portchester line.

My report of September 18 may be briefly summarized as follows:

First—The first petition requests a change of line upon the main line and also upon the branch.

The change upon the main line is between One Hundred and Seventy-fourth street and the Harlem River, and will result in the line of the Westchester Company being placed alongside of and parallel upon the main line of the Harlem River and Portchester Railroad.

Again, so far as can be learned, the intentions of the New Haven Company are to make a connection outside of the City limits between the main line of the New Haven Company and the proposed line of the Westchester Company, so as to divert a portion of the traffic from the New Haven Company which now enters the City by means of the Grand Central Station at Forty-second street.

I submit, therefore, that the intention of the New Haven Company in regard to the Westchester Company is not such as was intended when the original franchise was granted to the Westchester Company, which was for an independent four-track, high-speed electric railroad through a portion of The Bronx which would greatly increase the facilities for local traffic in that Borough. The proposition has now devolved into one simply for the convenience of the New Haven Railroad, to divert a portion of its traffic to connections with the City's rapid transit railway and to the Harlem River.

Second—The second petition requests five modifications of the original franchise:

(a) By permitting the use of the overhead trolley system.

In view of the fact that this request was of a strictly technical character, I submitted the proposition to the Department of Water Supply, Gas and Electricity, and in my report I quoted from the reply of the Chief Engineer of Light and Power and the Consulting Engineer, whose conclusions were:

"In consequence, we would recommend that a final decision as to this application be postponed until the complete plans and specifications of the system to be used can be submitted."

(b) By providing the City with the right to string three cables, instead of furnishing two conduits.

A decision on this question would be entirely dependent upon that arrived at in "a."

(c) By permitting connections with two other railroads at a distance not exceeding 2,500 feet, instead of 1,000 feet.

(d) By permitting connections with the rapid transit railway at West Farms, and the proposed rapid transit railway at Westchester avenue.

These two may be considered together. My own opinion is that these modifications should be denied, as I believe the existing rapid transit railway will not be enabled to provide sufficient facilities to carry the present traffic, and the natural increase which will come to it before other lines can be constructed, together with the traffic which would be diverted to it by the New Haven Railroad; and, again, it appears that the rapid transit railway is for the purpose, primarily, of handing traffic originating in the City, and not for that brought to it from outside points.

It will be remembered that when this matter was submitted to the former Board of Rapid Transit Railroad Commissioners it deemed that such connections would be unwise. The matter was again submitted to the Public Service Commission for the First District, but the Commission replied that it did not deem it advisable at the present time to express any formal opinion, as the modified franchise will necessarily, under the provisions of the Public Service Commissions Law, come to the Public Service Commission for its approval.

(e) By extending the time until August 2, 1911, to complete the four-track railway from the City line to One Hundred and Seventy-fourth street; and until August 2, 1913, for the construction of the line from One Hundred and Seventy-fourth street to the Harlem River.

Over four years have passed since the original grant was made to the Westchester Railroad—a time amply sufficient to have built and constructed a road which the people certainly had the right to expect; instead of that, a continuous litigation has been carried on, and both the Westchester Company and the Portchester Company have fallen into the hands of the New Haven Company—a line with which it was proposed that both of these roads should compete. Moreover, as before stated, the New Haven Company has so warped the two franchises into a relief of its own system that it will not give the facilities for local transit in the Borough of The Bronx which was intended when the rights were first granted.

I submit, therefore, that the time applied for is too long, and that no action should be taken upon this extension of time until the company shall show its good faith by immediately continuing its construction, and proving to the City what can be done by August 2, 1909, at which time its present right expires. Ample time will be had by May, 1909, to consider the question of an extension.

In conclusion, I would call your attention to the fact that the Portchester franchise is still in existence, having been extended by resolution of the Board until December 26, 1908. It would seem, therefore, that the rights should be forfeited under this franchise before a modification of the Westchester is granted; otherwise two rights outstanding for the same purpose may complicate matters to such an extent as to place the City in an embarrassing position.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

The Comptroller moved that the matter be referred to a Select Committee, consisting of the Comptroller, the President of the Board of Aldermen, the Presidents of

the Boroughs of Manhattan and The Bronx, and the Chief Engineer to report to the Board at the meeting to be held November 20, 1908.

Which motion was adopted by the following vote:

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

The Comptroller, as Chairman of the Select Committee, then announced that the committee would hold a public hearing on this matter on Wednesday, November 18, 1908, at 11 o'clock in the forenoon, in the Old Council Chamber, Room 16, City Hall, Borough of Manhattan.

Coney Island and Brooklyn Railroad Company.

The public hearing on the petition of the Coney Island and Brooklyn Railroad Company, requesting this Board to amend the resolution adopted January 18, 1907, requiring said company to remove its tracks from the side to the centre of Coney Island avenue, between Fort Hamilton avenue and Neptune avenue, Borough of Brooklyn, by adding thereto provisions permitting the company to inclose a space twenty-four (24) feet in width by curbing, and reduce the width of the sidewalks from twenty-five (25) feet to fifteen (15) feet, was opened.

The hearing was fixed for this day by resolution adopted September 18, 1908.

Communications were received from the Manufacturers' Association of New York, in opposition to the plan of the railroad company, and from M. J. McLaughlin in favor of the construction proposed by the railroad company.

The President of the Board of Aldermen moved that the time of the hearing be limited to thirty minutes, fifteen minutes to each side.

Which motion was agreed to.

William H. Milner and Hon. George E. Waldo appeared in opposition.

William N. Dykeman, of counsel for the company, appeared in favor.

At the conclusion of Mr. Milner's remarks, the Chair declared the hearing closed and stated that others desiring to be heard would be given a full opportunity before a Select Committee.

The Secretary presented the following:

REPORT No. F-119.

BOARD OF ESTIMATE AND APPORTIONMENT.
OFFICE OF THE CHIEF ENGINEER,
November 9, 1908.

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

SIR—The Board has fixed Friday, November 13, 1908, as the date for a hearing upon the petition of the Coney Island and Brooklyn Railroad Company for consent to place its tracks in the centre of Coney Island avenue, between Fort Hamilton avenue and Neptune avenue, and also upon its request that the Board amend the resolution adopted on January 18, 1907, by adding thereto provisions which would permit it to inclose by curbing a space 24 feet in width in the middle of the street, within which these tracks would be located, and providing two separate roadways, each 23 feet in width to be paved with asphalt.

In a report submitted to the Board on September 18 last, the opinion was expressed by your Engineer that the proposed arrangement of surface tracks would be advantageous, but it was found that there was considerable opposition on the part of the abutting property owners, and it was recommended that these property owners be given an opportunity to present their views at this public hearing. Since the date of the report the Brooklyn Manufacturers' Association has adopted and forwarded to the Board of Estimate and Apportionment a long preamble and resolutions, requesting the Board not to amend its former resolution, but to insist that the tracks be placed in the centre of the street in the usual manner, and that the necessary consent be not given to inclose the track spaces by curbing, to construct two roadways and to set back the curbing and sidewalk. The chief reasons given in the preamble for these resolutions appear to be that such an arrangement would not be advantageous to the business interests along Coney Island avenue, but would chiefly facilitate transportation and permit running the cars at greater speed.

A communication has also been addressed to the Board by the Kings Parkway Realty Company, owning a large amount of property in this vicinity, endorsing the proposed plan of curbing in the track spaces and constructing two separate roadways.

I do not know that I can add anything to the statements contained in the report presented at the meeting of September 18. Those opposing the change appear to be actuated by a fear that there would be real rapid transit on the street, that the stopping of the cars would be less frequent, and that retail shops would not secure as much business as though the cars were run in the usual halting manner through this thoroughfare. In other words, the protestants appear to be influenced by what they consider would be the effect upon the shops and small stores and not by the effect of the change upon the transportation facilities in the street or the appearance of the thoroughfare.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

Proposed Form of Resolution.

Whereas, The Board of Estimate and Apportionment did, under and pursuant to chapter 610 of the Laws of 1906, on January 18, 1907, order the Coney Island and Brooklyn Railroad Company to change the route or right-of-way and the location of the railroad tracks of said company on Coney Island avenue, between Fort Hamilton avenue and Neptune avenue, Borough of Brooklyn, from the present location of the said route or right-of-way and railroad tracks on the westerly side of Coney Island avenue to the centre of said avenue; and

Whereas, The Coney Island and Brooklyn Railroad Company, in a petition dated June 24, 1908, and signed by its President, Slaughter W. Huff, has requested this Board to amend the aforesaid order by adding thereto provisions permitting it to inclose a space twenty-four (24) feet in width in the centre of the avenue, by curbing, and reduce the width of the sidewalks from twenty-five (25) feet to fifteen (15) feet; and

Whereas, At the meetings of September 18, 1908, and November 13, 1908, reports were received from the Chief Engineer of this Board in favor of the plan proposed by the railroad company; and

Whereas, A public hearing was this day had upon said petition; now therefore be it

Resolved, That the order of this Board under date of January 18, 1907, be and it is hereby amended by adding thereto the following:

The tracks of the Coney Island and Brooklyn Railroad Company in the centre of Coney Island avenue shall be laid in a space not more than twenty-four (24) feet in width, at the outer edges of which a curbing shall be laid, separating the space occupied by the tracks from the carriageways. The space in the centre of the street shall be sodded, and grass maintained thereon by the railroad company. On the easterly and on the westerly sides of the route carriageways twenty-three (23) feet in width shall be paved as directed by the proper authorities. The company shall at all times keep the streets, avenues or highways at all crossings 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 Clean-

ing, 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. The company shall cause to be paved that portion of the street at all crossings, 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 intersecting its route, 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 pave 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 the same become in a state of disrepair, or 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 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. The company agrees to pay the City any sum or sums that the City may pay either as the result of a judgment against it or by way of settlement or compromise for any injuries either to person or property arising from the failure of the company to pave or keep in permanent repair that portion of the surface of the street, avenue or highway in which said railway is constructed as hereinbefore provided.

The expense of setting back the curbs upon the easterly and westerly sides of the avenue when the width of the sidewalks is decreased from twenty-five (25) feet to fifteen (15) feet, and the laying of new sidewalks in place of those removed, shall be borne by the Coney Island and Brooklyn Railroad Company.

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

Which motion was adopted.

Bronx Traction Company.

In the matter of the petition of the Bronx Traction Company for a franchise to construct, maintain and operate a street surface railway as an extension to its existing system, from the intersection of Clasons Point road and Westchester avenue, upon and along Clasons Point road to Long Island Sound, Borough of The Bronx.

At the meeting of November 6, 1908, a report was received from the Select Committee recommending that the franchise be granted on certain terms and conditions, and, by resolution adopted on that date, the terms and conditions proposed by such committee were tentatively approved and the form of contract referred to the Corporation Counsel for his approval as to form.

The Secretary presented the following:

CITY OF NEW YORK—LAW DEPARTMENT,
OFFICE OF THE CORPORATION COUNSEL,
NEW YORK, November 10, 1908.

To the Board of Estimate and Apportionment:

SIR—I have received the following communication, dated November 6, 1908, signed by Joseph Haag, Secretary:

"I transmit herewith certified copy of resolution this day adopted by the Board of Estimate and Apportionment, tentatively approving the terms and conditions in the form of contract as proposed in the report of the Engineer in charge of the Division of Franchises to the Chief Engineer, for the grant of a franchise to the Bronx Traction Company, to construct, maintain and operate a street surface railway as an extension to its existing system, from the intersection of Clasons Point road and Westchester avenue, upon and along Clasons Point road to Long Island Sound, Borough of The Bronx. You will note that you are requested to approve such form of contract as to form and to incorporate therein such matter as you deem advisable to fully protect the interests of the City."

"I inclose herewith copy of the report of the Engineer in charge of the Division of Franchises to the Chief Engineer, herein mentioned."

I beg to advise you that the proposed form of contract as contained in the report by the Division of Franchises of October 27, 1908, has my approval as to form.

Respectfully yours,

G. L. STERLING, Acting Corporation Counsel.

The following was offered:

Whereas, The Bronx Traction Company has, under date of July 28, 1908, made application to this Board for the grant of the right, privilege and franchise to construct, maintain and operate a street surface railway upon and along Clasons Point road, from Westchester avenue to Long Island Sound, in the Borough of The Bronx; and

Whereas, Section 92 of the Railroad Law, and sections 72, 73 and 74 of the Greater New York Charter, as amended by chapters 629 and 630 of the Laws of 1905, provide for the manner and procedure of making such grants; and

Whereas, In pursuance to such laws, this Board adopted a resolution on October 2, 1908, fixing the date for public hearing thereon as October 30, 1908, at which citizens were entitled to appear and be heard, and publication was had for at least fourteen (14) days in the "New York Sun" and the "New York Tribune," newspapers designated by the Mayor, and in the CITY RECORD for ten days immediately prior to the date of hearing, and the public hearing was duly had on such day; and

Whereas, This Board has made inquiry as to the money value of the franchise or right applied for, and proposed to be granted to the Bronx Traction Company and the adequacy of the compensation proposed to be paid therefor; now therefore it is

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the Bronx Traction Company, 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:

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 (\$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 hereinafter provided, shall thereupon be forfeited to the City; provided, that such periods may be extended by the Board for a period or periods not exceeding in the aggregate six months each; and provided, further, that when the commencement or completion of said construction shall be prevented by legal proceedings in any court or by works of public improvement, or from other causes not within control of the Company, the time for the commencement or completion of such construction may be extended for the period of such prevention, but no delay shall be allowed for unless the court proceedings shall be diligently prosecuted by the Company, and provided further, that in no case shall such delay be deemed to begin until the Company shall have given written notice to the Board of any such court proceedings or other occasion of delay, and deliver to the Board copies of any injunction or other orders, and the papers upon which the same shall have been granted, and unless upon the request of the Board the Company shall, in writing, consent that the Board either in its own name as a party, or in the name of the City as a party, may intervene in any such proceedings.

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

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

Twelfth—The rate of fare for any passenger upon such railway shall not exceed five (5) cents, and the Company shall not charge any passenger more than five (5) cents for one continuous ride from any point on said railway, or a line or branch operated in connection therewith, 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 Clason's Point road, the same to be in substitution for the loop terminal hereby authorized in the public place, and within six months after such right or privilege is obtained, shall, at its own expense, remove all of its tracks and appurtenances from said public place.

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

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

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

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

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

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

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

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

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

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

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

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

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

[SEAL.]

Attest:

....., Secretary.

(Here add acknowledgments.)

BRONX TRACTION COMPANY.

By..... President.

Resolved, That the results of the inquiry made by this Board as to the money value of the franchise or right proposed to be granted and the adequacy of the compensation proposed to be paid therefor, and of the terms and conditions, 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 Bronx 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 this Board, shall be published for at least twenty (20) days immediately prior to Friday, December 18, 1908, in the CITY RECORD, and at least twice during the ten days immediately prior to December 18, 1908, in two daily newspapers to be designated by the Mayor therefor and published in The City of New York, at the expense of the Bronx 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 Bronx 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, December 18, 1908, at 10:30 o'clock a. m., hold a public hearing thereon, at which citizens shall be entitled to appear and be heard.

Which was adopted by the following vote:

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

Union Railway Company of New York City.

In the matter of the petition of the Union Railway Company of New York City for franchises to construct, maintain and operate two extensions to its existing system, as follows:

(a) From the intersection of Sedgwick avenue and Fordham road, Borough of The Bronx, to and across the University Heights Bridge and its approaches, to Broadway, Borough of Manhattan.

(b) From the intersection of Third and Pelham avenues, upon and along Pelham avenue to the Southern boulevard, Borough of The Bronx.

At the meeting of November 6, 1908, a report was received from the Select Committee recommending that the franchises be granted on certain terms and conditions, and, by resolution adopted on that date, the terms and conditions proposed by such committee were tentatively approved and the forms of contract referred to the Corporation Counsel for approval as to form.

The Secretary presented the following:

CITY OF NEW YORK—LAW DEPARTMENT,
OFFICE OF THE CORPORATION COUNSEL,
NEW YORK, November 10, 1908.

To the Board of Estimate and Apportionment:

SIRS—I have received the following communication, dated November 6, 1908, signed by Joseph Haag, Secretary:

"I transmit herewith certified copies of two resolutions this day adopted by the Board of Estimate and Apportionment, tentatively approving the terms and conditions in the forms of contract as proposed in the report of the Engineer in charge of the Division of Franchises to the Chief Engineer for the grant of franchises to the Union Railway Company of New York City, to construct, maintain and operate extensions to its existing systems, as follows:

"(a) From the intersection of Sedgwick avenue and Fordham road, Borough of The Bronx, to and across the University Heights Bridge and its approaches, to Broadway, Borough of Manhattan.

"(b) From the intersection of Third and Pelham avenues upon and along Pelham avenue to the Southern boulevard, Borough of The Bronx.

"You will note that you are requested to approve such contracts as to form, and to incorporate therein such matter as you deem advisable to fully protect the interests of the City.

"I inclose herewith copy of the report of the Engineer in charge of the Division of Franchises, which report contains the forms of contracts herein mentioned."

I beg to advise you that the proposed form of contract as contained in the report by the Division of Franchises of October 27, 1908, has my approval as to form.

Respectfully yours,

G. L. STERLING, Acting Corporation Counsel.

The following was offered:

Whereas, The Union Railway Company of New York City has, under date of July 28, 1908, made application to this Board for the grant of the right, privilege and franchise to construct, maintain and operate a street surface railway upon and along Fordham road and West One Hundred and Eighty-fourth street, in the Borough of The Bronx, and over and along the University Heights Bridge and the approaches thereto, and upon and along West Two Hundred and Seventh street and other streets and avenues in the Borough of Manhattan; and—

Whereas, Section 92 of the Railroad Law and sections 72, 73 and 74 of the Greater New York Charter, as amended by chapters 629 and 630 of the Laws of 1905, provide for the manner and procedure of making such grants; and

Whereas, In pursuance of such laws, this Board adopted a resolution on October 2, 1908, fixing the date for public hearing thereon as October 30, 1908, at which citizens were entitled to appear and be heard, and publication was had for at least fourteen (14) days in the "New York Sun," and the "New York Tribune," newspapers designated by the Mayor, and in the CITY RECORD for ten days immediately prior to the date of hearing, and the public hearing was duly held on such day; and

Whereas, This Board has made inquiry as to the money value of the franchise or right applied for, and proposed to be granted to the Union Railway Company of New York City, and the adequacy of the compensation proposed to be paid therefor; now therefore it is

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 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 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, City of New York, upon the following route:

Beginning at and connecting with the existing tracks of the Company at or near the intersection of Sedgwick avenue and Fordham road, in the Borough of The Bronx, and running thence southwesterly in, upon and along said Fordham road and Hampden place to West One Hundred and Eighty-fourth street, and thence southwesterly and westerly in, upon and along said West One Hundred and Eighty-fourth street to its intersection with the easterly approach to the University Heights Bridge; thence westerly upon and over said bridge, and the easterly and westerly approaches thereto, to West Two Hundred and Seventh street, in the Borough of Manhattan, and thence westerly in, upon and along said West Two Hundred and Seventh street to Amsterdam or Tenth avenue; thence southerly in, upon and along said Amsterdam or Tenth avenue to Emerson street; thence westerly in, upon and along said Emerson

street to Broadway, and connecting with the existing double track railway in said Broadway. The said route with turnouts, switches and crossovers hereby authorized is shown upon a map entitled:

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

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

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

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

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

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

During the third term of five years an annual sum which shall in no case be less than fifteen hundred and fifty dollars (\$1,550), and which shall be equal to five (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 its tracks and other equipment constructed pursuant to this contract, and the said streets, avenues and highways and the bridge shall be restored to their original condition at the sole cost and expense of the Company.

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

Sixth—The rights and privileges hereby granted shall not be assigned, either in whole or in part, or leased or sublet in any manner, nor shall title thereto, or right, interest or property therein, pass to or vest in any other person or corporation whatsoever, either by the act of the Company, its successors or assigns, or by operation of law, whether under the provisions of the statutes relating to the consolidation or merger of corporations or otherwise, without the consent of the City, acting by the Board, or its successors in authority, evidenced by an instrument under seal, anything herein contained to the contrary thereof in anywise notwithstanding, and the granting, giving or 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, 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 extensions 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 same within six (6) months from the same date, otherwise this grant shall cease and determine, and all sums which may be deposited with the Comptroller of the City, as hereinafter provided, shall be forfeited to the City; provided, that such periods may be extended by the Board for a period or periods not exceeding in the aggregate six months each; and provided, further, that when the commencement or completion of said construction shall be prevented by legal proceedings in any court or by works of public improvement, or from other causes not within 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 Department 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 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 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 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, thereupon 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,
[CORPORATE SEAL.] By..... Mayor.

Attest: City Clerk.

UNION RAILWAY COMPANY OF NEW YORK CITY,
[SEAL.] By..... President.

Attest: Secretary.

(Here add acknowledgments.)

Resolved, That the results of the inquiry made by this Board as to the money value of the franchise or right proposed to be granted and the adequacy of the compensation proposed to be paid therefor, and of the terms and conditions, 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 Union Railway Company of New York City, 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 this Board, shall be published for at least twenty (20) days immediately prior to Friday, December 18, 1908, in the CITY RECORD, and at least twice during the ten days immediately prior to December 18, 1908, in two daily newspapers to be designated by the Mayor therefor and published in The City of New York, at the expense of the Union Railway Company of New York City, 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 Union Railway Company of New York City, 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, December 18, 1908, at 10:30 o'clock a. m., hold a public hearing thereon, at which citizens shall be entitled to appear and be heard.

Which was adopted by the following vote:

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

The following was offered:

Whereas, The Union Railway Company of New York City has under date of July 28, 1908, made application to this Board for the grant of the right, privilege and franchise to construct, maintain and operate a street surface railway upon and along Pelham avenue, from Third avenue to the Southern boulevard, in the Borough of The Bronx; and

Whereas, Section 92 of the Railroad Law and sections 72, 73 and 74 of the Greater New York Charter, as amended by chapters 629 and 630 of the Laws of 1905, provide for the manner and procedure of making such grants; and

Whereas, In pursuance to such laws, this Board adopted a resolution on October 2, 1908, fixing the date for public hearing thereon as October 30, 1908, at which citizens were entitled to appear and be heard, and publication was had for at least fourteen (14) days in the "New York Sun," and the "New York Tribune," newspapers designated by the Mayor, and in the CITY RECORD for ten days immediately prior to the date of hearing, and the public hearing was duly held on such day; and

Whereas, This Board has made inquiry as to the money value of the franchise or right applied for and proposed to be granted to the Union Railway Company of New York City, and of the adequacy of the compensation proposed to be paid therefor; now therefore it is

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

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

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

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

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

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

One disinterested freeholder shall be chosen by the Board; one disinterested freeholder shall be chosen by the Company; these two shall choose a third disinterested freeholder, and the three so chosen shall act as appraisers and shall make the revaluation aforesaid. Such appraisers shall be chosen at least six months prior to the expiration of this original contract, and their report shall be filed with the Board within three months after they are chosen. They shall act as appraisers and not as arbitrators. They may base their judgment upon their own experience and upon such information as they may obtain by inquiries and investigations, without the presence of either party. They shall have the right to examine any of the books

of the Company and its officers under oath. The valuations so ascertained, fixed and determined shall be conclusive upon both parties, but no annual sum shall, in any event, be less than the sum required to be paid for the last year of this original contract. If in any case the annual rate shall not be fixed prior to the termination of the original term of this contract, then the Company shall pay the annual rate theretofore prevailing until the new rate shall be determined, and shall then make up to the City the amount of any excess of the annual rate then determined over the previous annual rate. The compensation and expenses of the said appraisers shall be borne jointly by the City and the Company, each paying one-half thereof.

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

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

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

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

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

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

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

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

Whenever the percentage required to be paid shall exceed the minimum amount as above, such sum over and above such minimum shall be paid to the said Comptroller on or before November 1 in each year for the year ending September 30 next preceding. The fiscal year shall end on September 30 next preceding said date of payment, and provisions of the Railroad Law as it now exists, or as it may hereafter be amended, relating to the 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.

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 its tracks and other equipment constructed pursuant to this contract, and the said streets, avenues and highways shall be restored to their original condition at the sole cost and expense of the Company.

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

Sixth—The rights and privileges hereby granted shall not be assigned, either in whole or in part, or leased or sublet in any manner, nor shall title thereto, or right, interest or property therein, pass to or vest in any other person or corporation whatsoever, either by the act of the Company, or by operation of law, whether under the provisions of the 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 anywise notwithstanding, and the granting, giving or waiving of any one or more of such consents shall not render unnecessary any subsequent consent or consents.

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

The use of said railway which shall be constructed by the Company under this contract, including the tracks, wires and other equipment, or any structures in public streets and avenues owned by the Company and used in connection therewith, shall be permitted by the Company to any individual or corporation to which the City may have granted, or may hereafter grant, the right or privilege to use such streets, avenues or highways herein above described in section 1, for street railway purposes, upon payment of an annual sum by such individual or corporation to the Company, which shall 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 (6) months from the date upon which the consents of 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 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 and 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 unpaved. 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.

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 tracks 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 railway constructed and in use by virtue of this contract shall thereupon become the property of the City without proceedings at law or in equity. Provided, however, that such action by the Board shall not be taken until the Board shall give notice to the Company to appear before it on a certain day not less than ten (10) days after the date of such notice, to show cause why such resolution declaring the contract forfeited should not be adopted. In case the Company fails to appear, action may be taken by the Board forthwith.

Twenty-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 cost of such repairs, with legal interest thereon, all of which sums may be deducted from the fund hereinafter provided for.

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

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

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

The Comptroller of the City, on complaint made, shall, in writing, notify the Company, through its President, to appear before him on a certain day not less than ten (10) days after the date of such notice, to show cause why it should not be penalized in accordance with the foregoing provisions. If the Company fails to make an appearance, or, after a hearing, appears in the judgment of the Comptroller to be in fault, said Comptroller shall forthwith impose the prescribed penalty, or where the amount of the penalty is not prescribed herein, such amount as appears to him to be just, and without legal procedure withdraw the amount of such penalty from the security fund deposited with him. In case of any drafts made upon the security fund the Company shall upon ten (10) days' notice in writing, pay to the Comptroller of the City a sum sufficient to restore said security fund to the original amount of three thousand five hundred dollars (\$3,500), and in default thereof this contract shall be 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-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, 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:

UNION RAILWAY COMPANY OF NEW YORK CITY,
[SEAL.] By..... President.

Attest:

..... Secretary.

(Here add acknowledgments.)

Resolved, That the results of the inquiry made by this Board as to the money value of the franchise or right proposed to be granted and the adequacy of the compensation proposed to be paid therefor, and of the terms and conditions, 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 Union Railway Company of New York City, 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 this Board, shall be published for at least twenty (20) days immediately prior to Friday, December 18, 1908, in the CITY RECORD, and at least twice during the ten days immediately prior to December 18, 1908, in two daily newspapers to be designated by the Mayor therefor and published in The City of New York, at the expense of the Union Railway Company of New York City, together with the following notice, to wit:

Notice it 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 Union Railway Company of New York City, 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, December 18, 1908, at 10:30 o'clock a. m., hold a public hearing thereon, at which citizens shall be entitled to appear and be heard.

Which was adopted by the following vote:

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

Staten Island Rapid Transit Railway Company.

The Secretary presented the following:

THE STATEN ISLAND RAPID TRANSIT RAILWAY COMPANY,
OFFICE OF THE SECRETARY, NO. 17 STATE STREET,
NEW YORK, October 27, 1908.

Board of Estimate and Apportionment, Bureau of Franchises, New York City, N. Y.:

DEAR SIRS—The Staten Island Rapid Transit Railway Company hereby makes application to your Honorable Board for a refund of \$500, the amount of bond deposited with the Comptroller of The City of New York for permit granted the above named company September 25, 1906, pursuant to a resolution adopted by the Board of Estimate and Apportionment on September 14, 1906, granting consent to the Staten Island Rapid Transit Railway Company to construct, maintain and operate a railroad track, at grade, over and across Western avenue, in the Borough of Richmond, just southerly of the existing overhead bridge of the Railway Company at Western avenue. This deposit is covered by the Comptroller's receipt No. 389, dated September 25, 1906.

I hereby notify you that the use of the said track by the above named Company was discontinued, and the rails removed from the said Western avenue, and the street put in its proper condition on or before September 19, 1908.

Yours very truly,

S. P. KRETZER, Secretary.

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER,
NEW YORK, November 12, 1908.

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

SIR—Under date of October 27, 1908, the Staten Island Rapid Transit Railway Company has applied to the Board of Estimate and Apportionment for a refund of the security deposit of five hundred dollars deposited with the Comptroller in accordance with the terms and conditions of a resolution adopted by the Board on September 14, 1906, and approved by the Mayor on September 19, 1906, granting consent to the petitioner to construct, maintain and operate a railroad track at grade across Western avenue, in the Borough of Richmond, immediately south of the overhead bridge of the company at Western avenue. The petitioner states that it has discontinued the use of the track, that the rails have been removed from Western avenue and that the street was restored to a proper condition on or before September 19, 1908.

In reply to a communication the Comptroller states that the annual charge for the maintenance of this track has been fully paid, and the President of the Borough of Richmond states that Western avenue has been restored to its original condition and to the satisfaction of the Borough authorities. As all the terms of the consent have been complied with, and as section 1 of the consent provided for its termination on September 19, 1908, there seems no reason why the security deposit of \$500 should not be returned, and such action is recommended, resolution to that effect being herewith submitted.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY, }
November 11, 1908.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—The Staten Island Rapid Transit Railway Company has presented an application, dated October 27, 1908, to the Board of Estimate and Apportionment for a refund of the security deposit of five hundred dollars (\$500), deposited with the Comptroller of The City of New York in accordance with the terms and conditions of a resolution adopted by the Board of Estimate and Apportionment on September 14, 1906, and approved by the Mayor September 19, 1906, granting consent to the petitioner to construct, maintain and operate a railroad track at grade across Western avenue, in the Borough of Richmond, immediately south of the existing overhead bridge of the company at Western avenue. The petition recites that use of the track was discontinued and the rails removed from Western avenue and the street restored to a proper condition on or before September 19, 1908.

In reply to communications addressed to the Comptroller and to the President of the Borough of Richmond, requesting the said officials to respectively certify to the Board that the annual charge for the privilege has been paid to the date of the removal of the tracks, and that the pavement of Western avenue has been restored to its original condition to the satisfaction of the Borough President, I am now informed that the annual charge has been fully paid and that the pavement of Western avenue has been properly restored.

As it was provided in section 1 of the consent that the same should expire by limitation on September 19, 1908, and as all the terms and conditions of the consent have been complied with, there appears to be no reason why the security deposit of five hundred dollars (\$500) should not be returned.

I submit herewith a resolution for adoption, authorizing the refund of the security deposit by the Comptroller.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

The following was offered:

Whereas, A resolution was adopted by the Board of Estimate and Apportionment on September 14, 1906, and approved by the Mayor on September 19, 1906, granting consent to the Staten Island Rapid Transit Railway Company to construct, maintain and operate a railroad track at grade across Western avenue, in the Borough of Richmond, immediately south of the existing overhead bridge of the company at Western avenue; and

Whereas, Section 1 of said consent provided that the same should expire by limitation on September 19, 1908; and

Whereas, Section 16 of said consent provided that the grantee should deposit with the Comptroller of The City of New York the sum of five hundred dollars (\$500) as security for the faithful performance of the terms and conditions of the consent; and

Whereas, The Staten Island Rapid Transit Railway Company has presented a petition, dated October 27, 1908, to the Board of Estimate and Apportionment, stating that use of the tracks has been discontinued and the street restored to a proper condition on or before September 19, 1908, and requesting the refund of the security deposit of five hundred dollars (\$500); now therefore be it

Resolved, That the Comptroller be and he hereby is authorized to refund to the Staten Island Rapid Transit Railway Company the security deposit of five hundred dollars (\$500), deposited with him in accordance with the terms and conditions of the aforesaid consent.

Which was adopted by the following vote:

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

Nassau Electric Railroad Company.

A communication was received from a committee of taxpayers of Brownsville and vicinity, appointed in public meeting, requesting information as to the cause of the delay in granting the franchise applied for by the Nassau Electric Railroad Company to construct, maintain and operate a street surface railway as an extension to its existing system on Livonia avenue, from Vesta avenue to New Lots road, Borough of Brooklyn.

Which was referred to the Select Committee consisting of the Comptroller, the President of the Board of Aldermen and the President of the Borough of Brooklyn, to which Committee said application was referred at the meeting of November 23, 1906, to determine whether or not the franchise should be granted.

Bristol-Myers Company.

The Secretary presented the following:

NEW YORK CITY, October 3, 1908.

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

SIRS—The undersigned, Bristol-Myers Company, a corporation duly organized and existing under the laws of the State of New York, hereby petitions your Honorable Board for permission to construct, maintain and operate a tunnel, pipe lines and conduit across Clifton place, between Grand avenue and Classon avenue, Borough of Brooklyn, County of Kings and City of New York, as indicated on the accompanying plan, for the purpose of carrying steam pipes and electric conduits, and to be used as a passageway for employees and for transferring goods.

Your petitioner states that heretofore it presented its petition to your Honorable Board, under date of June 30, 1908, praying for the permission to construct such a tunnel at a point distant about four hundred and eighty-four (484) feet east of the easterly line of Grand avenue, and with a width of five (5) feet and eight (8) inches, which said petition was duly granted by your Honorable Board, as appears by the resolution adopted by your Board on the 18th day of September, 1908, and thereafter duly approved by the Mayor, September 22, 1908.

Your petitioner states that, owing to the increase in your petitioner's business and to certain other unforeseen circumstances, it is desirous to change the location of the said proposed tunnel from a point four hundred and eighty-four (484) feet east of the easterly line of Grand avenue to a point five hundred and six (506) feet east of the easterly line of Grand avenue, and also to change the width of said proposed tunnel from five (5) feet and eight (8) inches to six (6) feet and eight (8) inches, as appears by the annexed plan.

The tunnel as now proposed is to connect the two pieces of property owned in fee by the undersigned petitioner, one on the north side of said Clifton place and the other opposite on the south side of Clifton place. The property on the north side of Clifton place belonging to the undersigned petitioner is a plot commencing four hundred and fifty (450) feet easterly from the northeasterly corner of Grand avenue and Clifton place, and running easterly one hundred and seventeen (117) feet and eleven (11) inches, and is one hundred (100) feet in depth, and the piece of property belonging to the undersigned petitioner on the south side of Clifton place is a plot commencing four hundred and seventy-five (475) feet eastwardly from the southeasterly corner of Grand avenue and Clifton place, and running easterly fifty (50) feet, and is two hundred (200) feet in depth. The business conducted by the petitioner on said properties is the manufacture of pharmaceutical goods. The said steam pipes and electric conduits are for the sole use of the petitioner in connection with said premises.

The plan as now proposed provides for a concrete tunnel six (6) feet and eight (8) inches in width, running from the south side of Clifton place to the north side

of Clifton place, and joining the said two properties belonging to the petitioner; said tunnel to have a height of six (6) feet and six (6) inches, and is to be located two (2) feet and eight (8) inches beneath the street level at the curb line on the south side of said Clifton place, and four (4) feet no (0) inches beneath the street level at the curb line on the north side of said street, and is to be so located that it will pass over the sewers located in said Clifton place and beneath the water main located in said Clifton place, as shown on the accompanying plan.

Your petitioner, for the reasons above mentioned, hereby requests your Honorable Board to amend the resolution heretofore adopted by it on the 18th day of September, 1908, so that permission will be granted to construct said tunnel between said two properties at a point five hundred and six (506) feet eastwardly from the easterly line of Grand avenue instead of at a point commencing four hundred and eighty-four (484) feet from said easterly line of Grand avenue, and that said tunnel may be constructed of a width six (6) feet and eight (8) inches instead of five (5) feet and eight (8) inches, as specified in said resolution; or in case it is not expedient to amend said resolution, that a new resolution be adopted by your Honorable Board granting your petitioner the right to construct said tunnel at the location and of the width as shown on the accompanying plans.

And your petitioner will ever pray.

BRISTOL-MYERS COMPANY,
By WILLIAM M. BRISTOL, President.

REPORT NO. F-122.

BOARD OF ESTIMATE AND APPORTIONMENT, }
OFFICE OF THE CHIEF ENGINEER,
November 10, 1908.

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

SIR—The Board of Estimate and Apportionment at its meeting held on September 18 last adopted a resolution granting permission to the Bristol-Myers Company to construct and maintain a tunnel for the passage of employees and for transferring merchandise, and to contain steam pipes and electric conduits, under Clifton place, between Grand and Classon avenues, in the Borough of Brooklyn, connecting buildings on opposite sides of the said street belonging to the Bristol-Myers Company. The resolution of the Board was approved by the Mayor on September 22, 1908.

Under date of October 3, 1908, the company has presented an application for an amendment of the resolution of September 18 last so that the proposed tunnel may be constructed for a length of 506 feet instead of 484 feet as previously agreed, and that the resolution provide for a width of 6 feet 8 inches instead of 5 feet 8 inches. The company states in its application that the changes asked for are necessitated by an increased business and other unforeseen circumstances.

Copies of the application and plan have been furnished the President of the Borough of Brooklyn and the Commissioner of Water Supply, and these Departments have signified their approval of the plans presented by the company, and there seems no reason why the tunnel should not be constructed at the increased length and width requested by the petitioner.

A form of resolution is herewith presented for adoption granting the application and extending the time within which the work is to be completed from March 22, 1909, to September 22, 1909. It is also deemed proper, in accordance with the procedure in similar cases, to provide for a payment of twenty-five dollars by the petitioner to cover the cost of investigation and action on the proposed amendment.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY,
November 10, 1908.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—The Bristol-Myers Company has presented an application dated October 3, 1908, to the Board of Estimate and Apportionment, requesting that the resolution adopted by the Board on September 18, 1908, and approved by the Mayor, September 22, 1908, granting permission to the applicant Company to construct, maintain and use a tunnel as a passageway for employees and for transferring merchandise, and to contain steam pipes and electric conduits, under and across Clifton place, between Grand and Classon avenues, in the Borough of Brooklyn, and connecting the buildings of the Company on opposite sides of Clifton place, be amended so that the tunnel may be constructed 506 feet, instead of 484 feet, east of the easterly line of Grand avenue, and also requesting that the aforesaid resolution be amended so as to provide for a tunnel 6 feet 8 inches, instead of 5 feet 8 inches in width, outside dimensions.

The petition recites that the proposed change in location and size of the tunnel is necessitated by an increase in the petitioner's business and other unforeseen circumstances.

Copies of the application and plan were sent to the President of the Borough of Brooklyn and to the Commissioner of Water Supply, Gas and Electricity, with a request that the project be examined by the respective Bureaus having jurisdiction, with a view to ascertaining if there were any objections to the proposed amendments or any special conditions which should be incorporated in the form of consent heretofore used in similar cases.

In reply, the President of the Borough of Brooklyn transmits in part a report from the Bureau of Sewers, objecting to the project as shown, on the ground that it would interfere with the sewers in the street, and the Commissioner of Water Supply, Gas and Electricity advises me that, in his opinion, sufficient space has not been provided for the future installation of a larger water main, if found necessary.

The petitioner was informed of these objections and advised to consult with the Engineers of the Departments, with a view to amending the plans to conform with their desires, with the result that the Bristol-Myers Company has now submitted a satisfactory plan of the proposed tunnel, bearing thereon the written approval of the Chief Engineer of the Bureau of Sewers and of the Acting Engineer of the Department of Water Supply, Gas and Electricity.

There appears to be no reason why the proposed tunnel should not be constructed at the location and of the size now proposed, so as to provide that the tunnel shall be 6 feet 8 inches in width, outside dimensions, instead of 5 feet 8 inches in width, and that it shall be constructed 506 feet, instead of 484 feet, east of the easterly line of Grand avenue. The increased width of the tunnel will not bring the annual charge above \$100, as fixed in the resolution adopted September 18, 1908, the minimum charge for such privileges. The original consent provided for the completion of the proposed tunnel by March 22, 1909, but as no work has yet been done, pending action by the Board on this petition for amendment, and as the winter season is now at hand, I therefore suggest that the time allowed for completion be extended to September 22, 1909.

In accordance with the procedure in similar cases, I deem it proper to provide for a payment of twenty-five dollars (\$25) by the petitioner to cover the cost of investigation and action on the proposed amendment.

I submit herewith a form of resolution in accordance with the above recommendations.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

The following was offered:

Whereas, By resolution adopted by the Board of Estimate and Apportionment September 18, 1908, and approved by the Mayor September 22, 1908, the Bristol-Myers Company was granted permission to construct, maintain and use a tunnel under and across Clifton place, between Grand avenue and Classon avenue, in the Borough of Brooklyn, to connect the buildings of the company on opposite sides of Clifton place, to be used to contain steam pipes and electric conduits, and as a passageway for employees and for transferring goods between the said buildings; and

Whereas, The aforesaid consent provided that the width of the tunnel should be 5 feet 8 inches, outside dimensions, and that the tunnel should be constructed at a point 484 feet east of the easterly line of Grand avenue in accordance with the plans filed by the grantee; and

Whereas, The Bristol-Myers Company in a petition dated October 3, 1908, states that owing to an increase in the petitioner's business and to certain other unforeseen circumstances, it is desirous to alter the width of the tunnel to 6 feet 8 inches, outside dimensions, and to change the location of the tunnel to a point 506 feet east of the easterly line of Grand avenue, as shown on the plan accompanying the petition; now, therefore, be it

Resolved, That the resolution adopted by the Board of Estimate and Apportionment September 18, 1908, and approved by the Mayor September 22, 1908, be amended so as to provide for the construction of the tunnel 506 feet east of the easterly line of Grand avenue, instead of 484 feet east of the easterly line of said avenue; and be it further

Resolved, That said resolution be further amended by the substitution for the plan accompanying the application, of a new plan submitted by the grantee, and entitled:

"Plan showing location of proposed tunnel to be constructed in Clifton place, Borough of Brooklyn, for Bristol-Myers Company, accompanying application to the Board of Estimate and Apportionment, City of New York, October 3, 1908,"

—and signed Bristol-Myers Company, by William M. Bristol, President; and be it further

Resolved, That paragraph twelfth of the consent be and it is hereby amended by striking therefrom the words "six months," and inserting in lieu thereof the words "one year;" and be it further

Resolved, That this consent shall not become operative until the said grantee shall pay to the Comptroller of The City of New York the sum of twenty-five dollars (\$25), to cover the costs of the investigation and consideration of this amendment, and until the grantee shall duly execute an instrument in writing, wherein said grantee shall promise, covenant and agree on his part to conform to, abide by and perform all the terms, conditions and requirements in the original consent fixed and contained, except as herein and hereby expressly modified, 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.

Which was adopted by the following vote:

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

The following matter, not on the calendar for this day, was considered by unanimous consent:

New York City Interborough Railway Company.

The Comptroller presented a petition from the New York City Interborough Railway Company for an extension of time until December 27, 1909, in which to complete twenty-four (24) miles of double-track railway, as required by the ordinance adopted March 16, 1903, granting a franchise to said Company.

Which was referred to the Chief Engineer.

FINANCIAL MATTERS.

The Secretary presented thirteen resolutions of the Board of Aldermen requesting issues of Special Revenue Bonds (subdivision 8, section 188 of the Charter), as follows:

\$100,000, for the maintenance and repair of streets in the Borough of Brooklyn.

\$3,500, for equipping and furnishing rooms for the use of the Third District Municipal Court, of the Borough of Brooklyn, under the jurisdiction of the President, Borough of Brooklyn.

\$340, for expenses connected with the exhuming and reintering of the bodies of seventeen veterans of the Civil War now buried in various scattered graves in the old Canarsie Cemetery, Brooklyn.

\$2,000, or as much thereof as may be required, to pay the prevailing rate of wages to the Flaggers employed in the Department of Water Supply, Gas and Electricity.

\$161,929.70, to meet deficits in the appropriation made to the Department of Public Charities for the year 1908.

\$1,000, to augment the appropriation made to the Sheriff of Kings County, for the year 1908, entitled Supplies and Contingencies.

\$5,253.34, to meet the increased compensation of Hostlers in the Department of Street Cleaning, viz.: From \$760 to \$800 per annum, from July 1, 1908.

\$8,500, for equipment, supplies and repairs to the New York County Jail (Ludlow street, Manhattan,) under the jurisdiction of the Sheriff of New York County.

\$65,600, to meet deficits in the appropriation made to the Bellevue and Allied Hospitals for the year 1908.

\$10,000, for the expense of converting one of the wards of Bellevue Hospital into isolating rooms and two wards into rooms for additional members of the House Staff, consequent upon the opening of the new Pavilions A and B.

\$6,000, to meet the salaries of an additional inspection force for the Tenement House Department, during the months of October, November and December, 1908.

\$5,000 for alterations and repairs to the Aquarium Building in Battery Park, under the jurisdiction of the Department of Parks, Boroughs of Manhattan and Richmond.

(On May 22, 1908, the request of the New York Zoological Society for an issue of \$5,000 Corporate Stock for the above purpose was referred to the Comptroller.)

\$8,150 for necessary repairs and improvements in the Brooklyn Disciplinary Training School, under the jurisdiction of the President of the Borough of Brooklyn.

(On April 24, 1908, a communication from the President of Brooklyn requesting an issue of \$10,000 Corporate Stock for the above purpose was referred to the Comptroller.)

On June 5, 1908, upon the recommendation of the Comptroller, the Board authorized the issue of \$1,850 Corporate Stock for said purpose, and it was suggested that the balance of the amount requested be provided by an issue of Special Revenue Bonds.)

Which were referred to the Comptroller.

The Secretary presented a communication from the Sheriff of Queens County, requesting the establishment of the grade of position of Keeper, with salary at the rate of \$1,000 per annum for three incumbents.

Which was referred to the Select Committee, consisting of the Comptroller and the President, Board of Aldermen.

The Secretary presented the following communication from the Comptroller recommending the purchase of No. 15 Chrystie street, Manhattan, for \$47,000, with interest at 6 per cent. from June 1, 1908; also No. 36 Chrystie street for \$42,000, with interest at 6 per cent. from June 1, 1908, for the approach to the Manhattan Bridge, Manhattan:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
October 28, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—The Board of Estimate and Apportionment heretofore approved of certain maps of the Commissioner of the Department of Bridges and laid out certain properties in the Borough of Manhattan as an approach to the Manhattan Bridge in said Borough.

Among the properties so laid out in the bridge plaza within the two blocks bounded by the Bowery, Canal, Forsyth and Bayard streets, for the acquisition of which condemnation proceedings were authorized, were two parcels of land, one known by the number 15 Chrystie street and the other known by the number 36 Chrystie street.

The premises No. 15 Chrystie street, situated on the westerly side of the street and distant 50 feet northerly from the corner of Bayard street, is 25.04 feet in width by 77.67 feet in depth, containing in area 1,941 square feet, upon which is erected a five-story and basement brick building, 25.04 feet in width by about 60 feet in depth. The title to this property, by resolution of the Board of Estimate and Apportionment, vested in the City on the 1st day of June, 1908.

The price asked for this property is \$47,000, with interest at six per cent. from the time of the vesting of said title, that is, June 1, 1908.

The second parcel, No. 36 Chrystie street, is located on the easterly side of said street, about 76 feet south of Canal street, and is 25 feet in width by 73.50 feet in depth, containing in area 1,838 square feet. Upon the same is erected a five-story brick building, 25 feet in width by about 58 feet in depth. The title to this property vested in The City of New York on June 1, 1908, and the price at which the same is offered to the City is \$42,000, with interest thereon at six per cent. per annum from the date of the vesting of title.

The Corporation Counsel in charge of the proceedings has approved of the proposed purchase as being for the best interests of the City, and I therefore would respectfully recommend that the Board of Estimate and Apportionment authorize you to enter into contracts for the acquisition of the following described properties at the prices herein named, with interest thereon from the date set forth, inasmuch as the title has already vested in the City and that the City can now obtain all the right, title and interest of the owners of said premises in the two parcels in question, and of, in and to any award that may be made in the proceedings now pending:

All those two certain lots, pieces or parcels of land hereinafter described as Parcel I, and Parcel II, which said parcels are shown on a map marked "City of New York, Department of Bridges, Manhattan Bridge, Property required for Manhattan Approach," signed by Noah Cummings, Assistant Engineer, known by the number 38/12:

Parcel I.

Beginning at a point on the westerly side of Chrystie street distant 50 feet northerly from the intersection of the westerly side of Chrystie street with the northerly side of Bayard street; running thence westerly 77.07 feet; running thence northerly 24.94 feet to land heretofore acquired from Mary Schulman; thence easterly along land heretofore acquired from Mary Schulman 77.67 feet to the westerly side of Chrystie street; running thence southerly along the westerly side of Chrystie street 25.04 feet to the point or place of beginning. Together with all the right, title and interest of the owners of said premises of, in and to the said Chrystie street in front thereof to the centre thereof.

The acquisition of this parcel to be at a price not exceeding \$47,000, with interest thereon at six per cent. per annum from June 1, 1908. The owner to give a quit-claim deed of all his right, title and interest of, in and to said property, and of, in and to any award that may be made in the proceedings.

Parcel II.

Beginning at a point on the easterly side of Chrystie street distant 75.97 feet southerly from the intersection of the easterly side of Chrystie street with the southerly side of Canal street; running thence easterly 73.50 feet; running thence southerly 25 feet; running thence westerly 73.50 feet to the easterly side of Chrystie street; running thence northerly along the easterly side of Chrystie street 25 feet to the point or place of beginning. Together with all the right, title and interest of the owners of said premises of, in and to Chrystie street in front thereof to the centre thereof.

The acquisition of this parcel to be at a price not exceeding \$42,000, with interest thereon at six per cent. per annum from June 1, 1908, the owner to give a quit-claim deed of all his right, title and interest in and to said property, and of, in and to any award that may be made in the proceedings now pending.

Respectfully submitted for approval,

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

Approved:

JOEL J. SQUIER, Assistant Corporation Counsel.
H. A. METZ, Comptroller.

The following was offered:

Whereas, The Board of Estimate and Apportionment, on the 23d day of November, 1906, adopted resolutions authorizing the acquisition of the fee of lands selected by the Commissioner of Bridges as an approach to the Manhattan Bridge, bounded by the Bowery, Canal, Forsyth and Bayard streets, Borough of Manhattan, and being more particularly shown on a map filed by the Commissioner of Bridges in the office of the Register of the City and County of New York on the 20th day of February, 1905; and

Whereas, The Commissioners of Estimate and Appraisal have been appointed by the Supreme Court in the proceedings to acquire title to said property, and the oaths of said Commissioners were duly filed, as required by law, on the 26th day of February, 1907; and

Whereas, This Board, on the 15th day of May, 1908, adopted a resolution vesting title in The City of New York on June 1, 1908, to the property known as No. 15 Chrystie street and No. 36 Chrystie street, Borough of Manhattan; and

Whereas, The Comptroller of The City of New York has reported to this Board that the property hereinafter described may be acquired at private sale at a fair market value; therefore be it

Resolved, That the Board of Estimate and Apportionment hereby authorizes the Comptroller of The City of New York to enter into contracts for the acquisition of property known as No. 15 Chrystie street, Manhattan, at a price not exceeding forty-seven thousand dollars (\$47,000), with interest thereon at the rate of 6 per cent. from June 1, 1908 (the date of vesting title); also property known as No. 36 Chrystie street, Manhattan, at a price not exceeding forty-two thousand dollars (\$42,000), with interest thereon at the rate of 6 per cent. from June 1, 1908 (the date of vesting title), said property being bounded and described as follows:

All those two certain lots, pieces or parcels of land hereinafter described as Parcel I, and Parcel II, which said parcels are shown on a map marked "City of New York, Department of Bridges, Manhattan Bridge, Property Required for Manhattan Approach," signed by Noah Cummings, Assistant Engineer, known by the number 38/12:

Parcel I.

Beginning at a point on the westerly side of Chrystie street distant 50 feet northerly from the intersection of the westerly side of Chrystie street with the northerly side of Bayard street; running thence westerly 77.67 feet; running thence northerly 24.94 feet

to land heretofore acquired from Mary Schulman; thence easterly along land heretofore acquired from Mary Schulman 77.67 feet to the westerly side of Chrystie street; running thence southerly along the westerly side of Chrystie street 25.04 feet to the point or place of beginning; together with all the right, title and interest of the owners of said premises of, in and to the said Chrystie street in front thereof to the centre thereof; the owner to give a quitclaim deed of all the right, title and interest of, in and to said property, and of, in and to any award that may be made in the proceeding now pending.

Parcel II.

Beginning at a point on the easterly side of Chrystie street, distant 75.97 feet southerly from the intersection of the easterly side of Chrystie street with the southerly side of Canal street; running thence easterly 73.50 feet; running thence southerly 25 feet; running thence westerly 73.50 feet to the easterly side of Chrystie street; running thence northerly along the easterly side of Chrystie street 25 feet to the point or place of beginning; together with all the right, title and interest of the owners of said premises of, in and to Chrystie street in front thereof to the centre thereof; the owner to give a quitclaim deed of all his right, title and interest in and to said property, and of, in and to any award that may be made in the proceedings now pending. —said contracts to be submitted to the Corporation Counsel for approval as to form.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, The Bronx, Queens and Richmond—14.

Negative—The President of the Borough of Brooklyn—2.

The Secretary presented the following communication from the Comptroller, recommending the purchase, at \$88,000, with interest at the rate of 6 per cent. per annum from June 1, 1908, to the date of closing, of property known as Nos. 22 and 24 Bayard street, Manhattan, required for the approach to the Manhattan Bridge:

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
COMPTROLLER'S OFFICE,
November 2, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—The Board of Estimate and Apportionment, at a meeting held November 23, 1906, adopted a resolution authorizing the acquisition of the fee of the lands selected by the Commissioner of the Department of Bridges as an approach to the Manhattan Bridge, lying between Monroe street and the Bowery, in the Borough of Manhattan, more particularly shown on a map filed by the Commissioner of the Department of Bridges in the office of the Register of the City and County of New York on the 20th day of February, 1905.

The title to a greater part of the approach to the said bridge included within the area of the two blocks bounded by Forsyth street, Canal street, the Bowery and Bayard street, vested in The City of New York, pursuant to a resolution of the Board of Estimate and Apportionment, on June 1, 1908.

Among the parcels lying within the area so laid out and shown on the map so filed was a parcel known by the streets numbers 22 and 24 Bayard street, in the Borough of Manhattan, which was included in the approach to the said bridge.

The property known as Nos. 22 and 24 Bayard street is a six-story brick building in fairly good condition, having a frontage on Bayard street of 46.95 feet, and a depth approximately of about 78 feet, the plot of land being irregular in its formation, and having a total area of 3,089 square feet. The property is only 79.52 feet west of Chrystie street. This property is now offered to the City for the sum of \$88,000, together with interest at 6 per cent. from the date of vesting the title. This price has been approved by the Corporation Counsel and also by this office as being fair and reasonable.

The property is known and shown on the Bridge Department map, numbered 38/12, as the Manhattan Bridge, Manhattan approach property, and is bounded and described as follows:

Beginning at a point on the northerly side of Bayard street distant 79.52 feet from the intersection formed by the westerly side of Chrystie street with the northerly side of Bayard street; running thence northerly and parallel with Chrystie street 24.99 feet; thence easterly and parallel with Bayard street 1.33 feet; running thence northerly and again parallel with Chrystie street 53.75 feet; running thence westerly and parallel with Bayard street 22.17 feet; running thence southerly and parallel with Chrystie street 3.81 feet; running thence westerly and parallel with Bayard street 3.41 feet; running thence southerly and parallel with Chrystie street 24.93 feet; running thence westerly and parallel with Bayard street 21.15 feet; running thence southerly and again parallel with Chrystie street 49.93 feet to the northerly side of Bayard street, and running thence easterly along the northerly side of Bayard street 46.95 feet to the point or place of beginning. Together with all the right, title and interest of the owner of said premises of, in and to the streets in front thereof to the centre thereof. Also together with all the right, title and interest in and to any awards that may be made by the Commissioners of Estimate and Appraisal in the proceedings now pending for the acquisition of the said property.

It being intended to convey to the City the premises conveyed by Samuel Harris and Ida, his wife, to Nathan Ullman, by deed recorded in the office of the Register of the County of New York on the 8th day of April, 1907, in Liber 104, Section 1, of Conveyances, page 369.

I would therefore respectfully recommend that the Board of Estimate and Apportionment adopt a resolution authorizing the acquisition of the property known as Nos. 22 and 24 Bayard street, Borough of Manhattan, at private sale, for the sum of \$88,000, together with interest at the rate of 6 per cent. per annum, from June 1, 1908, to the date of closing, said contracts to be submitted to the Corporation Counsel for his approval as to form.

Respectfully submitted for approval.

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

Approved:

JOEL J. SQUIER, Assistant Corporation Counsel.
H. A. METZ, Comptroller.

The following was offered:

Whereas, The Board of Estimate and Apportionment on the 23d day of November, 1906, adopted resolutions authorizing the acquisition of the fee of the lands selected by the Commissioner of Bridges as an approach to the Manhattan Bridge, lying between Monroe street and the Bowery, Borough of Manhattan, and being more particularly shown on a map filed by the Commissioner of Bridges in the office of the Register of the City and County of New York on the 20th day of February, 1905; and

Whereas, The Commissioners of Estimate and Appraisal have been appointed by the Supreme Court in the proceedings to acquire title to said property, and the oaths of said Commissioners were duly filed, as required by law, on the 26th day of February, 1907; and

Whereas, This Board on the 15th day of May, 1908, adopted a resolution vesting title in The City of New York on June 1, 1908, to property known as Nos. 22 and 24 Bayard street, Borough of Manhattan; and

Whereas, The Comptroller of The City of New York has reported to this Board that the property hereinafter described may be acquired at private sale at a fair market value; therefore be it

Resolved, That the Board of Estimate and Apportionment hereby authorizes the Comptroller of The City of New York to enter into contracts for the acquisition of

property known as Nos. 22 and 24 Bayard street, Manhattan, at a price not exceeding eighty-eight thousand dollars (\$88,000), with interest thereon from the 1st of June, 1908 (the date of vesting title), said property being shown on the Bridge Department map, numbered 38/12, as the Manhattan Bridge, Manhattan approach property, being bounded and described as follows:

Beginning at a point on the northerly side of Bayard street distant 79.52 feet from the intersection formed by the westerly side of Chrystie street with the northerly side of Bayard street; running thence northerly and parallel with Chrystie street 24.99 feet; thence easterly and parallel with Bayard street 1.33 feet; running thence northerly and again parallel with Chrystie street 53.75 feet; running thence westerly and parallel with Bayard street 22.17 feet; running thence southerly and parallel with Chrystie street 3.81 feet; running thence westerly and parallel with Bayard street 3.41 feet; running thence southerly and parallel with Chrystie street 24.93 feet; running thence westerly and parallel with Bayard street 21.15 feet; running thence southerly and again parallel with Chrystie street 49.93 feet to the northerly side of Bayard street, and running thence easterly along the northerly side of Bayard street 46.95 feet to the point or place of beginning; together with all the right, title and interest of the owner of said premises of, in and to the streets in front thereof to the centre thereof; also together with all the right, title and interest in and to any awards that may be made by the Commissioners of Estimate and Appraisal in the proceedings now pending for the acquisition of said property, it being intended to convey to the City the premises conveyed by Samuel Harris and Ida his wife to Nathan Ullman by deed recorded in the office of the Register of the County of New York on the 8th day of April, 1907, in Liber 104, section 1, of Conveyances, page 369.

—said contracts to be submitted to the Corporation Counsel for approval as to form.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, The Bronx, Queens and Richmond—14.

Negative—The President of the Borough of Brooklyn—2.

The Secretary presented the following communication from the Comptroller, transmitting copy of a communication addressed to the Board of Aldermen requesting a change in the "Rent" item in the Budget of The City of New York for the year 1909 from \$982,342.31 to \$942,342.25 for the reasons given in detail in said communication, and requesting the Board of Estimate and Apportionment to approve of said change in the Budget as finally adopted for the year 1909:

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
November 9, 1908.

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

GENTLEMEN—Under date of November 7, 1908, I transmitted to the Board of Aldermen a communication, of which the enclosed is a copy. In this communication I requested a change in the "Rent" item in the Budget of The City of New York for 1909 from \$982,342.31 to \$942,342.25 for reasons given in detail in said communication.

I ask that the Board of Estimate and Apportionment approve of said change in the Budget as finally adopted for the year 1909.

Yours respectfully,

H. A. METZ, Comptroller.

November 7, 1908.

To the Honorable the Board of Aldermen of The City of New York:

GENTLEMEN—I beg to request that the item of Rents in The City of New York in the Budget now before you for the year 1909 be changed from its present amount of \$982,342.31 to \$942,342.25 without, however, changing the total of the Budget appropriation for The City of New York as submitted to you by the Board of Estimate and Apportionment. Said amount of \$148,446,904.83 to remain as at present, and my reason for this request is as follows:

Under my direction the employees of the Department of Finance prepared practically two Budgets, one the regular Budget of the City and the other the supporting Budget containing schedules. These two Budgets had to correspond with each other in the amount of the appropriation items, the schedules, however, containing the detail upon which the totals were based. Owing to a large number of alterations in the amounts as tentatively recommended by me to the Board of Estimate and Apportionment, and owing to the change in the plan of granting allowances to the Borough Presidents, the two Budgets were very largely disorganized and had to be recast during the forty-eight hours previous to the final adoption of the Budget figures by the Board of Estimate and Apportionment on Friday, October 30. As a matter of fact, the schedules supporting the Budget items of the Borough Presidents were not completed until an early hour of the morning of October 30. The staff of the Bureau of Municipal Investigation and Statistics and of the Expert Accountants and other men detailed by me to the work were engaged in this labor continuously for forty-eight hours up to the morning of the 30th of October, with practically no sleep. The conditions under which the Budget had to be prepared and the few hours allowed for the setting up of the items made it impossible to arrive at a final figure for the Budget except as the revised schedules were received from the printer during the early hours of Friday morning. These figures were taken off by one of the Accountants and through an inadvertence an error was made of \$40,000.06. This error was discovered later and included in the Budget item, but the Budget aggregate was not corrected to conform to the increase. The result, therefore, is that the total Budget item as approved by the Board of Estimate and Apportionment and stated in the resolution adopted on October 30 is \$40,000.06 less than the aggregate of the Budget items themselves.

It is within the power of the Board of Aldermen to reduce a Budget item which, in the ordinary course of events, should result in a reduction of the total Budget. The request I make here is to reduce a Budget item without, however, changing the total Budget allowance.

I make the suggestion for a change in the item of Rents because it is one which is administered by the Department of Finance and one which in some respects is a contingent amount. The Budget allowance for this purpose in any one year rarely approximates the actual expenditures. It being an uncertain item, therefore, it seems to me one which can be changed without any violation of the theory upon which the Budget is made.

Yours respectfully,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the recommendations contained in the communication of the Comptroller to the Honorable the Board of Aldermen, under date of November 7, 1908, relative to amending the item in the Budget of The City of New York, for the year 1909, entitled Rents, by striking therefrom the figures "\$982,342.31" and inserting in place thereof the figures "\$942,342.25," and requests the Board of Aldermen to reduce said item, pursuant to section 226 of the Charter.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, The Bronx, Queens and Richmond—14.

Negative—The President of the Borough of Brooklyn—2.

The Secretary presented the following communication from the Comptroller, recommending the purchase, at \$12,100, of property known as No. 128 Sands street, Brooklyn, required for the approach to the Manhattan Bridge:

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
COMPTROLLER'S OFFICE.
November 2, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—The Board of Estimate and Apportionment at a meeting held November 23, 1906, and as amended December 21, 1906, adopted a resolution authorizing the acquisition of the fee of the land selected by the Commissioner of the Department of Bridges as an approach to the Manhattan Bridge, consisting of all those portions of the two blocks bounded by Jay, Nassau, Bridge and Sands streets, in the Borough of Brooklyn, not already acquired, or in process of acquisition, for bridge purposes, and more particularly shown on a map filed in the office of the Register of the County of Kings, City of New York, by the Commissioner of the Department of Bridges on the 1st day of November, 1905, and on the 20th day of December, 1904, respectively.

The title to the approach to said bridge included within the area of the two blocks bounded by Jay, Nassau, Bridge and Sands streets, vested in The City of New York on June 1, 1908, as per resolution of the Board of Estimate and Apportionment adopted April 24, 1908.

Among the parcels within the area so laid out and shown on the map so filed was a parcel known as No. 128 Sands street, which is included within the plaza or approach to the said bridge.

The property No. 128 Sands street, in the Borough of Brooklyn, is a three-story and basement brick building, with a one-story brick extension, in fairly good condition, the same having a frontage on Sands street of 20.20 feet and a depth of 103.92 feet. The owner now offers this property to The City of New York for the sum of \$12,100, the purchase price of which is fixed at \$12,000, the sum of \$100 being rentals collected by the City and which are to be returned by the City through this purchase as rentals properly belonging to the vendor. This price has been approved by the Corporation Counsel and also by this office as being fair and reasonable.

The property is known and shown on the Bridge Department map No. 39/11 as the Manhattan Bridge, Brooklyn approach property, and is bounded and described as follows:

Beginning at a point on the southerly side of Sands street, distant 100 feet from the intersection formed by the westerly side of Bridge street with the southerly side of Sands street; running thence southerly and parallel with Bridge street 103.92 feet; running thence westerly and parallel with Sands street 20.20 feet; running thence northerly and again parallel with Bridge street 103.92 feet to the southerly side of Sands street; thence easterly along the southerly side of Sands street 20.20 feet to the point or place of beginning, said premises being known by the number 128 Sands street, in the Borough of Brooklyn, City of New York, together with all the right, title and interest of the owners of said premises of, in and to the streets in front thereof to the centre thereof. (Also together with all the right, title and interest in and to any awards that may be made by the Commissioners of Estimate and Appraisal in the proceedings now pending for the acquisition of said property), it being intended to convey the same premises conveyed by William Redmond, widower, of the Borough of Brooklyn, to Lena Bernstein, of the Borough of Brooklyn, by deed dated December 1, 1904, and recorded in the Register's office of the County of Kings in Section 1, Liber 23, Page 47, Block 88 of Conveyances, December 1, 1904.

I would therefore respectfully recommend that the Board of Estimate and Apportionment authorize the Comptroller to enter into a contract for the acquisition thereof at private sale, at a price not exceeding \$12,100, said contracts to be submitted to the Corporation Counsel for his approval as to form.

Respectfully submitted for approval,

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

Approved:

JAS. F. QUIGLEY, Assistant Corporation Counsel in Charge.
H. A. METZ, Comptroller.
G. L. STERLING, Acting Corporation Counsel.

The following was offered:

Whereas, The Board of Estimate and Apportionment having heretofore on the 23d day of November, 1906, adopted resolutions authorizing the acquisition of the fee of lands selected by the Commissioner of Bridges as an approach to the Manhattan Bridge, consisting of all those portions of the two blocks bounded by Jay, Nassau, Bridge and Sands streets, in the Borough of Brooklyn, not already acquired, or in process of acquisition, for bridge purposes, and more particularly shown on a map filed in the office of the Register of the County of Kings, City of New York, by the Commissioner of Bridges on the 1st day of November, 1905, and on the 20th day of December, 1904, respectively, and

Whereas, Commissioners of Estimate and Appraisal have been appointed by the Supreme Court in the proceedings to acquire title to said property, and the oaths of said Commissioners were duly filed, as required by law, on the 25th day of March, 1908, and

Whereas, This Board on the 24th day of April, 1908, adopted a resolution vesting title in The City of New York on June 1, 1908, to the property known as No. 128 Sands street, Borough of Brooklyn, and

Whereas, The Comptroller of The City of New York has reported to this Board that the property hereinafter described may be acquired at private sale at a fair market value, therefore be it

Resolved, That this Board hereby authorizes the Comptroller to enter into contracts for the acquisition of all the right, title and interests of the former owner of said premises in and to said property, and in and to any award that may be made by the Commissioners of Estimate and Appraisal in the proceedings now pending for the acquisition of said property, at a price not exceeding twelve thousand one hundred dollars (\$12,100); said property being known and shown on the Bridge Department map No. 39/11 as the Manhattan Bridge, Brooklyn approach property, and bounded and described as follows:

Beginning at a point on the southerly side of Sands street, distant 100 feet from the intersection formed by the westerly side of Bridge street with the southerly side of Sands street; running thence southerly and parallel with Bridge street 103.92 feet; running thence westerly and parallel with Sands street 20.20 feet; running thence northerly and again parallel with Bridge street 103.92 feet to the southerly side of Sands street; thence easterly along the southerly side of Sands street 20.20 feet to the point or place of beginning, said premises being known by the No. 128 Sands street, in the Borough of Brooklyn, City of New York, together with all the right, title and interest of the owners of said premises of, in and to the streets in front thereof to the centre thereof; it being intended to convey the said premises conveyed by William Redmond, widower, of the Borough of Brooklyn, to Lena Bernstein, of the Borough of Brooklyn, by deed dated December 1, 1904, and recorded in the Register's office of the County of Kings in Section 1, Liber 23, page 47, Block 88 of Conveyances, December 1, 1904.

—said contracts to be submitted to the Corporation Counsel for approval as to form.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, The Bronx, Queens and Richmond—14.

Negative—The President of the Borough of Brooklyn—2.

The Secretary presented the following communications from the President, Borough of The Bronx, relative to the acquisition of a site for an interior public bath in the Borough of The Bronx, together with communication from the Comptroller recommending the purchase at \$14,000 of property known as Nos. 742 and 744 East One Hundred and Forty-third street, Borough of The Bronx, for this purpose.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
COMPTROLLER'S OFFICE.
MUNICIPAL BUILDING, CROTONA PARK,
June 2, 1908.

Hon. HERMAN A. METZ, Comptroller:

DEAR SIR—It is desirable that an interior public bath be located in the section of the Borough of The Bronx, bounded by East One Hundred and Thirty-eighth street, St. Ann's avenue, East One Hundred and Forty-sixth street, Third avenue and Alexander avenue, which is one of the most densely populated sections of the Borough.

I inclose herewith for your information a black print showing the section thus indicated and would respectfully suggest that the Real Estate Bureau of the Finance Department report to you a plot 50 feet by 100 feet within the area indicated, so that said plot may be purchased by the City for a site for an interior public bath.

Yours truly,

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

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
COMPTROLLER'S OFFICE.
MUNICIPAL BUILDING, CROTONA PARK,
NEW YORK, June 11, 1908.

Hon. H. A. METZ, Comptroller:

DEAR SIR—In answer to your communication of June 9, 1908, informing me that a site 50 by 100 located on the south side of 143d street, 140 feet west of Brook avenue, and known on the tax books as Lots Nos. 42 and 43, in Block 2287, can be purchased with the buildings thereon for \$14,000 cash, as a location for an interior public bath, I beg to say that I have no objection to the site proposed, and transmit herewith, for your information and for the approval of the Board of Estimate and Apportionment, map or plan showing location of the lots Nos. 42 and 43, Block 2287, in the Twenty-third Ward, Borough of The Bronx, to be acquired for a site of an interior bath, dated New York, June 11, 1908.

Yours truly,

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

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
COMPTROLLER'S OFFICE.
MUNICIPAL BUILDING, CROTONA PARK,
June 23, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—Hon. Louis F. Haffen, President of the Borough of The Bronx, in a communication dated June 2, 1908, states that it is desirable that an interior public bath be located in the section of the Borough of The Bronx bounded by East One Hundred and Thirty-eighth street, St. Ann's avenue, East One Hundred and Forty-sixth street, Third avenue and Alexander avenue, which district he states is one of the most densely populated sections of the Borough. Transmitted therewith is a diagram showing the section referred to, and he respectfully requests that the Bureau of Real Estate report upon a plot 50 by 100 feet within the area indicated, in order that the same may be purchased as a site for an interior bath.

Under date of June 9 this office submitted to the President of the Borough of The Bronx two lots known on the tax books as Lots Nos. 42 and 43, in Block 2287, being in area 50 by 99.85 feet, located on the southwest side of East One Hundred and Forty-third street, 140 feet northwest of Brook avenue.

Under date of June 11 the President of the Borough transmits an acceptance of said site, together with a "map or plan showing location of Lots Nos. 42 and 43, Block 2287, Twenty-third Ward, Borough of The Bronx, to be acquired for a site of an interior bath, prepared by the President of the Borough of The Bronx under authority of chapter 466 of the Laws of 1901." Map is dated June 11, 1908.

This office, under your direction, requested two appraisals of the value of the property, one from Williamson & Bryan and the other from J. Clarence Davies. Both of these appraisers, under date of June 19, make returns.

J. Clarence Davies states that:

The present market value of the ground is.....	\$14,500 00
Present market value of the two buildings.....	500 00

Total present market value.....

\$15,000 00

Williamson & Bryan state that:

The value of the ground is.....	\$13,000 00
Value of the buildings.....	1,000 00

Total present market value.....

\$14,000 00

The premises desired to be acquired are known by the numbers 742 and 744 East One Hundred and Forty-third street. On the premises No. 742 there is a two-story frame dwelling on the front of the lot, about 20 by 30 feet; on the rear of the same lot there is a two-story frame house, 20 by 30 feet. On the premises No. 744 there is a two-story frame and brick house, about 18 by 20 feet.

There seems to be a difference of opinion as to the depth of the lots. Some give it as 99.85 feet; some give it as 99.95 feet. The Borough President gives the depth as 99.85 feet. The property is assessed in the name of Louis Lese for a total of \$11,200.

The Borough President states that there has been appropriated the sum of \$320,000 Corporate Stock on account of Public Bath Funds; that he has used to date \$167,000; that he has available \$153,000.

The price being reasonable and just, I would respectfully recommend that the Board of Estimate and Apportionment approve of the selection of the site desired by the President of the Borough of The Bronx and authorize the Comptroller to enter into contracts for the acquisition of the same at private sale, at a price not exceeding \$14,000, the property being bounded and described as follows:

Beginning at a point on the southwesterly side of East One Hundred and Forty-third street distant 140 feet northwesterly from the intersection of the southwesterly side of East One Hundred and Forty-third street with the northwesterly side of Brook avenue, and running thence southwesterly 99.85 feet to the centre line of the block between East One Hundred and Forty-second and East One Hundred and Forty-third streets; running thence northwesterly along said centre line of the block 50 feet; thence northeasterly 99.85 feet to the southwesterly side of East One Hundred and Forty-third street; running thence southeasterly along the southwesterly side of East One Hundred and Forty-third street 50 feet to the point or place of beginning, said premises being known on the tax maps as Lots Nos. 42 and 43, in Block 2287, Twenty-third Ward, Borough of The Bronx, for the purposes of taxation; together with all the right, title and interest of the owners of said premises of, in and to the streets in front thereof to the centre thereof, —as a site for an interior public bath. Said contracts to be submitted to the Corporation Counsel for his approval as to form.

The property to be taken subject to a covenant and restriction contained in Liber 702 of Conveyances, page 43, recorded in the Register's office of the County of New York. Said covenant reads as follows:

"And the said party of the second part, for himself, his heirs and assigns, doth hereby covenant, promise and agree to and with the said parties of the first part, their heirs and assigns, that neither the said party of the second part nor his heirs or assigns shall at any time hereafter erect, suffer or permit upon the premises hereby granted, or any part thereof, any brewery, distillery, slaughter house, soap, candle, starch, varnish, vitriol, glue, ink or turpentine factory, or any factory for tanning, dressing or preparing skins, hides or leather, or any other dangerous, noxious or offensive establishment whatsoever. And it is understood and agreed by and between the parties hereto that this covenant is attached to and shall run with the land. And it shall be lawful for not only the said parties of the first part, their heirs and assigns, but also for the owner or owners of any lot or lots of land adjoining or in the neigh-

borhood of the premises hereby conveyed, deriving their title from the said party of the first part or their devisees or grantees, to institute and prosecute any proceedings at law or in equity against the person or persons violating or threatening to violate the same. It being understood, however, that this covenant is not to be enforced personally for damages against the said party of the second part, his heirs or assigns, unless he or they be the owner or owners of that part of said premises upon which a violation of the covenant is done. And it is mutually understood and agreed by and between the parties hereto that said party of the first part and their heirs and assigns shall not be required to erect or maintain any division or party wall or fence between the premises hereby conveyed and any other land or premises belonging to the said Lewis B. Brown or his heirs adjoining thereto."

Respectfully submitted for approval,

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

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the selection by the President of the Borough of The Bronx of a site for an interior public bath located at Nos. 742 and 744 East One Hundred and Forty-third street, Borough of The Bronx, bounded and described as follows:

Beginning at a point on the southwesterly side of East One Hundred and Forty-third street, distant 140 feet northwesterly from the intersection of the southwesterly side of East One Hundred and Forty-third street with the northwesterly side of Brook avenue, and running thence southwesterly 99.85 feet to the centre line of the block between East One Hundred and Forty-second street and East One Hundred and Forty-third street; running thence northwesterly along said centre line of the block 50 feet; thence northeasterly 99.85 feet to the southwesterly side of East One Hundred and Forty-third street; running thence southeasterly along the southwesterly side of East One Hundred and Forty-third street 50 feet to the point or place of beginning, said premises being known on the tax maps as Lots 42 and 43 in Block 2287, Twenty-third Ward, Borough of The Bronx, for the purposes of taxation; together with all the right, title and interest of the owners of said premises of, in and to the streets in front thereof to the centre thereof; said property to be taken subject to a covenant and restriction contained in Liber 702 of Conveyances, page 43, recorded in the Register's office of the County of New York; said covenant reading as follows:

"And the said party of the second part for himself, his heirs and assigns, doth hereby covenant, promise and agree to and with the said parties of the first part, their heirs and assigns, that neither the said party of the second part nor his heirs or assigns shall at any time hereafter erect, suffer or permit upon the premises hereby granted, or any part thereof, any brewery, distillery, slaughter house, soap, candle, starch, varnish, vitriol, glue, ink or turpentine factory, or any factory for tanning, dressing or preparing skins, hides or leather, or any other dangerous, noxious or offensive establishment whatsoever; and it is understood and agreed by and between the parties hereto that this covenant is attached to and shall run with the land; and it shall be lawful for not only the said parties of the first part, their heirs or assigns, but also for the owner or owners of any lot or lots of lands adjoining or in the neighborhood of the premises hereby conveyed, deriving their title from the said party of the first part or their devisees or grantees, to institute and prosecute any proceedings at law or in equity against the person or persons violating or threatening to violate the same; it being understood, however, that this covenant is not to be enforced personally for damages against the said party of the second part, his heirs or assigns, unless he or they be the owner or owners of that part of said premises upon which a violation of the covenant is done; and it is mutually understood and agreed by and between the parties hereto that said party of the first part and their heirs and assigns shall not be required to erect or maintain any division or party wall or fence between the premises hereby conveyed and any other land or premises belonging to the said Lewis B. Brown or his heirs, adjoining thereto;"

—and the Comptroller be and is hereby authorized to enter into contracts for the acquisition of the above described property at private sale, at a price not exceeding fourteen thousand dollars (\$14,000), said contracts to be submitted to the Corporation Counsel for approval as to form.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, The Bronx, Queens and Richmond—14.

Negative—The President of the Borough of Brooklyn—2.

The Secretary presented a communication from the President of the Borough of Brooklyn requesting that his application for a transfer of \$25,000 from accounts within the appropriation made to the Bureau of Public Buildings and Offices, for the year 1908, to the account within said appropriation, entitled Bureau of Public Buildings and Offices, Maintenance of Buildings and Offices—Salaries and Wages, be placed upon the calendar.

(On October 30, 1908, a resolution authorizing the above transfer failed of adoption, not receiving the requisite number of votes.)

The Comptroller presented the following communication, which was read to the Board:

BUREAU OF MUNICIPAL RESEARCH,
No. 261 BROADWAY,
NEW YORK, November 13, 1908.

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

DEAR SIR—The accompanying letter was prepared at the request of the president of the borough of Brooklyn. Inasmuch as it relates to matters now pending before the Board of Estimate and Apportionment, copy thereof is transmitted to you.

Yours very truly,

HENRY BRUERE, Director.

November 11, 1908.

Hon. BIRD S. COLER, President, Borough of Brooklyn, Borough Hall, Brooklyn, N. Y.:

DEAR SIR—We have received your communication of October 29 with reference to your two requests for the replenishment of the salaries and wages account in the Bureau of Public Buildings and Offices (1) for transfer of funds in the amount of \$25,000 from the supply accounts of that Bureau; (2) for the issuance of Special Revenue Bonds in the amount of \$23,270.90, both matters now pending before the Board of Estimate and Apportionment. In this letter you ask the Bureau of Municipal Research to investigate and report upon the following queries:

1. Whether fair and due notice was not given to the City authorities when the Budget of 1908 was made that the appropriation allowed was insufficient for the purpose;

2. Whether or not there has been wasteful expenditure of the appropriation for the maintenance of public buildings and offices, salaries and wages for 1908;

3. Whether or not there was any intention in the preparation of the Budget for 1908 to provide for an expenditure such as was made necessary by the fire in the Kings County Court House in February of this year;

4. Whether or not the performance of work by mechanics employed by the City, whose payroll was chargeable against the salaries and wages account, does not justify a transfer to the extent of at least the labor charge involved to such account from the accounts against which contracts for the same work would be chargeable had such work been performed under contract.

We also have your letter of November 6 in which you refer to certain remarks of the Comptroller at a meeting of the Board of Estimate and Apportionment, as indicating the existence of political reasons for opposition to your requests.

In so far as answers to your questions could be made upon a basis of evidence, we have been pleased to make the investigation which you requested, and desire to report as follows:

Question 1—For two reasons it is impossible for us to answer this question: (1) Nothing appears on record of the proceedings of the Board of Estimate and Apportionment to show that you protested to that body at a public meeting when the Budget of 1908 was being made, that the appropriation allowed was insufficient for the purpose. (2) We are, of course, unable to ascertain what transpired at the executive sessions of that Board with respect to the 1908 Budget.

The other City authority concerned in the making of the Budget is the Finance Committee, Board of Aldermen, to whose chairman, Mr. John R. Davies, the record shows that you addressed a letter dated November 23, 1907, in which you estimated that there would occur during the year 1908, upon the basis of the Budget allowance for that year, a deficit of \$28,620.77 in the salaries and wages account of the Bureau of Public Buildings and Offices. Inasmuch, however, as the Board of Aldermen has no power to increase allowances, this letter could hardly be construed as "fair and due notice" * * * to the City authorities" when the Budget of 1908 was made, that the appropriation allowed would cause you to incur a deficit of \$28,620.77. The above mentioned letter to the Board of Aldermen may, however, be construed as notice that in your judgment it would be necessary during the succeeding year to make up a deficit of \$28,620.77 in the salaries and wages account of the Bureau of Public Buildings and Offices. In other words, a month and a half before the beginning of the fiscal year, 1908, you gave notice to one of the two City authorities responsible for appropriations that you would have to ask in 1908 for Special Revenue Bonds or "toward the end of the year to close some of the public baths and buildings."

The deficit arrived at in your communication to the Board of Aldermen on November 23, 1907, being but \$28,620.77, any representations made with regard to that sum could not apply to the difference between that sum and the total deficit which your letter of November 4 states now to be necessary, namely, \$48,270.90. That portion of the deficit, therefore, seems not to have been covered by any kind of notice to any of the City authorities responsible for Revenue Bonds or transfers.

We feel in this connection justified in calling attention to the fact that the Bureau of Municipal Research understands an appropriation by the Board of Estimate and Apportionment to be in effect a direction of that Board to heads of departments in their administration of a specific fund not to exceed the amount appropriated. As bearing upon both the excess of the deficit anticipated by you in November, 1907, and also the deficit then foreseen, we beg to note that the appropriation for the year 1908 for salaries and wages was disregarded during every month, from January to September of the current year. Whereas one-twelfth of the Budget appropriation for this fund amounts to \$21,668.48, you have expended from this account for the first nine months of this year at a monthly rate of \$26,064.09, or \$4,395.61 in excess of the monthly rate made possible by your appropriation. If this rate of monthly excess had been continued for the remaining three months of this year, there would have existed a deficit of \$52,747.31. In other words, the rate of expenditure to September 30, 1908, contemplated a deficit at the close of the year, not of \$28,620.77 mentioned in your notice to the Board of Aldermen in November, 1907, but of \$52,747.31.

During the month of October, however, as set forth in your letter of November 4 to the Board of Estimate and Apportionment, the monthly payroll has been reduced, so that the deficit which confronts you at the present time is now estimated by you at \$48,270.90. That is to say, you have met the situation that confronted you on October 1 by a reduction in your payroll aggregating \$4,500 for the last three months of the year, below the deficit that would have resulted had the average expenditure of the first nine months been continued. In September, according to your letter of November 4, you made a request for a transfer of \$25,000 "when it did not seem probable that the Special Revenue Bond appropriation would be adopted by the Board of Aldermen." This seems to imply that in September you had some plan for meeting a deficit of \$48,270.90 by a maximum appropriation of \$25,000. In November, the minimum amount required was reported as not \$25,000, but \$48,270.90. We mention this fact as bearing upon the question of successive notices given by you to the city authorities as to the minimum required in the account referred to.

Finally, had you in September contemplated a deficit of \$48,270.90, and been without a plan for meeting such deficit, it is not clear from the record why you did not ask for a transfer of the total amount of \$48,270.90 rather than \$25,000, since you were no longer counting upon Special Revenue Bond appropriation, and since there was at that time a balance in your supply accounts sufficient to stand transfer of the maximum amount needed to continue this division upon the rate of expenditure for the first nine months.

Question 2—In the short time available to us for investigation, it has been impossible to obtain definite evidence as to whether or not there has been wasteful expenditure of the appropriation for the maintenance of public buildings and offices, salaries and wages for 1908. The records kept in your Bureau of Public Buildings and Offices are not sufficient to make a quick test of the efficiency of that Bureau. No records are kept to show, for example, the cost of cleaning the several buildings, nor are there any proper time records or work tickets maintained to show services performed by the mechanics in the employ of that Bureau. Under such conditions to ascertain facts as to waste, a complete analysis of payrolls and vouchers would be necessary, a task that the time specified in your request has not, of course, permitted us to undertake. The Bureau of Municipal Research has frequently stated the general proposition that where records of cost and service are inadequate, there is presumption of some waste.

Question 3. Obviously it would not have been possible for the Board of Estimate and Apportionment to provide for an expenditure such as was made necessary by the fire in the Kings County Court House in February of this year, unless that fire was planned in advance. This possibility we dare not, of course, venture to entertain. The general practice of the City, however, seems to be to authorize an issue of Corporate Stock to repair damages by fire, if the destruction of property is of sufficient extent to warrant such action, or for smaller sums, to resort to an issue of Special Revenue Bonds. It therefore appears that any extraordinary charges due to the fire of the Kings County Court House need not, according to the practice of the City, be made a charge upon your 1908 Budget accounts.

Question 4—Your question as worded raises an issue, not of fact, but of policy, to be determined by the fiscal authorities of the city. In an attempt to arrive at an understanding of the amounts involved by this question, we have obtained from your Superintendent of Public Buildings and Offices certain statements as follows: (1) The total payroll cost for the mechanical force of that Bureau for 1908 would be \$17,741, or \$4,407.88 more than for 1907. If, therefore, a transfer of the total payroll were made, it would affect but \$17,741 of your present estimated deficit of \$48,270.90. (2) The estimated value of work done by this mechanical force costing \$17,741 for twelve months was, for the nine months and fifteen days ending October 15, 1908, \$17,600. How much of this work might have been performed under contracts had you no staff of mechanics for this Bureau, it is impossible from the records to ascertain. There is no record of the amount of material used nor the extent of work, nor amount of time consumed in the performance of specific jobs, nor different records to reveal the total amount of work performed. Your public statement analyzing the work valued at \$17,600, is made up as follows:

Plumbing jobs, 400 at \$10 each.....	\$4,000 00
Carpentry jobs, 480 at \$5 each.....	2,400 00
Plastering jobs.....	4,000 00
Painting, including 439 street signs erected.....	7,200 00

The nearest approach we have been able to obtain to a statement of the cost of individual jobs is by accepting the estimated cost as it appears upon the requisitions. For example, an examination of the requisitions for plumbing shows that many of the jobs are estimated before the work is done at less than \$2, and very few in excess

of \$10. Yet your statement averages 400 jobs at \$10 each. Similarly, of 100 carpentry jobs in the total of 480 reported by you at \$5 each, your Superintendent of Public Buildings and Offices stated to our Examiner that the Inspector of Carpentry was able to produce (had on file) no requisition, and that he "guessed" that number had been performed without requisitions.

In setting forth these facts we do not wish to be understood to have taken a position on the propriety of your request of this transfer. We cite them merely because we obtained them in the course of our examination, and because they seem to limit the possibility of effecting any material modification in the distribution of funds for the year 1908 in this Bureau by means of a transfer on the conditions mentioned in question 4.

It is with extreme regret that unusual pressure upon our office has made it impossible for us to comply with your request at the early date suggested in your letter of October 29. We beg, moreover, to be excused from expressing an opinion "as to the political nature of the obstacles put in the way of a proper administration" of the Bureau referred to in this letter. In this statement we have confined ourselves strictly to the three questions of fact propounded in your letter of October 29, and to certain statements of fact bearing upon your fourth question, so far as did not involve the expression of opinion as to policies that should be pursued by the City in trying to meet the regrettable situation with which it is now confronted in dealing with your request for either Revenue Bonds or transfer to meet the present estimated deficit of \$48,270.90.

Very truly yours,

(Signed) HENRY BRUERE, Director.

The resolution authorizing the above transfer, as requested by the President of the Borough of Brooklyn, failed of adoption, receiving the following vote:

Affirmative—The President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, Brooklyn and The Bronx—8.

Negative—The Mayor, the Comptroller, and the Presidents of the Boroughs of Queens and Richmond—8.

The Secretary presented communications, as follows:

From the Commissioner of Street Cleaning, requesting approval of the award of contract (section 544 of the Charter) for the final disposition of garbage in the Borough of The Bronx, for the period beginning December 1, 1908, and ending August 1, 1911, as follows:

New York Sanitary Utilization Company, \$48,500 for the first year; \$53,300 for the second year; \$39,000 for the third fractional year; also requesting that the difference between the amount allowed in the Budget for 1909 for the above purpose, namely, \$25,000, and the sum of \$48,500, the cost of the work under the new contract for the year 1909 be provided for.

From the Department of Public Charities, requesting the acquisition by purchase of a piece of property at the southwest corner of Twenty-seventh street and First avenue, Manhattan, for the use of said Department as a site for a new office building.

From the Department of Water Supply, Gas and Electricity, relative to extending and remodeling the high service pumping stations at Jerome avenue, at One Hundred and Seventy-ninth street and at Ninety-eighth street, in the Borough of Manhattan, to supply an adequate pressure in the upper districts of Manhattan, east of Third avenue, and requesting an issue of \$170,000 Corporate Stock, in addition to the amount heretofore authorized for said purpose; this procedure being deemed more expedient and less expensive than the erection of a new high service pumping station in the locality above mentioned, or in the vicinity thereof.

(On April 3, 1908, a resolution of the Board of Aldermen requesting an appropriation for the construction and maintenance of a high pressure service pumping station on property owned by the City, between Ninetieth and Ninety-first streets, East River, Manhattan, was referred to the Comptroller.

On June 26, 1908, the Comptroller reported that the assignment of property for this purpose was within the province of the Commissioners of the Sinking Fund and not with the Board of Estimate, but recommended that the Commissioner of Water Supply, Gas and Electricity apply to the Commissioner of Bridges for a site under the Blackwells Island Bridge for the erection of a pumping station.)

From the President of the Queens Borough Public Library requesting an appropriation of \$11,428 to meet estimated deficiencies for the year 1908.

Which were referred to the Comptroller.

The Secretary presented a communication from the Central Federated Union requesting that some action be taken to relieve the distress of the unemployed men of the Bureau of Highways, Borough of Brooklyn.

Which was ordered on file.

The Secretary presented the following communication from the Commissioner of Water Supply, Gas and Electricity submitting for approval form of contract between The City of New York and the Jamaica Water Supply Company for the rental of hydrants in the Borough of Queens, at \$18 per hydrant; together with report of the Chief Engineer of the Board (to whom this matter was referred on June 26, 1908) recommending the approval of same with certain modifications:

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,
COMMISSIONER'S OFFICE, NOS. 13 TO 21 PARK ROW,
NEW YORK, June 20, 1908.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment, No. 277 Broadway, City:

DEAR SIR—Pursuant to the provisions of section 471 of the revised Charter, I transmit herewith for approval proposed contract with the Jamaica Water Supply Company for the rental of hydrants in the Borough of Queens. The present contract with this company will terminate on July 8 next.

This new contract is identical with the one now in force with the exception that I have specified a standard of quality for the water to be furnished and have expressed more definitely the pressure to be maintained at the hydrants. There has also been added an estoppel clause. The proposed agreement has already been examined and approved as to form by the Corporation Counsel.

Respectfully,

JOHN H. O'BRIEN, Commissioner.

Agreement made this day of 1908, by and between The City of New York, hereinafter called "The City," a municipal corporation, acting by and through the Commissioner of Water Supply, Gas and Electricity, hereinafter called "The Commissioner," duly authorized so to do by the Board of Estimate and Apportionment of the City, and with the consent and approval in writing of both the Mayor and Comptroller of the City, party of the first part, and the Jamaica Water Supply Company, hereinafter called "The Company," a domestic corporation having its principal place of business in the Fourth Ward of the Borough of Queens in this City, party of the second part, witnesseth:

That the parties hereto mutually covenant and agree as follows:

1. The Company will furnish through its hydrants already set, or which may hereafter be set, and through its mains and pipes already laid, or which may hereafter

be laid, all the pure and wholesome water that is or may be required by the City, its agents, servants or employees, for the extinguishment of fires, the testing of fire apparatus, the practice, drill and exhibition of firemen, and for use in any fire house or police station, and for flushing and cleaning the streets, sewers and sidewalks, and for sprinkling the streets.

2. The Company shall at all times maintain a pressure of at least twenty pounds per square inch at each and every hydrant located at an elevation equal to or lower than 115 feet above mean high tide and shall maintain at all times a pressure equal to an average head of water of 200 feet above mean high tide in the standpipes of the Company's system at all hydrants located at an elevation of 115 feet above mean high tide, and for failure to maintain at any hydrant the pressure above required to be maintained at such hydrant, when such failure is not due to an act of God or unavoidable contingency, the Company shall pay to the City for each and every such hydrant the sum of five dollars (\$5) per day for each and every day and fraction of a day that such pressure shall not be maintained thereat, and all such sums may be deducted from any moneys due or to become due to the Company at any time under this agreement.

3. The Company shall at all times keep its reservoirs, standpipes, mains, hydrants, stop-cocks, wells, pumping machinery and pipes in good repair and working order, and in case of failure so to do, after ten (10) days' notice in writing from the Commissioner, the City may do the work necessary in the way of repairs of painting and charge the cost thereof to the Company and deduct the said cost from any moneys due or to become due to the Company under this agreement; provided, however, that if any hydrant, pipe or other apparatus of the Company be damaged by any agent or servant of the City, in the performance of his duties as such, reasonable wear and tear excepted, the cost of repair or of necessary new apparatus shall be paid by the City.

4. Hydrants hereafter set shall be connected with the mains by pipe not less than four (4) inches inside diameter, and all such hydrants shall be either the Eddy compression hydrant or a compression hydrant of equal standard.

5. All mains hereafter laid shall be not less than six (6) inches inside diameter, and all pipe and mains hereafter laid shall be of first quality cast iron, tested to a hydrostatic pressure of three hundred (300) pounds to the square inch, and shall be thoroughly coated with approved coating at a temperature of three hundred (300) degrees Fahrenheit.

6. New mains shall be laid by the Company at its own expense within the Borough of Queens when and where requested by the Commissioner, provided that no extension shall be required to be made between November 1 and April 1 of any year during the existence of this contract, unless the ground is free from frost, and provided also all necessary permits for the opening of streets for the purpose of laying such mains shall be furnished to the Company free of expense to the said Company, and provided also that the Commissioner shall not require the laying of new mains, unless at the same time he requires the erection by the Company upon its mains (whether new or old) of new hydrants averaging one for each three hundred and fifty-two (352) feet of new mains required to be laid. No extension of mains upon which hydrants are to be erected shall be made in public streets or work commenced thereon in the way of opening any streets, unless the Commissioner shall have directed the extension of such mains as above provided.

7. All pipes and hydrants required by the Commissioner to be set or laid before being laid or set shall be subject to the inspection of the City, acting by or through the Commissioner, his Engineers or such other agents as he may select, and when not in accordance with the terms of this agreement may be rejected. The Department of Water Supply, Gas and Electricity of the City shall be informed at all times of the location of all mains laid and to be laid and hydrants set and to be set by the Company, and when new hydrants are set and water ready to be turned on written notice thereof shall be given to the City or the Commissioner. The Company shall furnish to the Commissioner within sixty days after the execution and delivery of this agreement a map, plan or blue print showing the location of all mains and hydrants and the number each hydrant bears, gates, blow-offs, specials, pumping stations, standpipes and reservoirs, the size of the mains and such other details and particulars as the Commissioner may require by written notice within five days after the execution and delivery of this agreement, and also within ten days after the commencement of work on any alteration of said system and apparatus by way of extension, addition, elimination or otherwise, a map, plan or blue print showing such alterations and showing the portion of such system and apparatus as so altered. The Commissioner, acting through his Engineers or such other agents as he may designate, shall have the right to inspect and examine at all reasonable times during the day and night and at any season during the year the pipes, hydrants, wells, pumping stations, standpipes, reservoirs and all other property and apparatus of the Company.

8. The Company shall lower or raise and relay and reset at its own expense its mains, pipes and hydrants, whenever necessary in the course of grading or regrading of any street, roadway or other highway, and shall care for and protect those mains, pipes and hydrants while such grading or regrading is being done.

9. The Company shall at all times properly guard all openings made by it in any street, roadway or highway, and shall cause the same to be packed and refilled, and all roadbeds, sidewalks, gutters and pavements to be replaced in as good condition as they were previously, and shall remove all surplus stone, dirt and other substances, and in case of failure so to do within five (5) days after the completion of the work the Commissioner may cause the same to be done and the reasonable cost thereof may be deducted from any moneys due or to become due to the Company under this agreement.

10. Gates and valves shall be placed by the Company on all mains and pipes which may hereafter be laid whenever and wherever directed by the Commissioner so as to allow the supply of water to be shut off in case of accidents, repairs or extensions from any one portion of the system of distribution without affecting the supply to any other portion of the system.

11. The Company will execute and deliver to the City its bonds and sureties to be approved by the Comptroller of the City in the penal sum of fifteen thousand dollars (\$15,000), conditioned to save and hold the City harmless from all suits and actions of every description and from all damages and costs by reason of injury to person or property, including streets, roads, highways and pavements, on account of or arising out of the acts or omissions of the Company or its officers, agents or employees, or by reason of breaks or failures in the pipes, hydrants or other apparatus of the Company; provided, however, that in the event of suit being brought, immediate notice thereof shall be given to the Company and surety, each of which shall have the right to employ counsel at its own expense to defend the same, and that it will pay each and every judgment recovered in the suit of which it had notice as above provided. Said bonds shall be further conditioned for the faithful performance by the Company of each and every condition, covenant and obligation imposed upon the Company by this agreement.

12. The City will pay to the Company, and the Company will accept full compensation for water supplied as provided in clause "1" of this agreement, the sum of eighteen dollars per year, and at the same rate for fraction of a year for each and every hydrant now erected on its pipes and mains, and which may hereafter be erected in accordance with this agreement, and the map or blue print provided for in clause "7" shall be evidence of the number of hydrants for which payment is to be made as above provided. The City will at all times upon the request of the Company furnish or cause to be furnished to the said Company a permit or permits for opening streets for the purpose of making repairs or laying mains and setting hydrants, and a continuous permit to open streets to make repairs in case of an emergency caused by a break or leak in the mains, hydrants, specials, etc., or for the purpose of shutting off the water in case of necessity. All such permits to be furnished without expense to the Company. Notice of each such opening shall be given the Commissioner within twenty-four hours after the beginning of work, and notice of the completion thereof shall be given within twenty-four hours after such completion.

13. On and after the first day of July and the first day of January of each year, during the continuance of this agreement, the Company shall furnish proof to the satisfaction of the Commissioner, that it has fully performed and fulfilled this agreement in all its particulars and conditions up to the said first day of July and the said first day of January, as the case may be, and particularly that it has furnished water of the quality and in the quantity hereinbefore specified, that the water so furnished has been delivered at each hydrant at the pressure described by clause 2 of this agreement during all the time that said water was required to be furnished; whereupon the Commissioner shall certify the fact, and in his certificate state the amount to which the Company shall be entitled, less any deductions allowed by the terms of this agree-

ment, and shall annex thereto a requisition upon the Comptroller of the City to pay the Company the sum to which it shall be entitled, less such deductions; and without such certificate and requisition the Company shall not be or become entitled to any payment under and in respect to the terms of this agreement. On the requisition above provided being presented to said Comptroller, he shall, within thirty (30) days thereafter, pay to the Company the amount thereof in lawful money.

14. At all times during the continuance of this agreement, the Company will supply to the inhabitants of the Borough of Queens residing on streets on which the mains of the Company are now or may hereafter be located, pure and wholesome water for domestic and other uses and purposes, and will charge for all water so supplied at rates not exceeding those now charged by the Company to its consumers, as per rate book hereto attached, marked "A," and made a part of this agreement.

The water to be supplied under the terms of this contract shall be practically odorless, tasteless, clear and colorless and be reasonably clear from organic matter and show no indication of sewer pollution. The amount of chlorine in such water shall average not more than twenty-five parts per million, and shall at no time exceed one hundred parts per million, and the amount of iron shall average not more than three parts per million, and shall at no time exceed five parts per million. The Commissioner and his agents, servants and employees shall at all times have the right to take samples of the said water at or near the point of delivery into the mains, and the taking and testing of such samples shall be entirely under the control and direction of said Commissioner. A copy of the result of all tests made shall be supplied free of expense to the Company.

15. This agreement shall continue and be binding upon and run in favor of the respective parties hereto, their and each of their successors and assigns for the term of five (5) years from July 1, 1908, or if prior to the expiration of such term of five (5) years the City shall establish in that portion of the Borough of Queens in which the mains of the Company now are or hereafter shall be laid, its own system of water supply, and shall give the Company sixty (60) days' notice in writing thereof, or if prior to the expiration of such period of five (5) years any proceeding to condemn the franchises, assets and other property of the Company shall be brought, this agreement shall terminate on such establishment and the expiration of the time stated in said notice, or upon the entry of the judgment of condemnation, but in no case shall this contract continue beyond the expiration of the said period of five (5) years. After the giving of the sixty (60) days' notice above provided for, the Commissioner shall not require any extension of mains to be laid, but the Company shall be paid the hydrant rentals provided for by this agreement during the existence of this agreement up to the time that the City shall cease to use water supplied by the Company. The Commissioner may also, at his option, declare this agreement at an end in case of any breach by the Company of any of the covenants and provisions of this agreement, and this agreement shall cease and terminate upon such declaration. In case of condemnation proceedings, as above provided, the title to the property, franchises and assets of the Company it is sought to condemn by such proceedings shall vest in the City upon entry of such judgment of condemnation without further act on the part of the Company or the City, or the officers or agents of either.

16. The non-exclusive franchises of the Company to lay mains, pipes and hydrants and to deliver and supply water shall not be prejudiced or affected by this contract.

17. Nothing in this agreement shall be construed as to give the Company any exclusive right or privilege to lay mains and pipes and to erect hydrants and to maintain the same and other apparatus in the Borough of Queens, or to supply water to the City or the inhabitants thereof, or to limit the right of the City as hereinbefore provided to establish and maintain its own water supply system and apparatus within the Borough of Queens, or the district within which the mains of the Company are now laid or may hereafter be laid. This agreement shall not bar or in any way affect the rights of the City to acquire the franchises, assets and other property of the Company, or any part thereof, by condemnation proceedings or otherwise at any time, and shall not be taken to enhance the value of or add to the Company's franchises, assets and other property, but, on the contrary, the assets, franchises and other property of the Company shall be valued in any proceeding to condemn the same without enhancement by reason of any provision of this contract being considered or allowed, save so far as the rentals constitute a part of the revenues of the Company.

18. This agreement, preliminary to its execution, has been submitted in all its details to the Board of Estimate and Apportionment of the City, and to the Mayor and Comptroller of the City, and the assent of said Board has been given by resolution passed 1908, to the execution of this agreement as submitted, and this agreement has also received the separate written consents and approvals of said Mayor and Comptroller.

19. The City shall not, nor shall any Department or officer of The City of New York be precluded or estopped by any return or certificate made or given by any Engineer, Inspector or other officer, agent or appointee of the Department of Water Supply, Gas and Electricity, or of the City under or in pursuance of anything in this contract contained, from any time showing the true and correct amount and character of the service that shall have been supplied by the Company or any other person or persons under this contract.

20. This agreement shall not be binding or of any force unless the Comptroller of the City shall endorse hereon his certificate that there remains unexpended and unapplied, as provided in the Greater New York Charter, a balance of the appropriation or fund applicable thereto sufficient to pay the estimated expense of executing this agreement, as certified by the officers making the same.

In witness whereof the Commissioner has hereunto set his hand and seal, and the Company has caused its corporate seal to be hereunto affixed, and this agreement to be signed in its name by its President and attested by its Secretary, the day and year first above written, in triplicate.

.....
Commissioner of Water Supply, Gas and Electricity.

JAMAICA WATER SUPPLY COMPANY.

By President.

Approved as to form:

JOHN L. O'BRIEN, Acting Corporation Counsel.

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

On this day of 1908, before me personally came John H. O'Brien, to me personally known and known to me to be the Commissioner of Water Supply, Gas and Electricity and the person described in and who executed the foregoing instrument as such Commissioner, and he acknowledged to me that he executed the same as such Commissioner for the purposes therein mentioned.

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

On this day of 1908, before me personally came C. A. Lockwood, to me known and known to me to be the President of the Jamaica Water Supply Company, who, being by me duly sworn, did say that he was the President of said Company, and he said that he knew the corporate seal of said Company; that the seal affixed to the foregoing instrument was such corporate seal; that it was thereto affixed by order of the Board of Directors of said Company, and that by like order he thereto signed his name and official designation.

In pursuance of section 471 of the Greater New York Charter, I do hereby give my consent to and approval of the foregoing proposed agreement, in all its details, with the Jamaica Water Supply Company, for supplying water in the Borough of Queens, City of New York.

Dated New York, 1908.

..... Mayor of The City of New York.

In pursuance of section 471 of the Greater New York Charter, I do hereby give my consent to and approval of the foregoing proposed agreement, in all its details, with the Jamaica Water Supply Company, for supplying water in the Borough of Queens, City of New York.

Dated New York, 1908.

..... Comptroller of The City of New York.

Know all men by these presents, that we, The Jamaica Water Supply Company, a domestic water works corporation of the State of New York, as principal, and the Title Guarantee and Surety Company of New York, as surety, are held and firmly bound unto The City of New York, in the sum of fifteen thousand dollars (\$15,000), lawful money of the United States, for which payment well and truly to be made, we bind ourselves, our successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seal and dated the day of 1908.

Whereas, The said Jamaica Water Supply Company has entered or is about to enter into a certain agreement with The City of New York, a municipal corporation acting by and through the Commissioner of Water Supply, Gas and Electricity of The City of New York, bearing date the day of 1908, a copy of which agreement is hereto annexed and made a part hereof.

Now, therefore, the condition of this obligation is such that if the said Jamaica Water Supply Company shall save and hold The City of New York harmless from all suits and actions of every description, and from all damages and costs by reason of injury to person or property, including streets, roads, highways and pavements, on account of or arising out of the acts or omissions of the said Jamaica Water Supply Company or its officers, agents and employees, or by reason of breaks or failures in the pipes, hydrants or other apparatus of said Company, provided, however, that in the event of suit being brought, immediate notice thereof shall be given to the said Company and the said Title Guarantee and Surety Company, each of which shall have the right to employ counsel at its own expense to defend the same, and that if said Company shall pay each and every judgment recovered in such suit of which notice has been given as above provided, and that if said Company shall well and truly perform all and singular the terms and conditions in said agreement contained, to be performed by the said Jamaica Water Supply Company, then this obligation to be void; otherwise to remain in full force and effect.

Sealed and delivered in the presence of:

JAMAICA WATER SUPPLY COMPANY.

By President.

Attest:

..... Secretary.

THE TITLE GUARANTEE AND SURETY COMPANY,

By Vice-President.

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

On the day of in the year one thousand nine hundred and eight, before me personally came C. A. Lockwood, to me known, who, being by me duly sworn, did depose and say that he resided in Jamaica, Queens County, State of New York, that he is the President of the Jamaica Water Supply Company, the corporation described in and which executed the above instrument; that he knew the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

APPROPRIATION.

Commissioner's Certificate.

In conformity with the provisions of section 149 of the Greater New York Charter, I hereby certify that the estimated cost of the work, materials and supplies required by the within agreement for the year 1908, amounting to is chargeable to the appropriation of the Department of Water Supply, Gas and Electricity for the year 1908, entitled Rentals of Fire Hydrants, Borough of Queens.

Dated, New York, 1908.

Commissioner of Water Supply, Gas and Electricity.

Comptroller's Certificate.

..... 1908.

In pursuance of the provisions of section 149 of the Greater New York Charter, I hereby certify that there remains unapplied and unexpended a balance of the appropriation made to the Department of Water Supply, Gas and Electricity for the year 1908, entitled Rentals of Fire Hydrants, Borough of Queens, applicable to this contract, sufficient to pay the expenses of executing the same, viz.: Department of Water Supply, Gas and Electricity, Borough of Queens, Rentals of Fire Hydrants (\$).

Dated, New York 1908.

..... Comptroller.

REPORT No. 76

BOARD OF ESTIMATE AND APPORTIONMENT, }
OFFICE OF THE CHIEF ENGINEER, }
November 10, 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 June 26 last there was presented by the Commissioner of Water Supply, Gas and Electricity a proposed contract with the Jamaica Water Supply Company for the rental of hydrants for a period of five years from July 1, 1908, and the matter was referred to the Chief Engineer for investigation and report.

On June 5 last the Board approved a form of contract with the Woodhaven Water Company for hydrant rental, this form having been agreed upon after some discussion between the Department of Water Supply, the Department of Finance and the Engineer of the Board, and certain modifications having been made in the contract as originally submitted. It was thought, therefore, that the Woodhaven contract could be considered a standard, and the attention of the Commissioner of Water Supply was called to some particulars in which the contracts varied, while there was no apparent reason for the difference, and it was suggested that the contract be so modified as to make it more nearly like the contract with the Woodhaven Company. The Commissioner of Water Supply, in a communication dated September 22, appears to regard the proposed Jamaica contract as satisfactory to him, and does not appear to see the need for any modifications. In the interest of greater uniformity, I have prepared a copy of the proposed contract with the modifications suggested by me, which is herewith submitted to the Board, together with the original as prepared by the Commissioner of Water Supply. I am of the opinion that the modifications proposed make the contract more logical in arrangement and that the City's interests are better protected, and that it is to be preferred.

The changes proposed are as follows:

(1) The quality of the water to be supplied is specified under section 14 relating to the supply for domestic purposes, instead of under section 1, which relates only to street sprinkling, flushing, etc., and the purposes for which water is to be supplied the City are made to include a supply for police stations, flushing and cleaning of streets and sidewalks and the sprinkling of streets.

(2) Section 8 is so modified as to require the company to relay and reset these main pipes and hydrants whenever such changes are made necessary by the grading, regrading or other improvement of the street in which they are laid, and this to be done without expense to the City.

(3) The estoppel clause is made similar to that of the Woodhaven contract, the one submitted having apparently been taken from a specification for supplies to be furnished a Borough President.

These are all the changes which are proposed.

No statement has been made as to the number of hydrants and of the amount of the contract, but a plan has been furnished, and the hydrants shown upon this plan are 1,185 in number. The price per hydrant is \$18, the same as in the Woodhaven contract, and consequently the annual amount to be paid under the contract, based upon the present number of hydrants, will be \$21,330, but there will naturally be an increase in this sum each year, as additional hydrants are added.

I would recommend that the Board approve the contract with the modifications herein suggested.

Respectfully,
NELSON P. LEWIS, Chief Engineer.

The following resolution was offered:

Resolved, That pursuant to the provisions of section 471 of the Greater New York Charter, the Board of Estimate and Apportionment hereby assents to and approves of, in all its details, the proposed contract or agreement, submitted by the Commissioner of Water Supply, Gas and Electricity, under date of June 20, 1908, as modified in accordance with the recommendations contained in the report of the Chief Engineer, Board of Estimate and Apportionment, dated November 10, 1908, between The City of New York, by the said Commissioner of Water Supply, Gas and Electricity, and the Jamaica Water Supply Company for the supply of water in the Fourth Ward of the Borough of Queens, at the rate of eighteen dollars (\$18) per hydrant for five years from the date of said contract or agreement.

Which was adopted by the following vote:

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

The Secretary presented the following report of the Select Committee (consisting of the Comptroller, the Corporation Counsel, the Commissioner of Docks and Ferries and the Chief Engineer of the Board), relative to the questions arising in connection with the continuance of certain ferries running between the Boroughs of Manhattan and Brooklyn, and, among other things, an attempt to effect a temporary arrangement with the Brooklyn Ferry Company, or its successors, to secure the operation of the ferries controlled by them during the summer, stating that after various meetings with the representatives of said company no agreement could be reached, and as an application was made by Everett P. Wheeler for a writ of mandamus against The City of New York et al. requiring it to maintain and operate or cause to be maintained and kept in operation all of the ferries controlled by said Brooklyn ferry companies, upon which decision was reserved by the Court, no further action has been taken by the committee, and requesting that it be discharged.

(On April 24 and June 5, 1908, the matter of the continuance of the ferries of the Brooklyn Ferry Company was referred to the above Select Committee and on June 19, 1908, the matter of purchasing the ferries operated by the Union Ferry Company was also referred to said Committee.

On June 26, 1908, the Board adopted a resolution authorizing the above Committee to make some arrangements with the ferry companies to keep the ferries running for a temporary period of time.)

CITY OF NEW YORK—LAW DEPARTMENT, }
OFFICE OF THE CORPORATION COUNSEL, }
NEW YORK, November , 1908. }

To the Hon. GEORGE B. McCLELLAN, Mayor of The City of New York, and to the Honorable Board of Estimate and Apportionment of The City of New York:

GENTLEMEN—The undersigned were appointed a Committee to take into consideration the questions arising in connection with certain ferries running between the Boroughs of Manhattan and Brooklyn, and among other things, to attempt to effect a temporary arrangement with the Brooklyn Ferry Company or its successors to secure the operation of the ferries controlled by them during the summer.

Your Committee had various meetings with the representatives of the Brooklyn Ferry Company, and its successors in interest, in regard to the matter, but were unable to come to any agreement, as the representatives of those operating such ferries seemed to be unwilling to consent to any terms which this Committee considered reasonable.

In the meantime a certain action was commenced in the Supreme Court for the County of Kings by Frederick W. Wurster and others against The City of New York, the Brooklyn Ferry Company, the New York Terminal Company, William O. Maden and others, in which proceeding a temporary injunction was obtained restraining the discontinuance of the operation of the ferries, and an application was made for an injunction to the same effect pending the trial of the action. At or about the same time, an application was made by Everett P. Wheeler for a writ of mandamus against The City of New York, the Board of Commissioners of the Sinking Fund, and the Commissioner of Docks of the said City, requiring and directing them to maintain and operate or cause to be maintained and kept in operation all of the ferries formerly controlled by the Brooklyn Ferry Company. The Corporation Counsel has appeared in said proceedings and the matters involved were duly argued before the courts and decision was reserved.

In view of the above facts, no further action has been taken by your Committee, nor under the existing circumstances does there seem to be any steps which it can properly take at the present time. Your Committee therefore begs to submit this, its report, and to request that it be discharged. All of which is herewith respectfully submitted.

H. A. METZ,
F. K. PENDLETON,
ALLEN N. SPOONER,
NELSON P. LEWIS.

The following resolution was offered:

Resolved, That the Select Committee consisting of the Comptroller, the Corporation Counsel, the Commissioner of Docks and Ferries and the Chief Engineer of the Board of Estimate and Apportionment, appointed April 24, 1908, to make some temporary arrangement with the Brooklyn Ferry Company, or its successors, for the continuance of certain ferries running between the Boroughs of Manhattan and Brooklyn, be and the same is hereby discharged.

Which was unanimously adopted.

The Secretary presented a report of the President of the Borough of Brooklyn relative to a report of the Comptroller, to whom, on September 18, 1908, was referred a communication from the Secretary of the Brooklyn Federation of Labor relative to the rate of wages paid and the number of hours of work required by certain manufacturing concerns in The City of New York, stating that in all contracts made in his office there is a stipulation compelling obedience on the part of the contractor to the terms of the Labor Law.

Which was ordered on file and copies of the reports of the Comptroller and the President of the Borough of Brooklyn to be sent to the Secretary of Brooklyn Federation of Labor.

(On November 6, 1908, the report of the Comptroller, as above, was referred to the President of the Borough of Brooklyn.)

The Secretary presented a report of the Comptroller recommending the issue of \$97,250 Special Revenue Bonds (subdivision 8, section 188 of the Charter), to meet a deficiency in the appropriation made to the Fire Department for the year 1908, as follows:

Apparatus and Supplies.	
Borough of Manhattan	\$38,750 00
Borough of The Bronx	7,000 00
Borough of Brooklyn	45,000 00
Borough of Queens	6,500 00
	<u>\$97,250 00</u>

(On September 18, 1908, a resolution of the Board of Aldermen requesting an issue of \$255,400 Special Revenue Bonds for the purchase of supplies and maintenance of the Fire Department for the remainder of the current year was referred to the Comptroller.)

The resolution authorizing the issue of Special Revenue Bonds as recommended in the report of the Comptroller failed of adoption by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, Brooklyn, Queens and Richmond—14.

Negative—The President of the Borough of Brooklyn—2.

Subdivision 8 of section 188 of the Charter, under which Special Revenue Bonds for this purpose are authorized, requiring the unanimous vote of the Board.

The Secretary presented the following communication from the Police Commissioner requesting an issue of \$15,000 Corporate Stock to provide a time clock system, including a tower clock, for the new Headquarters building, in the course of erection on the site of Centre Market, Grand and Centre streets, Manhattan; together with report of the Comptroller (to whom this matter was referred on September 18, 1908), recommending that the request be denied:

POLICE DEPARTMENT OF THE CITY OF NEW YORK, }
No. 300 MULBERRY STREET, }
June 30, 1908. }

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—The following proceedings were this day directed by the Police Commissioner:

On reading and filing communication from the Lord Electric Company, No. 213 West Fortieth street, proposing to furnish for the new Headquarters building tower clock and time clocks, as recommended by Hoppin & Koen, architects,

Ordered, That the Board of Estimate and Apportionment be and is hereby respectfully requested, by and with the concurrence of the Board of Aldermen, to authorize the issue of Corporate Stock to an amount not exceeding \$15,000, to provide the new Headquarters, in the course of erection on the site of Centre Market, Grand and Centre streets, Borough of Manhattan, with a time clock system, including tower clock.

Very respectfully,

THEO. A. BINGHAM, Police Commissioner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }
COMPTROLLER'S OFFICE, }
October 26, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—Hon. Theo. A. Bingham, Police Commissioner, in communication dated June 30, 1908, requests the Board of Estimate and Apportionment, by and with the concurrence of the Board of Aldermen, to authorize the issue of Corporate Stock to an amount not exceeding \$15,000, to provide the new Police Headquarters building now in course of erection on the site of Centre Market, Grand and Broome streets, Borough of Manhattan, with a time clock system, including tower clock.

I would report that the contract for the erection of this building provides for a tower clock. It is proposed to install electrically operated clocks with 12-inch dials in fifty-eight (58) rooms in the building and to connect the tower clock with the system so that all clocks will be regulated by one master clock.

An expenditure of \$15,000 as requested for fifty-eight (58) clocks makes the cost per clock over \$258. It appears to me an unwarranted expenditure to install fifty-eight (58) clocks in this building at \$258 each; it would appear that eight-day clocks at an average price of \$20 each throughout the building should be satisfactory. A system of time clocks could be installed in the building for \$4,000 or \$69 per clock, but even this seems high.

In order that the architects of this building may have an opportunity to reconsider this matter I would advise that the request of the Police Commissioner be denied.

Respectfully,

W. H. ROBERTS, Assistant Engineer in Charge of Bureau.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the request of the Police Commissioner for an issue of \$15,000 Corporate Stock to provide a time clock system, including a tower clock, for the new Police Headquarters building now in course of erection on the site of Centre Market, Grand and Broome streets, Borough of Manhattan, be and the same is hereby denied.

Which was adopted by the following vote:

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

The Secretary presented a report of the Comptroller, recommending the issue of \$55,272.55 Special Revenue Bonds (subdivision 8, section 188 of the Charter), for the use of the Department of Street Cleaning, in feeding and shoeing the horses of said department during the remainder of the year 1908, as follows:

Borough of Manhattan	\$21,739 38
Borough of Brooklyn	33,533 17
<u>\$55,272 55</u>	

(On November 6, 1908, a resolution of the Board of Aldermen, requesting an issue of \$57,561.56 Special Revenue Bonds (subdivision 8, section 188 of the Charter), for the above purpose, was referred to the Comptroller.)

The resolution authorizing the issue of Special Revenue Bonds as recommended in the report of the Comptroller failed of adoption by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, Brooklyn, Queens and Richmond—14.

Negative—The President of the Borough of Brooklyn—2.

Subdivision 8 of section 188 of the Charter, under which Special Revenue Bonds for this purpose are authorized, requiring the unanimous vote of the Board.

The Secretary presented the following communication from the Board of Health requesting an issue of \$30,000 Revenue Bonds to defray expenses in connection with the drainage and filling in of marsh lands and depressions and the destruction of all

mosquito breeding areas in the several Boroughs, together with report of the Comptroller (to whom this matter was referred on September 18, 1908), recommending the issue of \$25,000 Special Revenue Bonds for this purpose:

DEPARTMENT OF HEALTH,
CORNER FIFTY-SIXTH STREET AND SIXTH AVENUE,
NEW YORK, September 3, 1908.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment, No. 280 Broadway, City:

DEAR SIR—Enclosed herewith you will find a copy of preambles and resolution adopted by the Board of Health at its meeting held September 2, 1908, requesting the Board of Estimate and Apportionment to authorize the Comptroller, pursuant to the provisions of chapter 535 of the Laws of 1893 and section 170 of the Greater New York Charter, to issue Revenue Bonds of The City of New York to the amount of thirty thousand dollars (\$30,000) to defray the necessary expenses required to be incurred during the years 1908 and 1909 for the preservation of the public health in providing means for the drainage and filling in of marsh lands and the filling in of depressions in various localities in the several Boroughs of The City of New York and the destruction of all mosquito breeding areas located therein, which you are respectfully requested to submit to the Board of Estimate and Apportionment for consideration at its next meeting.

In June, 1905, an appropriation of seventeen thousand dollars was made for the above purpose in the Borough of Richmond, and again on April 26, 1907, an appropriation of twenty-five thousand dollars (\$25,000) was authorized for the same purpose.

While the work of ditching has been practically completed and several hundred miles of ditches have been dug, and many square miles of swamp land has been drained, it will be necessary to employ laborers to keep the ditches clear of drift wood and other obstructions brought in by the unusually high tides of the fall and winter months, during the next year or two.

Many mosquito breeding places exist in the other Boroughs of the City, and it is thought wise to make provisions for carrying on work similar to that done in the Borough of Richmond, during the year 1909. The moneys appropriated by the Board of Estimate and Apportionment April 26, 1907, have become exhausted and it is necessary to have whatever amount may be needed for the payment of wages of the laborers engaged in the work on Staten Island for the balance of the current year, the sum remaining in the fund the Board of Estimate and Apportionment may see fit to provide to be expended during the year 1909.

Respectfully,

EUGENE W. SCHEFFER, Secretary.

DEPARTMENT OF HEALTH,
CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE,
NEW YORK, September 4, 1908.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment, No. 280 Broadway, City:

DEAR SIR—At a meeting of the Board of Health of the Department of Health, held September 2, 1908, the following preambles and resolution were adopted:

Resolved, Whereas the Board of Estimate and Apportionment, at a meeting held April 26, 1907, did adopt a resolution authorizing the Comptroller, pursuant to the provisions of chapter 535 of the Laws of 1893 and section 170 of the Greater New York Charter, and a certain requisition of the Board of Health by a resolution adopted February 6, 1907, to issue Revenue Bonds to the amount of twenty-five thousand dollars (\$25,000), the proceeds whereof were to be applied to defraying the necessary expenses required to be incurred by the Board of Health during the years 1907 and 1908 for the preservation of the public health and providing means for the drainage and filling in of certain marsh lands and the filling in of certain depressions in various localities on Staten Island and the destruction of all mosquito breeding areas located on said island; and whereas, the funds so acquired have become exhausted and the necessity of carrying on this important work for the balance of the current year is urgent as well as to make provisions for protecting the public health in the destruction of mosquito breeding places throughout the entire City during the year 1909; be it

Resolved, That, pursuant to the provisions of chapter 535 of the Laws of 1893 and section 170 of the Greater New York Charter, the Board of Estimate and Apportionment be and is hereby respectfully requested to authorize the Comptroller to issue Revenue Bonds of The City of New York to the amount of thirty thousand dollars (\$30,000), the proceeds whereof to be applied for defraying the necessary expenses required to be incurred by the Board of Health during the years 1908 and 1909 for the preservation of the public health in providing means for the drainage and filling in of marsh lands and the filling in of depressions in various localities in the several Boroughs of The City of New York, and the destruction of all mosquito breeding areas located in said Boroughs and for the wages of the necessary Laborers and persons to be employed in connection with the work aforesaid, and the purchase of all implements and supplies that may be required.

A true copy.

EUGENE W. SCHEFFER, Secretary.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
October 26, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In regard to a communication presented to the Board of Estimate and Apportionment from the Board of Health, on September 18, 1908, transmitting copy of resolutions of said Board requesting an issue of \$30,000 Revenue Bonds to provide means for defraying expenses incurred during the years 1908 and 1909 for the drainage and filling in of marsh lands and depressions and the destruction of all mosquito breeding areas located in the several Boroughs of The City of New York, which was referred to you for consideration and report and by you referred to the Bureau of Municipal Investigation and Statistics for examination, I beg to report as follows:

In June, 1905, the Board of Estimate and Apportionment appropriated \$17,000 to enable the Board of Health to undertake the work of mosquito extermination in the Borough of Richmond. Ditches were dug and swamps drained with partial results. On April 26, 1907, a further appropriation of \$25,000 was made, after consultation between the Comptroller and the three members of the Board of Health. Additional ditches were dug and complete drainage effected.

Dr. Alvah H. Doty, member of the Board of Health, who has had charge of the work of mosquito extermination in Richmond Borough, in an article published in May, 1908, said:

"Eight or ten years ago the extermination of the mosquito was regarded by many as impossible; to-day we know that it is a practical undertaking and can be successfully carried out. We have indisputable evidence that the mosquito transmits disease; therefore, efforts to exterminate it are not for the purpose of preventing the annoyance which the bite of the insect inflicts, but to remove a serious menace to the public health."

According to Health Department records, the work of draining the swamps on the entire south, east and west sides of Staten Island is completed. Over 400 miles of ditches have been dug and about ten or twelve square miles of swamp land drained. The Health Board states that it will be necessary to employ laborers to keep the ditches clear of drift wood and other obstructions brought in by the unusually high tides of the fall and winter months during the next year or two.

The Secretary of the Board of Health states that the work of draining swamp lands in Queens Borough has been begun and surveying in The Bronx has been undertaken. The work will also be extended to Brooklyn Borough. It is intended to destroy the breeding places of mosquitoes in all the Boroughs.

As many as forty laborers have been employed on this work, but the number has been reduced to fifteen owing to lack of funds, and the Secretary states that these men will have to be discharged if means be not provided for their payment.

It appears that the appropriation of \$25,000 made in April, 1907, was sufficient to carry on the work from June of 1907 until October of 1908. It would seem,

therefore, \$25,000 would be a fair allowance for prosecuting the work of mosquito extermination for the rest of this year and for 1909 in other Boroughs and also to maintain the ditches in Richmond in proper condition. I recommend that the request of the Board of Health be granted to the extent that \$25,000 be allowed for this purpose instead of \$30,000 asked for.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That, pursuant to the provisions of chapter 535 of the Laws of 1893 and section 170 of the Greater New York Charter, and the requisition of the Board of Health by resolution adopted September 2, 1908, the Comptroller be and is hereby authorized to issue Revenue Bonds of The City of New York to an amount not exceeding twenty-five thousand dollars (\$25,000), the proceeds whereof to be applied to defray the necessary expenses required to be incurred by the Board of Health for the preservation of the public health during the years 1908 and 1909, for the drainage and filling in of marsh lands and depressions, and the destruction of all mosquito breeding areas located in the several Boroughs of The City of New York.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, The Bronx, Queens and Richmond—14.

Negative—The President of the Borough of Brooklyn—2.

The Secretary presented a report of the Commissioner of Docks and Ferries relative to a communication from the New York Team Owners' Association requesting that the asphalt pavement along the marginal street area between Cortlandt and West Fourteenth streets, on the North River, commonly known as "The Farm," be changed to a pavement having a rougher surface, stating that such an undertaking would be very unwise owing to the great cost attached to replacing the present asphalt pavement, and that while the marginal street area is paved with asphalt the area within the lines of West street is paved with granite and the main portion of the truck traffic passing north and south is carried on within the marginal street area and over the asphalt pavement, thus indicating that the truckmen prefer the smooth pavement to the granite.

(On October 30, 1908, the communication from the New York Team Owners' Association, as above, was referred to the Commissioner of Docks and Ferries.)

Which was ordered on file and a copy to be sent to the New York Team Owners' Association.

The Secretary presented a communication from the Secretary, Borough of Manhattan, transmitting claim of the General Fireproofing Company, pursuant to the provisions of chapter 601, Laws of 1907, amounting to \$418 for furnishing steel filing cases in the Calendar Clerk's office, Supreme Court, in the County Court House, Manhattan.

Which was referred to the Comptroller.

The Secretary presented the following communication from the Comptroller recommending the retirement of Patrick Mallon, Messenger in the Department of Finance; report of the Chief Clerk, Department of Finance, inclosing application of said Patrick Mallon, to be retired pursuant to section 165 of the Charter; also communication from John Mallon for Patrick Mallon, acknowledging receipt of the notification of the Board granting a hearing thereon, and inclosing certificate of Dr. Daniel J. Donovan, relative to the physical condition of said Patrick J. Mallon.

(On October 30, 1908, this matter was presented to the Board and the Secretary was directed to notify Mr. Mallon that an opportunity would be given him to be heard at the meeting of the Board held this day.)

CITY OF NEW YORK, DEPARTMENT OF FINANCE, }
October 27, 1908. }

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

DEAR SIR—I herewith transmit report of the Chief Clerk of the Department of Finance in relation to the attached application for the retirement of Patrick Mallon from the position of Messenger in this Department. In view of the facts set forth in said report I recommend to the Board of Estimate and Apportionment for its consideration the retirement from active service of Patrick Mallon, Messenger in the Department of Finance, to take effect as of October 1, 1908. Mr. Mallon has been forty-two years in the Department, and has become physically incapacitated for the further performance of the duties of his position.

His salary for the past three years has been nine hundred dollars (\$900) per annum.

Respectfully yours,

H. A. METZ, Comptroller.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }
COMPTROLLER'S OFFICE, October 23, 1908. }

Hon. HERMAN A. METZ, Comptroller:

DEAR SIR—In the matter of the application of Patrick Mallon, No. 45 East One Hundred and Twenty-sixth street, under date of the 23d inst., to be retired from the position of Messenger in the Comptroller's office, Main Division, General Administration, I have to state that I have known Mr. Mallon intimately during the entire term of his service, forty-two years, and respectfully report that he always performed his duties faithfully and conscientiously, and that no charge was ever preferred against him for dereliction of duty in any respect.

Mr. Mallon has been sick for quite a while, and under the circumstances, this Department has been very lenient to him, having paid his salary in the hope that he might be able again to resume his duties, but I am now confident that he will never do so; and also that in view of his advanced age and infirmities his term of life is very short.

I most respectfully recommend therefore that Mr. Mallon's application be granted, and that half pay be allowed to him from October 1, 1908, for the evidently short time he has to live.

I would add that Mr. Mallon's salary at one time was \$1,500 per annum, and that his present salary is \$900 per annum.

Very respectfully,

H. J. STORRS, Chief Clerk, Department of Finance.

No. 45 EAST ONE HUNDRED AND TWENTY-SIXTH STREET, NEW YORK CITY, }
October 23, 1908. }

Hon. HERMAN A. METZ, Comptroller:

DEAR SIR—Referring to section 165 of the Greater New York Charter, I respectfully make application to be retired from the position of Messenger in the Comptroller's office, Main Division, General Administration. I am 86 years of age, and have

been connected with the Comptroller's office continuously for forty-two years, having been appointed October 15, 1866.

Very truly yours,
PATRICK MALLON.

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

DEAR SIR—Referring to the notification of Patrick Mallon, Messenger in the Finance Department, under date of October 30, 1908, of the intention of the Board of Estimate and Apportionment to act favorably upon the recommendation of the Comptroller that he be retired from active service pursuant to the provisions of section 165 of the Charter, and that he would be given an opportunity to be heard at the meeting of the Board to be held Friday, November 13, 1908, I beg to advise you that Mr. Mallon is too ill to appear before the board on said date, and, furthermore, is not physically able to attach his signature to an acknowledgment of your notice.

Attached hereto is a certificate from his attending physician showing his physical and mental condition.

JOHN MALLON.

DR. DANIEL J. DONOVAN,
No. 46 EAST ONE HUNDRED AND TWENTY-SIXTH STREET, }
NEW YORK, November 5, 1908. }

This is to hereby certify that Mr. Patrick Mallon, of No. 45 East One Hundred and Twenty-sixth street, is suffering from chronic disease of the heart, arterio sclerosis, and is in an extremely weak condition. His mind is feeble, he is incoherent in speech and unable to leave his room. He is in the 86th year of his life, and will never recover.

Respectfully,

DANIEL J. DONOVAN, M. D.

The following was offered:

Whereas, The Comptroller of The City of New York, pursuant to the provisions of section 165 of the Greater New York Charter, has recommended to the Board of Estimate and Apportionment the retirement of Patrick Mallon, Messenger in the Department of Finance, for the reason that he has become physically incapacitated for the further performance of the duties of his position, and has certified that said Patrick Mallon has been in the service of The City of New York for forty-two years, and that his salary for the past three years has been nine hundred dollars (\$900) per annum; and

Whereas, Pursuant to the provisions of section 166 of the Greater New York Charter, notice of the intention of the Board of Estimate and Apportionment to act upon said recommendation was transmitted to said Patrick Mallon, and duly acknowledged as being sufficient notice; now therefore be it

Resolved, That, pursuant to the provisions of said section 166 of the Greater New York Charter, the Board of Estimate and Apportionment hereby retires said Patrick Mallon from active service, said retirement to take effect as of date November 1, 1908, for the reason that he has become physically incapacitated for the performance of his duties as Messenger in the Department of Finance, and that the interest of the public service requires said retirement; and be it further

Resolved, That, pursuant to the provisions of section 167 of the Greater New York Charter, the Board of Estimate and Apportionment hereby awards and grants unto the said Patrick Mallon an annual sum or annuity of four hundred and fifty dollars (\$450), and the Comptroller be and is hereby authorized and directed to pay to said Patrick Mallon during his lifetime the said annual sum or annuity in equal monthly installments out of the receipts of excise moneys or liquor taxes belonging to The City of New York.

Which was adopted by the following vote:

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

The following transfers of appropriations were made upon the recommendation of the Comptroller:

A. \$40,000, as requested by the Board of Trustees, Bellevue and Allied Hospitals from accounts within the appropriation for the year 1908 to other accounts for the same year.

BELLEVUE AND ALLIED HOSPITALS,
OFFICE OF THE BOARD OF TRUSTEES,
NEW YORK, October 20, 1908. }

HON. JOSEPH HAAG, Secretary, Board of Estimate and Apportionment, Room 1406, No. 277 Broadway, New York City:

DEAR SIR—The Board of Trustees of Bellevue and Allied Hospitals begs to request the transfer of \$25,000 from the account of:

Salaries and Wages.

General Administration	\$2,000 00
Gouverneur Hospital	1,000 00
Harlem Hospital	9,000 00
Fordham Hospital	13,000 00
	\$25,000 00

—to the account for Supplies, Medical, Surgical and Pathological Wards.

The Board of Trustees also begs to request the transfer of \$15,000 from the account of Salaries and Wages, Pavilions A and B, new Bellevue, to the account of Salaries and Wages, Bellevue Hospital. This transfer is requested because the Trustees have not been able to open Pavilions A and B as early as was expected, and the salaries of such employees as are needed for these pavilions during the months of November and December can be paid from the Bellevue Hospital account when the transfer has been approved by your Board.

At Harlem and Fordham hospitals we have been enabled to effect a considerable saving in the Salaries and Wages accounts by the employment of Nurses seeking a post graduate course, while in the Supplies account for the Medical, Surgical and Pathological Wards we have found it necessary to exceed the amount appropriated.

The Trustees hope that prompt and favorable action may be taken by your Board on both of their requests.

Yours very truly,
J. K. PAULDING, Secretary, Board of Trustees.

The following resolution was offered:

Resolved, That the sum of forty thousand dollars (\$40,000) be and the same is hereby transferred from the appropriations made to the Bellevue and Allied Hospitals for the year 1908, entitled and as follows:

Salaries and Wages—

General Administration	\$2,000 00
Gouverneur Hospital	1,000 00
Harlem Hospital	9,000 00
Fordham Hospital	13,000 00
Pavilions A and B (new Bellevue)	15,000 00
	\$40,000 00

—the same being in excess of the amounts required for the purposes thereof, to the appropriations made to said hospitals for the year 1908, entitled and as follows:

Supplies—Medical, Surgical and Pathological Wards.....	\$25,000 00
Salaries and Wages—Bellevue Hospital.....	15,000 00
	\$40,000 00

—the amounts of said appropriations being insufficient.

Which was adopted by the following vote:

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

B. \$350, as requested by the Surrogate, Queens County, from the account entitled Salaries for the year 1908 to the account entitled Supplies and Contingencies for the same year.

OFFICE OF THE SURROGATE,
QUEENS COUNTY, N. Y.,
JAMAICA, November 4, 1908. }

HONORABLE BOARD OF ESTIMATE AND APPORTIONMENT, CITY HALL, NEW YORK CITY:

GENTLEMEN—At the close of the current year there will remain to the credit of the fund for the payment of salaries of officials and employees in this office a sum slightly in excess of three hundred and fifty dollars.

There is at present urgent need of a new typewriter in this office. Further provision must immediately be made for filing cases in which to file our records; our telephone bills for October, November and December will amount to from \$20 to \$25 per month; miscellaneous bills for supplies and postage, etc., will amount to about \$15 per month. On November 1, 1908, there was in the Supplies and Contingencies fund \$50.08. This amount will be far insufficient, and I would respectfully ask the adoption of the enclosed resolution transferring \$350 from Salaries to Supplies and Contingencies.

Yours truly,

DANIEL NOBLE, Surrogate.

The following resolution was offered:

Resolved, That the sum of three hundred and fifty dollars (\$350) be and the same is hereby transferred from the appropriation made to the Surrogate's Court, Queens County, for the year 1908, entitled Salaries, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Court for the year 1908, entitled Supplies and Contingencies, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

C. \$1,000, as requested by the Mayor, from the account entitled Bureau of Licenses, Supplies and Contingencies, for the year 1908, to the account entitled Mayor's Office, Supplies and Contingencies, for the same year.

CITY OF NEW YORK—OFFICE OF THE MAYOR, }
October 29, 1908. }

TO THE HONORABLE THE BOARD OF ESTIMATE AND APPORTIONMENT:

GENTLEMEN—I respectfully ask that your Honorable Board authorize the transfer of the sum of one thousand dollars (\$1,000) from the appropriation for Supplies and Contingencies, Bureau of Licenses, to that for Supplies and Contingencies, Mayor's Office, said transfer to become operative after sixty days.

This request is made necessary because of a deficiency which will exist in the latter account caused by unexpected contingent expenses during the year.

Respectfully,

GEO. B. McCLELLAN, Mayor.

The following resolution was offered:

Resolved, That the sum of one thousand dollars (\$1,000) be and the same is hereby transferred from the appropriation made to the Mayoralty for the year 1908, entitled Bureau of Licenses, Supplies and Contingencies, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said office for the year 1908, entitled Mayor's Office, Supplies and Contingencies, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

D. \$9,800, as requested by the Police Commissioner, from the accounts within the appropriation for the year 1908 to the account entitled Supplies for Police for the same year.

POLICE DEPARTMENT OF THE CITY OF NEW YORK, }
OFFICE OF THE COMMISSIONER,
NEW YORK, November 2, 1908. }

TO THE HONORABLE BOARD OF ESTIMATE AND APPORTIONMENT:

GENTLEMEN—The Police Commissioner this day

Ordered, That the Board of Estimate and Apportionment be and are hereby respectfully requested to transfer the following sums from appropriations made to the Department of Police for the year 1908, which are, in excess of the amounts required for the purposes and objects thereof, namely:

Police Fund, Salaries of Clerical Force and Employees.....	\$4,000 00
Police Fund, Salaries of Police Commissioner, Deputy Commissioners and Chaplains.....	4,000 00
Male Cleaners, Station Houses.....	900 00
Extra Telephone and Telegraph Supplies.....	900 00

Total **\$9,800 00**

—to the appropriation made to the same Department for the year 1908, entitled Supplies for Police, which is nearing its limit.

The funds of the Police Department have been closely watched during the current year, with a view to not over-running the amounts appropriated, but of course there are many things which are very important for the efficiency and success of Police work which have to be postponed for lack of funds.

The amounts above indicated are balances which could not be foreseen, and which are automatically available, and it would be greatly to the advantage of Police work if they could be transferred and become available for the appropriation as indicated under the head of Supplies for Police, which is always insufficient for the necessary demands made upon it. It is earnestly hoped that this transfer may be approved at once, in order that the Department may obtain the advantage of this transfer before the end of the year.

Very truly yours,

THEO. A. BINGHAM, Police Commissioner.

The following resolution was offered:

Resolved, That the sum of nine thousand eight hundred dollars (\$9,800) be and the same is hereby transferred from the appropriations made to the Police Department for the year 1908, entitled and as follows:	
Police Fund, Salaries of Clerical Force and Employees.....	\$4,000 00
Police Fund, Salaries of Police Commissioner, Deputy Police Commissioners and Chaplains	4,000 00
Male Cleaners, Station Houses	900 00
Extra Telephone and Telegraph Supplies.....	900 00
Total	\$9,800 00

—the same being in excess of the amounts required for the purposes thereof, to the appropriation made to said Department for the year 1908, entitled Supplies for Police, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

E. \$750, as requested by the Justice, First District Municipal Court (Manhattan), from the account entitled Salaries for the year 1908 to the account entitled Supplies and Contingencies for the same year.

MUNICIPAL COURT, CITY OF NEW YORK, FIRST DISTRICT, }
Nos. 66 to 72 LAFAYETTE STREET,
NEW YORK, October 30, 1908.

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

GENTLEMEN—Owing to the arrangement of the new Court and the volume of business so enormously increased therein the annual appropriation for the said Court to meet contingent expenses is inadequate. A few bills incurred for the offices of that Court are to be paid.

As I am informed there is a credit of about eight months' salary held in the salary fund of the above Court, due to the vacancy of the position of an Interpreter. I would ask your honorable Board to transfer the sum of \$750 from the account of Salaries of the Municipal Court to that of Supplies and Contingencies, same Court.

Respectfully,

WAUHOPE LYNN, Justice.

The following resolution was offered:

Resolved, That the sum of seven hundred and fifty dollars (\$750) be and the same is hereby transferred from the appropriation made to the Municipal Courts, City of New York, for the year 1908, entitled Borough of Manhattan, First District Court, Salaries, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Court, for the year 1908, entitled Supplies and Contingencies, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

F. \$900, as requested by the Commissioner of Public Charities, from the account entitled Administration, Manhattan, Salaries, Storehouse and Bakery, for the year 1908 to the account entitled Administration, Manhattan, Salaries, Bureau of Dependent Adults for the same year.

DEPARTMENT OF PUBLIC CHARITIES,
FOOT OF EAST TWENTY-SIXTH STREET,
October 28, 1908.

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—I beg respectfully to request the transfer of nine hundred dollars (\$900) from the appropriation to this Department for the year 1908, entitled Department of Public Charities, Administration, Manhattan, Salaries; Storehouse and Bakery, the same being in excess of the amount required therefor, to the appropriation Department of Public Charities, Administration, Manhattan, Salaries; Bureau of Dependent Adults to this Department for the year 1908, the same being insufficient.

Respectfully yours,

ROBT. W. HEBBERD, Commissioner.

The following resolution was offered:

Resolved, That the sum of nine hundred dollars (\$900) be and the same is hereby transferred from the appropriation made to the Department of Public Charities, for the year 1908, entitled Administration, Manhattan, Salaries, Storehouse and Bakery, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said department, for the year 1908, entitled Administration, Manhattan, Salaries, Bureau of Dependent Adults, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

G. \$11,620.71, as requested by the Commissioner of Street Cleaning, from various accounts within the appropriation for the year 1908 to other accounts for the same year.

DEPARTMENT OF STREET CLEANING, }
Nos. 13 to 21 PARK ROW,
November 10, 1908.

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

SIR—I respectfully request that the following transfers be made in the appropriation of the Department of Street Cleaning for the year 1908, Borough of Manhattan, to the appropriation of said Department for the year 1908:

From Final Disposition, Salaries and Wages, Crews of Steam Dumpers, Incinerator Men, to Final Disposition, Salaries and Wages, Scowmen and Boardmen	\$7,000 00
From Final Disposition, Salaries and Wages, Dump Inspectors and Assistants, to Final Disposition, Salaries and Wages, Scowmen and Boardmen	3,000 00
From Final Disposition, Labor at Rikers Island, Incinerators, to Sweeping, Salaries and Wages, Machine and Sprinkling Cart Drivers.....	1,000 00
From Final Disposition, Salaries and Wages, Crews of Steam Dumpers, Incinerator Men, to Sweeping, Salaries and Wages, Machine and Sprinkling Cart Drivers.....	620 71
Total	\$11,620 71

The reason for the above transfers is that the balances remaining in the various accounts are insufficient to cover the business of the Department for the remainder of the year.

Respectfully,
FOSTER CROWELL, Commissioner.

The following resolution was offered:

Resolved, That the sum of eleven thousand six hundred and twenty dollars and seventy-one cents (\$11,620.71) be and the same is hereby transferred from the appropriations made to the Department of Street Cleaning, for the year 1908, entitled and as follows:

Borough of Manhattan, Final Disposition, Salaries and Wages—

Crews of Steam Dumpers, Incinerator Men.....	\$7,620 71
Dump Inspectors and Assistants.....	3,000 00
Labor at Rikers Island, Incinerators.....	1,000 00
Total	\$11,620 71

—the same being in excess of the amounts required for the purposes thereof, to the appropriations made to said Department for the year 1908, entitled and as follows:

Borough of Manhattan, Final Disposition, Salaries and Wages—

Scowmen and Boardmen.....	\$10,000 00
Borough of Manhattan, Sweeping, Salaries and Wages—	
Machine and Sprinkling Cart Drivers.....	1,620 71
Total	\$11,620 71

—the amounts of said appropriations being insufficient.

Which was adopted by the following vote:

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

H—\$9,000, as requested by the President, Borough of Manhattan, from various accounts within the appropriation for the year 1908 to other accounts for the same year.

CITY OF NEW YORK,
OFFICE OF THE PRESIDENT OF THE BOROUGH OF MANHATTAN,
CITY HALL, November 9, 1908.

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

DEAR SIR—Request is herewith made for the following transfer of funds: From the appropriation Public Baths and Comfort Stations, Maintenance of Salaries and Wages, \$5,000, to the appropriation Maintenance of Buildings and Offices, Salaries and Wages.

From the appropriation Bureau of Sewers, Salaries of Superintendent and Administrative Force, \$2,500, to the appropriation Bureau of Highways, Boulevards, Roads and Avenues, Hired Teams, Horses and Carts, etc.

From the appropriation Bureau of Incumbrances, Incidental Expenses, \$1,500, to the appropriation Bureau of Highways, Street Signs, Maintenance of, \$1,500.

Very truly yours,

JOHN F. AHEARN, President.

The following resolution was offered:

Resolved, That the sum of nine thousand dollars (\$9,000) be and the same is hereby transferred from the appropriations made to the President of the Borough of Manhattan, for the year 1908, entitled and as follows:

Bureau of Public Buildings and Offices, Public Baths and Public Comfort Stations, Maintenance of, Salaries and Wages.....	\$5,000 00
Bureau of Sewers, Salaries of Superintendent and Administration Force..	2,500 00
Bureau of Incumbrances, Incidental Expenses.....	1,500 00
Total	\$9,000 00

—the same being in excess of the amount required for the purposes thereof, to the appropriations made to said office, for the year 1908, entitled and as follows:

Bureau of Public Buildings and Offices, Maintenance of Buildings and Offices, Salaries and Wages.....	\$5,000 00
Bureau of Highways, Boulevards, Roads and Avenues, Maintenance of, Hired Teams, Horses, Carts, etc.....	2,500 00
Bureau of Highways, Street Signs, Maintenance of.....	1,500 00
Total	\$9,000 00

—the amounts of said appropriations being insufficient.

Which was adopted by the following vote:

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

I—\$12,000, as requested by the President of the Borough of Richmond, from accounts within the appropriation made to said Department for the year 1908 to other accounts within said appropriation.

(On November 6, 1908, the request of the President of said Borough for the transfer of \$17,500 from various accounts for the year 1908 to other accounts for the same year was referred to the Comptroller.)

OFFICE OF THE PRESIDENT OF THE BOROUGH OF RICHMOND,
BOROUGH HALL, NEW BRIGHTON,
NEW YORK, November 5, 1908.

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

GENTLEMEN—In preparing the segregated Budget for 1908, during the summer of 1907, it would naturally be a very difficult task to so apportion moneys to the different accounts as to come out anywhere nearly even, if actual operation for other than office expenditures; consequently, recently we had occasion to ask for some transfers between Bureaus, and from one account to another within the same Bureau, and now find (as we can better estimate the needs for the balance of this season), that the following appropriations are in excess of the needs for the remainder of the year, and the succeeding list shows deficiencies:

<i>Surplus.</i>	
General Administration—Salaries of President, Commissioner of Public Works, Assistants, Engineers and Office employees.....	\$1,300 00
Bureau of Highways—	
Salaries of Superintendent and Administration Force.....	1,600 00
Labor, Maintenance and Supplies, Equipment, Repairs, Renewals and Supplies	7,100 00
Bureau of Sewers—	
Salaries of Superintendent and Administration Force.....	300 00
Labor, Maintenance and Supplies, Salaries and Wages.....	2,000 00

Bureau of Street Cleaning—

Salaries of Superintendent and Administration Force.....	400 00
Labor, Maintenance and Supplies and Final Disposition, Hired Teams, Horses and Carts.....	1,000 00
Bureau of Public Buildings and Offices—	
Supplies and Repairs.....	2,800 00
Telephone, Rental of.....	1,000 00
<i>Deficiencies.</i>	<u>\$17,500 00</u>

Bureau of Highways—Labor, Maintenance and Supplies, Salaries and Wages

Bureau of Street Cleaning—Labor, Maintenance and Supplies and Final Disposition, Equipment, Repairs, Renewals and Supplies.....	\$9,000 00
Bureau of Public Buildings and Offices—Salaries and Wages.....	3,500 00
	5,000 00

\$17,500 00

In the Bureau of Highways appeared the greatest disproportion in estimates between materials and labor; the great drought of the past summer and early autumn, added to the needs for labor and sprinkling, diminishing those for materials. On the basis of the transfers requested herein for the Bureau of Highways, we shall be just able to carry through the necessary work of the season and use the broken stone and other supplies now under contract for delivery.

In the Bureau of Sewers the surplus for this year has been due, as stated in our formal request, to delays in completing a number of sewer systems which have been under contract and which are now beginning to be turned over for maintenance.

In the Street Cleaning Bureau the special need at this time is for forage and other stable supplies, and necessary repairs to much of the outfit.

As to the Public Buildings and Offices, a considerable proportion of the work which in past years has been given out by contract has this year been handled by our own men to better advantage, so that what under contract would have been charged to the Supply and Repair account, under our own handling has been necessarily charged to Salaries and Wages appropriation.

The telephone service has been rather less than anticipated, because two or three other City Departments in the Borough Hall entered into special contracts for direct telephone service to Central rather than through the Borough Hall switchboard, and partly because for the past few months the services of the Switchboard Operator are paid for in Salary account, whereas heretofore it was included in the contract with the telephone company.

Asking that the earliest possible favorable consideration be given to these requests, I am,

Yours respectfully,

GEORGE CROMWELL, President, Borough of Richmond.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
November 11, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—A communication from the President of the Borough of Richmond, dated November 5, 1908, requesting transfers of funds aggregating \$17,500 from various appropriation accounts in his office for 1908 to other accounts for the same year, was received by the Board of Estimate and Apportionment at the meeting held November 6, 1908, and referred to the Comptroller for consideration and report. Having been subsequently referred by you to the Bureau of Municipal Investigation and Statistics, as a result of the examination therein made I beg to report as follows:

On November 7, 1908, the Borough President withdrew his original request made under date of November 5, 1908, and submitted a new one, calling for the same aggregate amount of transfers, but differing as to the accounts from which the transfers were to be made.

In view of the fact that the proposed transfers are from salary accounts to salary accounts, and from supply accounts to supply accounts, I would suggest the approval at the present time of transfers amounting to \$12,000 to the accounts of Bureau of Highways and Street Cleaning, as per resolution attached hereto, and that action upon requested transfers to the account of Public Buildings be postponed for future consideration.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the sum of twelve thousand dollars (\$12,000) be and the same is hereby transferred from appropriations made to the President of the Borough of Richmond for the year 1908, entitled and as follows:

General Administration—Salaries of President, Commissioner of Public Works, Assistants, Engineers and office employees.....

\$1,300 00

Bureau of Highways—

Salaries of Superintendent and Administration Force.....

1,600 00

Labor, Maintenance and Supplies, Equipment, Repairs, Renewals and Supplies

3,500 00

Bureau of Sewers—

Salaries of Superintendent and Administration Force.....

300 00

Labor, Maintenance and Supplies, Salaries and Wages.....

2,000 00

Bureau of Engineering—Construction Division, Salaries and Wages....

3,300 00

\$12,000 00

—the same being in excess of the amounts required for the purposes thereof, to the appropriations made to said office for the year 1908, entitled and as follows:

Bureau of Highways—Labor, Maintenance and Supplies, Salaries and Wages

\$8,500 00

Bureau of Street Cleaning—Labor, Maintenance and Supplies and Final Disposition, Equipment, Repairs, Renewals and Supplies.....

3,500 00

\$12,000 00

—the amounts of said appropriations being insufficient.

Which was adopted by the following vote:

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

The Secretary presented a report of the Comptroller recommending the issue of \$25,000 Special Revenue Bonds (subdivision 8, section 188 of the Charter) to replenish the appropriation made to the Department of Water Supply, Gas and Electricity, for the year 1908, entitled Borough of Queens—Fire Hydrants Rental and Water Purchased.

(On September 18, 1908, a resolution of the Board of Aldermen requesting the issue of \$80,000 Special Revenue Bonds (subdivision 8, section 188 of the Charter) to replenish the appropriations of the Department of Water Supply, Gas and Electricity, Borough of Queens, for the year 1908, was referred to the Comptroller.)

The resolution authorizing the issue of Special Revenue Bonds as recommended in the report of the Comptroller failed of adoption by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, The Bronx, Queens and Richmond—14.

Negative—The President of the Borough of Brooklyn—2.

Subdivision 8 of section 188 of the Charter, under which Special Revenue Bonds for this purpose are authorized, requiring the unanimous vote of the Board.

The Secretary presented the following resolution of the Board of Aldermen requesting an issue of \$5,000 Special Revenue Bonds for the purpose of equipping and furnishing the rooms of the Court of Special Sessions, Second Division, under the direction of the President, Borough of Brooklyn, together with communication from the Comptroller recommending the issue as requested.

In the Board of Aldermen.

Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and it is hereby requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of five thousand dollars (\$5,000), the proceeds whereof to be used by the President of the Borough of Brooklyn for the purpose of equipping the rooms of the Court of Special Sessions, Second Division, with necessary carpets, furniture, fixtures, etc.

Adopted by the Board of Aldermen, October 20, 1908, three-fourths of all the members voting in favor thereof.

Received from his honor the Mayor, November 4, 1908, without his approval or disapproval thereof; therefore, as provided in section 40 of the Greater New York Charter, the same took effect as if he had approved it.

P. J. SCULLY, Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
November 10, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In the matter of the resolution adopted by the Board of Aldermen requesting an issue of \$5,000 Special Revenue Bonds, for the purpose of “equipping the rooms of the Court of Special Sessions, Second Division, with necessary carpets, furniture, fixtures, etc.,” referred to you by the Bureau of Municipal Investigation and Statistics for examination, I beg to report as follows:

The premises occupied by the Court of Special Sessions, Second Division, Borough of Brooklyn, located at No. 171 Atlantic avenue, have recently been remodeled by the owners at a cost of \$23,000. The changes and alterations of the court room and offices of the Court have resulted in the addition of a consulting room for the Justices, a new room for the clerical force and the enlargement of the reception room. These improvements were necessary to meet the requirements of the Court and to facilitate the transaction of its business, which has been increasing from year to year. The estimate of the Engineer of the Bureau of Public Buildings and Offices, of the office of the President of the Borough of Brooklyn, fixes the cost of the fitting up, furnishing and equipment of the Court at \$5,000. The estimate is as follows:

New benches for court room...	\$1,500 00	Tables	155 00
Linoleum	962 00	Metal coat, hat and umbrella stands	120 00
Rubber matting for stairs.....	40 00	Unit bookcase system.....	114 00
Carpets	455 00	Filing cabinet.....	90 00
Call bell and electric fans.....	78 00	Railings	100 00
Desks	365 00	Mirrors	120 00
Mirrors	20 00	Rugs	218 00
Chairs	243 00	Incidentals	218 00
Sofas	80 00		
Safe	200 00	Total.....	\$5,000 00
Shades and awnings.....	140 00		

The benches now in use are in a dilapidated condition and are beyond the stage of repair. The greater part of the furniture has been in use for years and is no longer serviceable. The new rooms added to the Court will need furniture, carpets, desks, chairs, tables and other equipments. Judge Robert J. Wilkin, who has examined the estimate of the cost for equipping the Court, indorses it as reasonable and just. The labor and materials for the fitting up, furnishing and equipment of the Court will be contracted for by public letting.

Your Examiner recommends that the request for \$5,000 Special Revenue Bonds to properly equip, fit up and furnish the Court of Special Sessions, Second Division, be granted.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of and concurs in the resolution of the Board of Aldermen adopted October 20, 1908, in relation to an appropriation of five thousand dollars (\$5,000) for equipping the rooms of the Court of Special Sessions, Second Division, located at No. 171 Atlantic avenue, Borough of Brooklyn, with the necessary carpets, furniture, fixtures, etc., under the direction of the President, Borough of Brooklyn, and for the purpose of providing means therefor, the Comptroller be and is hereby authorized, pursuant to the provisions of subdivision 8 of section 188 of the Greater New York Charter, to issue Special Revenue Bonds of The City of New York, to an amount not exceeding five thousand dollars (\$5,000), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:

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

The Secretary presented a report of the Comptroller, recommending the issue of \$15,401.20 Special Revenue Bonds (subdivision 8, section 188 of the Charter) to meet an anticipated deficiency in the “Salaries and Wages” appropriation of the Department of Public Charities for the year 1908.

(On April 24, 1908, a resolution of the Board of Aldermen, requesting the issue of \$89,502.81 Special Revenue Bonds (subdivision 8, section 188 of the Charter) for the above purpose, was referred to the Comptroller, and at various meetings the Board has approved of and concurred in said resolution to the extent of \$66,537.92.)

The resolution authorizing the issue of Special Revenue Bonds as recommended in the report of the Comptroller failed of adoption, receiving the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan, The Bronx, Queens and Richmond—14.

Negative—The President of the Borough of Brooklyn—2.

—subdivision 8 of section 188 of the Charter, under which Special Revenue Bonds for this purpose are authorized, requiring the unanimous vote of the Board.

The Comptroller moved that at the meeting to be held November 20, 1908, public improvement, financial and franchise matters be considered, which motion was adopted.

The President, Board of Aldermen, moved that when the Board adjourn it adjourn to meet Friday, November 20, 1908, at 10:30 o'clock in the forenoon, which motion was adopted.

The Board adjourned to meet Friday, November 20, 1908, at 10:30 o'clock in the forenoon.

JOSEPH HAAG, Secretary.

THE ARMORY BOARD.

New York, November 20, 1908.

A meeting of the Armory Board was held this day at 2 o'clock p. m., at the office of the Mayor.

Present—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

The minutes of the meeting held October 16, 1908, were approved as printed.

Communications of dates October 21 and November 5, 1908, were received from the Commissioners of the Sinking Fund, transmitting certified copies of resolutions of that body, concurring in resolutions of the Armory Board, as follows:

Authorizing an issue of corporate stock to the amount of \$6,000 for additions and alterations to the steam heating apparatus in the Sixty-ninth Regiment armory.

Approving the action of the Armory Board in accepting the bid of C. L. Dooley for furnishing and installing alterations, etc., in the Sixty-ninth Regiment armory.

Concurring in resolutions of the Armory Board approving the bills of Messrs. Robinson & Knust, architects, in the sum of \$175, on account of professional services rendered in connection with alterations, etc., in Second Company Signal Corps armory, and \$135 for services rendered in connection with improvements, etc., Forty-seventh Regiment armory.

Concurring in the resolution of the Armory Board approving the bill of Messrs. Pilcher & Tachau, architects, in the sum of \$170, on account of professional services rendered in connection with installing iron grills in Squadron C armory.

Authorizing a lease of premises known as the Bedford Riding Academy, for use of the Second Company Signal Corps, N. G., N. Y.

Which were ordered filed.

The Secretary presented applications by various architects and contractors, properly certified, and the Mayor offered the following resolutions:

Resolved, That the Comptroller be authorized to pay to James R. Keane & Co. contractors, the sum of \$2,975.75, in full, as per accompanying voucher, for furnishing and installing furniture, etc., in the Second Brigade Headquarters, in the Twenty-third Regiment armory, in the Borough of Brooklyn.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Comptroller be authorized to pay to the James R. Keane Company, contractors, the sum of \$1,117.50, in full, for furnishing furniture, etc., in the Twelfth Regiment armory, in the Borough of Manhattan.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Comptroller be authorized to pay to the Receivers of the New Amsterdam National Bank (legal assignee of James McFerran, contractor), \$4,160.88, being the amount retained as guarantee, etc., for the erection and completion of an armory building for the Second Battalion Naval Militia, in the Borough of Brooklyn.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Comptroller be authorized to pay to the Guidone & Galardi Company, contractors, the sum of \$24,660, as per accompanying voucher, on account of their contract for the erection of an armory building for the Second Battery, N. G., N. Y., in the Borough of The Bronx.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Comptroller be authorized to pay to George Stanton, contractor, the sum of \$4,320, as per accompanying voucher, on account of his contract for Item No. 1 (mason work, carpenter work, etc.), in the Thirteenth Regiment armory, in the Borough of Brooklyn.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Armory Board does hereby approve the bill and expense of Messrs. Lord & Hewlett, architects, in the sum of \$104.22, for professional services rendered in connection with the erection of the Second Battalion, Naval Militia, armory, in the Borough of Brooklyn; that the Commissioners of the Sinking Fund be requested to concur and the Comptroller authorized to pay.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Armory Board does hereby approve the bill and expense of Charles Werner, architect, in the sum of \$216, as per accompanying voucher, on account of professional services rendered in connection with Item No. 1, mason work, carpenter work, etc., in the Thirteenth Regiment armory, in the Borough of Brooklyn; that the Commissioners of the Sinking Fund be requested to concur and to authorize the Comptroller to pay.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Armory Board does hereby approve the bill and expense of Walter E. Parfitt, Esq., architect, in the sum of \$62.17, as per accompanying voucher, for professional services rendered in connection with the installation of a new floor in the Thirteenth Regiment armory, in the Borough of Brooklyn; that the Commissioners of the Sinking Fund be requested to concur and the Comptroller authorized to pay.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Armory Board does hereby approve the bill and expense of Walter E. Parfitt, in the sum of \$125, as per accompanying voucher, in full for services rendered in connection with extension to drill hall of the Thirteenth Regiment armory, Borough of Brooklyn; that the Commissioners of the Sinking Fund be requested to concur and the Comptroller authorized to pay.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Armory Board does hereby approve the bill and expense of Walter E. Parfitt, architect, in the sum of \$741.28, as per accompanying voucher, in full for professional services rendered in connection with the erection of a rifle range in the Thirteenth Regiment armory, in the Borough of Brooklyn; that the Commissioners of the Sinking Fund be requested to concur and to authorize the Comptroller to pay.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Armory Board does hereby approve the bill and expense of Messrs. Clinton & Russell, architects, in the sum of \$1,694.35, as per accompanying voucher, in full for professional services rendered in connection with furnishing furniture, etc., in the Seventy-first Regiment armory, Borough of Manhattan; that the Commissioners of the Sinking Fund be requested to concur and to authorize the Comptroller to pay.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Armory Board does hereby approve the bill and expense of Messrs. Clinton & Russell, architects, in the sum of \$790, in full, for professional services rendered in connection with furnishing and installing lockers in the Seventy-first Regiment armory, Borough of Manhattan; that the Commissioners of the Sinking Fund be requested to concur and to authorize the Comptroller to pay.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Armory Board does hereby approve the bill and expense of Messrs. Robinson & Knust, architects, in the sum of \$134.10, as per accompanying voucher, on account of professional services rendered in connection with alterations, etc., Second Brigade Headquarters, Borough of Brooklyn; that the Commissioners of the Sinking Fund be requested to concur and the Comptroller be authorized to pay.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Resolved, That the Comptroller be authorized to pay to Charles C. Haight, Esq., architect, the sum of \$1,107.75, as per accompanying voucher, on account of his contract for furnishing plans and specifications and the supervision of the erection of an armory building for the Second Battery, N. G., N. Y., in the Borough of The Bronx.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

The Secretary presented the following minutes of a meeting of the Committees on Armories for Manhattan and The Bronx and Brooklyn and Queens:

New York, November 11, 1908.

The Hon. GEORGE B. McCLELLAN, Mayor, Chairman of the Armory Board:

Sir—The Committees on Armories for Manhattan and The Bronx and Brooklyn and Queens report the consideration of the following matters at a meeting held this day, at 2 o'clock p. m., at the office of the President of the Board of Aldermen:

Application of Charles C. Schneider, contractor, requesting an extension of time on his contract for excavating the site for the proposed new armory for the Second Battery, N. G., N. Y., in the Borough of The Bronx.

A report was received from the Engineer to the Commissioners of the Sinking Fund recommending that the penalty for overtime be enforced, if the City can enforce it.

Your Committee recommend that the application of the contractor be denied.

The Mayor offered the following:

Resolved, That the application of Charles C. Schneider for an extension of time on his contract for excavating the site for proposed new armory for the Second Battery, N. G., N. Y., in the Borough of The Bronx, be and is hereby denied.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Communication from the architect for the proposed new armory building for the Second Battery, recommending that \$1,588.40 for additional sheath piling and \$350 for extra excavation be allowed the excavating contractor.

A report was received from the Engineer to the Commissioners of the Sinking Fund recommending that the work be done at the expense of the contractor.

Your Committee recommend that the request of the architect be denied.

The Mayor offered the following:

Resolved, That the request of the architect for a proposed new armory building for the Second Battery, N. G., N. Y., that \$1,588.40 for additional sheath piling and \$350 for extra excavation be allowed the excavating contractor be and is hereby denied.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Request of the architect to amend the specifications for the proposed new armory for the Second Battery so as to include an extra allowance of \$756 for waterproofing marker's pit and \$2,500 for additional brickwork.

A report was received from the Engineer to the Commissioners of the Sinking Fund recommending that the specifications be so amended and the extra allowance made.

The Secretary reported that no additional appropriation was necessary.

Your Committee recommend that the specifications be so amended and the extra allowance approved.

The Mayor offered the following:

Resolved, That the additional work recommended by the architect, Charles C. Haight, Esq., and the Engineer of the Commissioners of the Sinking Fund, at the new armory for the Second Battery, N. G., N. Y., namely:

Waterproofing marker's pit.....	\$756 00
Architect's fees	37 80
Total.....	\$793 80
Additional brickwork—	
100,000 brick, at \$25.....	\$2,500 00
Architect's fees	125 00
Total.....	\$2,625 00

be authorized by the Armory Board, and that the Guidone & Galardi Company be directed to do the work.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Communication from Messrs. Walker & Morris, architects, for proposed new armory building for the Twenty-second Regiment, Engineers, N. G., N. Y., recommending that the heating contract be separated from the general contract.

The Engineer to the Commissioners of the Sinking Fund reported that the experience of the past has been entirely satisfactory under the method of letting one contract for the whole work, and sees no advantage to the City in making the division.

Your Committee recommend that the application of the architects be denied.

The Mayor offered the following:

Resolved, That the recommendation of the architects for the proposed new armory for the Twenty-second Regiment, Engineers, N. G., N. Y., that the heating contract be separated from the general contract, be and is hereby denied.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Requisition of Colonel Duffy, commanding the Sixty-ninth Regiment, for an appropriation of \$2,200 for alterations, repairs, etc., to the lanterns in the Sixty-ninth Regiment Armory.

The Engineer to the Commissioners of the Sinking Fund reported, recommending that the work be done.

Your Committee recommend that the work be done and that an appropriation of \$2,200 be made.

The Mayor offered the following:

Resolved, That the sum of \$2,200 be and is hereby appropriated for repairs, alterations, etc., to lanterns on the roof of the Sixty-ninth Regiment Armory, Borough of Manhattan (including architect's fees); that the Commissioners of the Sinking Fund be requested to concur and to authorize the Comptroller to issue Corporate Stock to provide funds therefor.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Requisition from Colonel Barthman, commanding the Forty-seventh Regiment, N. G., N. Y., for permission to install a switchboard and fifteen extension telephones, at a cost of \$126, in addition to the present telephone contract of \$72.

Your Committee recommend that the request be denied.

The Mayor offered the following:

Resolved, That the request of Colonel Barthman, commanding the Forty-seventh Regiment, N. G., N. Y., for permission to install a switchboard and fifteen extension telephones in the armory of his organization be and is denied.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

Application of the commanding officer of the Field Hospital, indorsed by Major-General Roe, making requisition for a new and suitable armory for his organization.

Your Committee recommend that the application be placed on file.

On motion of the Mayor, the application was ordered placed on file.

The Secretary requested the transfer of the sum of \$8,651.28, within the appropriation made to the Armory Board for the year 1908.

The Mayor offered the following:

Resolved, That the Board of Estimate and Apportionment be requested to transfer the sums hereinafter named:

From Contingencies, 1908, Boroughs of Manhattan and The Bronx..... \$1,871 81

—the same being in excess of the amount required for the purposes thereof,

To Repairs and Supplies, 1908—

Seventh Regiment

\$466 07

Eighth Battalion

350 00

Twelfth Regiment

322 79

Twenty-second Regiment

732 95

..... \$1,871 81

—the amount of said appropriations being insufficient.

From Care and Maintenance of Armories, Administration, 1908..... \$900 00

—the same being in excess of the amount required for the purposes thereof,

To Repairs and Supplies, 1908—

Twenty-second Regiment

\$800 00

Sixty-ninth Regiment

100 00

..... \$900 00

—the amount of said appropriations being insufficient.

From Repairs and Supplies, 1908, Ninth Regiment..... \$1,989 96

—the same being in excess of the amount required for the purposes thereof,

To Manhattan and The Bronx, Repairs and Supplies, 1908—

Sixty-ninth Regiment

\$255 71

First Battery

472 07

First Battalion N. M.

962 18

Brooklyn and Queens:

..... 300 00

Thirteenth Regiment

..... \$1,989 96

—the amount of said appropriations being insufficient.

From Manhattan and The Bronx, Repairs and Supplies, 1908, Field Hospital Headquarters

\$1,066 58

—the same being in excess of the amount required for the purposes thereof,

To Repairs and Supplies, 1908, Brooklyn and Queens—

Thirteenth Regiment

\$583 63

Second Signal Corps

482 95

..... \$1,066 58

—the amount of said appropriations being insufficient.

From Brooklyn and Queens, Contingencies, 1908..... \$1,500 00

—the same being in excess of the amount required for the purposes thereof,

To Brooklyn and Queens, Repairs and Supplies, 1908, Twenty-third Regiment

..... \$1,500 00

—the amount of said appropriation being insufficient.

From Brooklyn and Queens, Repairs and Supplies, 1908, Forty-seventh Regiment

\$668 00

—the same being in excess of the amount required for the purposes thereof,

To Brooklyn and Queens, Repairs and Supplies, 1908, Twenty-third Regiment

..... \$668 00

—the amount of said appropriation being insufficient.

From Manhattan and The Bronx, Repairs and Supplies, 1908, Squadron "A"

\$654 93

—the same being in excess of the amount required for the purposes thereof,

To Brooklyn and Queens, Repairs and Supplies, 1908, Third Battery....

\$654 93

—the amount of said appropriation being insufficient.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

A communication was received from the Guidone & Galardi Company, contractors, requesting the consent of the Armory Board to the assignment by them to the Fifth National Bank of The City of New York of the sum of \$24,660 out of the first payment due or to become due them on account of their contract for the erection of the new Second Battery armory.

The Mayor offered the following:

Resolved, That the consent of the Armory Board be and is hereby given to the assignment by the Guidone & Galardi Company of the sum of \$24,660 to the Fifth National Bank of The City of New York, out of the first payment due or to grow due under the contract of the said Guidone & Galardi Company with the City for the erection of the new Second Battery armory, Franklin avenue and East One Hundred and Sixty-sixth street, in the Borough of The Bronx.

Which was adopted by the following vote:

Ayes—The Mayor, the Deputy Comptroller, the President of the Board of Aldermen and Brigadier-General George Moore Smith.

An application was received from General David E. Austen, Chief of Coast Artillery, to establish headquarters for himself and staff in the Thirteenth Regiment armory, in the Borough of Brooklyn.

Which was referred to the Committee on Armories for Brooklyn and Queens.

A motion to adjourn was adopted.

HARRIE DAVIS, Secretary.

DEPARTMENT OF DOCKS AND FERRIES.

New York, October 9, 1908

The following communications were received, action being taken thereon as noted, to wit:

From the Department of Street Cleaning (7847)—Asking that permission be granted its contractor to use certain space at One Hundred and Thirty-ninth street, Harlem River, adjoining the dump thereat. Answered that application made by the contractor will receive consideration.

From the President of the Borough of Richmond (78656)—Submitting tentative map of certain streets in the Fifth Ward, Borough of Richmond, and asking whether the layout along the water-front is satisfactory to this Department. Answered that plan is satisfactory.

From the Bellevue and Allied Hospitals (78655, 78677)—Requesting a berth for the ferryboat "Westfield" during the winter season. Answered that a berth will be provided at Stapleton, Staten Island.

From A. J. Forman (78224)—Requesting permission to use and occupy a berth 100 feet in length, running southerly from the southerly line of Seventy-eighth street, East River, Borough of Manhattan, with the privilege of maintaining weighing scales and portable hoist with hoppers thereat. Privilege granted, to commence November 1, 1908, and to continue during the pleasure of the Commissioner, but not longer than April 30, 1909, rental to be at the rate of \$900 per annum, payable quarterly in advance to the Cashier.

From the United States Volunteer Life Saving Corps (77071)—Requesting permission to maintain a life saving station foot of Eighty-ninth street, East River. Privilege granted, to continue during the pleasure of the Commissioner, but not longer than April 30, 1909, rental to be at the rate of \$1 per annum, payable in advance to the Dockmaster.

From Thomas Ward (78594)—Requesting dredging at bulkhead northerly of West Seventy-ninth street, North River. Dredging ordered.

From Carl J. Aster (78680)—Tendering his resignation from the position of Stationary Engineer. Accepted.

From the Chief Engineer—

1 (78607). Submitting report relative to the illness of Patrick O'Sullivan, Clerk. Health Department requested to make examination.

2 (78606, 78636, 78652). Recommending the issuance of orders for repairs to pier foot of Ninety-sixth street, Harlem River; for repairs to bulkhead wall at North Brother Island, East River, Borough of The Bronx, and for repairs to motorboat "Kim" where damaged by the tug "Brooklyn" on October 2, 1908. Orders issued to Chief Engineer.

3 (78605). Recommending that the Metropolitan Street Railway Company be directed to repair the pavement between its tracks foot of West Seventeenth street, North River. Company notified as recommended.

From the Superintendent of Docks (78683)—Recommending that the permit to Clinton Stephens for maintenance of float, foot of East One Hundred and Thirty-fourth street, East River, be revoked as of October 1, 1908, the date on which he vacated the premises. Permit revoked, as recommended.

The following Department orders were issued:

No.	Issued to and For.	Price.
24076.	Henry Maurer & Son, fire brick.....	\$41 00
24077.	William H. C. Russell, rubberoid.....	11 00
24078.	John Cassidy, printing extra copies of Contract 1149, for miscellaneous supplies	58 10

The Commissioners of the Sinking Fund (78490) were requested to approve a lease to Robert McWilliams of the following described property, situated on the Harlem River, Borough of Manhattan:

Beginning at a point in the southerly line of East One Hundred and Fifteenth street where it intersects the present crib bulkhead; running thence westerly along said southerly line about 90 feet to a point where an existing fence intersects said southerly line of East One Hundred and Fifteenth street; thence southwesterly and along the line of the said existing fence and its prolongation about 108 feet to a point in the centre line of the block between East One Hundred and Fourteenth and East One Hundred and Fifteenth streets; thence easterly and along said centre line about 80 feet to a point in the present crib bulkhead where said centre line intersects the same; thence northeasterly and along the face of the present crib bulkhead 112 feet, more or less, to the point or place of beginning.

The lease to be for a term of five years from November 1, 1908, at a rental of \$2,500 per annum.

Consent was granted for the substitution of the Metropolitan Surety Company as surety in the place of John H. B. Boyle and Ward P. Barnum on Class 8 of Contract 1149, for miscellaneous supplies, T. R. Thorns, contractor.

The Chief Engineer was directed to report as to the condition of the planking in front of Pier 10, North River.

DENIS A. JUDGE, Deputy and Acting Commissioner.

BOROUGH OF RICHMOND.

COMMISSIONER OF PUBLIC WORKS.

In accordance with the provisions of section 1546, chapter 466, Laws of 1901, I herewith transmit for publication in the City Record the following report of the transactions of this office for the week ending October 24, 1908:

Public Moneys Received During Week.

Bureau of Highways—	
For restoring and repaving pavement (water connections, openings)	\$79 18
For restoring and repaving pavement (sewer connections, openings)	62 25
For restoring and repaving pavement (general account)	51 72
Bureau of Sewers—	
For sewer permits.....	27 00

Total..... \$220 15

Permits Issued.

Bureau of Highways—	
Permits to open streets to tap water pipes.....	9
Permits to open streets to repair water pipes.....	10
Permits to open streets to make sewer connections.....	7
Permits to open streets to repair sewer connections.....	2
Permits to place building materials on streets.....	1
Permits, special	18

Bureau of Sewers—

Permits for new sewer connections.....

Total..... 9

Requisitions Drawn on Comptroller.

General Administration	\$2,559 09
Bureau of Highways	8,892 85
Bureau of Sewers	23,820 70
Bureau of Street Cleaning	4,482 61
Bureau of Public Buildings and Offices	1,068 22
Bureau of Engineering	12,164 56

Total..... \$52,988 c;

Work Done.

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Bureau of Street Cleaning—

Number of loads of ashes and rubbish collected.....	120
Number of loads of street sweepings collected.....	461
Number of loads of mixed refuse collected.....	420

Statement of Laboring Force Employed.

Eight hours constitute one working day.

	Bureau of Highways.	Bureau of Sewers.	Bureau of Street Cleaning.	Bureau of Public Buildings and Offices.	Engineer Corps.	Total.
	No. Days.	No. Days.	No. Days.	No. Days.	No. Days.	No. Days.
Foremen	12	33 5/8	4	28	12	84
Assistant Foremen...	1	3	3	18 7/8	1	6
Brackets refitted, Manhattan.....	1	6	1	6	1	7
Column refitted, Manhattan.....	1	6	1	6	1	7
Columns refitted, The Bronx.....	2	10	2	10	2	10
Columns reloaded, Manhattan.....	2	10	2	10	2	10
Columns recaulked, Manhattan.....	2	10	2	10	2	10
Service pipes refitted, Manhattan.....	2	10	2	10	2	10
Stand pipe refitted, The Bronx.....	1	5	1	5	1	5
Stand pipe refitted, Manhattan.....	2	10	2	10	2	10
Total.....	22	79 5/8	48	294 1/4	206	1391 1/8
Total.....	45	304	58	395	379	2464

Appointments, Removals, etc.

Chas. Hains, New Brighton, Varnisher, \$2.50; leave of absence, 30 days, October 21, 1908.

W. L. Schneider, No. 705 East Ninth street, New York City, Typewriting Copyist, \$900; transferred from President's office to Engineer Corps, October 20, 1908; effective November 1, 1908.

S. Slade, No. 416 Grand street, Topographical Draughtsman, \$1,200; appointed October 20, 1908; effective October 26, 1908.

H. S. La Forge, Rossville, Steam Roller Engineer, Highways, \$4.50; laid off for lack of work October 20, 1908; effective October 20, 1908.

A. McClaughrey, New Brighton, Foreman, Highways, \$2.50; laid off for lack of funds October 22, 1908; effective October 19, 1908.

C. C. Van Vechten, No. 2306 Amsterdam avenue, New York City, Transitman and Computer, \$1,350; transferred from Topographical to Construction Bureau October 12, 1908; effective November 1, 1908.

J. F. Creedon, No. 455 West Twenty-third street, New York City, Assistant Engineer, \$1,800; six months additional leave of absence, October 23, 1908; effective October 25, 1908.

T. Riccio, Stapleton, Driver, \$720; change of title from Laborer October 23, 1908; effective October 26, 1908.

GEORGE CROMWELL, President.

Louis L. Tribus, Acting Commissioner of Public Works.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.

City of New York, September 26, 1908.

In compliance with section 1546 of the Greater New York Charter, the Department of Water Supply, Gas and Electricity makes the following report of its transactions for the week ending September 26, 1908:

Public Moneys Received and Deposited.

BOROUGH OF MANHATTAN.

Receipts for water rents.....	\$55,950 74
Receipts for penalties on water rents.....	418 12
Receipts for permits to tap mains.....	151 00
Receipts for meter setting.....	182 06

\$56,701 92

BOROUGH OF THE BRONX.

Receipts for water rents.....	\$5,218 03
Receipts for penalties on water rents.....	125 85
Receipts for permits to tap mains.....	217 50

\$5,561 38

BOROUGH OF BROOKLYN.

Receipts for water rents.....	\$18,037 70
Receipts for penalties on water rents.....	498 02
Receipts for permits to tap mains.....	514 00
Receipts for miscellaneous work.....	128 91
Receipts for meter setting.....	28 69

\$19,207 32

BOROUGH OF QUEENS.

Receipts for water rents.....	\$2,668 19
Receipts for penalties on water rents.....	21 75
Receipts for permits to tap mains.....	62 75

\$2,752 69

BOROUGH OF RICHMOND.

Receipts for water rents.....	\$35 79
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Work Done on Public Lamps.

Gas Lamps (Welsbach Street Lighting Company)—	
New mantle lamps lighted, Manhattan.....	3
New mantle lamps lighted, The Bronx.....	6
Mantle lamps relighted, Manhattan.....	10
Mantle lamps relighted, The Bronx.....	10
Mantle lamps discontinued, Manhattan.....	10
Mantle lamps discontinued, The Bronx.....	4

Electric Lamps:	
90-100-watt incandescent lamps relighted by the New York Edison Company, Manhattan.....	2
New 54-watt Tungsten incandescent lamps installed and lighted by the New York Edison Company, The Bronx.....	5
New 81-watt Tungsten incandescent lamps installed and lighted by the Bronx Gas and Electric Company, The Bronx.....	5

Gas Lamps and Brackets (Consolidated Gas Company)—	
New lamp-posts erected, Manhattan.....	3
New lamp-posts erected, The Bronx.....	4
Lamp-posts removed, Manhattan.....	27
Lamp-posts removed, The Bronx.....	4
Lamp-posts reset, Manhattan.....	7
Lamp-posts reset to grade, Manhattan.....	1
Lamp-posts reset, The Bronx.....	13

Lamp-posts straightened, Manhattan.....	11
Brackets refitted, Manhattan.....	2
Column refitted, Manhattan.....	1
Columns refitted, The Bronx.....	2
Columns reloaded, Manhattan.....	2
Columns recaulked, Manhattan.....	8
Service pipes refitted, Manhattan.....	2
Stand pipe refitted, The Bronx.....	1
Stand pipe refitted, Manhattan.....	2

Changes in the Working Force.
BOROUGH OF MANHATTAN.

Appointed—Matthew P. Guinan, Michael O'Sullivan, Archibald MacDermeid, Arthur C. Reisner, John P. Barrett, Terence Murphy, John H. Klesner, Edward J. O'Brien, Joseph L. Gordon, James V. Kilroe, Henry L. Lang, Jr., Eugene A. Drum, Thomas F. Walsh, Patrick McMullen, Thomas Shelly, George M. Ryan, William J. Ducey, Joseph Kelly, B. J. Hedly, Richard C. Wackman and Charles A. Fleming. Inspectors of Meters and Water Consumption, at \$1,000 per annum; Robert S. Grant, Stationary Engineer (electrical pumping stations), at \$1,500 per annum; Thomas J. White, Clerk, at \$600 per annum; William A. Canfield, Engineman, at \$4.50 per day; one Stoker, at \$3 per day.

Title Changed—One Stoker to Oiler.

BOROUGH OF BROOKLYN.

Appointed—One Laborer, at \$2.50 per day. Increased—Charles O. Davis, Clerk, \$1,650 to \$2,000 per annum; Samuel Cohen, Clerk, \$1,200 to \$1,500 per annum; Charles J. McCarthy, Clerk, \$750 to \$900 per annum; Edward J. Mullally, Clerk, \$600 to \$750 per annum; Samuel Havedon, Clerk, \$600 to \$750 per annum.

Title Changed—One Stoker to Oiler.

M. F. LOUGHMAN, Deputy Commissioner.

OFFICIAL DIRECTORY.

STATEMENT OF THE HOURS DURING WHICH THE PUBLIC OFFICES IN THE CITY ARE OPEN FOR BUSINESS AND AT WHICH THE COURTS REGULARLY OPEN AND ADJOURN AS WELL AS THE PLACES WHERE SUCH OFFICES ARE KEPT AND SUCH COURTS ARE HELD, TOGETHER WITH THE HEADS OF DEPARTMENTS AND COURTS.

CITY OFFICES.

MAYOR'S OFFICE.

No. 5 City Hall, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Telephone, 820 Cortlandt. GEORGE B. McCLELLAN, Mayor. Frank M. O'Brien, Secretary. William A. Willis, Executive Secretary. James A. Rierdon, Chief Clerk and Bond and Warrant Clerk.

BUREAU OF WEIGHTS AND MEASURES.

Room 7, City Hall, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Telephone, 820 Cortlandt. Francis V. S. Oliver, Jr., Chief of Bureau. Principal Office, Room 1, City Hall. Branch Office, Room 12, Borough Hall, Brooklyn. Branch Office, Richmond Borough Hall, Room 23, New Brighton, S. I. Branch Office, Hackett Building, Long Island City, Borough of Queens.

AQUEDUCT COMMISSIONERS.

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

ARMORY BOARD.

Mayor George B. McClellan, the Comptroller, Herman A. Metz, the President of the Board of Aldermen, Patrick F. McGowan, Brigadier-General George Moore Smith, Brigadier-General John G. Eddy, Captain J. W. Miller, the President of the Department of Taxes and Assessments, Lawson Purdy. Harrie Davis, Secretary, Room 6, Basement, Hall of Records, Chambers and Centre streets. Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Telephone, 3900 Worth.

ART COMMISSION.

City Hall, Room 21. Telephone call, 1107 Cortlandt. Robert W. de Forest, Trustee. Metropolitan Museum of Art, President; Frank D. Millet, Painter, Vice-President; Howard Mansfield, Secretary; A. Augustus Healy, President of the Brooklyn Institute of Arts and Sciences; George B. McClellan, Mayor of the City of New York; John Bigelow, President of New York Public Library; John J. Boyle, Sculptor; Arnold W. Brunner, Architect; John B. Pine, Charles Howland Russell. John Quincy Adams, Assistant Secretary.

BELLEVUE AND ALLIED HOSPITALS.

Office, Bellevue Hospital, Twenty-sixth street and First avenue. Telephone, 4400 Madison Square. Board of Trustees—Dr. John W. Brannan, President; James K. Paulding, Secretary; Arden M. Robbins, Samuel Sachs, Leopold Stern, John J. Barry, John G. O'Keeffe, Robert W. Hebbard, ex-officio.

BOARD OF ALDERMEN.

No. 11 City Hall, 10 a. m. to 4 p. m.; Saturdays, 10 a. m. to 12 m. Telephone, 7560 Cortlandt. Patrick F. McGowan, President. P. J. Scully, City Clerk.

BOARD OF ASSESSORS.

Office, No. 320 Broadway, 9 a. m. to 4 p. m.; Saturdays, 12 m. Antonio Zucca. Paul Weimann. James H. Kennedy. William H. Jasper, Secretary. Telephone, 29, 30 and 31 Worth. William Plimley, Acting Chief Clerk. Telephone, 2946 Bryant.

BOARD OF ELECTIONS.

Headquarters General Office, No. 107 West Forty-first Street. Commissioners—John T. Dooling (President), Charles B. Page, (Secretary), Rudolph C. Fuller, James Kane. William Plimley, Acting Chief Clerk. Telephone, 2946 Bryant.

BOROUGH OFFICES.

Manhattan.

No. 112 West Forty-second street.

William C. Baxter, Chief Clerk.

The Bronx.

One Hundred and Thirty-eighth street and Mott avenue (Solingen Building).

Cornelius A. Bunner, Chief Clerk.

Brooklyn.

No. 42 Court street (Temple Bar Building).

George Russell, Chief Clerk.

Queens.

No. 46 Jackson avenue, Long Island City.

Carl Voegel, Chief Clerk.

Richmond.

Borough Hall, New Brighton, S. I.

Charles M. Schwalbe, Chief Clerk.

All offices open from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

BOARD OF ESTIMATE AND APPORTIONMENT.

The Mayor, Chairman; the Comptroller, President of the Board of Aldermen, President of the Borough of Manhattan, President of the Borough of Brooklyn, President of the Borough of The Bronx, President of the Borough of Queens, President of the Borough of Richmond.

OFFICE OF THE SECRETARY.

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

Joseph Haag, Secretary; William M. Lawrence, Assistant Secretary. Charles V. Ade, Clerk to Board.

OFFICE OF THE CHIEF ENGINEER.

Nelson P. Lewis, Chief Engineer, No. 277 Broadway, Room 1408. Telephone, 2281 Worth.

Arthur S. Tuttle, Engineer in charge Division of Public Improvements, No. 277 Broadway, Room 1408. Telephone, 2281 Worth.

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

BOARD OF EXAMINERS.

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

Telephone, 580 Gramercy.

Warren A. Conover, Charles Buek, Lewis Hardin, Charles G. Smith, Edward F. Croker, Henry R. Marshall and George A. Just, Chairman.

Edward V. Barton, Clerk.

Board meeting every Tuesday at 2 p. m.

BOARD OF PAROLE OF THE NEW YORK CITY REFORMATORY OF MISDEMEANANTS.

Office, No. 148 East Twentieth street. John V. Coggey, Commissioner of Correction, President.

Wm. E. Wyatt, Judge, Special Sessions, First Division.

Robert J. Wilkin, Judge, Special Sessions, Second Division.

James J. Walsh, City Magistrate, First Division.

Edward J. Dooley, City Magistrate, Second Division.

Samuel B. Hamburger, John C. Heintz, Dominick Di Dario, James F. Boyle.

Thomas R. Minnick, Secretary.

BOARD OF REVISION OF ASSESSMENTS.

Herman A. Metz, Comptroller.

Francis K. Pendleton, Corporation Counsel.

Lawson Purdy, President of the Department of Taxes and Assessments.

Henry J. Storrs, Chief Clerk, Finance Department, No. 280 Broadway.

Telephone, 1200 Worth.

BOARD OF WATER SUPPLY.

Office, No. 299 Broadway.

John A. Bensel, Charles N. Chadwick, Charles A. Shaw, Commissioners.

Thomas Hassett, Secretary.

J. Waldo Smith, Chief Engineer.

COMMISSIONERS OF ACCOUNTS.

Rooms 114 and 115 Stewart Building, No. 280 Broadway, 9 a. m. to 4 p. m.

Telephone, 4315 Worth.

John Purroy Mitchel, Ernest Y. Gallaher, Commissioners.

CHANGE OF GRADE DAMAGE COMMISSION.

TWENTY-THIRD AND TWENTY-FOURTH WARDS.

Office of the Commission, Room 138, No. 280 Broadway (Stewart Building), Borough of Manhattan, New York City.

Commissioners—William E. Stillings, George C. Norton, Lewis A. Abrams.

Lamont McLoughlin, Clerk.

Regular advertised meetings on Monday, Wednesday and Friday of each week at 2 o'clock p. m.

CITY CLERK AND CLERK OF THE BOARD OF ALDERMEN.

City Hall, Rooms 11, 12; 10 a. m. to 4 p. m.; Saturdays, 10 a. m. to 12 m.

Telephone, 7560 Cortlandt.

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

Joseph F. Prendergast, First Deputy City Clerk.

John T. Oakley, Chief Clerk of the Board of Aldermen.

Joseph V. Sculley, Clerk, Borough of Brooklyn.

Thomas J. McCabe, Deputy City Clerk, Borough of The Bronx.

William R. Zimmerman, Deputy City Clerk, Borough of Queens.

Joseph F. O'Grady, Deputy City Clerk, Borough of Richmond.

CITY RECORD OFFICE.

BUREAU OF PRINTING, STATIONERY AND BLANK BOOKS.

Supervisor's Office, Park Row Building, No. 21 Park Row. Entrance, Room 807, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Telephone, 1505 and 1506 Cortlandt.

Room, No. 2, City Hall.

Patrick J. Tracy, Supervisor; Henry McMillen, Deputy Supervisor; C. McKemie, Secretary.

COMMISSIONER OF LICENSES.

Office, No. 277 Broadway.

John N. Bogart, Commissioner.

James P. Archibald, Deputy Commissioner.

John J. Caldwell, Secretary.

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

Telephone, 2828 Worth.

COMMISSIONERS OF SINKING FUND.

George B. McClellan, Mayor, Chairman; Herman A. Metz, Comptroller; James J. Martin, Chamberlain; Patrick F. McGowan, President of the Board of Aldermen, and Timothy P. Sullivan, Chairman Finance Committee, Board of Aldermen, Members. N. Taylor Phillips, Deputy Comptroller, Secretary; Office of Secretary, Room 12, Stewart Building. Telephone, 1200 Worth.

DEPARTMENT OF BRIDGES.

Nos. 13-21 Park Row. James W. Stevenson, Commissioner. John H. Little, Deputy Commissioner. Edgar E. Schiff, Secretary. Office hours, 9 a. m. to 4 p. m. Saturdays, 9 a. m. to 12 m. Telephone, 6080 Cortlandt.

DEPARTMENT OF CORRECTION.

CENTRAL OFFICE. No. 148 East Twentieth street. Office hours from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Telephone, 1047 Gramercy. John V. Coggey, Commissioner. George W. Meyer, Deputy Commissioner. John B. Fitzgerald, Secretary.

DEPARTMENT OF DOCKS AND FERRIES.

Pier "A," N. R., Battery place. Telephone, 300 Rector. Allen N. Spooner, Commissioner. Denis A. Judge, Deputy Commissioner. Joseph W. Savage, Secretary. Office hours, 9 a. m. to 4 p. m.; Saturdays, 12 m.

DEPARTMENT OF EDUCATION.

BOARD OF EDUCATION. Park avenue and Fifty-ninth street, Borough of Manhattan, 9 a. m. to 5 p. m. (in the month of August, 9 a. m. to 4 p. m.); Saturdays, 9 a. m. to 12 m. Telephone, 5580 Plaza. Richard B. Aldcroft, Jr.; Nicholas J. Barrett, Charles E. Bruce, M. D.; Joseph E. Cosgrove, Frederic R. Couder, Francis W. Crowninshield, Francis P. Cunningham, Thomas M. De Laney, Horace E. Dresser, Alexander Ferris, Joseph Nicola Francolini, George Freifeld, George J. Gillespie, John Greene, Lewis Haase, Robert L. Harrison, Louis Haupt, M. D.; Thomas J. Higgins, Arthur Hollick, Charles H. Ingalls, Nathan S. Jonas, Hugo Kanzler, Max Katzenberg, John C. Kelley, Alrich H. Man, Clement March, Mitchell May, Dennis J. McDonald, M. D.; Thomas J. O'Donohue, Frank H. Partridge, George W. Schaeidle, Henry H. Sherman, Arthur S. Somers, Abraham Stern, M. Samuel Stern, Cornelius J. Sullivan, James E. Sullivan, Michael J. Sullivan, Bernard Suydam, Rupert B. Thomas, John R. Thompson, George A. Vandenhoff, Frank D. Wilsey, George W. Wingate, Egerton L. Winthrop, Jr., members of the Board. (One vacancy.)

Egerton L. Winthrop, Jr., President. John Greene, Vice-President. A. Emerson Palmer, Secretary. Fred H. Johnson, Assistant Secretary. C. B. J. Snyder, Superintendent of School Buildings. Patrick Jones, Superintendent of School Supplies. Henry R. M. Cook, Auditor. Thomas A. Dillon, Chief Clerk. Henry M. Leipziger, Supervisor of Lectures. Claude G. Leland, Superintendent of Libraries. A. J. Maguire, Supervisor of Janitors.

BOARD OF SUPERINTENDENTS.

William H. Maxwell, City Superintendent of Schools, and Andrew W. Edson, John H. Haaren, Clarence E. Melneay, Thomas S. O'Brien, Edward B. Shallow, Edward L. Stevens, Gustave Straubemiller, John H. Walsh, Associate City Superintendent. DISTRICT SUPERINTENDENTS. Darwin L. Bardwell, William A. Campbell, John J. Chickering, John W. Davis, John Dwyer, James M. Edsall, Matthew J. Elgas, Edward D. Farrell, Cornelius D. Franklin, John Griffin, M. D.; John L. N. Hunt, Henry W. Jameson, James Lee, Charles W. Lyon, James J. McCabe, William J. O'Shea, Julia Richman, Alfred T. Schaufler, Albert Shiels, Edgar Dubs Shimer, Seth T. Stewart, Edward W. Stitt, Grace C. Strachan, Joseph S. Taylor, Joseph H. Wade, Evangeline E. Whitney.

BOARD OF EXAMINERS.

William H. Maxwell, City Superintendent of Schools, and James C. Byrnes, Walter L. Hervey, Jerome A. O'Connell, George J. Smith, Examiners. DEPARTMENT OF FINANCE.

Stewart Building, Chambers street and Broadway, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Telephone, 1200 Worth. Herman A. Metz, Comptroller. John H. McCooey and N. Taylor Phillips, Deputy Comptrollers. Hubert L. Smith, Assistant Deputy Comptroller. Paul Loeser, Secretary to Comptroller.

MAIN DIVISION.

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

BOOKKEEPING AND AWARDS DIVISION.

Frank W. Smith, Chief Accountant and Bookkeeper, Room 8.

STOCK AND BOND DIVISION.

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

BUREAU OF AUDIT—MAIN DIVISION.

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

LAW AND ADJUSTMENT DIVISION.

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

BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS.

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

CHARITABLE INSTITUTIONS DIVISION.

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

OFFICE OF THE CITY PAYMASTER.

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

John H. Timmerman, City Paymaster.

ENGINEERING DIVISION.

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

DIVISION OF REAL ESTATE.

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

BUREAU FOR THE COLLECTION OF TAXES.

Borough of Manhattan—Stewart Building, Room O.

David E. Austen, Receiver of Taxes.

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

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

John B. Underhill and Stephen A. Nugent, Deputy Receivers of Taxes. Borough of Brooklyn—Municipal Building, Rooms 2-8.

James B. Bouck 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. Guilfoy, M. D., Registrar of Records.

Borough of Manhattan.

Alonzo Blauvelt, M. D., Acting 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.

MUNICIPAL CIVIL SERVICE COMMISSION.

No. 299 Broadway, 9 a. m. to 4 p. m.
Frank L. Polk, T. Ross Appleton, Arthur J. O'Keeffe.
Frank A. Spencer, Secretary
John F. Skelly, Assistant Secretary.
Labor Bureau.
Nos. 54-60 Lafayette street.
Telephone, 2140 Worth.

MUNICIPAL EXPLOSIVES COMMISSION.

Nos. 157 and 159 East Sixty-seventh street, Headquarters Fire Department.
Patrick A. Whitney, Deputy Fire Commissioner and Chairman; William Montgomery, John Sherry, C. Andrade, Jr., Abram A. Breneman.
Telephone, 64 Plaza.
Franz S. Wolf, Secretary, Nos. 365-367 Jay street, Brooklyn.
Stated meeting, Friday of each week, at 3 p. m.
Telephone, 3520 Main.

POLICE DEPARTMENT.

CENTRAL OFFICE.
No. 300 Mulberry street, 9 a. m. to 4 p. m.
Telephone, 3100 Spring.
Theodore A. Bingham, Commissioner.
William F. Baker, First Deputy Commissioner.
Frederick H. Bugher, Second Deputy Commissioner.
Bert Hanson, Third Deputy Commissioner.
Arthur Woods, Fourth Deputy Commissioner.
Daniel G. Slattery, Secretary to Commissioner.
William H. Kipp, Chief Clerk.

PUBLIC SERVICE COMMISSION.

The Public Service Commission for the First District, Tribune Building, No. 154 Nassau street, Manhattan.
Office hours, 8 a. m. to 11 p. m., every day in the year, including holidays and Sundays
Stated public meetings of the Commission, Tuesdays and Fridays at 11:30 a. m. in the Public Hearing Room of the Commission, third floor of the Tribune Building, unless otherwise ordered.
Commissioners—William R. Willcox, Chairman; William McCarroll, Edward M. Bassett, Milo R. Maltbie, John E. Eustis, Counsel, George S. Coleman, Secretary, Travis H. Whitney.
Telephone, 4150 Beekman.

TENEMENT HOUSE DEPARTMENT.

Manhattan Office, No. 44 East Twenty-third street.
Telephone, 5331 Gramercy.
Edmond J. Butler, Commissioner.
Wm. H. Abbott, Jr., First Deputy Commissioner.
Brooklyn Office (Boroughs of Brooklyn, Queens and Richmond), Temple Bar Building, No. 44 Court street.
Telephone, 3825 Main.
John McKeown, Second Deputy Commissioner.
Bronx Office, Nos. 2804, 2806 and 2808 Third Avenue.
Telephone, 967 Melrose.
William B. Calvert, Superintendent.

BOROUGH OFFICES.

BOROUGH OF THE BRONX.
Office of the President, corner Third avenue and One Hundred and Seventy-seventh street; 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.
Louis F. Haiffen, President.
Henry A. Gumbleton, Secretary.
John F. Murray, Commissioner of Public Works.
John A. Hawkins, Assistant Commissioner of Public Works.
Josiah A. Briggs, Chief Engineer.
Frederick Greiffenberg, Principal Assistant Topographical Engineer.
Charles H. Graham, Engineer of Sewers.
Thomas H. O'Neil, Superintendent of Sewers.
Samuel C. Thompson, Engineer of Highways.
Patrick J. Reville, Superintendent of Buildings.
John A. Mason, Assistant Superintendent of Buildings.
Peter J. Stumpf, Superintendent of Highways.
Albert H. Liebman, Superintendent of Public Buildings and Offices.
Telephone, 66 Tremont.

BOROUGH OF BROOKLYN.

President's Office, Nos. 15 and 16 Borough Hall, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.
Bird S. Coler, President.
Charles Frederick Adams, Secretary.
John A. Heffernan, Private Secretary.
Thomas R. Farrell, Commissioner of Public Works.
James M. Power, Secretary to Commissioner.
David F. Moore, Superintendent of Buildings.
James Dunne, Superintendent of the Bureau of Sewers.
Joseph M. Lawrence, Superintendent of the Bureau of Public Buildings and Offices.
Patrick F. Lynch, Superintendent of Highways.

BOROUGH OF MANHATTAN.

Office of the President, Nos. 14, 15 and 16 City Hall, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.
John F. Ahearn, President.
Bernard Downing, Secretary.
John Cloughen, Commissioner of Public Works.
James J. Hagan, Assistant Commissioner of Public Works.
Edward S. Murphy, Superintendent of Buildings.
Frank J. Goodwin, Superintendent of Sewers.
John R. Voorhis, Superintendent of Buildings and Offices. Telephone, 6725 Cortlandt.

BOROUGH OF QUEENS.

President's Office, Borough Hall, Jackson avenue and Fifth street, Long Island City; 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.
Lawrence Gresser, President.
John M. Cragan, Secretary.
Alfred Denton, Commissioner of Public Works.
Harry Sutphin, Assistant Commissioner of Public Works.
James P. Hicks, Superintendent of Highways.
Carl Berger, Superintendent of Buildings.
Cornelius Burke, Superintendent of Sewers.
James E. Clonin, Superintendent of Street Cleaning.
Edward F. Kelly, Superintendent of Public Buildings and Offices.
Telephone, 1900 Greenpoint.

BOROUGH OF RICHMOND.

President's Office, New Brighton, Staten Island.
George Cromwell, President.
Maybury Fleming, Secretary.
Louis Lincoln Tribus, Consulting Engineer and Acting Commissioner of Public Works.

John Seaton, Superintendent of Buildings.
H. E. Buel, Superintendent of Highways.
John T. Fetherston, Superintendent of Street Cleaning.

Ernest H. Seehusen, Superintendent of Sewers.
John Timlin, Jr., Superintendent of Public Buildings and Offices.
Offices—Borough Hall, New Brighton, N. Y., 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.
Telephone, 1000 Tompkinsville.

CORONERS.

Borough of The Bronx—Corner of Third avenue and Tremont avenue. Telephone, 1250 Tremont and 1402 Tremont.

Robert F. McDonald, A. F. Schwanecke.
William T. Austin, Chief Clerk.
Borough of Brooklyn—Office, Rooms 1 and 3 Municipal Building. Telephone, 4004 Main and 4005 Main.

Henry J. Brewer, M. D., John F. Kennedy.
Joseph McGuinness, Chief Clerk.
Open all hours of the day and night.

Borough of Manhattan—Office, Criminal Courts Building, Centre and White streets. Open at all times of the day and night.

Coroners: Julius Harburger, Peter P. Acrivelli, George F. Shady, Jr., Peter Dooley.

Julius Harburger, President Board of Coroners.
Jacob E. Bausch, Chief Clerk.
Telephones, 1094, 5057, 5058 Franklin.

Borough of Queens—Office, Borough Hall, Fulton street, Jamaica, L. I.
Samuel D. Nutt, Alfred S. Ambler.
Martin Mager, Jr., Chief Clerk.

Office hours, from 9 a. m. to 10 p. m.

Borough of Richmond—No. 44 Second street, New Brighton. Open for the transaction of business all hours of the day and night.

Matthew J. Cahill.
Telephone, 7 Tompkinsville.

COUNTY OFFICES.**NEW YORK COUNTY.**

COMMISSIONER OF JURORS.
Room 127, Stewart Building, Chambers street and Broadway, 9 a. m. to 4 p. m.

Thomas Allison, Commissioner.
Matthew F. Neville, Assistant Commissioner.
Frederick P. Simpson, Assistant Commissioner.
Frederick O'Byrne, Secretary.
Telephone, 241 Worth.

COMMISSIONER OF RECORDS.

Office, Hall of Records.
William S. Andrews, Commissioner.
James O. Farrell, Superintendent.
James J. Fleming, Jr., Secretary.
Telephone, 3900 Worth.

COUNTY CLERK.

Nos. 5, 8, 9, 10 and 11 New County Court-house.
Office hours from 9 a. m. to 4 p. m.
Peter J. Dooling, County Clerk.
John F. Curry, Deputy.
Joseph J. Glennen, Secretary.
Telephone, 870 Cortlandt.

DISTRICT ATTORNEY.

Building for Criminal Courts, Franklin and Centre streets.
Office hours from 9 a. m. to 5 p. m.; Saturdays, 9 a. m. to 12 m.
Wm. Travers Jerome, District Attorney.
John A. Henneberry, Chief Clerk.
Telephone, 2304 Franklin.

PUBLIC ADMINISTRATOR.

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

REGISTER.

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

Frank Gass, Register.

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

SHERIFF.

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

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. Cohalan, Surrogates; William V. Leary, Chief Clerk.

KINGS COUNTY.**COMMISSIONER OF JURORS.**

County Court-house.
Jacob Brenner, Commissioner.

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

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

Telephone, 1454 Main.

COMMISSIONER OF RECORDS.

Hall of Records.
Office hours, 9 a. m. to 4 p. m., excepting months of July and August, then 9 a. m. to 2 p. m.; Saturday, 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, 2955-67—Main.

PUBLIC ADMINISTRATOR.

No. 44 Court street (Temple Bar), Brooklyn, 9 a. m. to 5 p. m.
Charles E. Teale, Public Administrator.
Telephone, 2840 Main.

REGISTER.

Hall of Records. Office hours, 9 a. m. to 4 p. m., excepting months of July and August; then from 9 a. m. to 2 p. m., provided for by statute.

William A. Prendergast, Register.
Frederick H. E. Ebstein, 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, 266 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.

O'Keefe, James J. McInerney, Joseph L. Kerrigan, Clerk; John J. Dorman, Deputy Clerk. Clerk's Office, No. 171 Atlantic avenue, Borough of Brooklyn, open from 9 a. m. to 4 p. m.

CHILDREN'S COURT.

First Division—No. 66 Third avenue, Manhattan. Ernest K. Coulter, Clerk. Telephone, 5353 Stuyvesant. Second Division—No. 102 Court street, Brooklyn. William F. Delaney, Clerk. Telephone, 627 Main.

CITY MAGISTRATES' COURT.

First Division.

Court opens from 9 a. m. to 4 p. m. City Magistrates—Robert C. Cornell, Leroy B. Crane, Peter T. Barlow, Matthew P. Breen, Joseph F. Moss, James J. Walsh, Henry Steinert, Daniel E. Finn, Frederick B. House, Charles N. Harris, Frederick Kernoan, Arthur C. Butts, Otto H. Droege, Joseph E. Corrigan, Moses Herman, Paul Krotel. Philip Bloch, Secretary, One Hundred and Twenty-first street and Sylvan place. First District—Criminal Court Building. Second District—Jefferson Market. Third District—No. 69 Essex street. Fourth District—No. 151 East Fifty-seventh street. Fifth District—One Hundred and Twenty-first street, southeastern corner of Sylvan place. Sixth District—One Hundred and Sixty-first street and Brook avenue. Seventh District—No. 314 West Fifty-fourth street. Eighth District—Main street, Westchester.

Second Division.

Borough of Brooklyn.

City Magistrates—Edward J. Dooley, James G. Tighe, John Naumer, E. G. Higginbotham, Frank E. O'Reilly, Henry J. Furlong, Alfred E. Steers, A. V. B. Voorhees, Jr., Alexander H. Geisman, John F. Hyland. President of the Board, Edward J. Dooley, No. 318 Adams street.

Secretary to the Board, Charles J. Flanigan, Myrtle and Vanderbilt avenues, and No. 648 Halsey street.

Courts.

First District—No. 318 Adams street. Second District—Court and Butler streets. Third District—Myrtle and Vanderbilt avenues. Fourth District—No. 186 Bedford avenue. Fifth District—No. 249 Manhattan avenue. Sixth District—No. 495 Gates avenue. Seventh District—No. 31 Snider avenue (Flatbush). Eighth District—West Eighth street (Coney Island). Ninth District—Fifth avenue and Twenty-third street. Tenth District—No. 133 New Jersey avenue.

Borough of Queens.

City Magistrates—Matthew J. Smith, Joseph Fitch, Maurice E. Connolly, Eugene C. Gilroy.

Courts.

First District—St. Mary's Lyceum, Long Island City. Second District—Town Hall, Flushing, L. I. Third District—Central avenue, Far Rockaway, L. I.

Borough of Richmond.

City Magistrates—Joseph B. Handy, Nathaniel Marsh.

Courts.

First District—Lafayette place, New Brighton, Staten Island. Second District—Village Hall, Stapleton, Staten Island.

MUNICIPAL COURTS.

Borough of Manhattan.

First District—The First District embraces the territory bounded on the south and west by the southerly and westerly boundaries of the said borough, on the north by the centre line of Fourteenth street and the centre line of Fifth street from the Bowery to Second avenue, on the east by the centre lines of Fourth avenue from Fourteenth street to Fifth street, Second avenue, Chrystie street, Division street and Catharine street. Wauhope Lynn, William F. Moore, John Hoyer, Justices. Thomas O'Connell, Clerk; Francis Mangin, Deputy Clerk.

Location of Court—Merchants' Association Building, Nos. 54-60 Lafayette street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Additional Parts are held at southwest corner of Sixth avenue and Tenth street and at No. 128 Prince street.

Telephone, 6030 Franklin.

Second District—The Second District embraces the territory bounded on the south by the centre line of Fifth street from the Bowery to Second avenue and on the south and east by the southerly and easterly boundaries of the said borough, on the north by the centre line of East Fourteenth street, on the west by the centre lines of Fourth avenue from Fourteenth street to Fifth street, Second avenue, Chrystie street, Division street and Catharine street.

George F. Roesch, Benjamin Hoffman, Leon Sanders, Thomas P. Dinnean, Justices. James J. Devlin, Clerk; Michael H. Looney, Deputy Clerk.

Location of Court—Nos. 264 and 266 Madison street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Telephone, 2596 Orchard.

Third District—The Third District embraces the territory bounded on the south by the centre line of Fourteenth street, on the east by the centre line of Seventh avenue from Fourteenth street to Fifty-ninth street and by the centre line of Central Park West from Fifty-ninth street to Sixty-fifth street and the centre line of Fifty-ninth street from Seventh to Eighth avenue, on the west by the westerly boundary of the said borough.

Thomas E. Murray, James W. McLaughlin, Justices. Michael Skelly, Clerk; Henry Merzbach, Deputy Clerk.

Location of Court—No. 314 West Fifty-fourth street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Telephone number, 5450 Columbus.

Fourth District—The Fourth District embraces the territory bounded on the south by the centre line of East Fourteenth street, on the west by the centre line of Lexington avenue and by the centre line of Irving place, including its projection through Gramercy Park, on the north by the centre line of Fifty-ninth street, on the east by the easterly line of said borough; excluding, however, any portion of Blackwell's Island.

Michael F. Blake, William J. Boyhan, Justices. Abram Bernard, Clerk; James Foley, Deputy Clerk.

Location of Court—Part I., No. 407 Second avenue, northwest corner of Second avenue and Twenty-third street. Part II., No. 151 East Fifty-seventh street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Telephone, 4570 Gramercy.

Fifth District—The Fifth District embraces the territory bounded on the south by the centre line of Sixty-fifth street, on the east by the centre line of Central Park West, on the north by the centre line of One Hundred and Tenth street, on the west by the westerly boundary of said borough.

Alfred P. W. Seaman, William Young, Frederick Spiegelberg, Justices.

James V. Gilloon, Clerk; John H. Servis, Deputy Clerk.

Location of Court—Broadway and Ninety-sixth street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Telephone, 4006 Riverside.

Sixth District—The Sixth District embraces the territory bounded on the south by the centre line of Fifty-ninth street and by the centre line of Ninety-sixth street from Lexington avenue to Fifth avenue, on the west by the centre line of Lexington avenue from Fifty-ninth street to Ninety-sixth street and the centre line of Fifth avenue from Ninety-sixth street to One Hundred and Tenth street, on the north by the centre line of One Hundred and Tenth street, on the east by the easterly boundary of said borough, including, however, all of Blackwell's Island and excluding any portion of Ward's Island.

Herman Joseph, Jacob Marks, Justices.

Edward A. McQuade, Clerk; Thomas M. Campbell, Deputy Clerk; John J. Dietz, Frederick J. Stroh, Assistant Clerks.

Location of Court—Northwest corner of Third avenue and Eighty-third street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Telephone, 4434 79-St.

Seventh District—The Seventh District embraces the territory bounded on the south by the centre line of One Hundred and Tenth street, on the east by the centre line of Fifth avenue to the northerly terminus thereof, and north of the northerly terminus of Fifth avenue, following in a northerly direction the course of the Harlem river, on a line conterminous with the easterly boundary of said borough, on the north and west by the northerly and westerly boundaries of said borough.

Phillip J. Sinnott, David L. Weil, John R. Davies, Justices.

Heman B. Wilson, Clerk; Robert Andrews, Deputy Clerk.

Location of Court—No. 70 Manhattan street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Eighth District—The Eighth District embraces the territory bounded on the south by the centre line of One Hundred and Tenth street, on the west by the centre line of Fifth avenue, on the north and east by the northerly and easterly boundaries of said borough, including Randall's Island and the whole of Ward's Island.

Joseph P. Fallon, Leopold Prince, Justices.

William J. Kennedy, Clerk; Patrick J. Ryan, Deputy Clerk.

Location of Court—Sylvan place and One Hundred and Twenty-first street, near Third avenue. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Telephone, 3595 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 Seventeenth 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. Terrey, Justice. Thomas A. Maher, Clerk. Telephone, 3043 Melrose.

Borough of Brooklyn.

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

John J. Walsh, Justice. Edward Moran, Clerk. Clerk's Office open from 9 a. m. to 4 p. m.

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

Court-room, No. 495 Gates avenue.

Gerard B. Van Wart and Charles J. Dodd, Justices. Franklin B. Van Wart, Clerk. Clerk's Office open from 9 a. m. to 4 p. m.

Third District—Embraces the Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth and Nineteenth Wards, and that portion of the Twenty-seventh Ward lying northwest of the

centre line of Starr street between the boundary line of Queens County and the centre line of Central avenue, and northwest of the centre line of Suydam street between the centre lines of Central and Bushwick avenues, and northwest of the centre line of Willoughby avenue between the centre lines of Bushwick avenue and Broadway. Court-house, Nos. 6 and 8 Lee avenue, Brooklyn.

Philip D. Meagher and William J. 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 and Broadway.

Court-room, No. 14 Howard avenue. Thomas H. Williams, Justice. G. J. Wiederhold, Clerk. Milton I. Williams, Assistant Clerk. Clerk's Office open from 9 a. m. to 4 p. m.

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

Cornelius Furgueson, Justice. Jeremiah J. O'Leary, Clerk. Clerk's Office open from 9 a. m. to 4 p. m. Telephone, 407 Bay Ridge.

Sixth District—The Sixth District embraces the Ninth and Twenty-ninth Wards and that portion of the Twenty-second Ward north of the centre line of Prospect avenue; also that portion of the Eleventh and 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, Queens County, 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.

OFFICIAL PAPERS.

Morning—"The Sun," "The New York Times."

Evening—"The Globe," "The Evening Mail."

Weekly—"Democracy," "Tammany Times."

German—"Staats-Zeitung."

Designated by the Board of City Record, January 22, 1906. Amended March 1, 1906, November 20, 1906; February 20, 1907, and March 5, 1908.

DEPARTMENT OF STREET CLEANING.

avenues; east side of Fourth avenue, between Third and Fifth streets; north side of Sixth street, between Fourth and Fifth avenues; east side of Fourth avenue, between Fifth and Sixth streets; southeast side of Stockholm street, between Irving and Wyckoff avenues; southeast side of Eldert street, between Bushwick and Evergreen avenues; southeast side of Eastern parkway, between Sterling and Park places; south side of Belmont avenue, between Barby and Jerome streets; northwest side of Hinrod street, between Central and Hamburg avenues; north side of Sackett street, between Third and Fourth avenues; north side of Kosciusko street, between Reid avenue and Broadway.

List 137, No. 6. Paving Eleventh avenue, from Fifteenth street to Eighteenth street.

List 201, No. 7. Laying cement sidewalks on the southwest side of Guernsey street, between Norman and Nassau avenues; east side of Manhattan avenue, from Driggs avenue to Leonard street; west side of Leonard street, from Driggs avenue to Manhattan avenue; both sides of Kingsland avenue, between Greenpoint avenue and Norman avenue.

The limits within which it is proposed to lay the said assessments include all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

No. 1. Both sides of East Thirty-first street, from Avenue F to Glenwood road, and to the extent of half the block at the intersecting streets.

No. 2. Both sides of Eighty-sixth street, between Fifth and Thirteenth avenues, and to the extent of half the block at the intersecting streets.

No. 3. Both sides of Warehouse avenue, from Surf avenue to Canal avenue; south side of Canal avenue, from Twenty-third street to a point about 119 feet east of Warehouse avenue; both sides of Neptune avenue, from Twenty-fourth street to a point about 119 feet east of Twenty-first street; both sides of Twenty-first street, from Neptune avenue extending about 375 feet southerly from said avenue; both sides of Twenty-third street, from Mermaid avenue to Canal avenue; north side of Mermaid avenue, from Twenty-third street to a point about 119 feet east of Warehouse avenue; south side of Mermaid avenue, extending easterly and westerly from Warehouse avenue about 119 feet.

No. 4. Lot No. 52, Block 1527, on the north side of McDougal street, between Hopkinson and Rockaway avenues; Lot No. 6, Block 1695, south side of Marion street, between Reid and Patchen avenues; northeast corner of Columbus place and Atlantic avenue, and Lots Nos. 36 and 35 of Block 1714 adjoining on Atlantic avenue; southwest side of East Ninth street, between Avenue C and Cortelyou road, Lots Nos. 12 and 19 of Block 5377; south side of Chauncey street and north side of Marion street, between Reid and Patchen avenues; Lots Nos. 1, 12 and 68 of Block 1692, south side of Sterling place, between Rogers and Nostrand avenues, Lots Nos. 10, 15 and 25 of Block 1247; north side of Chauncey street, between Patchen and Ralph avenues, Lot No. 64, Block 1688.

No. 5. North side of Seventeenth street, 120 feet west of Tenth avenue, Lot No. 46, Block 871; north side of Third street, 95 feet west of Fifth avenue, Lot No. 46, Block 974; blocks bounded by Third street, Fifth street, Fourth avenue and Fifth avenue; southeast side of Fourth avenue, from Sixth to Fifth street, and Lots Nos. 13 and 14 adjoining on Fifth street; Lot No. 18 of Block 3259 on the southeast side of Stockholm street, between Irving and Wyckoff avenues; Lots Nos. 29 and 30 on the southeast side of Eldert street, between Bushwick and Evergreen avenues; south side of Eastern parkway, between Sterling place and Park place; southeast corner of Barby street and Belmont avenue, and Lot No. 11 adjoining on Belmont avenue; northwest side of Hinrod street, 110 feet west of Hamburg avenue; Lots Nos. 52 and 53 of Block 427 on the north side of Sackett street, between Third and Fourth avenues; Lots Nos. 46 and 45 of Block 1604 on the north side of Kosciusko street, between Reid avenue and Broadway.

No. 6. Both sides of Eleventh avenue, from Fifteenth street to Eighteenth street, and to the extent of half the block at the intersecting streets.

No. 7. Southwest side of Guernsey street, between Norman and Nassau avenues; triangle bounded by Driggs avenue, Manhattan avenue and Leonard street; both sides of Kingsland avenue, from Greenpoint avenue to Norman avenue.

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 12, 1908, at 11 a. m., at which time and place the said objections will be heard and testimony received in reference thereto.

ANTONIO ZUCCA,
PAUL WEIMANN,
JAMES H. KENNEDY,
Board of Assessors

WILLIAM H. JASPER, Secretary.
No. 320 Broadway.
City of New York, Borough of Manhattan.
December 10, 1908.

d10,21

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 282, No. 1. Sewer in East One Hundred and Eighty-first street, between Valentine and Ryer avenues.

List 304, No. 2. Paving with asphalt blocks College avenue, from East One Hundred and Sixty-third street to East One Hundred and Sixty-fourth street.

List 345, No. 3. Paving with granite block pavement and curbing St. Ann's avenue, between East One Hundred and Thirty-second street and Southern boulevard.

List 353, No. 4. Sewer in Waterloo place, between East One Hundred and Seventy-sixth and East One Hundred and Seventy-fifth streets.

The limits within which it is proposed to lay the said assessments include all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

No. 1. Both sides of One Hundred and Eighty-first street, from Ryer avenue to Valentine avenue.

No. 2. Both sides of College avenue, from One Hundred and Sixty-third street to One Hundred and Sixty-fourth street, and to the extent of half the block at the intersecting streets.

No. 3. Both sides of St. Ann's avenue, from One Hundred and Thirty-second street to the Southern boulevard, and to the extent of half the block at the intersecting streets.

No. 4. East side of Mohican avenue; both sides of Waterloo place, from One Hundred and Seventy-fifth to One Hundred and Seventy-sixth 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 5, 1909, at 11 a. m., at which time and place the said objections will be heard and testimony received in reference thereto.

ANTONIO ZUCCA,
PAUL WEIMANN,
JAMES H. KENNEDY,
Board of Assessors.

WILLIAM H. JASPER, Secretary.
No. 320 Broadway, City of New York, Borough of Manhattan, December 3, 1908.

d3,14

BOARD OF CITY RECORD.

PROPOSALS FOR BIDS OR ESTIMATES.

SEALED BIDS OR ESTIMATES WILL BE received at the office of the Supervisor of the City Record, Room 807, Park Row Building, Nos. 13 to 21 Park row, in The City of New York, until 11 o'clock a. m., on

THURSDAY, DECEMBER 17, 1908.

FOR SUPPLYING PRINTED, LITHOGRAPHED OR BLANK BOOKS, DOCKETS, LIBERS, BINDING COVERS, BINDING, ETC., FOR THE USE OF THE COURTS AND THE DEPARTMENTS AND BUREAUS OF THE GOVERNMENT OF THE CITY OF NEW YORK DURING THE YEAR 1909.

The time of delivery of the materials and supplies and the performance of the contract shall not be later than June 30, 1909. The Supervisor, however, may require delivery at an earlier date of any item or items on this contract by notice to the contractor, whereupon the item or items called for must be delivered not later than thirty days after said notice.

The amount of security required will be twenty-five per cent. of the amount of the bid.

The person or persons making an estimate shall furnish the same, in a sealed envelope indorsed with the title given above, of the work for which the estimate is made, with his or their name or names, and the date of presentation to the Supervisor of the City Record, at the said office, on or before the date and hour above named, at which time and in the office of the Mayor the estimates received will be publicly opened by the Board of City Record and read, and the award of the contract made according to law as soon thereafter as practicable.

The bidder must state the item price for each item and the total price of each Department, Bureau or Court schedule. The bids will be tested and the award made by the schedule.

Bidders will write out the total amount of their estimates in addition to inserting the same in figures.

The said Board reserves the right to reject all bids or estimates if it deems it to be for the interest of the City so to do.

Delivery will be required to be made at the office of the City Record from time to time and in such quantities as may be directed by the Supervisor of the City Record.

For particulars as to the quantity and quality of the supplies or the nature and extent of the work reference must be made to the specifications, to be had at the office of the Supervisor and on file in the office of the Comptroller.

GEORGE B. McCLELLAN, Mayor;
FRANCIS KEY PENDLETON, Corporation Counsel;

HERMAN A. METZ, Comptroller;
Board of City Record.

The City of New York, December 7, 1908.

d7,17

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

PROPOSALS FOR BIDS OR ESTIMATES.

SEALED BIDS OR ESTIMATES WILL BE received at the office of the Supervisor of the City Record, Room 807, Park Row Building, Nos. 13 to 21 Park row, in The City of New York, until 11 o'clock a. m., on

THURSDAY, DECEMBER 10, 1908.

FOR SUPPLYING PRINTED, LITHOGRAPHED OR STAMPED FORMS, PAMPHLETS, PRINTED BLANKS AND STATIONERY, INCLUDING LETTER AND WRITING PAPER AND ENVELOPES, WITH PRINTED HEADINGS OR INDORSEMENTS, ETC., FOR THE USE OF THE COURTS AND THE DEPARTMENTS AND BUREAUS OF THE GOVERNMENT OF THE CITY OF NEW YORK DURING THE YEAR 1909.

The time of delivery shall not be later than June 30, 1909.

The amount of security shall be twenty-five per cent. of the amount of the bid.

The bidder must state the price for each item and the total price of each schedule. The bids will be tested and the award will be made to the bidder whose bid is the lowest for each schedule.

Bidders will write out the total amount of their estimates in addition to inserting the same in figures.

Delivery will be required to be made at the office of the City Record from time to time and in such quantities as may be directed by the Supervisor of the City Record.

Bidders are requested to make their bids or estimates upon the blank form prepared by the Board of City Record, a copy of which, with the proper envelope in which to inclose the bid, together with a copy of the contract, including the specifications, in the form approved by the Corporation Counsel, can be obtained upon application therefor at the office of the Department, Room 1526, No. 21 Park row, New York City. The plans, if any, which are made a part of the specifications, may be seen and any further information obtained at the office of the Department for the Borough of Brooklyn, Room 25, Municipal Building.

JOHN H. O'BRIEN, Commissioner of Water Supply, Gas and Electricity.

d2,16

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

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, ROOM 1536, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Water Supply, Gas and Electricity at the above office until 2 o'clock p. m. on

MONDAY, DECEMBER 21, 1908.

FOR FURNISHING, DELIVERING AND LAYING WATER MAINS IN SIXTEENTH, SEVENTEENTH, EIGHTEENTH, NINETEENTH AND TWENTIETH STREETS, AND IN IRVING PLACE, BOROUGH OF MANHATTAN.

The time allowed for doing and completing the work will be one hundred and forty (140) working days.

The security required will be Forty Thousand Dollars (\$40,000).

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 the contract awarded for all the work, articles, materials and supplies contained in the specifications or schedule attached thereto.

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, can be obtained upon application therefor at the office of the Department, Room 922, No. 21 Park row, New York City, where the plans, if any, which are made a part of the specifications, may be seen and any further information may be obtained.

JOHN H. O'BRIEN, Commissioner of Water Supply, Gas and Electricity.

The City of New York, December 9, 1908.

d10,21

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

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, ROOM 1536, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Water Supply, Gas and Electricity at the above office until 2 o'clock p. m. on

MONDAY, DECEMBER 17, 1908.

Borough of Manhattan.

FOR FURNISHING AND DELIVERING CAST-IRON WATER PIPE, BRANCH PIPE AND SPECIAL CASTINGS FOR HIGH PRESSURE FIRE SERVICE.

The time allowed for the delivery of the articles, materials and supplies and the performance of the contract will be thirty (30) calendar days.

The amount of security required will be Eight Thousand Dollars (\$8,000).

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 the contract awarded for all the work, articles, materials and supplies contained in the specifications or schedule attached thereto.

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, and any further information, may be obtained upon application therefor at the office of the Chief Engineer, Room 922, Nos. 13 to 21 Park row, Borough of Manhattan.

JOHN H. O'BRIEN, Commissioner of Water Supply, Gas and Electricity.

The City of New York, December 5, 1908.

d7,17

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

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, ROOM 1536, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Water Supply, Gas and Electricity at the above office until 2 o'clock p. m. on

MONDAY, DECEMBER 17, 1908.

Borough of Brooklyn.

FOR FURNISHING AND DELIVERING CORPORATION COCKS, BEING CONTRACT ABANDONED BY THE SOUTHERN BRASS WORKS, INC.

The quantities of supplies required are as follows:

5,605 one-half-inch corporation screw cocks, with tail pieces, complete.

200 three-quarter-inch corporation screw cocks, with tail pieces, complete.

500 one-inch corporation screw cocks, with tail pieces, complete.

250 two-inch corporation screw cocks, with tail pieces, complete.

The time for delivery of the articles, materials and supplies and the performance of the contract is eight (8) calendar months.

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

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 the contract awarded for all the work, articles, materials and supplies contained in the specifications or schedule attached thereto.

Bidders are requested to make their bids or estimates upon the blank form prepared by the Board of City Record, a copy of which, with the proper envelope in which to inclose the bid, together with a copy of the contract, including the specifications, in the form approved by the Corporation Counsel, can be obtained upon application therefor at the office of the Department, Room 1526, No. 21 Park row, New York City. The plans, if any, which are made a part of the specifications, may be seen and any further information obtained at the office of the Department for the Borough of Brooklyn, Room 25, Municipal Building.

JOHN H. O'BRIEN, Commissioner of Water Supply, Gas and Electricity.

The City of New York, December 1, 1908.

d2,16

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 Commissioner of Water Supply, Gas and Electricity at the above office until 2 o'clock p. m. on

MONDAY, DECEMBER 21, 1908.

Borough of Brooklyn.

FOR ALTERATIONS, REPAIRS, ETC., AT GIRLS' HIGH SCHOOL AND PUBLIC SCHOOLS 21, 24, 26, 36, 53, 57, 63, 70, 74, 84, 109, 117, 123, 137, 144, 147 AND 150, BOROUGH OF BROOKLYN.

The time allowed to complete the whole work on each school will be 55 working days as provided in the contract.

This statement shall be in the form of an affidavit, executed before a notary public, and made by one of the firm submitting the bid; and shall be certified to by a certified public accountant, who shall certify that the prices quoted are true and are without discount or rebate.

The statement shall be placed in a sealed envelope, which shall be marked "Price List," and shall have on the outside the name of the bidder. This shall be inclosed in the envelope containing the bid at the time that same is submitted to the bid clerk.

The statements which are so submitted are for the information of the Committee on Buildings, and will not under any circumstances be made public without the written consent of the bidder.

Any bid or estimate which is not accompanied by such a statement as hereinbefore described will be considered as informal and invalid, and by reason of such failure the said bid or estimate so unaccompanied will be so adjudged and treated.

Blank forms and specifications may be obtained or seen at the office of the Superintendent at Estimating Room, ninth floor, Hall of the Board of Education, Park avenue and Fifty-ninth street, Borough of Manhattan.

C. B. J. SNYDER,

Superintendent of School Buildings.

Dated December 9, 1908.

d9,21

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

DEPARTMENT OF EDUCATION, SOUTHWEST CORNER OF PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Superintendent of School Supplies at the above office of the Department of Education until 3 p.m. on

THURSDAY, DECEMBER 17, 1908.

FOR FURNISHING AND OPERATING STAGES OR OTHER CONVEYANCES TO CONVEY PUPILS TO AND FROM THE SCHOOLS OF THE CITY OF NEW YORK, IN THE BOROUGHS OF MANHATTAN, THE BRONX, BROOKLYN, QUEENS AND RICHMOND.

The time for the performance of the contract is prior to December 31, 1909.

The amount of security required is:

Borough of Manhattan.

Item No. 1, \$1,800; Item No. 2, \$1,800; Item No. 3, \$900.

Borough of The Bronx.

Item No. 4, \$900; Item No. 5, \$550; Item No. 6, \$600; Item No. 7, \$1,600; Item No. 8, \$450; Item No. 9, \$900; Item No. 10, \$300; Item No. 11, \$1,050; Item No. 12, \$400; Item No. 13, \$900; Item No. 14, \$900; Item No. 15, \$700; Item No. 16, \$650; Item No. 17, \$1,300.

Borough of Brooklyn.

Item No. 18, \$500; Item No. 19, \$400; Item No. 20, \$950; Item No. 21, \$400.

Borough of Queens.

Item No. 22, \$600; Item No. 23, \$1,100; Item No. 24, \$1,050; Item No. 25, \$1,100; Item No. 26, \$550; Item No. 27, \$1,900; Item No. 28, \$1,050; Item No. 29, \$600; Item No. 30, \$750; Item No. 31, \$1,050; Item No. 32, \$550; Item No. 33, \$650; Item No. 34, \$650; Item No. 35, \$300; Item No. 36, \$1,300; Item No. 37, \$1,050; Item No. 38, \$400; Item No. 39, \$400; Item No. 40, \$700; Item No. 41, \$700; Item No. 42, \$700; Item No. 43, \$550; Item No. 44, \$1,100; Item No. 45, \$1,100; Item No. 46, \$1,650; Item No. 47, \$1,100; Item No. 48, \$1,050; Item No. 49, \$1,300; Item No. 50, \$800; Item No. 51, \$1,100; Item No. 52, \$550.

Borough of Richmond.

Item No. 53, \$250; Item No. 54, \$700; Item No. 55, \$350; Item No. 56, \$450; Item No. 57, \$800; Item No. 58, \$400; Item No. 59, \$400; Item No. 60, \$400; Item No. 61, \$400; Item No. 62, \$800; Item No. 63, \$400; Item No. 64, \$400; Item No. 65, \$400; Item No. 66, \$400; Item No. 67, \$400; Item No. 68, \$400.

The bidder may quote on conveyance other than by stage. If by stage, the price per day must be quoted. If by trolley or other conveyance, the price per pupil per day and the manner in which it is intended to convey the pupils must be stated. If it is intended to convey by special car over a particular route, the price per day must be stated, and such other information must be given as will enable the Committee on Supplies to reach a proper determination.

In the event of a school or schools being closed, the contract shall be terminated as to that school or schools.

Contract will be awarded to the lowest bidder.

The Board of Education reserves the right to award the contract as a whole for the Boroughs of Manhattan, The Bronx, Brooklyn, Queens and Richmond, or to award it separately for the Boroughs of Manhattan, The Bronx, Brooklyn, Queens and Richmond, or item by item, if deemed to be for the best interests of the City.

Blank forms and further information may be obtained at the office of the Superintendent of School Supplies, Board of Education, the Borough of Manhattan, southwest corner of Park avenue and Fifty-ninth street.

Dated December 7, 1908.

PATRICK JONES.

Superintendent of School Supplies.

d7,17

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 3:30 o'clock p.m. on

MONDAY, DECEMBER 14, 1908.

Borough of The Bronx.

No. 2, FOR NEW FIREPROOF MAIN STAIRS, NEW MAIN STORM ENCLOSURE, ETC., AT PUBLIC SCHOOL 2, ON THE EASTERN SIDE OF THIRD AVENUE, BETWEEN ONE HUNDRED AND SIXTY-NINTH AND ONE HUNDRED AND SEVENTIETH STREETS, BOROUGH OF THE BRONX.

The time allowed to complete the whole work will be one hundred (100) working days, as provided in the contract.

The amount of security required is Thirty-six Hundred Dollars (\$3,600).

No. 3, FOR FORMING AND EQUIPPING COOKING ROOM IN MORRIS HIGH SCHOOL, ONE HUNDRED AND SIXTY-SIXTH STREET, BOSTON ROAD AND JACKSON AVENUE, BOROUGH OF THE BRONX.

The time allowed to complete the whole work will be forty (40) working days, as provided in the contract.

The amount of security required is Eighteen Hundred Dollars (\$1,800).

Borough of Queens.

No. 4, FOR WORK, ETC., REQUIRED TO REPAIR FIRE DAMAGE AT PUBLIC SCHOOL 20, CORNER OF SANFORD AVE

NUE AND UNION STREET, FLUSHING, BOROUGH OF QUEENS.

The time allowed to complete the whole work will be sixty (60) working days, as provided in the contract.

The amount of security required is Six Thousand Dollars (\$6,000).

On Nos. 2, 3 and 4 the bids will be compared and the contract will be awarded in a lump sum to the lowest bidder.

Blank forms, plans and specifications may be obtained or seen at the office of the Superintendent at Estimating Room, ninth floor, Hall of the Board of Education, Park avenue and Fifty-ninth street, Borough of Manhattan, and also at branch office, No. 69 Broadway, Flushing, Borough of Queens, for work for their respective Boroughs.

C. B. J. SNYDER,
Superintendent of School Buildings.

Dated December 3, 1908.

ules 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.

Dated December 9, 1908.

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, BOROUGHS 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.

d8,24

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 3:30 o'clock p.m., on

MONDAY, DECEMBER 14, 1908.

Borough of Manhattan.

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

THURSDAY, DECEMBER 10, 1908.

Borough of Manhattan.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR ESTABLISHING, COMPLETING AND EQUIPPING AN EXTENSION OF THE UNDERGROUND FIRE ALARM TELEGRAPH SYSTEM.

The time for the completion of the work and the full performance of the contract is one hundred and twenty (120) days.

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

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

Blank forms and further information may be obtained at the office of the Fire Department, Nos. 157 and 159 East Sixty-seventh street, Manhattan.

NICHOLAS J. HAYES, Commissioner.

Dated November 28, 1908.

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 17, 1908.

FOR FURNISHING AND DELIVERING FRESH BEEF FOR THE CENTRAL PARK MENAGERIE, 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 shall be 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, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH, President;
JOSEPH I. BERRY,
MICHAEL J. KENNEDY,
Commissioners of Parks.

Dated December 7, 1908.

d7,17

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 Supplies at the above office of the Department of Education until 12 o'clock noon on

FRIDAY, DECEMBER 11, 1908.

Borough of Richmond.

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 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, 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, the Borough of Manhattan, southwest corner of Park avenue and Fifty-ninth street.

PATRICK JONES,
Superintendent of School Supplies.

Dated December 1, 1908.

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 WILL BE RECEIVED BY THE Park Commissioner at the above office of the Department of Parks, until 12 o'clock m. on

MONDAY, DECEMBER 21, 1908.

FOR THE PRIVILEGE OF MOORING AND MAINTAINING A BATHING PAVILION IN BATTERY PARK DURING THE YEAR 1909.

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 for the 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.

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 Parks, Arsenal, Central Park, New York City.

HENRY SMITH, Commissioner of Parks, Boroughs of Manhattan and Richmond.

Dated December 9, 1908.

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 17, 1908.

Borough of Manhattan.

FOR ALL LABOR AND MATERIALS REQUIRED FOR THE ERECTION AND COMPLETION OF AN ADDITION TO THE METROPOLITAN MUSEUM OF ART, FOR THE BOSCOREALE COLLECTION, LOCATED IN CENTRAL PARK, ON THE WEST SIDE OF FIFTH AVENUE, BOROUGH OF MANHATTAN, NEW YORK CITY.

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

The time allowed to complete the whole work will be sixty (60) consecutive working days.

The contracts must be bid for separately.

The bids will be compared and

The time allowed to complete the whole work will be sixty (60) consecutive working days. 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 4, 1908.

d5,17

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, BOROUGHS OF BROOKLYN AND QUEENS.

The time allowed for the completion of the contract is on or before December 31, 1908.

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.

d5,24

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 17, 1908, Borough of Brooklyn.

FOR FURNISHING ALL THE LABOR AND MATERIALS NECESSARY TO LAY AND COMPLETE CAST IRON WATER MAINS IN PROSPECT PARK, BOROUGH OF BROOKLYN, TOGETHER WITH ALL THE WORK INCIDENTAL THERETO.

The time for the completion of the contract is thirty (30) days.

The amount of security required is Three Thousand Dollars (\$3,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained and plans may be seen 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.

d3,17

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 10, 1908, Borough of The Bronx.

FOR FURNISHING ALL THE LABOR AND MATERIALS FOR RECONSTRUCTING AND SURFACING WITH ASPHALTIC CONCRETE THAT PORTION OF RIVERDALE AVENUE BETWEEN THE NORTHERLY AND SOUTHERLY BOUNDARIES OF SPUTYEN DUVVIL PARKWAY, IN THE BOROUGH OF THE BRONX, IN THE CITY OF NEW YORK.

The time for the completion of the contract is thirty (30) consecutive working days.

The amount of security required is Three Thousand Dollars (\$3,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained and plans may be seen at the office of the Department of Parks, Zbrowski Mansion, Claremont Park, The Bronx.

HENRY SMITH, President; JOSEPH I. BERRY; MICHAEL J. KENNEDY, Commissioners of Parks.

n30,d10

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 10, 1908, Borough of Manhattan.

FOR FURNISHING AND SETTING CURB-STONES AND FOR CONSTRUCTING WALKS OF ROCK ASPHALT MASTIC IN THE ADDITION TO RIVERSIDE PARK AT ONE HUNDRED AND TWENTY-SECOND STREET, IN THE BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the completion of the whole work will be thirty-five consecutive working days.

The amount of the security required is Three Thousand Five Hundred Dollars (\$3,500).

The contracts must be bid for separately.

Blank forms 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 November 28, 1908.

n28,d10

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 10, 1908, Borough of Manhattan.

FOR REGULATING AND GRADING IN THE NORTHERLY HALF OF JOHN JAY PARK, IN THE BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the completion of the whole work will be twenty consecutive working days.

The amount of the 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 and plans may be seen 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 November 28, 1908.

n28,d10

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 10, 1908, Borough of Manhattan.

FOR EXCAVATING AND DISPOSING OF EARTH AND ROCK FROM THE NEW WALK ENTRANCE TO CENTRAL PARK AT CENTRAL PARK WEST AND ONE HUNDRED AND SIXTH STREET, IN THE BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the completion of the whole work will be thirty (30) consecutive working days.

The amount of the security required is Eight Hundred Dollars (\$800).

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 November 28, 1908.

n28,d10

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 10, 1908, Borough of Manhattan.

FOR FURNISHING AND DELIVERING SEVEN (7) ELECTRIC MOTORS, AMERICAN MUSEUM OF NATURAL HISTORY, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the delivery is sixty (60) days.

The amount of security shall be 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 November 28, 1908.

n28,d10

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 10, 1908, Borough of Manhattan.

FOR EXCAVATING AND DISPOSING OF EARTH OR OTHER MATERIALS, AND FURNISHING IN PLACE THEREOF GOOD GARDEN MOLD IN THE PARKS ON BROADWAY, BETWEEN EIGHTY-SEVENTH 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 sixty consecutive working days.

The amount of security required is Eight Thousand Dollars (\$8,000).

The contracts must be bid for separately.

The bids will be compared and the contract awarded at a lump or aggregate sum.

Plans may be seen and blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH, President; JOSEPH I. BERRY; MICHAEL J. KENNEDY, Commissioners of Parks.

Dated November 28, 1908.

n28,d10

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 10, 1908, Borough of Manhattan.

FOR FURNISHING ALL THE NECESSARY LABOR AND MATERIALS FOR EXCAVATING, DEPOSITING MOLD, SOD-

DING AND INSTALLING WATER SUPPLY IN THE ADDITION TO RIVERSIDE PARK AT ONE HUNDRED AND TWENTY-SECOND STREET, IN THE BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the completion of the whole work will be fifty (50) consecutive working days.

The amount of the security required is Three Thousand Dollars (\$3,000).

The contracts must be bid for separately.

The bids will be compared and the contract awarded at a lump or aggregate sum.

Plans may be seen and blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH, President; JOSEPH I. BERRY; MICHAEL J. KENNEDY, Commissioners of Parks.

Dated November 30, 1908.

n27,d10

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 10, 1908, Borough of Brooklyn.

FOR FURNISHING AND DELIVERING FORAGE AT PROSPECT PARK, BOROUGH OF BROOKLYN.

The time for the completion of the contract is on or before December 31, 1909.

The amount of security required is Three Thousand Dollars (\$3,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Litchfield Mansion, Prospect Park, Brooklyn.

HENRY SMITH, President; JOSEPH I. BERRY; MICHAEL J. KENNEDY, Commissioners of Parks.

n20,d3

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 10, 1908, Borough of Brooklyn.

FOR EXCAVATING AND DISPOSING OF EARTH AND ROCK FROM THE NEW WALK ENTRANCE TO CENTRAL PARK AT CENTRAL PARK WEST AND ONE HUNDRED AND SIXTH STREET, IN THE BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the completion of the whole work will be thirty (30) consecutive working days.

The amount of the security required is Eight Hundred Dollars (\$800).

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.

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City being engaged in opening and grading streets and constructing sewers therein, all of which work it was necessary to complete before the lines of the Company could be laid in place and cars operated thereover. Among the public works which have interfered with the construction or operation of the Company's roads are the construction of the Grand Concourse across the Company's lines at Tremont avenue and at Kingsbridge road. This large public work absolutely prevented the operation and connection of the Company's lines between the east and west sides of the City through these streets, and the franchise during such time of operation was without any earning power whatsoever. This work was completed during the month of February, 1908, which permitted the partial operation of one of the Company's crosstown lines. One of the lines in your petitioner's franchise is a road upon the new Tremont avenue, or East One Hundred and Seventy-seventh street, east of the Bronx River. This street is being opened and the Company is unable to make any construction thereon. The streets and highways in the so-called Hunts Point section, in the southeastern part of the Borough of The Bronx, are in course of construction, and it is now impossible for the Company to complete its railroad thereon sufficiently to enable the operation of cars over the same.

The portions of the Company's roads not operated are wholly disconnected from the portions which are in operation, and have been made so by the character of the City construction above referred to. Such disconnected portions have been wholly valueless and worthless to the Company, as they have not produced any income whatsoever, and have not been of any value to the public, as the Company has been unable to operate any cars over the same.

For the use of the Central Bridge.....

For the use of the Washington Bridge.....

Franchise payments to the City.....

Total.....

8. In and by virtue of the construction of its street surface railway or railways, your petitioner has incurred as of June 30, 1908, certain debts, none of which has been paid, as follows:

Outstanding Obligations as of June 30, 1908 (Estimated from June 19 to June 30).

State taxes on earnings claimed to have accrued to April 30, 1908, inclusive.....

To City of New York, for Taxes—

City taxes on earnings and for the use of bridges, accrued as claimed to June

30, 1908.....

To the Union Railway Company—

As shown by Bills Rendered:

For housing, cleansing and repairing cars, from May 31 to Octo-

ber 31, 1908.....

For rental of tracks, power supplied and maintenance of tracks

from May 31, 1908, to December 31, 1907.....

Charges for Which Bills Have Not Been Rendered:

For rental of tracks, power supplied and maintenance of tracks

from January 1, 1908, to June 30, 1908 (estimated).....

For their proportion of the fares collected by this company on

cars running over the tracks of the Union Railway Company,

from May 31, 1908, to June 30, 1908 (estimated).....

Total due Union Railway Company.....

Partly offset by a claim for the storage of the Union Railway's

cars in the yard at One Hundred and Seventy-ninth street and

Third avenue, as shown by N. Y. C. I. bill of May 15, 1908.....

To Interborough Rapid Transit Company—

Demand loan of April 6, 1908.....

For power supplied and miscellaneous labor and material furnished

during the month of April, 1908.....

For power supplied during the month of May, 1908.....

For rental of offices and yard at One Hundred and Seventy-ninth

street and Third avenue, month of May, 1908.....

For miscellaneous labor and material supplied during May, 1908

(estimated).....

For power supplied, for rental of offices and yard and miscellaneous

labor and material for the month of June, 1908 (estimated).....

For the amount due under the eight cent transfer arrangement, from

March 31, 1908, to June 30, 1908 (May and June, 1908, estimated)

To Various Companies and Individuals—

For supplies and various operating expenses accrued during the month of June,

1908 (estimated).....

To the United States Mortgage and Trust Company, Trustee—

For Sinking Fund payment due May 1, 1908.....

For interest on First Mortgage 4 per cent, Sinking Fund Gold Bonds.....

Total obligations as of June 30, 1908.....

In addition to the foregoing items of indebtedness, there are certain sums not yet determined, claimed to be due the Union Railway Company, either in the form of capital payment or an annual rental charge for the privilege of operating on the tracks of the said Union Railway Company over the Macombs Dam Bridge.

9. The income of your petitioner from the operation of its street surface railway or railways is wholly inadequate to meet the necessary expenses of operating said railways and make the payments to the City required by its franchises aforesaid, as more fully appears by the statement of the receipts and expenditures of your petitioner during the year ending on the 31st day of December, 1907, a copy of which is hereto annexed, and by its current quarterly report to the Public Service Commission, a copy of which is annexed hereto.

10. Your petitioner has been and is wholly unable to discharge its obligations under a certain mortgage to the United States Mortgage and Trust Company, dated the first day of May, 1905, and there is now due and unpaid, as of the first day of May, 1908, as accrued interest upon the outstanding bonds issued under said mortgage, the sum of \$117,000, and your petitioner is further unable to discharge its obligations under and by virtue of certain contracts heretofore entered into by it for the power necessary to its operation, and for the further construction of its said railways.

11. The financial condition of your petitioner is such that it is and will in an increasing measure be embarrassed and crippled in its desire and effort to afford satisfactory and efficient service to the public; and unless it be materially relieved in respect to its financial obligations, it will be difficult, if not impossible, to discharge its obligations to the City and to the public within the intent and purpose of its said franchise.

12. The portions of the routes embraced within the franchise granted to your petitioner as aforesaid which command relatively the greatest volume of traffic per mile of operation, are those upon which the railway of your petitioner is now constructed and in operation, and in respect to which there has resulted from said operation a large and increasing deficit. A large portion of the route or routes granted as aforesaid to your petitioner, and more especially the routes in the so-called Hunts Point section in the southeastern part of the Borough of The Bronx, cannot, as your petitioner is advised and believes, in the light of its experience in the operation of its present system, be constructed and operated without incurring not only a present deficit and a continuing loss during the term of your petitioner's franchise, but possible jeopardy of all or the greater part of any of the capital expenditures necessary to the completion of said routes.

Your petitioner, although unable, as aforesaid, to meet its contract and other obligations, is earnestly endeavoring to effect such arrangements as will enable it to continue not only the operation, but the further construction of its road,

6. In and by said franchise, and more particularly by the fourth paragraph of section two of said ordinance, adopted by the Board of Aldermen March 16, 1903, your petitioner is obligated to make certain payments to the City, to wit, as follows: During the first term of five years an annual sum which shall in no case be less than \$15,000, and which shall be equal to 3 per cent. of its gross annual receipts if such percentage shall exceed the sum of \$15,000; during the remaining twenty years of the term an annual sum which shall not be less than \$30,000, and which shall be equal to 5 per cent. of its gross annual receipts, if such percentage shall exceed the sum of \$30,000; and for the use of four bridges described in the said ordinance of the Board of Aldermen constituting the franchise of your petitioner, during the first term of five years the annual sum of \$4,000 for each bridge; during the second term of five years, the annual sum of \$4,500 for each bridge; during the third term of five years, the annual sum of \$5,000 for each bridge; during the fourth term of five years the annual sum of \$5,500 for each bridge; and during the last term of five years, the annual sum of \$6,000 for each bridge.

That your petitioner has, during the year ending September 30, 1907, or a portion thereof, made use of two of the bridges specified in its franchise, to wit, the Central or Macombs Dam Bridge and the Washington Bridge.

7. That in said ordinance it was provided that said payments should be made on November 1 in each year after the commencement of the operation of any portion of the railroad, and that The City of New York has claimed that there has become due and payable to it by reason of the said provisions of said franchise the following sums, none of which have been paid:

\$333 00
4,000 00
15,000 00
<hr/> \$19,333 33

8. In and by virtue of the construction of its street surface railway or railways, your petitioner has incurred as of June 30, 1908, certain debts, none of which has been paid, as follows:

Outstanding Obligations as of June 30, 1908 (Estimated from June 19 to June 30).

State taxes on earnings claimed to have accrued to April 30, 1908, inclusive.....

\$842 23

To City of New York, for Taxes—

City taxes on earnings and for the use of bridges, accrued as claimed to June

30, 1908.....

40,583 33

As Shown by Bills Rendered:

For housing, cleansing and repairing cars, from May 31 to Octo-

ber 31, 1908.....

1,438 14

For rental of tracks, power supplied and maintenance of tracks

from May 31, 1908, to December 31, 1907.....

11,931 21

13,369 35

2,000 00

5,875 00

21,244 35

819 05

20,425 30

\$60,000 00

4,362 88

3,390 33

446 67

350 00

4,500 00

1,225 00

74,274 88

1,500 00

30,000 00

117,000 00

284,535 54

with a view to affording the largest accommodation and service to the traveling public within its power, and the relief for which your petitioner respectfully prays is, in view of the financial embarrassment of your petitioner, essential, as your petitioner believes and respectfully shows herein, to the accomplishment of this purpose;

Wherefore, Your petitioner prays that it be relieved from each and every of its said obligations to make the payments in and for the use of the bridges specified in its franchise, and more particularly in the fourth paragraph of section 2 of the ordinance of the Board of Aldermen, approved by the Mayor as aforesaid, March 31, 1903, and from the payments for the aforesaid franchises specified in said fourth paragraph of section 2 of said ordinance, except such annual sums which shall be equal to three per cent. of its gross annual receipts during the first term of five years specified in said paragraph fourth, and which shall be equal to five per cent. of its gross annual receipts thereafter.

And your petitioner prays that public notice be given of the time and place when and where this application shall be held, and that the desired consent or grant herein applied for be embodied in the form of a contract, and otherwise in accordance with the provisions of the Greater New York Charter.

Dated At The City of New York June 23, 1908.

NEW YORK CITY INTERBOROUGH

RAILWAY COMPANY,

[SEAL] By ALFRED SKITT, President.

Attest:

H. M. FISHER, Secretary.

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

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

ALFRED SKITT.

Sworn to before me this 23d day of June, 1908.

JOSEPH W. MASON, Commissioner of Deeds,

New York City.

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

On this 23d day of June, in the year one thousand nine hundred and eight, before me personally came Alfred Skitt, to me known, who, being by me duly sworn, did depose and say that he resided in the City of Yonkers, N. Y., that he is president of the New York City Interborough Railway Company, the corporation described in and which executed the foregoing instrument; that he knew the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by

order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

JOSEPH W. MASON,

Commissioner of Deeds, New York City.

And at the meeting held November 20, 1908, the following resolutions were adopted:

Whereas, The foregoing petition from New York City Interborough Railway Company, dated June 23, 1908, was presented to the Board of Estimate and Apportionment at a meeting held June 26, 1908; and

Whereas, A second petition, dated November 12, 1908, was presented to the Board at the meeting held November 13, 1908, requesting an extension of time until December 27, 1909, in which to complete the construction of twenty-four miles of the petitioner's double-track street

railway.

Resolved, That, in pursuance of law, this Board sets Friday, the 11th day of December, 1908, at 10:30 o'clock in the forenoon, and Room 16 in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered, and a public hearing be had thereon, at which citizens shall be entitled to appear and be heard; and be it further

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

JOSEPH HAG, Secretary.

New York, November 20, 1908.

tract 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 be fixed 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.

Whereas, This Board has made inquiry as to the money value of the franchise or right applied for and proposed to be granted to the Bronx Traction Company, and the adequacy of the compensation proposed to be paid therefor; now therefore it is

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the Bronx Traction Company, 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

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 herein above described in section 1.

The use of said railway which shall be constructed by the Company under this contract, including the tracks, wires and other equipment, or any structures in public streets and avenues owned by the Company and used in connection therewith, shall be permitted by the Company to any individual or corporation to which the City may have granted, or may hereafter grant, the right or privilege to use such streets, avenues or highways herein above described in section 1, for street railway purposes, upon payment of an annual sum by such individual or corporation to the Company, which shall be equal to the legal interest on such proportion of the whole cost of the construction of such railway and structures and of the cost of keeping the tracks and track equipment in repair, as the number of cars operated by such company or individual shall bear 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 on the cost of such railway shall be an insufficient sum to pay for the use of such tracks, it may appeal to the Board, and the Board may fix a percentage of the cost to be paid to the Company at a sum in excess of the legal rate of interest, if in its opinion such action is justified.

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

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

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

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

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

Twelfth—The rate of fare for any passenger upon such railway shall not exceed five (5) cents, and the Company shall not charge any passenger more than five (5) cents for one continuous ride

from any point on said railway, or a line or branch operated in connection therewith, 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 of 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 eastern terminus of Clason's Point road, the same to be in substitution for the loop terminal hereby authorized in the public place, and within six months after such right or privilege is obtained, shall, at its own expense, remove all of its tracks and appurtenances from said public place.

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

1. The amount of stock issued, for cash, for property.
2. The amount paid in as by last report.
3. The total amount of capital stock paid in.
4. The funded debt by last report.
5. The total amount of funded debt.
6. The floating debt as by last report.
7. The total amount of floating debt.
8. The total amount of funded and floating debt.
9. The average rate per annum of interest on funded debt.
10. Statement of dividends paid during the year.

11. The total amount expended for same.
12. The names of the directors elected at the last meeting of the corporation held for such purpose.

13. Location, value and amount paid for real estate owned by the Company as by last report.
14. Location, value and amount paid for real estate now owned by the Company.
15. Number of passengers carried during the year.

16. Total receipts of Company for each class of business.
17. Amounts paid by the Company for damage to persons or property on account of construction and operation.
18. Total expenses for operation, including salaries.

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

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

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

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

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

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

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

The Comptroller of the City, on complaint made, shall, in writing, notify the Company, through its President, to appear before him on a certain day not less than ten (10) days after the date of such notice, to show cause why it should not be penalized in accordance with the foregoing

provisions. If the Company fails to make an appearance, or, after a hearing, appears in the judgment of the Comptroller to be in fault, said Comptroller shall forthwith impose the prescribed penalty, or where the amount of the penalty is not prescribed herein, such amount as appears to him to be just, and without legal procedure withdraw the amount of such penalty from the security fund deposited with him. In case of any drafts made upon the security fund the Comptroller 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 Comptroller 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.] By President.
Attest:

..... Secretary.
[SEAL.]
(Here add acknowledgments.)
Resolved, That the results of the inquiry made by this Board as to the money value of the franchise or right proposed to be granted and the adequacy of the compensation proposed to be paid therefor, and of the terms and conditions, 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 Bronx Traction Company, and the said 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, December 18, 1908, in the City Record, and at least twice during the ten days immediately prior to December 18, 1908, in two daily newspapers to be designated in the City of New York, at the expense of the Bronx 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 Bronx 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, December 18, 1908, at 10:30 o'clock a. m., hold a public hearing thereon, at which citizens shall be entitled to appear and be heard.

JOSEPH HAAG, Secretary.
Dated New York, November 13, 1908.

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PUBLIC NOTICE.

PUBLIC NOTICE IS HEREBY GIVEN that at a meeting of the Board of Estimate and Apportionment held this day the following proceedings were had:

Whereas, The Union Railway Company of New York City has under date of July 28, 1908, made application to this Board for the grant of the right, privilege and franchise to construct, maintain and operate a street surface railway upon and along Fordham road and West One Hundred and Eighty-fourth street, in the Borough of The Bronx, and over and along the University Heights Bridge and the approaches thereto, and upon and along West Two Hundred and Seventh street and other streets and avenues in the Borough of Manhattan; and

Whereas, In pursuance of such laws, this Board adopted a resolution on October 2, 1908, fixing the date for public hearing thereon as October 30, 1908, at which citizens were entitled to appear and be heard, and publication was had for at least fourteen (14) days in the "New York Sun" and the "New York Tribune," newspapers designated by the Mayor, and in the City Record for ten days immediately prior to the date of hearing, and the public hearing was duly held on such day; and

Whereas, This Board has made inquiry as to the money value of the franchise or right applied for, and proposed to be granted to the Union Railway Company of New York City, and the adequacy of the compensation proposed to be paid therefor; now therefore, it is

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:

UNION RAILWAY COMPANY OF NEW YORK CITY.

Proposed Form of Contract.

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

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

Section 1. The City hereby grants to the Company, subject to the conditions and provisions hereinafter set forth, the right and privilege to construct, maintain and operate 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 and westerly in, upon and along said West One Hundred and Eighty-fourth street to its intersection with the easterly approach to the University Heights Bridge; thence westerly upon and over said bridge, and the easterly and westerly approaches thereto, to West Two Hundred and Seventh street, in the Borough of Manhattan, and thence westerly in, upon and along said West Two Hundred and Seventh street to Amsterdam or Tenth avenue; thence southerly in, upon and along said Amsterdam or Tenth avenue to Emerson street; thence westerly in, upon and along said Emerson street to Broadway, and connecting with the existing double-track railway in said Broadway. The said route with turnouts, switches and crossovers hereby authorized is shown upon a map entitled:

"Map 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. Whittington, 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 privilege is subject to the following conditions, which shall be complied with by the Company:

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

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

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

If the Company and the Board shall not reach such 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 request 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 revaluation aforesaid. Such appraisers shall be chosen at least six months prior to the expiration of this original contract, and their report shall be filed with the Board within three months after they are chosen. They shall act as appraisers and not as arbitrators. They may base their judgment upon their own experience and upon such information as they may obtain by inquiries and investigations, without the presence of either party. They shall have the right to examine any of the books of the Company and its officers under oath. The valuations so ascertained, fixed and determined shall be conclusive upon both parties, but no annual sum shall, in any event, be less than the sum required to be paid for the last

year of this original contract. If, in any case, the annual rate shall not be fixed prior to the termination of the original term of this contract, then the Company shall pay the annual rate theretofore prevailing until the new rate shall be determined, and shall then make up to the City the amount of any excess of the annual rate then determined over the previous annual rate. The compensation and expenses of the said appraisers shall be borne jointly by the City and the Company, each paying one-half thereof.

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

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

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

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

During the third term of five years an annual sum which shall in no case be less than fifteen hundred and fifty dollars (\$1,550), and which shall be equal to five (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 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 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 any subsequent consent or consents.

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

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

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

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

Ninth.—The Company shall commence construction of the extension herein authorized within six (6) months from the date upon which the consents of the property owners are obtained for such extension, or from the date of the decision of the Appellate Division of the Supreme Court that such extension ought to be constructed, and shall complete the construction of the same within six (6) months from the same date, otherwise this grant shall cease and determine, and all sums which may be deposited with the Comptroller of the City, as 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 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 at its own expense, and the provision as to re-newed or altered pavement.

Twenty-first.—Any alteration to the sewerage or drainage system, or to any other subsurface or 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 in the streets, or upon the bridge, 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 tracks 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 herein-after 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 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 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-third—The grant of this privilege is subject to whatever right, title or interest the owners of abutting property or others may have in and to the streets, avenues, and highways in which the Company is authorized to operate.

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

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

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

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

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

THE CITY OF NEW YORK,

By Mayor.

[CORPORATE SEAL]

Attest:

..... City Clerk.

UNION RAILWAY COMPANY OF

NEW YORK CITY,

By President.

[SEAL.]

Attest:

..... Secretary.

(Here add acknowledgments.)

Resolved, That the results of the inquiry made by this Board as to the money value of the franchise or right proposed to be granted and the adequacy of the compensation proposed to be paid therefor, and of the terms and conditions, 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 Union Railway Company of New York City, 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 this Board, shall be published for at least twenty (20) days immediately prior to Friday, December 18, 1908, in the CITY RECORD, and at least twice during the ten days immediately prior to December 18, 1908, in two daily newspapers to be designated by the Mayor therefor, and published in The City of New York, at the expense of the Union Railway Company of New York City, together with the following notice:

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 Union Railway Company of New York City, 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, December 18, 1908, at 10:30 o'clock a. m., hold a public hearing thereon, at which citizens shall be entitled to appear and be heard.

JOSEPH HAAG, Secretary.

Dated New York, November 13, 1908.

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PUBLIC NOTICE.

PUBLIC NOTICE IS HEREBY GIVEN that at a meeting of the Board of Estimate and Apportionment held this day the following proceedings were had:

Whereas, The Union Railway Company of New York City has, under date of July 28, 1908, made application to this Board for the grant of the right, privilege and franchise to construct, maintain and operate a street surface railway upon and along Pelham Avenue, from Third Avenue to the Southern Boulevard, in the Borough of The Bronx; and

Whereas, Section 92 of the Railroad Law and sections 72, 73 and 74 of the Greater New York Charter, as amended by chapters 629 and 630 of the Laws of 1905, provide for the manner and procedure of making such grants; and

Whereas, In pursuance to such laws, this Board adopted a resolution on October 2, 1908, fixing the date for public hearings thereon as October 30, 1908, at which citizens were entitled to appear and be heard, and publication was had at least fourteen (14) days in the "New York Sun" and the "New York Tribune," newspapers designated by the Mayor, and in the CITY RECORD for ten days immediately prior to the date of hearing, and the public hearing was duly held on such day; and

Whereas, This Board has made inquiry as to money value of the franchise or right applied for, and proposed to be granted to the Union Railway Company of New York City, and the adequacy of the compensation proposed to be paid therefor; now therefore it is

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 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:

UNION RAILWAY COMPANY OF NEW YORK CITY.

Proposed Form of Contract.

This Contract made this day of

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

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

Section 1. The City hereby grants to the Company, subject to the conditions and provisions hereinafter set forth, the right and privilege to construct, maintain and operate 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 deviations 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 may be permitted by resolution of the Board.

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.

Whereas, 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 notwithstanding, and that the said assignee or lessee assumes and will be bound by all of said conditions, and especially said conditions as to payments, anything in any statute or in the charter of such assignee or lessee to the contrary notwithstanding, and that the said assignee or lessee waives any more favorable conditions created by such statute or its charter, and that it will not claim by reason thereof or otherwise exemption from liability to perform each and all of the conditions of this contract.

Sixth—The rights and privileges hereby granted

shall not be assigned, either in whole or in part, or leased or sublet in any manner, nor shall title thereto, or right, interest or property therein, pass to or vest in any other person or corporation whatsoever, either by the act of the Company, or by operation of law, whether under the provisions of the 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 notwithstanding, and that the said 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.

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 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 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 Department of the City, when such employees are in full uniform.

The rate for the carrying of property over the railway hereby authorized shall in all cases be reasonable in amount, subject to the control of the Board, or its 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 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 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-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.)

Resolved, That the results of the inquiry made by this Board as to the money value of the franchise or right proposed to be granted, and the adequacy of the compensation proposed to be paid therefor, and of the terms and conditions, 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 Union Railway Company of New York City, 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 this Board, shall be published for at least twenty (20) days immediately prior to Friday, December 18, 1908, in the City Record, and at least twice during the ten days immediately prior to December 18, 1908, in two daily newspapers to be designated by the Mayor thereof and published in The City of New York, at the expense of the Union Railway Company of New York City, 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 Union Railway Company of New York City, 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, December 18, 1908, at 10:30 o'clock a. m., hold a public hearing thereon, at which citizens shall be entitled to appear and be heard.

JOSEPH HAAG, Secretary.

Dated New York, November 13, 1908.

224,118

POLICE DEPARTMENT.

POLICE DEPARTMENT—CITY OF NEW YORK.

OWNERS WANTED BY THE PROPERTY CITY OF NEW YORK—Clerk of the Police Department of The City of New York, No. 300 Mulberry street, Room No. 9, for the following property, now in his custody, without claimants: Boats, rope, iron, lead, male and female clothing, boots, shoes, wine, blankets, diamonds, canned goods, liquors, etc.; also small amount of money taken from prisoners and found by Patrolmen of this Department.

THEODORE A. BINGHAM,
Police Commissioner.

POLICE DEPARTMENT—CITY OF NEW YORK, BOROUGH OF BROOKLYN.

OWNERS WANTED BY THE PROPERTY CITY OF NEW YORK—Clerk of the Police Department of The City of New York—Office, No. 209 State street, Borough of Brooklyn—for the following property, now in his custody, without claimants: Boats, rope, iron, lead, male and female clothing, boots, shoes, wine, blankets, diamonds, canned goods, liquors, etc.; also small amount of money taken from prisoners and found by Patrolmen of this Department.

THEODORE A. BINGHAM,
Police Commissioner.

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.

MUNICIPAL CIVIL SERVICE COMMISSION.

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, NEW YORK, December 3, 1908.

PUBLIC NOTICE IS HEREBY GIVEN that the time for receiving applications for the position of

PATROLMAN, POLICE DEPARTMENT, has been extended to

THURSDAY, DECEMBER 31, 1908, AT 4 P. M.

(NO APPLICATION RECEIVED BY THE COMMISSION, BY MAIL OR OTHERWISE, AFTER 4 P. M. ON DECEMBER 31 WILL BE ACCEPTED.)

The subjects and weights are as follows:

Physical development and strength..... 50
Mental test..... 50

The subjects and weights of the mental test are as follows:

Memory test..... 2
Government 5
Localities 1
Arithmetic 2

Seventy per cent. will be required on the mental examination.

Seventy per cent. will be required on strength.

Seventy per cent. will be required on physical development.

Applications will not be received from persons who are less than twenty-three (23) years of age on December 31, 1908, or who are more than thirty (30) years of age.

Naturalized citizens must attach their naturalization papers to application.

Applicants will be notified later of the dates of the physical and mental examinations.

F. A. SPENCER, Secretary.

MUNICIPAL CIVIL SERVICE COMMISSION, No. 66 LAFAYETTE STREET, NEW YORK CITY, October 30, 1908.

PUBLIC NOTICE IS HEREBY GIVEN that applications for the following positions in the labor class will be received on and after

MONDAY, NOVEMBER 16, 1908,

viz.: Labor Class—Part I.
COAL PASSER.
LICENSED FIREMAN.</p

in the technical journals appertaining to the particular profession for which the examination is called.

Such notices will be sent to the daily papers as matters of news. The scope of the examination will be stated, but for more general information application should be made at the office of the Commission.

Specimen questions of previous examinations may be obtained at Room 1108.

Unless otherwise specifically stated, the minimum age requirement for all positions is 21.

FRANK L. POLK,
President;
R. ROSS APPLETON,
ARTHUR J. O'KEEFE,
Commissioners.
FRANK A. SPENCER,
Secretary.

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 on

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.

d9,22

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

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 on

TUESDAY, DECEMBER 15, 1908.

Borough of Richmond.

FOR FURNISHING AND DELIVERING ONE (1) TEN (10) TON STEAM ROAD ROLLER.

The time for the completion of the work and the full performance of the contract is fifteen (15) days.

The amount of security required is Fifteen Hundred Dollars (\$1,500).

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, November 27, 1908.

d3,15

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

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 m. on

TUESDAY, DECEMBER 15, 1908.

Borough of Richmond.

No. 1. FOR FURNISHING AND DELIVERING FORAGE AT STABLE A, ON SWAN STREET, TOMPKINSVILLE, S. I.

The Superintendent's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required is as follows:

140,000 pounds hay.
20,000 pounds straw.
145,000 pounds oats.
7,000 pounds bran.
125 pounds fine salt.
100 pounds oat meal.
150 pounds oil meal.
100 pounds ground corn.
10 dozen salt bricks.

The time for the completion of the work and the full performance of the contract is by or before June 30, 1909.

The amount of security required is Eighteen Hundred Dollars (\$1,800).

No. 2. FOR FURNISHING AND DELIVERING FORAGE AT STABLE B, ON COLUMBIA STREET, WEST NEW BRIGHTON, S. I.

The Superintendent's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required is as follows:

90,000 pounds hay.
15,000 pounds straw.
90,000 pounds oats.
2,800 pounds bran.
50 pounds fine salt.
100 pounds oat meal.
600 pounds oil meal.
100 pounds ground corn.
6 dozen salt bricks.

The time for the completion of the work and the full performance of the contract is by or before June 30, 1909.

The amount of security required is Eleven Hundred Dollars (\$1,100).

No. 3. FOR SHOEING THE HORSES AT STABLE A, ON SWAN STREET, TOMPKINSVILLE, S. I.

The Superintendent's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required is as follows:

26 draught horses.
13 light driving horses.

The time for the completion of the work and the full performance of the contract is by or before December 31, 1909.

The amount of security required is Four Hundred Dollars (\$400).

No. 4. FOR SHOEING THE HORSES AT STABLE B, ON COLUMBIA STREET, WEST NEW BRIGHTON, S. I.

The Superintendent's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required is as follows:

23 draught horses.
4 light driving horses.

The time for the completion of the work and the full performance of the contract is by or before December 31, 1909.

The amount of security required is Three Hundred Dollars (\$300).

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.

n25,dr15

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

DEPARTMENT OF DOCKS AND FERRIES.

DEPARTMENT OF DOCKS AND FERRIES, PIER "A," FOOT OF BATTERY PLACE, NORTH RIVER, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

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

THURSDAY, DECEMBER 17, 1908.

Borough of Manhattan.

CONTRACT NO. 1161.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR PREPARING FOR REPAIRING AND REBUILDING A PORTION OF THE WEST THIRTY-FIFTH STREET PIER, KNOWN AS PIER 75, NORTH RIVER, BOROUGH OF MANHATTAN.

The time for the completion of the work and the full performance of the contract is on or before the expiration of one hundred and twenty (120) calendar days.

The amount of security required is Twelve Thousand Dollars (\$12,000).

The bidder shall state one aggregate price for doing all of the work described and specified, as the contract is entire and for a complete job. The contract if awarded will be awarded, at such aggregate price, to the bidder who is the lowest, and whose bid is regular in all respects.

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

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the said Department.

ALLEN N. SPOONER, Commissioner of Docks.

Dated December 4, 1908.

d5,17

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

DEPARTMENT OF DOCKS AND FERRIES, PIER "A," FOOT OF BATTERY PLACE, NORTH RIVER, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

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

TUESDAY, DECEMBER 15, 1908.

Borough of Manhattan.

CONTRACT NO. 1159.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR FURNISHING HORSES, WITH HARNESS AND DRIVERS, FOR CARTING COAL TO AND REMOVING ASHES, ETC., FROM THE MUNICIPAL FERRYBOATS IN THE BOROUGHS OF BROOKLYN AND RICHMOND.

The time for the completion of the work and the full performance of the contract is on or before the expiration of December 31, 1909.

The amount of security required is as follows:

On Class 1, for about 18 carts per day at the ferry terminal at St. George, Borough of Richmond, the security to be Seventy-five Hundred Dollars.

On Class 2, for about 6 carts per day at the ferry terminal at foot of Thirty-ninth street, Borough of Brooklyn, the security to be Twenty-five Hundred Dollars.

Bidders must state a price, per day, for horse, harness and driver, as called for in the specifications. The bids will be tested by this unit price, and each class of the contract, if awarded, will be awarded separately to the lowest bidder in the class according to such unit price.

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 said Department.

ALLEN N. SPOONER, Commissioner of Docks.

Dated December 2, 1908.

d3,15

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

DEPARTMENT OF DOCKS AND FERRIES, PIER "A," FOOT OF BATTERY PLACE, NORTH RIVER, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

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

TUESDAY, DECEMBER 15, 1908.

Borough of Manhattan.

CONTRACT NO. 1136.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR REPAIRING ASPHALT PAVEMENT ON NORTH AND EAST RIVERS, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The time for the completion of the work and the full performance of the contract is on or before the expiration of December 31, 1909.

The amount of security required is Eleven Hundred Dollars (\$1,100).

No. 3. FOR SHOEING THE HORSES AT STABLE A, ON SWAN STREET, TOMPKINSVILLE, S. I.

The Superintendent's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required is as follows:

90,000 pounds hay.
15,000 pounds straw.
90,000 pounds oats.
2,800 pounds bran.
50 pounds fine salt.
100 pounds oat meal.
600 pounds oil meal.
100 pounds ground corn.
6 dozen salt bricks.

The time for the completion of the work and the full performance of the contract is by or before June 30, 1909.

The amount of security required is Eighteen Hundred Dollars (\$1,800).

No. 4. FOR FURNISHING AND DELIVERING FORAGE AT STABLE B, ON COLUMBIA STREET, WEST NEW BRIGHTON, S. I.

The Superintendent's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required is as follows:

90,000 pounds hay.
15,000 pounds straw.
90,000 pounds oats.
2,800 pounds bran.
50 pounds fine salt.
100 pounds oat meal.
600 pounds oil meal.
100 pounds ground corn.
6 dozen salt bricks.

The time for the completion of the work and the full performance of the contract is by or before June 30, 1909.

The amount of security required is Eleven Hundred Dollars (\$1,100).

No. 5. FOR SHOEING THE HORSES AT STABLE A, ON SWAN STREET, TOMPKINSVILLE, S. I.

The Superintendent's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required is as follows:

90,000 pounds hay.
15,000 pounds straw.
90,000 pounds oats.
2,800 pounds bran.
50 pounds fine salt.
100 pounds oat meal.
600 pounds oil meal.
100 pounds ground corn.
6 dozen salt bricks.

The time for the completion of the work and the full performance of the contract is by or before June 30, 1909.

The amount of security required is Eleven Hundred Dollars (\$1,100).

No. 6. FOR SHOEING THE HORSES AT STABLE B, ON COLUMBIA STREET, WEST NEW BRIGHTON, S. I.

The Superintendent's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required is as follows:

90,000 pounds hay.
15,000 pounds straw.
90,000 pounds oats.
2,800 pounds bran.
50 pounds fine salt.
100 pounds oat meal.
600 pounds oil meal.
100 pounds ground corn.
6 dozen salt bricks.

The time for the completion of the work and the full performance of the contract is by or before June 30, 1909.

The amount of security required is Eleven Hundred Dollars (\$1,100).

No. 7. FOR SHOEING THE HORSES AT STABLE A, ON SWAN STREET, TOMPKINSVILLE, S. I.

The Superintendent's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required is as follows:

90,000 pounds hay.
15,000 pounds straw.
90,000 pounds oats.
2,800 pounds bran.
50 pounds fine salt.
100 pounds oat meal.
600 pounds oil meal.
100 pounds ground corn.
6 dozen salt bricks.

The time for the completion of the work and the full performance of the contract is by or before June 30, 1909.

The amount of security required is Eleven Hundred Dollars (\$1,100).

No. 8. FOR SHOEING THE HORSES AT STABLE B, ON COLUMBIA STREET, WEST NEW BRIGHTON, S. I.

The Superintendent's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required is as follows:

90,000 pounds hay.
15,000 pounds straw.
90,000 pounds oats.
2,800 pounds bran.
50 pounds fine salt.
100 pounds oat meal.
600 pounds oil meal.
100 pounds ground corn.
6 dozen salt bricks.

The time for the completion of the work and the full performance of the contract is by or before June 30, 1909.

The amount of security required is Eleven

No. 13. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF HAVEN PLACE, FROM ATLANTIC AVENUE TO HERKIMER STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

1,180 square yards asphalt pavement, including binder course.

165 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Eight Hundred and Fifty Dollars (\$850).

No. 14. FOR REGULATING AND REPAVING WITH GRANITE ON A CONCRETE FOUNDATION THE ROADWAY OF JOHNSON AVENUE, FROM BUSHWICK AVENUE TO MORGAN AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,600 square yards granite pavement, with tar and gravel joints, outside railroad area (one year maintenance).

900 square yards granite pavement, with tar and gravel joints, within railroad area (no maintenance).

30 square yards old stone pavement, to be relaid in approaches, etc.

430 cubic yards concrete, outside railroad area.

160 cubic yards concrete, within railroad area.

3,530 linear feet new curbstone, set in concrete.

90 linear feet old curbstone, redressed, rejoined and reset in concrete.

640 square feet old bridgestones, rejoined and relaid.

The time allowed for the completion of the work and the full performance of the contract is forty (40) working days.

The amount of security required is Fifty-seven Hundred Dollars (\$5,700).

No. 15. FOR REGULATING, GRADING CURBING AND LAYING SIDEWALKS ON PARK PLACE, FROM EASTERN PARKWAY EXTENSION TO RALPH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

3,560 linear feet new curbstone, set in concrete.

50 linear feet old curbstone, redressed, rejoined and reset in concrete.

12,070 cubic yards excavation.

70 cubic yards filling, not to be bid for.

200 cubic yards concrete, not to be bid for.

17,730 square feet cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract is seventy (70) working days.

The amount of security required is Fifty-six Hundred Dollars (\$5,600).

No. 16. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF PROSPECT PLACE, FROM BUFFALO AVENUE TO ROCKAWAY AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

12,900 square yards asphalt pavement, including binder course.

1,800 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is fifty (50) working days.

The amount of security required is Ninety-six Hundred and Fifty Dollars (\$9,650).

No. 17. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF SEVENTY-EIGHTH STREET, FROM THIRD AVENUE TO FOURTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,090 square yards asphalt pavement, including binder course.

290 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Fifteen Hundred and Fifty Dollars (\$1,550).

No. 18. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF SHEFFIELD AVENUE, FROM PITKIN AVENUE TO BLAKE AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,730 square yards asphalt pavement, including binder course.

380 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

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

No. 19. FOR REGULATING AND REPAVING WITH ASPHALT BLOCK ON A CONCRETE FOUNDATION THE ROADWAY OF THIRY-THIRD STREET, FROM FOURTH AVENUE TO FIFTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,430 square yards asphalt block pavement.

10 square yards old stone pavement, to be relaid in approaches, etc.

370 cubic yards concrete.

730 linear feet new curbstone set in concrete.

730 linear feet old curbstone redressed, rejoined and reset in concrete.

7 noiseless covers and heads for sewer manholes.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Twenty-four Hundred Dollars (\$2,400).

No. 20. FOR REGULATING AND REPAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF WASHINGTON AVENUE, FROM LAFAYETTE AVENUE TO DEKALB AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,900 square yards asphalt pavement, including binder course.

10 square yards old stone pavement, to be relaid in approaches, etc.

320 cubic yards concrete.

880 linear feet new curbstone, set in concrete.

100 linear feet old curbstone, redressed, rejoined and reset in concrete.

5 noiseless covers and heads for sewer manholes.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Twenty-one Hundred Dollars (\$2,100).

No. 21. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE

FOUNDATION THE ROADWAY OF WINTHROP STREET, FROM ROGERS AVENUE TO NOSTRAND AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,510 square yards asphalt pavement, including binder course.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Fifteen Hundred and Fifty Dollars (\$1,550).

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per linear foot, square yard, cubic yard or other unit of measure, by which the bids will be tested. The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Bureau of Highways, Room No. 14, Municipal Building, the Borough of Brooklyn.

BIRD S. COLER, President.

Dated December 8, 1908.

Engineer's estimate of the quantities is as follows:

2,410 square yards asphalt pavement, including binder course.

10 square yards old stone pavement, to be relaid in approaches, etc.

330 cubic yards concrete.

640 linear feet new curbstone, set in concrete.

800 linear feet old curbstone, redressed, rejoined and reset in concrete.

4 noiseless manhole heads and covers.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Twenty-one Hundred Dollars (\$2,100).

No. 22. FOR REGULATING AND REPAVING WITH ASPHALT BLOCK ON A CONCRETE FOUNDATION THE ROADWAY OF FLATBUSH AVENUE (WESTERLY SIDE), FROM FIFTH AVENUE TO PLAZA STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

9,862 square yards asphalt block pavement, outside railroad area (five years' maintenance).

913 square yards asphalt block pavement, within railroad area (no maintenance).

26 square yards old stone pavement, to be relaid in approaches, etc.

852 cubic yards concrete, outside railroad area.

55 cubic yards concrete, within railroad area.

1,846 linear feet new curbstone, set in concrete.

806 linear feet old curbstone, redressed, rejoined and reset in concrete.

8,192 square yards old asphalt pavement, to be removed.

The time allowed for the completion of the work and the full performance of the contract is sixty (60) working days.

The amount of security required is Nine Thousand Dollars (\$9,000).

No. 23. FOR REGULATING AND REPAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF FRANKLIN AVENUE, FROM JEFFERSON AVENUE TO ATLANTIC AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

1,920 square yards asphalt pavement, including binder course, outside railroad area (five years' maintenance).

495 square yards asphalt pavement, including binder course, within railroad area (no maintenance).

10 square yards old stone pavement, to be relaid in approaches, etc.

270 cubic yards concrete, outside railroad area.

70 cubic yards concrete, within railroad area.

1,674 linear feet new curbstone, set in concrete.

420 linear feet old curbstone, redressed, rejoined and reset in concrete.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

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

No. 24. FOR REGULATING AND REPAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF MARCY AVENUE, FROM MIDDLETON STREET TO FLUSHING AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

1,840 square yards asphalt pavement, including binder course, outside railroad area (five years' maintenance).

430 square yards asphalt pavement, including binder course, within railroad area (no maintenance).

70 square yards old stone pavement, to be relaid in approaches, etc.

260 cubic yards concrete, outside railroad area.

60 cubic yards concrete, within railroad area.

1,590 linear feet new curbstone, set in concrete.

170 linear feet old curbstone, redressed, rejoined and reset in concrete.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

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

No. 25. FOR REGULATING AND REPAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF SACKMAN STREET, FROM FULTON STREET TO ATLANTIC AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

1,920 square yards asphalt pavement, including binder course.

10 square yards old stone pavement, to be relaid in approaches, etc.

265 cubic yards concrete.

950 linear feet new curbstone, set in concrete.

200 linear feet old curbstone, redressed, rejoined and reset in concrete.

5 noiseless manhole heads and covers.

The time allowed for the completion of the work and the full performance of the contract is thirty-five (35) working days.

The amount of security required is Six Hundred and Twenty-five Dollars (\$625).

No. 26. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF EAST TWENTY-FIFTH STREET, FROM CLARENCE ROAD TO CANARSIE LANE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

870 linear feet new curbstone, set in concrete.

50 linear feet old curbstone, redressed, rejoined and reset in concrete.

340 cubic yards earth excavation.

3,340 cubic yards earth filling, to be furnished.

3,100 cubic yards concrete, not to be bid for.

8,940 square feet cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract is fifty (50) working days.

The amount of security required is Eight Hundred Dollars (\$800).

No. 27. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF FIFTY-SECOND STREET, FROM SECOND AVENUE TO FOURTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,280 square yards asphalt pavement, including binder course.

320 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Eleven Hundred Dollars (\$1,100).

No. 28. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON EAST TWENTY-FIFTH STREET, FROM CLARENCE ROAD TO CANARSIE LANE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

1,770 square yards granite pavement, with tar and gravel joints, laid outside railroad area (one year maintenance).

660 square yards granite pavement, with tar and gravel joints, laid within railroad area (no maintenance).

300 cubic yards concrete, outside railroad area.

110 cubic yards concrete, within railroad area.

1,210 linear feet new curbstone, set in concrete.

1,170 linear feet old curbstone, redressed, rejoined and reset in concrete.

120 cubic yards concrete, under curb (not to be bid for).

180 square feet new granite bridgestones, outside railroad area.

60 square feet new granite bridgestones, within railroad area.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Forty-one Hundred and Fifty Dollars (\$4,150).

No. 29. FOR REGULATING AND REPAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY

The amount of security required will be Eighteen Hundred Dollars (\$1,800).
No. 4. FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASINS ON HOPKINSON AVENUE, AT THE NORTHEAST CORNER OF RIVERDALE AVENUE, AND AT THE NORTHEAST CORNER OF LIVONIA AVENUE, AND AT THE SOUTHWEST CORNER OF CHESTER STREET AND DUMONT AVENUE.
 The Engineer's preliminary estimate of the quantities is as follows:
 3 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin hoods and connecting culverts, including all incidentals and appurtenances, per basin, \$160 \$480 00

The time allowed for the completion of the work and full performance of the contract will be twenty (20) working days.

The amount of security required will be Two Hundred and Forty Dollars (\$240).

No. 5. FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASINS AT THE EASTERN AND SOUTHERLY CORNERS OF FIRST AVENUE AND SEVENTY-THIRD STREET.

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

30 linear feet of 12-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.50.....	\$45 00
2 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin hoods and connecting culverts, including all incidentals and appurtenances, per basin, \$150	300 00
Total	\$345 00

The time allowed for the completion of the work and full performance of the contract will be fifteen (15) working days.

The amount of security required will be One Hundred and Seventy Dollars (\$170).

No. 6. FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASINS AT THE NORTHWEST AND SOUTHWEST CORNERS OF NOSTRAND AND CHURCH AVENUES.

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

2 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin hoods and connecting culverts, including all incidentals and appurtenances, per basin, \$155	\$310 00
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The time allowed for the completion of the work and full performance of the contract will be fifteen (15) working days.

The amount of security required will be One Hundred and Fifty Dollars (\$150).

No. 7. FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASIN AT THE NORTHERLY CORNER OF FIFTY-NINTH STREET AND SIXTH AVENUE

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

1 sewer basin, complete, of either standard design, with iron pans or gratings, iron basin hood and connecting culvert, including all incidentals and appurtenances, per basin, \$190	\$190 00
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The time allowed for the completion of the work and full performance of the contract will be ten (10) working days.

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

No. 8. FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASIN AT THE WESTERLY CORNER OF NEW Utrecht AVENUE AND EIGHTY-FOURTH STREET.

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

1 sewer basin, complete, of either standard design, with iron pans or gratings, iron basin hood and connecting culvert, including all incidentals and appurtenances, per basin, \$150	\$150 00
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The time allowed for the completion of the work and full performance of the contract will be ten (10) working days.

The amount of security required will be Seventy-five Dollars (\$75).

No. 9. FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASIN AT THE SOUTHWEST CORNER OF VANDAM STREET AND BRIDGEWATER STREET.

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

1 sewer basin, complete, of either standard design, with iron pans or gratings, iron basin hood and connecting culvert, including all incidentals and appurtenances, per basin, \$140	\$140 00
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The time allowed for the completion of the work and full performance of the contract will be ten (10) working days.

The amount of security required will be Seventy Dollars (\$70).

The foregoing Engineer's preliminary estimates of total cost for the completed work are in each case to be taken as the 100 per cent. basis and test for bidding. Proposals shall each state a single percentage of such 100 per cent. cost (such as 95 per cent., 100 per cent. or 105 per cent.) for which all material and work called for in the proposed contracts, and the notices to bidders are to be furnished to the City. Such percentage, as bid for each contract, shall apply to all unit items specified in the Engineer's preliminary estimate to an amount necessary to complete the work described in the contract.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Bureau of Sewers, the Borough of Brooklyn, No. 215 Montague street, Brooklyn.

BIRD S. COLER, President.

Dated November 30, 1908.

d1.16

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

DEPARTMENT OF CORRECTION.

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

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

THURSDAY, DECEMBER 17, 1908.

Borough of Manhattan.

No. 1. FOR FURNISHING AND DELIVERING WHITE ASH COAL.

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

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

No. 2. FOR FURNISHING AND DELIVERING MEATS, FISH, FLUID AND CONDENSED MILK.

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 4, 1908.

DEPARTMENT OF PUBLIC CHARITIES.

DEPARTMENT OF PUBLIC CHARITIES, FOOT OF EAST TWENTIETH 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

THURSDAY, DECEMBER 17, 1908.

FOR PROVIDING ALL LABOR AND MATERIALS NECESSARY OR REQUIRED FOR THE EXCAVATION, MASONRY, STEEL AND IRON WORK, ROOFING AND METAL WORK, CARPENTRY, ELECTRIC WORK, HEATING AND VENTILATING WORK, PLUMBING WORK AND ALL OTHER WORK, AS SET FORTH IN THE DRAWINGS AND SPECIFICATIONS FOR THE CONSTRUCTION AND ENTIRE COMPLETION OF A TUBERCULOSIS INFIRMARY FOR THE METROPOLITAN HOSPITAL DISTRICT, BLACKWELLS 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 three hundred and sixty-five (365) consecutive calendar days.

The surety required will be One Hundred Thousand Dollars (\$100,000).

The bidder will state one aggregate price for the whole work described and specified, as the contract is entire and for a complete job.

Blank forms and further information may be obtained at the office of Raymond F. Almirell, Architect, No. 51 Chambers street, The City of New York, where plans and specifications may be seen.

ROBERT W. HEBBERD, Commissioner.

Dated December 7, 1908.

Blank forms and further information may be obtained at the office of the Department, foot of East Twenty-sixth street, Borough of Manhattan, or at the New York City Farm Colony, Borough of Richmond.

ROBERT W. HEBBERD, Commissioner.

The City of New York, December 1, 1908.

d1.11

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

DEPARTMENT OF FINANCE.

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, AFFECTIONED BY THE FOLLOWING ASSESSMENTS FOR LOCAL IMPROVEMENTS IN THE BOROUGH OF QUEENS:

FIRST WARD.

FOURTH AVENUE—SEWER, from Broadway to Graham avenue. Area of assessment: Both sides of Fourth avenue, from Broadway to Graham avenue.

EIGHTH AVENUE (POMEROY STREET)—SEWER, from Grand avenue to Vandeventer avenue. Area of assessment: Both sides of Eighth avenue, from Grand avenue to Vandeventer avenue.

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 1019 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 150 of this act."

Section 150 of this act provides * * * "An assessment shall become a lien upon the 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. until 12 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.

d10

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, AFFECTIONED 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 Broadway, between Hawthorne 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 Sixteenth 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 street, 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 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.

Deliveries to be made at the New York City Farm Colony, Borough of Richmond.

The bidder will state the price per pound, per ton, 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 line or item, as stated in the specifications.

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

TUESDAY, DECEMBER 15, 1908.

Borough of Manhattan.

FOR FURNISHING AND DELIVERING HARDWARE, PAINTS, IRON, STEAM FITTINGS, LUMBER AND MISCELLANEOUS ARTICLES.

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before ten days.

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

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total 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 2, 1908.

d3.15

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

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

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

TUESDAY, DECEMBER 15, 1908.

NO. 1. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED TO INSTALL NEW STEEL GRILLES TO GALLERIES OF MALE PRISON, CELL BLOCKS A, B, C AND D, TEMPORARY CORRUGATED IRON PROTECTION FENCE IN PRISON YARD, AND OTHER SHEET IRON AND ORNAMENTAL WROUGHT IRON WORK, ETC., AT THE CITY PRISON, RAYMOND STREET, BOROUGH OF BROOKLYN.

The time for the completion of the work and the full performance of the contract is by or before 200 consecutive working days.

The amount of security required is 50 per cent. of the amount of bid or estimate.

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

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

JOHN V. COGGEY, Commissioner.

Dated December 1, 1908.

d3.15

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 101 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 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.

der 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, 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 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 bid-

der 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, 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 the 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 UPON 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, by virtue of the powers vested in them by law, will offer for sale at public auction all the buildings, parts of buildings, etc., standing within the lines of property owned by The City of New York, acquired by it for school 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 bid-

der 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.

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, 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.

Party walls and fences, when existing against adjacent property not sold, shall not be taken down. All furrings, 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 the 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.

d9.24

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; 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 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.

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 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 those buildings, parts of buildings, etc., standing on that certain plot of ground located at the northwest corner of Keap and South Third streets, described as follows:

Beginning at the northwest corner of South Third street and Keap street; thence northerly along the westerly side of Keap street 80 feet; thence westerly parallel with South Third street 100 feet; thence northerly along the westerly side of the present school site 40 feet; thence westerly parallel with South Third street 75 feet; thence southerly parallel with Keap street 120 feet to the north side of South Third street, and thence easterly along the north side of South Third street 175 feet to the point or place of beginning; all of 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 December 9, 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 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

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 furlings, 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.

d4,23

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:

FIRST WARD, SECTION 1.

BBROADWAY — RESTORING ASPHALT PAVEMENT opposite No. 50. Area of assessment: East side of Broadway, 124 feet 10 inches south of Exchange place, known as Lot No. 27, in Block 22.

NINETEENTH WARD, SECTION 5.

EAST SEVENTY-NINTH STREET — RESTORING ASPHALT PAVEMENT in front of premises Nos. 123 and 125. Area of assessment: North side of Seventy-ninth street, 225 feet east of Park avenue, and known as Lot No. 10, in Block 1508.

TWENTY-SECOND WARD, SECTION 4. **W**EST SEVENTY-THIRD STREET AND AMSTERDAM AVENUE—RESTORING ASPHALT PAVEMENT at the southeast corner. Area of assessment: Southeast corner of Seventy-third street and Amsterdam avenue, known as Lot No. 61, in Block 1144.

The above assessments were certified to the Collector of Assessments and Arrears, under the provisions of section 391 of the Greater New York Charter.

— that the same were entered on December 4, 1908, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and 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 2, 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 4, 1908.

d5,18

NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF THE Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF BROOKLYN:

THIRTIETH WARD, SECTION 18.

SEVENTY-SIXTH STREET—REGULATING GRADING, CURBING AND LAYING CEMENT SIDEWALKS, between Third and Fourth avenues. Area of assessment: Both sides of Seventy-sixth street, from Third to Fourth avenue, and to the extent of half the block at the intersecting avenues.

SILLIMAN PLACE—REGULATING, GRADING, CURBING, PAVING AND LAYING CEMENT SIDEWALKS, between Second and Third avenues. Area of assessment: Both sides of Silliman place, from Second to Third avenue, and to the extent of half the block at the intersecting avenues.

— that the same were confirmed by the Board of Revision of Assessments, December 3, 1908, and entered on December 3, 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 said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears, at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the 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 1, 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 3, 1908.

— that the same were confirmed by the Board of Revision of Assessments, December 3, 1908, and entered on December 3, 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 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 January 30, 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 3, 1908.

— that the same were confirmed by the Board of Revision of Assessments, December 3, 1908, and entered on December 3, 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 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 January 30, 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 1, 1908.

d3,16

NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF THE Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessment for LOCAL IMPROVEMENTS in the BOROUGH OF MANHATTAN:

SEVENTH WARD, SECTION 1.

SCAMMEL STREET — SEWER, between Cherry and Water streets. Area of assessment: Both sides of Scammel street, between Cherry and Water streets.

— that the same was confirmed by the Board of Assessors on December 1, 1908, and entered on December 1, 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 January 30, 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 liens to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance, Comptroller's Office, December 1, 1908.

d3,16

NOTICE TO PROPERTY OWNERS.

NOTICES OF ASSESSMENTS FOR OPENING STREETS AND PARKS.

IN PURSUANCE OF SECTION 1005 OF THE Greater New York Charter, the Comptroller of The City of New York hereby gives public notice of the confirmation by the Supreme Court, and the entering in the Bureau for the Collection of Assessments and Arrears, of assessment for OPENING AND ACQUIRING TITLE to the following-named avenue in the BOROUGH OF BROOKLYN:

TWENTY-NINTH WARD, SECTIONS 15 AND 16.

AVENUE D — OPENING, between Rogers avenue and East Thirty-fourth street. Confirmed November 2, 1908; entered November 28, 1908. Area of assessment includes all those lands, tenements and hereditaments and premises situate, lying and being in the Borough of Brooklyn, in The City of New York, which, taken together, are bounded and described as follows, viz:

Beginning at a point on the easterly side of Rogers avenue, distant three hundred and fifty (350) feet northerly from the northerly side of Avenue D; running thence easterly and at right angles to said Rogers avenue and parallel with the northerly side of Avenue D and distant three hundred and fifty (350) feet northerly therefrom to its intersection with the westerly side of East Thirty-fourth street; running thence southerly and along the westerly side of East Thirty-fourth street to a point distant three hundred and fifty (350) feet southerly from the southerly side of Avenue D; running thence westerly and at right angles to East Thirty-fourth street and parallel with the southerly side of Avenue D and distant three hundred and fifty (350) feet therefrom to its intersection with the easterly side of Rogers avenue; running thence northerly and along the easterly side of Rogers avenue to the point or place of beginning.

The above-entitled assessment was entered on the day herebefore given in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of entry of the assessment, interest will be collected thereon, as provided in section 1006 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 said 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 Bu-

NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF THE Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF THE BRONX:

TWELFTH WARD, SECTION 8.

WEST TWO HUNDRED AND FIRST STREET — PAVING, CURBING AND RE-CURBING, from the easterly line of Academy street to a point 200 feet east of the easterly line of Ninth avenue. Area of assessment: Both sides of Two Hundred and First street, from Academy street to a point about 200 feet east of the easterly line of Ninth avenue.

WEST TWO HUNDRED AND SECOND STREET — PAVING, CURBING AND RE-CURBING, from the easterly line of Tenth avenue to a point 200 feet east of the easterly line of Ninth avenue. Area of assessment: Both sides of Two Hundred and Second street, from Tenth avenue to a point about 200 feet east of the easterly line of Ninth avenue.

— that the same were confirmed by the Board of Revision of Assessments on December 3, 1908, and entered on December 3, 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 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 January 30, 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 3, 1908.

d4,17

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.

GRAHAM AVENUE AND SIXTH AVENUE — CATCH BASINS, on the northeast and northwest corners. Area of assessment: Both sides of Sixth avenue, and west side of Seventh avenue, between Graham avenue and Broadway, and north side of Graham avenue, between Fifth and Sixth avenues.

THIRD WARD.

TEMPORARY SEWER IN CHESTNUT STREET, from a point 150 feet west of Parsons avenue to Whitestone avenue; and **W**HITESONE AVENUE — TEMPORARY SEWER, from Chestnut to State street. Area of assessment: Both sides of Chestnut street, between Parsons and Whitestone avenues, and both sides of Whitestone avenue, between Chestnut and State streets.

FOURTH WARD.

UNION AND SHELTON AVENUES — CATCH BASIN, on the southeast corner. Area of assessment: East side of Union avenue, from Shelton avenue to a point about 708 feet southerly, and south side of Shelton avenue, between Union and Hardenbrook avenues.

rears 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 January 27, 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, November 28, 1908.

d2,15

INTEREST ON BONDS AND STOCK OF THE CITY OF NEW YORK.

THE INTEREST DUE ON JANUARY 1, 1909, on the Registered Bonds and Stock of The City of New York will be paid on January 2, 1909, by the Comptroller, at his office, Room 85, Stewart Building, corner of Broadway and Chambers street.

The Transfer Books thereof will be closed from December 15, 1908, to January 2, 1909.

The interest due on January 1, 1909, on the Coupon Bonds of the City of Brooklyn will be paid on January 2, 1909, by the Nassau National Bank of Brooklyn, No. 26 Court street.

The interest due January 1, 1909, on the Coupon Bonds of Corporations in Queens and Richmond Counties will be received on January 2, 1909, for payment by the Comptroller at his office, Room 85, Stewart Building, corner of Broadway and Chambers street.

HERMAN A. METZ, Comptroller.
City of New York, Department of Finance,
Comptroller's Office, November 30, 1908.

d2,31

DEPARTMENT OF FINANCE, BUREAU FOR THE COLLECTION OF TAXES, NEW YORK, December 1, 1908.

NOTICE TO TAXPAYERS.

UNDER THE PROVISIONS OF SECTION 919 of the Greater New York Charter, notice is hereby given to all persons or corporations who have omitted to pay their taxes, "To pay the same in the Borough in which the property is located," as follows:

Borough of Manhattan, No. 57 Chambers street, Manhattan, N. Y.;

Borough of The Bronx, corner Third and Tremont avenues, The Bronx, N. Y.;

Borough of Brooklyn, Rooms 2, 4, 6 and 8, Municipal Building, Brooklyn, N. Y.;

Borough of Queens, corner Jackson avenue and Fifth street, Long Island City, N. Y.;

Borough of Richmond, Borough Hall, St. George, Staten Island, N. Y.;

— and that under the provisions of section 917 of said Charter, "If any such tax shall remain unpaid on the first day of November it shall be the duty of the Receiver of Taxes to charge, receive and collect upon such tax so remaining unpaid on that day, in addition to the amount of such tax, seven per centum per annum upon the amount thereof from the day on which said taxes became due and payable (October 5, 1908), as provided by section nine hundred and fourteen of this act, to the date of payment."

DAVID E. AUSTEN, Receiver of Taxes.

d1,31

NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF the Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF BROOKLYN:

FIFTH WARD, SECTION 1; FIFTEENTH WARD, SECTION 9; TWENTY-SIXTH WARD, SECTIONS 5 AND 13, AND TWENTY-EIGHTH WARD, SECTION 11.

LAYING CEMENT SIDEWALKS, on the southeast side of LITTLE STREET, between Evans and United States streets; south side of RICHARDSON STREET, between Manhattan and Graham avenues; southeast side of PALMETTO STREET, between Hamburg and Knickerbocker avenue; northwest side of JAMAICA AVENUE, between Barbe and Warwick streets; south side of FLUSHING AVENUE, between Bushwick avenue and Bremen street; south side of SUTTER AVENUE, between Van Sicklen avenue and Hendrix street; north side of ST. MARKS AVENUE, between Hopkinson and Rockaway avenues; southeast side of GREENE AVENUE, between St. Nicholas avenue and the Borough of Queens; southeast side of PILLING STREET, between Bushwick and Evergreen avenues, and southwest side of EVERGREEN AVENUE, between Pilling street and New York and Manhattan Beach Railroad. Area of assessment: East side of Little street, between Evans and United States streets; Block 24, Lots Nos. 15, 16 and 17; south side of Richardson street, between Manhattan and Graham avenues, Block 2734, Lot No. 18; east side of Palmetto street, between Hamburg and Knickerbocker avenues, Block 3352, Lot No. 13; west side of Jamaica avenue, between Barbe and Warwick streets, Block 3898, Lot No. 41; south side of Flushing avenue, between Bushwick avenue and Bremen street, Block 3139, Lot No. 8; south side of Sutter avenue, between Van Sicklen avenue and Hendrix street, Block 4042, Lots Nos. 14, 15, 16 and 17; north side of St. Marks avenue, between Hopkinson and Rockaway avenues, Block 1454, Lot No. 54; east side of Greene avenue, between St. Nicholas avenue and the Borough of Queens, Block 3303, Lot No. 9; west side of Evergreen avenue and south side of Pilling street, between Bushwick and Evergreen avenues, Block 3457, Lots Nos. 29 and 35.

EIGHTH WARD, SECTION 3, AND TWENTY-NINTH WARD, SECTION 16.

TWENTIETH STREET—SEWER, between Terrace place and Vanderbilt street, and VANDERBILT STREET—OUTLET SEWER, between Twentieth street and East Fifth street. Area of assessment: Both sides of Twentieth street, from Terrace place to Vanderbilt street; north side of Vanderbilt street, from Twentieth street to a point about 270 feet east of Nineteenth street; also blocks bounded by Terrace place and Vanderbilt street, Gravesend avenue and Twentieth street; south side of Terrace place, from Nineteenth to Twentieth street; north side of Seeley street, from Nineteenth to Twentieth street; south side of Seeley street, from Eighteenth to Twentieth street; both sides of Nineteenth street, from Seeley street to Vanderbilt street.

EIGHTH WARD, SECTION 3, AND THIRTY-ETH WARD, SECTION 18.

LAYING CEMENT SIDEWALKS on FORTY-FIFTH STREET, north side, between Fifth and Sixth avenues; on SEVENTY-SECOND STREET, north side, between Third and Fourth avenues, and on SEVENTY-NINTH STREET, north

side, between Shore road and Third avenue. Area of assessment: North side of Forty-fifth street, between Fifth and Sixth avenues; north side of Seventy-second street, between Third and Fourth avenues, Block 5891, Lots Nos. 1, 58, 64, 65, 66, 67, 68, 79 and 95; north side of Seventy-ninth street, between Shore road and Third avenue.

SIXTY-SECOND STREET—SEWER, between Third and Fifth avenues, and THIRD AVENUE—OUTLET SEWER, from Sixty-second to Sixty-third street. Area of assessment: Both sides of Sixty-second street, from Third to Fifth avenue, and both sides of Third avenue, from Sixty-second to Sixty-third street.

NINTH AND TWENTY-SECOND WARDS, SECTIONS 3 AND 4.

LAYING CEMENT SIDEWALKS ON WASHINGTON AVENUE, east side, between Classon avenue and Washington place; on WINDSOR PLACE, north side, between Tenth and Eleventh avenues; on FIFTH STREET, north side, between Fourth and Fifth avenues; on EIGHTH AVENUE, east side, between Nineteenth and Twentieth streets; on NINETEENTH STREET, both sides, between Eighth avenue and Prospect Park West; on EIGHTEENTH STREET, north side, between Prospect Park West and Eleventh avenue. Area of assessment: East side of Washington avenue, from Classon avenue to a point about 19 feet south of Montgomery street; north side of Windsor place, commencing about 123 feet and extending easterly about 150 feet; north side of Fifth street, from Fourth to Fifth avenue, known as Lot No. 1, in Block 984; east side of Eighth avenue, extending about 100 feet south of Nineteenth street; south side of Nineteenth street, Block 888, Lots Nos. 7, 19, 25, 32, 34 and 39; north side of Nineteenth street, Block 882, Lots Nos. 17, 28, 50 and 47; north side of Eighteenth street, between Prospect Park West and Tenth avenue, Block 877, Lots Nos. 49, 51, 54, 55, 57, 58, 59, 64, 68 and 71; north side of Eighteenth street, between Tenth and Eleventh avenues, Block 878, Lots Nos. 40, 51 to 56 and 68 to 73, inclusive.

TWENTY-SECOND WARD, SECTION 4.

WINDSOR PLACE—GRADING A LOT between Eighth avenue and Prospect Park West. Area of assessment: North side of Windsor place, between Eighth avenue and Prospect Park West, known as Lot No. 47, in Block 1109.

NINTH STREET—SEWER BASINS at the northwest and southwest corners of Sixth, Seventh and Eighth avenues, and both sides of NINTH STREET, midway between Fifth and Sixth avenues, Sixth and Seventh avenues, and Seventh and Eighth avenues. Area of assessment: North side of Ninth street, from Fifth avenue to Prospect Park West; south side of Ninth street, from Prospect Park West to a point about 348 feet east of Fifth avenue; both sides of Eighth avenue, from Eighth to Tenth street; both sides of Seventh avenue, from Ninth to Tenth street; both sides of Sixth avenue, from Ninth to Tenth street, and northwestern side of Prospect Park West, from Eighth to Ninth street.

TWENTY-EIGHTH WARD, SECTION 11.

HIMROD STREET—RECONSTRUCTING A SEWER, between Evergreen and Knickerbocker avenues. Area of assessment: Both sides of Himrod street, from Bushwick to Knickerbocker avenue, and both sides of Myrtle avenue, from Stanhope street to Himrod street.

TWENTY-NINTH WARD, SECTION 16.

ROGERS AVENUE—SEWER, between Linden avenue and Martense street. Area of assessment: East side of Rogers avenue, from Martense street to Lenox road; both sides of Rogers avenue, from Lenox road to Robinson street; both sides of Clarkson avenue, Lenox road and Linden street, from Rogers to Nostrand avenue.

THIRTIETH WARD, SECTION 18.

BAY RIDGE PARKWAY—REGULATING, SETTING OR RESETTING CURB, from Fifth to Seventh avenue, and LAYING BRICK GUTTERS, from Shore road to First avenue, and from Fifth to Seventh avenue, and LAYING CEMENT SIDEWALKS, between Shore road and Seventh avenue. Area of assessment: Both sides of Seventy-fifth street, from Shore road to First avenue; the northeast corner of Seventy-fifth street and First avenue, and both sides of Seventy-fifth street, from Fifth to Seventh avenue, and to the extent of half the block at the intersecting and terminating streets and avenues.

THIRTIETH WARD, SECTION 19.

BENSON AVENUE—SEWER, between Bay Eleventh and Bay Thirteenth streets. Area of assessment: Both sides of Benson avenue, from Bay Eleventh to Bay Thirteenth street; both sides of Bay Eleventh street, from Bath avenue to Benson avenue; northerly side of Bath avenue, from Bay Tenth to Bay Eleventh street.

— that the same were confirmed by the Board of Assessors on November 24, 1908, and entered November 24, 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 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 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 January 23, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when such assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance, Comptroller's Office, November 24, 1908.

NOTICE OF OPENING AND ACQUIRING TITLE to the following named street in the BOROUGH OF THE BRONX:

TWENTY-THIRD WARD, SECTIONS 9 AND 10.

WEIHER COURT—OPENING, between Washington avenue and Third avenue. Confirmed October 24, 1908. Entered November 25, 1908. Area of assessment includes all those lands, tenements and hereditaments and premises situate, lying and being in the Borough of The Bronx, in The City of New York, which, taken together, are bounded and described as follows, viz.:

Beginning at the point of intersection of the easterly line of Park avenue with a line parallel to and distant 100 feet northerly from the northerly line of East One Hundred and Sixty-fifth street; running thence easterly along said parallel line and its easterly prolongation to its intersection with a line parallel to and distant 100 feet easterly from the easterly line of Cauldwell avenue; thence southerly along said last parallel line to its intersection with a line parallel and distant 100 feet southerly from the southerly line of East One Hundred and Sixty-fourth street; thence westerly along said last parallel line to its intersection with the easterly line of Brook avenue; thence northerly along the easterly line of Brook avenue and the easterly line of Park avenue to the point or place of beginning.

The above-entitled assessment was entered on the date hereinbefore given in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents. Unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the 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 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. until 12 m., and on Saturdays from 9 a. m. until 12 m., and all payments made thereon on or before January 23, 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, November 24, 1908.

THIRD WARD.

BRADFORD AVENUE—FLAGGING, both sides, from Jagger avenue to Lawrence street, at Flushing. Area of assessment: Both sides of Bradford avenue, from Lawrence street to Jagger avenue, 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 Assessors, November 24, 1908, and entered on November 24, 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 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 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. until 12 m., and on Saturdays from 9 a. m. until 12 m., and all payments made thereon on or before January 23, 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, November 24, 1908.

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DEPARTMENT OF FINANCE, CITY OF NEW YORK, December 14, 1908.

UNTIL FURTHER NOTICE AND UNLESS otherwise directed in any special case surety companies will be accepted as sufficient upon the following contracts to the amounts named:

Supplies of Any Description, including Gas and Electricity—

One company on a bond up to \$50,000.

Two companies on a bond up to \$125,000.

Three companies on a bond up to \$200,000.

Asphalt, Asphalt Block and Wood Block Pavements—

Two companies on a bond up to \$50,000.

Three companies on a bond up to \$125,000.

Four companies on a bond up to \$200,000.

New Docks, Buildings, Bridges, Aqueducts, Tunnels, Etc.—

One company on a bond up to \$25,000.

Two companies on a bond up to \$75,000.

Three companies on a bond up to \$150,000.

Four companies on a bond up to \$250,000.

Repairs, Ventilating, Heating, Plumbing, Etc.—

One company on a bond up to \$25,000.

Two companies on a bond up to \$75,000.

Three companies on a bond up to \$150,000.

Four companies on a bond up to \$250,000.

On bonds regarded as hazardous risks additional surety will be required as the Comptroller sees fit in each instance.

All bonds exceeding \$250,000 will by that fact alone be considered hazardous risks, no matter what the nature of the work.

H. A. METZ, Comptroller.

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 10, 1908.

FOR FURNISHING AND DELIVERING, AS REQUIRED, TWELVE HUNDRED BARRELS OF PORTLAND CEMENT TO THE TUBERCULOSIS SANATORIUM AT OTISVILLE, ORANGE COUNTY, NEW YORK, DURING THE YEARS 1908 AND 1909.

The time for the delivery of the supplies and the performance of the contract is during the years 1908 and 1909.

The price bid must include freight prepaid to the Otisville (N. Y.) station on

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.

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 in Part III, thereof, in the County Court House, in the Borough of Manhattan, in The City of New York, on the day, 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;

2. Thence easterly 523.53 feet on a line deflecting 5 degrees 14 minutes 5 seconds to the left from the prolongation of the radius of the preceding course drawn from its southern extremity;

3. Thence southeasterly deflecting 8 degrees 37 minutes 40 seconds to the right for 135.33 feet to the western line of Aqueduct avenue;

4. Thence northeasterly along last-mentioned line for 63.49 feet;

5. Thence northwesterly deflecting 109 degrees 4 minutes 58 seconds to the left for 156.84 feet;

6. Thence westerly deflecting 8 degrees 6 minutes 7 seconds to the left for 61.62 feet;

7. Thence westerly deflecting 31 minutes 33 seconds to the left for 205.84 feet;

8. Thence southwesterly deflecting 23 degrees 28 minutes 48 seconds to the left for 75.29 feet;

9. Thence westerly for 192.24 feet to the point of beginning.

West One Hundred and Seventy-fifth Street.

Beginning at a point in the eastern line of Undercliff avenue distant 1,645.35 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 30.47 feet;

2. Thence easterly deflecting 100 degrees 2 minutes 19 seconds to the left for 203.11 feet;

3. Thence southeasterly deflecting 6 degrees 20 minutes 23 seconds to the right for 60.13 feet;

4. Thence southeasterly deflecting 3 degrees 41 minutes 56 seconds to the right for 460 feet;

5. Thence southerly deflecting 30 degrees 23 minutes 50 seconds to the right for 51.82 feet to the northern line of Aqueduct avenue;

6. Thence northeasterly along last-mentioned line for 104.92 feet;

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 1,090.96 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 southwesterly along the eastern line of Montgomery 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 "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-SIXTH STREET.

Beginning at a point in the western line of 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." 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 southwesterly 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 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 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 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 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 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 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 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 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 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 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 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 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 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; 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thence eastwardly and parallel with 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 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 the westerly line of Sedgwick avenue to the intersection with the prolongation of a line distant 400 feet nor

Hundred and Seventy-sixth street, in the Twenty-fourth Ward, Borough of The Bronx, 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, 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 15th 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 New York, there to remain for and during the space of five days, as required by law.

Dated Borough of Manhattan, New York, December 9, 1908.

EDWARD D. DOWLING,
JOHN J. MACKIN,
MARTIN C. DYER,
Commissioners.

JOHN P. DUNN, Clerk.

d9,14

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 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.

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 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, 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, an tangent to the preceding course for 69.08 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 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 amending 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 Corporation 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 easterly 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 fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of VAN COURTLANDT AVENUE, from Sedgwick avenue to Van Courtlandt 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 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 Van Courtlandt avenue, from Sedgwick avenue to Van Courtlandt Park South, 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 northeasterly 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 northeasterly 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 locating, 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

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 southerly on the arc of a circle 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 630 feet;

8. Thence northwesterly deflecting 133 degrees 10 minutes 37 seconds to the right for 109.70 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 76.82 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 21 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.

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 northwardly 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 southwesterly along the said line midway between Glover street and Parker street, and the prolongation thereof, to a point distant 100 feet southerly 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; thence northwesterly along the said line at right angles to Westchester 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.

Parcel "C." Beginning at a point in the northern line of Gun Hill road distant 1,155.62 feet easterly from the intersection of said line with the eastern line of White Plains road;

1. Thence easterly along the northern line of Gun Hill road for 80 feet;

2. Thence northerly deflecting 90 degrees to the left for 279.62 feet to the southern line of Tilden street;

3. Thence westerly deflecting 113 degrees 4 minutes 30 seconds to the left for 1,138.3 feet along the southern line of Tilden street;

4. Thence southeasterly deflecting 156 degrees 55 minutes 30 seconds to the left for 24.73 feet;

5. Thence southwesterly for 235 feet to the point of beginning.

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 10 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, are shown on Sections 30 and 31 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 amending acts, which maps were filed in the office of the President of the Borough of The Bronx on June 19, 1905, and February 2, 1906; in the office of the Register of the County of New York on June 14, 1905, and January 30, 1906, as Maps Nos. 1059 and 1103, and in the office of the Counsel to the Corporation of The City of New York on or about the same dates, in pigeonholes 47 and 57, respectively.

Land to be taken for Bronxwood avenue, Barnes avenue and Wallace avenue is located east of the Bronx River.

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;

1. Thence easterly along

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 SIXTY-FIRST STREET, as widened, from Brook avenue to Third avenue, in accordance with a resolution adopted by the Board of Estimate and Apportionment January 17, 1908, in the Twenty-third 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 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 Seaman avenue, from West Two Hundred and Fifteenth street to West Two Hundred and Eighteenth street (although not yet named by proper authority), in the Twelfth Ward, Borough of Manhattan, City of New York, being the following described lots, pieces or parcels of land, viz.:

East One Hundred and Sixty-first Street.

Beginning at a point in the eastern line of Brook avenue, distant 153.66 feet southerly from the intersection of said line with the southerly line of East One Hundred and Sixty-second street;

1. Thence southerly along the eastern line of Brook avenue for 43.07 feet to the northern line of East One Hundred and Sixty-first street as legally opened;

2. Thence easterly along last mentioned line for 237.88 feet to the western line of Third avenue;

3. Thence northeasterly along the western line of Third avenue for 33.25 feet;

4. Thence westerly for 258.95 feet to the point of beginning.

East One Hundred and Sixty-first street (as widened), from Brook avenue to Third avenue, is shown on a map or plan entitled "Map or plan showing the widening of East One Hundred and Sixty-first street, on its northerly side, between Brook avenue and Third avenue, in the Twenty-third 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 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 25th day of September, 1908, duly fixed and determined the area of assessment for benefit 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, and the prolongation thereof, to a point midway between Sheridan avenue and Mott avenue; thence northwardly and parallel with Sheridan avenue and the easterly line of Mott avenue as laid out between East One Hundred and Fifty-eighth street and East One Hundred and Sixty-first street; thence northwardly along the said bisecting line to the intersection with the prolongation of a line midway between Sheridan avenue and Mott avenue, as laid out between East One Hundred and Sixty-first and East One Hundred and Sixty-fourth streets; thence northwardly along the said line midway between Sheridan and Mott avenues to the intersection with a line distant 150 feet northerly from and parallel with the northerly line of East One Hundred and Sixty-third street, as laid out between Mott avenue and Park avenue, the said distance being measured at right angles to the line of East One Hundred and Sixty-third street; thence eastwardly along the said line parallel with East One Hundred and Sixty-third street, and the prolongation thereof, to the intersection with a line always distant 100 feet easterly from and parallel with the easterly line of Boston road, 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 between German place and St. Ann's avenue; 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 between the centre line of Brook avenue; thence northwardly along the centre line of Brook avenue to the point of 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

ing 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 Seaman avenue, from West Two Hundred and Fifteenth street to West Two Hundred and Eighteenth street (although not yet named by proper authority), 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 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 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.

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 as 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, 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.

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 240.60 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,

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.

Said street 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 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 6th day of January, 1904.

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 southern park boundary 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 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 eastwardly 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 the intersection with the southeasterly line of Nagle avenue; thence northeastwardly and along the southeasterly side of Nagle avenue and along the prolongation of the said line to the intersection with the prolongation of the westerly line of St. Nicholas avenue; thence southwardly and along the westerly line 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 6th day of July, 1904.

The Board of Estimate and Apportionment on the 8th day of November, 1907, duly fixed and determined the area of assessment for benefit in this proceeding as follows:

Beginning at the intersection of a line 100 feet southwesterly from and parallel with the southwesterly line of Hillside avenue, the said distance being measured at right angles to the line of Hillside avenue, with the easterly side of Broadway, and running thence northeasterly along the southeasterly side of Broadway and the southeasterly line of Nagle avenue to the intersection with a line distant 100 feet northwardly from and parallel with the northeasterly side of Hillside avenue, the said distance being measured at right angles to the line of Nagle avenue; thence northeasterly and along the northeasterly and northwesterly line of Hillside avenue, and distant 100 feet therefrom; to the intersection with the southeasterly line of Nagle avenue; thence northeasterly and along the southeasterly side of Nagle avenue and along the prolongation of the said line to the intersection with the prolongation of the westerly line of St. Nicholas avenue; thence southwardly and along the westerly line of St. Nicholas avenue 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 southeastwardly, eastwardly and northeasterly and always parallel with the northeasterly, northerly and northwesterly line of Hillside avenue, and distant 100 feet therefrom; to the intersection with the southeasterly line of Nagle avenue; thence northeasterly and along the northeasterly side of Nagle avenue and along the prolongation of the said line to the intersection with the prolongation of the westerly line of St. Nicholas avenue; thence southwardly and along the westerly line of St. Nicholas avenue 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, the said distance being measured at right angles to the line of Hillside avenue, and along the prolongation of the said line to the intersection with a line 100 feet southwesterly from and parallel with the southwesterly line of Hillside avenue, the said distance being measured at right angles to the line of Hillside avenue; thence southwesterly, westwardly and northwestwardly and along a line always distant 100 feet from the southeasterly, southerly and southwesterly 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.

Following described lots, piece or parcel of land, viz.:

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 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 easterly and tangent to 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.

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, 1866, 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, on or about the 6th day of January, 1904.

The Board of Estimate and Apportionment on the 8th day of November, 1907, duly fixed and determined the area of assessment for benefit in this proceeding as follows:

Beginning at the intersection of a line 100 feet southwesterly from and parallel with the southwesterly line of Hillside avenue, the said distance being measured at right angles to the line of Hillside avenue, with the easterly side of Broadway, and running thence northeasterly and along the southeasterly side of Broadway and the southeasterly line of Nagle avenue; thence northeasterly and along the northeasterly side of Nagle avenue and along the prolongation of the said line to the intersection with the prolongation of the westerly line of St. Nicholas avenue; thence southwardly and along the westerly line of St. Nicholas avenue 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, the said distance being measured at right angles to the line of Hillside avenue, and along the prolongation of the said line to the intersection with a line 100 feet southwesterly from and parallel with the southwesterly 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 HILLSIDE AVENUE, from Nagle avenue, near Broadway, to Nagle avenue, near Dyckman street, as heretofore laid out on the Map or Plan of The City of New York, 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

Street to be found in Section 11, Block 3245 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 widening and extension of Muscoota street, from Broadway, Borough of Manhattan, to near Bailey avenue, Borough of The Bronx, 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 office of the Corporation Counsel of The City of New York on or about the 31st day of July, 1908.

The Board of Estimate and Apportionment on the 14th day of June, 1907, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

Beginning at the intersection of a line midway between West Two Hundred and Eighteenth street and West Two Hundred and Nineteenth street with a line distant 100 feet northwesterly from and parallel with the northwesterly side of Broadway, the said distance being measured at right angles to the line of Leggett avenue, with the westerly line of Leggett avenue, the said distance 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 northeasterly 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 southwesterly 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 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.

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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 FOX STREET, from Leggett avenue to Longwood 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 FEEL 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 FOX STREET, FROM LEGGETT AVENUE TO LONGWOOD 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 Eighty-second Street.

Beginning at a point in the eastern side of Tiebout avenue distant 365.58 feet southwardly from the intersection of said line with the southern line of Ford street.

First—Thence southerly along the eastern side of Tiebout avenue for 20.17 feet;

Second—Thence easterly deflecting 82 degrees 33 minutes 10 seconds to the left for 164.87 feet, to the western line of East One Hundred and Eighty-first street (Folin street);

Third—Thence northeasterly along last mentioned line for 20.71 feet;

Fourth—Thence westerly for 172.86 feet to the point of beginning.

Widening of Tiebout Avenue.

Beginning at the intersection of the eastern line of Tiebout avenue with the southern line of East One Hundred and Eighty-third street.

First—Thence southerly along the eastern line of Tiebout avenue for 200 feet to the northern line of Ford street;

Second—Thence easterly along last mentioned line for 19.37 feet;

Third—Thence northerly deflecting 90 degrees to the left for 200 feet to the southern line of East One Hundred and Eighty-third street;

Fourth—Thence westerly along last mentioned line for 18.68 feet to the point of beginning.

East One Hundred and Eighty-second street from Tiebout avenue to Folin street is shown on a map entitled "Map or Plan showing the Extension of East One Hundred and Eighty-second 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 September 19, 1906; in the office of the Register of the County of New York, on September 18, 1906, as Map No. 1432B, 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 Webster 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

City of New York, on January 18, 1894; in the

office of the Register of the County of New York, on January 19, 1894, as Map No. 355; and in the office of the Secretary of State of the State of New York, on January 20, 1894.

Land to be taken for Fox street is located in Blocks 2707 and 2720 of Section 10 of the Land Map of The City of New York.

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 the intersection of 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, 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 northeasterly 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 southwesterly 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 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.

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 63.

Land to be taken for East One Hundred and Eighty-second street and the widening of Tiebout avenue are located in Block 3143 of Section 11 of the Land Map of The City of New York.

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 the intersection of 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, 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 northeasterly 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 southwesterly 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 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 FEEL 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 deflected 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.

Land to be taken for 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 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 WEST TWO HUNDRED AND THIRTY-FIRST STREET, from Bailey avenue to Riverdale avenue, 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 FEEL 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-FIRST STREET, FROM BAILEY AVENUE TO RIVERDALE AVENUE, 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 southerly along the western line of Broadway for 80.28 feet;

Second—Thence westerly deflecting 94 degrees 48 minutes 15 seconds to the right for 509.63 feet;

Third—Thence westerly deflecting 4 seconds to the right for 70.12 feet;

Fourth—Thence westerly deflecting 3 degrees 17 minutes 21 seconds to the right for 922.44 feet to the eastern line of Riverdale avenue (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 "B."

Beginning at the intersection of the eastern line of Broadway with the southern line of West Two Hundred and Thirty-first street (as 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 "C."

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 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 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, in the office of the Register of the County of New York and in the office of the Counsel to the Corporation of The City

Thirty-first street, between Kingsbridge avenue and Albany road, and West Two Hundred and Thirty-eighth street, between Kingsbridge avenue and Putnam Avenue West, and changing the line of West Two Hundred and Thirty-first street, between Broadway and Kingsbridge 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 December 20, 1907; in the office of the Register of the County of New York, on December 9, 1907, as Map No. 1235; 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 Lafontaine 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 6th 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 southeastwardly 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 a point distant 100 feet westerly from the westerly line of Bailey avenue, the said distance being measured at right angles to the line of Bailey avenue; 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-third 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-third street, as laid out between Bailey avenue and Broadway, the said distance being measured at right angles to the line of West Two Hundred and Thirty-third street; thence northwardly along the said line parallel with West Two Hundred and Thirty-third street and the prolongations of the said line to the intersection with the northwesterly line of Broadway; thence northwesterly 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 northwesterly line of West Two Hundred and Thirty-third street, as laid out between Tibbett avenue and Spuyten Duyvil road; thence northwesterly along the said line parallel with West Two Hundred and Thirty-third 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 northeasterly and always distant 100 feet northwesterly from and parallel with the northwesterly line 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 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 FEY 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 303.10 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 200 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 along the said line parallel with the westerly line 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 Kingsbridge avenue distant 200 feet north of its intersection with the northerly line of West Two Hundred and Thirty-fourth street and through a point on the westerly 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

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 of Oak Tree place, with the southeasterly side of Quarry road and running thence northwardly at right angles to the line of the Quarry road to a point distant 100 feet northwesterly from the northwesterly side of the said road; thence northeasterly and parallel with the Quarry road to the intersection with a line drawn at right angles to the said road from a 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 Oak Tree place, the said distance being measured at right angles to the line of Oak Tree place; thence southeastwardly 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.

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 westerly 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; thence westwardly along a line parallel with the easterly line of Kingsbridge avenue; thence southwardly and parallel with Kingsbridge avenue to the intersection with a line distant 290 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.

to Bronx River, Bronx Park, Rhinelander avenue, Bear Swamp road, the line of 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 90.

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 200 feet; thence northwardly and eastwardly and always distant 200 feet westerly and northerly from the westerly and northerly 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 Melville street 250 feet; thence northwestwardly and parallel with Melville street to the intersection with the easterly side 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 and southwardly along a line distant 200 feet southerly and easterly from and parallel with the southerly and easterly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue, to the intersection with a line midway between Wyatt street and East One Hundred and Seventy-eighth street; thence eastwardly and parallel with Wyatt street to the intersection with the centre line of the New York, New Haven and Hartford Railroad Company; thence westwardly along the said centre line of the land of the New York, New Haven and Hartford Railroad Company to the intersection with a line distant 100 feet southerly from and parallel with the southerly line of Wyatt street, the said distance being measured at right angles to the line of Wyatt street; thence westwardly and along the said line distant 100 feet southerly from the southerly line of Wyatt street, and along the prolongation of the said line, to the intersection with a line distant 200 feet easterly from the easterly line of Bronx Park avenue, the said distance being measured at right angles to the line of Bronx Park avenue; thence southwardly and parallel with the line of Bronx Park avenue to the intersection with 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; and thence westwardly and parallel with East One Hundred and Seventy-seventh 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 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 FEY 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 (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); THE SAID DISTANCE BEING MEASURED AT RIGHT ANGLES TO THE LINE OF WYATT STREET; THENCE WESTWARDLY AND PARALLEL WITH THE LINE OF BRONX PARK AVENUE TO THE INTERSECTION WITH A LINE DISTANT 200 FEET SOUTHERLY FROM AND PARALLEL WITH THE SOUTHERLY LINE OF WYATT STREET, AND ALONG THE PROLONGATION OF THE SAID LINE, TO THE INTERSECTION WITH A LINE DISTANT 200 FEET EASTERLY FROM THE EASTERLY LINE OF BRONX PARK AVENUE, THE SAID DISTANCE BEING MEASURED AT RIGHT ANGLES TO THE LINE OF BRONX PARK AVENUE; THENCE SOUTHWARDLY AND PARALLEL WITH THE LINE OF BRONX PARK AVENUE TO THE INTERSECTION WITH 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; AND THENCE WESTWARDLY AND PARALLEL WITH EAST ONE HUNDRED AND SEVENTY-SEVENTH STREET TO THE POINT OR PLACE OF BEGINNING.

STREET, OR WYATT STREET.

Beginning at a point in 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 northerly 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;

Fourth—Thence southeasterly on the arc of a circle of 46.803 feet radius for 85.880 feet;

Fifth—Thence southerly on a 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 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 90.

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

Seventh—Thence southerly along last mentioned line curving to the left on the arc of a circle of 782.90 feet radius for 89.52 feet;

Eighth—Thence easterly for 187.60 feet on a line deflecting 29 degrees 52 minutes 45 seconds to the right from the radius of the preceding course drawn easterly from its southern extremity;

Ninth—Thence easterly curving to the left on the arc of a circle of 300 feet radius and tangent to the preceding course for 272.59 feet;

Tenth—Thence northeasterly on a line tangent to the preceding course for 213.80 feet;

Eleventh—Thence easterly curving to the right on the arc of a circle of 84.23 feet radius and tangent to the preceding course for 75.25 feet;

Twelfth—Thence easterly on a line tangent to the preceding course for 336.69 feet;

Thirteenth—Thence southeasterly curving to the right on the arc of a circle of 20 feet radius and tangent to the preceding course for 34.40 feet to the point of beginning.

Gun Hill road is shown on section 20 of the Final Map 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, 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 18, 1895.

The land to be taken for Gun Hill road is located in Block numbers 3324 of Section 12 and 3422 of Section 13 of the final maps of The City of New York.

The Board of Estimate and Apportionment on the 31st day of January, 1908, duly fixed and determined the area of assessment in these proceedings 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 westwardly and parallel with Burke avenue to the intersection with a line midway between Barnes avenue and Matthews avenue; thence southwardly along the said line midway between Barnes avenue and Matthews 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 the prolongation of 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 the said streets are laid out north of Bartholdi street and along the prolongation thereof to the southerly line of Tilden street; thence northwardly at right angles to Tilden street, 150 feet; thence eastwardly and parallel with Tilden street to the intersection with a line at right angles to Tilden street, and passing through the point described as the point or place of beginning; thence southwardly along the said line at right angles to Tilden 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 KINGSBRIDGE AVENUE, from West Two Hundred and Thirtieth street to Broadway, 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 Kingsbridge avenue, from West Two Hundred and Thirtieth street to Broadway, in the Twenty-fourth Ward, Borough of The Bronx, City of New York, being the following described lots, pieces or parcels of land, viz.:

KINGSBRIDGE AVENUE.

Parcel "A."

Beginning at a point in the southern line of West Two Hundred and Thirty-second street distant 436.91 feet northwesterly from the intersection of said line with the western line of Broadway.

First—Thence northwesterly along southern line of West Two Hundred and Thirty-second street for 70 feet;

Second—Thence southwesterly deflecting 89 degrees 51 minutes 50 seconds to the left for 1,117.26 feet to the northern line of West Two Hundred and Thirtieth street;

Third—Thence southerly along last mentioned line for 70.57 feet;

Fourth—Thence northeasterly for 1,125.39 feet to the point of beginning.

Parcel "B."

Beginning at a point in the northern line of West Two Hundred and Thirty-second street distant 428.37 feet northwesterly from the intersection of said line with western line of Broadway.

First—Thence northwesterly along the northern line of West Two Hundred and Thirty-second street for 70 feet;

Second—Thence northeasterly deflecting 90 degrees 8 minutes 10 seconds to the right for 1,046.30 feet;

Third—Thence northeasterly deflecting 4 degrees 55 minutes 50 seconds to the right for 97.30 feet;

Fourth—Thence easterly deflecting 69 degrees 27 minutes 10 seconds to the right for 77.36 feet, to the western line of Broadway;

Fifth—Thence southerly along last mentioned line for 124.29 feet;

Sixth—Thence southwesterly curving to the left on the arc of a circle of 70.97 feet radius for 86.02 feet, the centre of said circle lies in the southern prolongation of the preceding course;

Seventh—Thence southwesterly on a line tangent to the preceding course for 768.61 feet;

Eighth—Thence southwesterly for 1,043.12 feet to the point of beginning.

Kingsbridge avenue is shown on a map entitled "Map or Plan showing the change of lines and grades of Kingsbridge avenue, from West Two Hundred and Thirtieth street to West Two Hundred and Thirty-eighth street, and the intersecting streets affected thereby 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 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 northwesterly, northeasterly and always parallel with and distant 100 feet southwesterly, northwesterly 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 northwesterly 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 easterly from 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.

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 southwesterly 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.

LA COMBE AVENUE.

Parcel "A."

Beginning at a point in the intersection of Clason's Point road distant 6,514.33 feet southwesterly 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 to degrees 24 minutes 57 seconds to the right for 102.01 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 southwesterly 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 Floley avenue to Metcalf avenue, Patterson avenue, from Commonwealth avenue to St. Lawrence avenue. Commonwealth 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 in the western line of Clason's Point road distant 5,626.93 feet southwesterly 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 20 feet;

Fourth—Thence northeasterly for 1,125.39 feet to the point of beginning.

Parcel "B."

Beginning at a point in the northern line of West Two Hundred and Thirty-second street distant 428.37 feet northwesterly from the intersection of said line with western line of Broadway.

First—Thence easterly for 1,125.39 feet to the point of beginning.

Second—Thence northeasterly for 1,125.39 feet to the point of beginning.

Third—Thence southerly for 1,125.39 feet to the point of beginning.

Fourth—Thence northeasterly for 1,125.39 feet to the point of beginning.

Fifth—Thence southerly for 1,125.39 feet to the point of beginning.

Sixth—Thence northeasterly for 1,125.39 feet to the point of beginning.

Seventh—Thence southerly for 1,125.39 feet to the point of beginning.

Eighth—Thence northeasterly for 1,125.39 feet to the point of beginning.

northwesterly from the intersection of the northwesterly 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 northw

ADAMS STREET.
Parcel "B."

Beginning at a point in the western line of Morris Park avenue distant 728.360 feet northeasterly from the intersection of said line with the northern line of West Farms road (Walker avenue).

First—Thence northeasterly along the western line of Morris Park avenue for 61.58 feet;

Second—Thence northwesterly deflecting 76 degrees 59 minutes 40 seconds to the left for 478.972 feet;

Third—Thence southwesterly curving to the left on the arc of a circle of 560 feet radius for 60.573 feet, the radius of said circle drawn easterly from the northern extremity of the preceding course forms an angle of 4 degrees 35 minutes, 4.1 seconds to the north with said course;

Fourth—Thence southeasterly for 484.736 feet to the point of beginning.

ADAMS STREET.
Parcel "A."

Beginning at a point in the eastern line of Morris Park avenue distant 653.909 feet northeasterly from the intersection of said line with the northern line of West Farms road (Walker avenue).

First—Thence northeasterly along the eastern line of Morris Park avenue for 60.022 feet;

Second—Thence southeasterly deflecting 88 degrees 26 minutes 50 seconds to the right for 257.246 feet;

Third—Thence southeasterly deflecting 20 degrees 47 minutes 30 seconds to the right for 730.857 feet to the northern line of West Farms road (Walker avenue);

Fourth—Thence westerly along last mentioned line for 82.133 feet;

Fifth—Thence northwesterly deflecting 46 degrees 55 minutes 50 seconds to the right for 663.761 feet;

Sixth—Thence northwesterly for 247.865 feet to the point of beginning.

Hancock street, Adams street and Van Buren 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 R. R., 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 Hancock street (Melville street), Adams street and Van Buren 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 the centre line of the West Farms road with the centre line of East One Hundred and Eightieth street and running thence northwesterly along the said centre line of East One Hundred and Eightieth street to the intersection with the centre line of Van Nest avenue; thence northeasterly along the centre line of Van Nest avenue to a point distant 100 feet southwesterly from the intersection of the said line with the southwesterly line of Adams street; thence northwesterly to a point on the southeasterly line of Morris Park avenue midway between East One Hundred and Eightieth street and Adams street; thence northwesterly to a point on the northwesterly line of Morris Park avenue midway between East One Hundred and Eightieth street and Adams street; thence northwesterly to a point on the northwesterly line of Morris Park avenue midway between Adams street and East One Hundred and Eightieth street; thence northwesterly at right angles to the line of Bronx Park avenue to a point distant 100 feet northwesterly from the northwesterly line of Bronx Park avenue; thence northeasterly and eastwardly parallel with and distant 100 feet from the northwesterly and northerly line of Bronx Park avenue to the intersection with the prolongation of a line distant 250 feet northeasterly from and parallel with the northeasterly line of Adams street; thence southeastwardly and parallel with the line of Adams street to the intersection with a line distant 225 feet northwesterly from and parallel with the northwesterly line of Morris Park avenue, the said distance being measured at right angles to the line of Morris Park avenue; thence northeasterly and always parallel with and distant 225 feet from the northwesterly line of Morris Park avenue to the intersection with the prolongation of a line midway between Melville street and Taylor street; thence southeastwardly along the said line midway between Melville street and Taylor street and along the prolongation of the said line to the intersection with the centre line of West Farms road; thence westwardly along the centre line of West Farms road 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.

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 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, BEING THE FOLLOWING DESCRIBED LOTS, PIECE OR PARCEL OF LAND, VIZ.:

SECOND NEW STREET (West One Hundred and Eighty-Sixth Street).

BEGINNING AT A POINT IN THE WESTERLY LINE OF BROADWAY, DISTANT 1,108.19 FEET NORtherly, AS MEASURED ALONG SAID LINE FROM WEST ONE HUNDRED AND EIGHTY-FIRST STREET; THENCE WESTERLY AT RIGHT ANGLE, DISTANCE 200 FEET TO THE WESTERLY LINE OF BENNETT AVENUE; THENCE NORtherly ALONG SAID LINE DISTANCE 60 FEET; THENCE EASTERLY AND PARALLEL WITH LAST COURSE BUT ONE, DISTANCE 200 FEET TO THE WESTERLY LINE OF BROADWAY; THENCE SOUTHERLY ALONG SAID LINE, DISTANCE 60 FEET TO POINT OR PLACE OF BEGINNING.

ALSO, BEGINNING AT A POINT IN THE NEW AVENUE CALLED BENNETT AVENUE, DISTANT 1,111.77 FEET, AS MEASURED ALONG SAID LINE NORtherly FROM WEST ONE HUNDRED AND EIGHTY-FIRST STREET; THENCE WESTERLY AT A RIGHT ANGLE, DISTANCE 278.29 FEET TO THE WESTERLY LINE OF OVERLOOK TERRACE; THENCE NORtherly ALONG SAID LINE AND DEFLECTING TO THE RIGHT 81 DEGREES 59 MINUTES AND 54 SECONDS, DISTANCE 60.59 FEET; THENCE EASTERLY AND PARALLEL TO LAST COURSE BUT ONE, DISTANCE 286.72 FEET TO THE WESTERLY LINE OF BENNETT AVENUE; THENCE SOUTHERLY ALONG SAID LINE, DISTANCE 60 FEET TO THE POINT OR PLACE OF BEGINNING.

SAYD STREET TO BE FOUND IN SECTION 8, BLOCK 2180, OF THE LAND MAP OF THE BOROUGH OF MANHATTAN, CITY OF NEW YORK.

THIRD NEW STREET (West One Hundred and Eighty-Seventh Street).

BEGINNING AT A POINT IN THE WESTERLY LINE OF BROADWAY, DISTANT 1,479.92 FEET NORtherly, AS MEASURED ALONG SAID LINE NORtherly FROM WEST ONE HUNDRED AND EIGHTY-FIRST STREET; THENCE WESTERLY AND DEFLECTING TO THE LEFT 83 DEGREES 17 MINUTES AND 54 SECONDS, DISTANCE 201.38 FEET TO THE WESTERLY LINE OF BENNETT AVENUE; THENCE NORtherly AND DEFLECTING TO THE RIGHT 83 DEGREES 17 MINUTES AND 54 SECONDS, DISTANCE 10.84 FEET; THENCE NORtherly AND DEFLECTING TO THE LEFT 7 DEGREES 13 MINUTES AND 59 SECONDS, DISTANCE 50.72 FEET; THENCE EASTERLY AND PARALLEL TO FIRST COURSE, DISTANCE 204.37 FEET TO THE WESTERLY LINE OF BROADWAY; THENCE SOUTHERLY ALONG SAID LINE 27.02 FEET; THENCE STILL SOUTHERLY ALONG SAID LINE DISTANCE 219.06 FEET; THENCE NORtherly AND DEFLECTING TO THE RIGHT 23 DEGREES, 53 MINUTES AND 45 SECONDS, AND PARALLEL TO HAVEN AVENUE, AND DISTANT 272 FEET WESTERLY THEREFROM, DISTANCE 630 FEET TO THE NORtherly LINE OF WEST ONE HUNDRED AND EIGHTIETH STREET, THE POINT OR PLACE OF BEGINNING.

ALSO, BEGINNING AT A POINT IN THE WESTERLY LINE OF BENNETT AVENUE DISTANT 1,514.05 FEET, OR MEASURED ALONG SAID LINE FROM WEST ONE HUNDRED AND EIGHTY-FIRST STREET; THENCE AT A RIGHT ANGLE DISTANCE 334.83 FEET TO THE WESTERLY LINE OF OVERLOOK TERRACE; THENCE NORtherly AND DEFLECTING TO THE RIGHT 81 DEGREES 59 MINUTES AND 54 SECONDS, DISTANCE 60.59 FEET; THENCE EASTERLY AND PARALLEL TO FIRST COURSE DISTANCE 335.66 FEET TO THE WESTERLY LINE OF BENNETT AVENUE; THENCE SOUTHERLY ALONG SAID LINE DISTANCE 60.48 FEET TO THE POINT OR PLACE OF BEGINNING.

SAYD STREET TO BE FOUND IN SECTION 8, BLOCK 2180, OF THE LAND MAP OF THE BOROUGH OF MANHATTAN, CITY OF NEW YORK.

THE LANDS TO BE TAKEN FOR SECOND AND THIRD NEW STREETS (WEST ONE HUNDRED AND EIGHTY-SIXTH AND WEST ONE HUNDRED AND EIGHTY-SEVENTH STREETS) ARE SHOWN ON A CERTAIN MAP ENTITLED "MAP, PLAN AND PROFILE OF THE AVENUES, STREETS AND 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 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 DISTANT 250 FEET NORtheasterly FROM AND PARALLEL WITH THE NORtheasterly LINE OF ADAMS STREET; THENCE SOUTHEASTWARDLY AND PARALLEL WITH THE LINE OF ADAMS STREET TO THE INTERSECTION WITH A LINE DISTANT 225 FEET NORtheasterly FROM AND PARALLEL WITH THE NORtheasterly LINE OF MORRIS PARK AVENUE, THE SAID DISTANCE BEING MEASURED AT RIGHT ANGLES TO THE LINE OF MORRIS PARK AVENUE; THENCE NORtheasterly AND ALWAYS PARALLEL WITH AND DISTANT 225 FEET FROM THE NORtheasterly LINE OF MORRIS PARK AVENUE TO THE INTERSECTION WITH THE PROLONGATION OF A LINE MIDWAY BETWEEN THE NORtheasterly LINE OF ADAMS STREET; THENCE SOUTHEASTWARDLY AND PARALLEL WITH THE LINE OF ADAMS STREET TO THE INTERSECTION WITH A LINE DISTANT 225 FEET NORtheasterly FROM AND PARALLEL WITH THE NORtheasterly LINE OF MORRIS PARK AVENUE, THE SAID DISTANCE BEING MEASURED AT RIGHT ANGLES TO THE LINE OF MORRIS PARK AVENUE; THENCE NORtheasterly AND ALWAYS PARALLEL WITH AND DISTANT 225 FEET FROM THE NORtheasterly LINE OF MORRIS PARK AVENUE TO THE INTERSECTION WITH THE PROLONGATION OF A LINE MIDWAY BETWEEN MELVILLE STREET AND TAYLOR STREET; THENCE SOUTHEASTWARDLY ALONG THE SAID LINE MIDWAY BETWEEN MELVILLE STREET AND TAYLOR STREET AND ALONG THE PROLONGATION OF THE SAID LINE TO THE INTERSECTION WITH THE CENTRE LINE OF WEST FARMS ROAD; THENCE WESTWARDLY ALONG THE CENTRE LINE OF WEST FARMS ROAD 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 ONE HUNDRED AND SEVENTY-EIGHTH STREET, FROM HAVEN AVENUE TO BUENA VISTA AVENUE; WEST ONE HUNDRED AND SEVENTY-NINTH STREET, FROM HAVEN AVENUE TO BUENA VISTA AVENUE, FROM WEST ONE HUNDRED AND EIGHTY-FIRST 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 HEREINTENDED 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,

PREMIER 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 HEREINTENDED 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,

PREMIER 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 HEREINTENDED 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,

PREMIER 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 HEREINTENDED 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,

PREMIER 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 HEREINTENDED 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,

PREMIER 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 HEREINTENDED 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,

PREMIER 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 HEREINTENDED 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,

PREMIER 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 HEREINTENDED 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,

PREMIER 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 HEREINTENDED 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,

PREMIER 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 HEREINTENDED 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,

PREMIER 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 HEREINTENDED 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,

PREMIER 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 HEREINTENDED 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,

PREMIER 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 HEREINTENDED IS THE AC

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 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 West One Hundred and Eighty-fourth street, from Broadway to unnamed street (Overlook terrace), and opening and extending said unnamed street (Overlook terrace), from West One Hundred and Eighty-fourth street to Fort Washington avenue, in the Twelfth Ward, Borough of Manhattan, City of New York, being the following-described lots, piece or parcel of land, viz.:

Magenta Street.

Beginning at a point in the eastern line of White Plains road distant 740.914 feet from the intersection of said line with the southern line of Gun Hill road.

First—Thence southerly along the eastern line of White Plains road for 60.48 feet;

Second—Thence easterly deflecting 82 degrees 48 minutes 30 seconds to the left for 2,076.34 feet;

Third—Thence northerly deflecting 80 degrees 54 minutes 35 seconds to the left for 60.76 feet;

Fourth—Thence westerly for 2,093.51 feet to the point of beginning.

Bartholdi Street.

Beginning at a point in the eastern line of White Plains road distant 1,043.293 feet from the intersection of said line with the southern line of Gun Hill road.

First—Thence southerly along the eastern line of White Plains road for 60.48 feet;

Second—Thence easterly deflecting 82 degrees 48 minutes 30 seconds to the left for 1,511.89 feet;

Third—Thence northerly deflecting 97 degrees 11 minutes 30 seconds to the left for 60.48 feet;

Fourth—Thence westerly for 1,511.89 feet to the point of beginning.

Magenta street and Bartholdi street are shown on Sections 30 and 31 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards, which maps were filed respectively as follows: In the office of the President of the Borough of The Bronx, on June 19, 1905, and February 2, 1906; in the office of the Register of the County of New York on June 14, 1905, as Map No. 1059, and January 30, 1906, as Map No. 1103 and in the office of the Counsel to the Corporation of The City of New York on or about the same date in pigeon holes 47 and 57.

The land to be taken for Magenta street and Bartholdi street is located east of the Bronx River.

The Board of Estimate and Apportionment on the 20th day of December, 1907, duly fixed and determined the area of assessment in these proceedings as follows:

Beginning at the point where the easterly line of White Plains road intersects the line bisecting the angle formed between the centre lines of Gun Hill road and Magenta street, as laid out adjoining and immediately east of White Plains road, and running thence eastwardly along the said bisecting line to the westerly line of Colden avenue; thence eastwardly at right angles to Colden avenue a distance of 166 feet; thence southwardly parallel with and always distant 100 feet easterly from the easterly line of Colden avenue to the intersection with a line which bisects the angle formed by the intersection of the prolongation of the centre lines of Duncan street and Magenta street, as these streets are laid out adjoining and immediately west of Colden avenue; thence westwardly along the said bisecting line between Duncan and Magenta streets to the intersection with a line 100 feet easterly from and parallel with the easterly line of Bronxwood avenue, as laid out between Duncan street and the angle point north of Duncan street, the said distance being measured at right angles to the line of Bronxwood avenue; thence southwardly along the said line parallel with Bronxwood avenue to the intersection with the prolongation of a line distant 270 feet southerly from and parallel with the southerly line of Bartholdi street, the said distance being measured at right angles to the line of Bartholdi street; thence westwardly along the said line parallel with the southerly line of Bartholdi street and the prolongation thereof to the centre line of Wallace avenue; thence northwardly along the centre line of Wallace avenue to its intersection with a line distant 175 feet southerly from and parallel with the southerly line of Bartholdi street, the said distance being measured at right angles to the line of Bartholdi street; thence westwardly along the said line parallel with the southerly line of Bartholdi street to the centre line of Holland avenue; thence northwardly along the centre line of Holland avenue to the intersection with a line distant 100 feet southerly from and parallel with the southerly line of Bartholdi street, the said distance being measured at right angles to the line of Bartholdi street; thence westwardly along the said line parallel with the southerly line of Bartholdi street to the intersection with the centre line of Cruger avenue; thence southwardly along the centre line of Cruger avenue to the intersection with a line distant 150 feet southerly from and parallel with

the southerly line of Bartholdi street, the said distance being measured at right angles to the line of Bartholdi street; thence westwardly along the said line parallel with the southerly line of Bartholdi street to the intersection with the easterly line of White Plains road; thence westwardly at right angles to White Plains road a distance of 200 feet; thence northwardly and parallel with the westerly line of White Plains road and always distant 100 feet therefrom to the intersection with a perpendicular to the line of White Plains road, as laid out between Magenta street and the angle point north of Magenta street, and passing through the point of beginning; thence eastwardly along the said perpendicular to White Plains road 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 FORTY-FIRST STREET, from Park avenue to Rider avenue (although not yet named by proper authority), in the Twenty-third 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 a certain street or avenue known as West One Hundred and Eighty-fourth street, from Broadway to unnamed street (Overlook terrace), and opening and extending said unnamed street (Overlook terrace), from West One Hundred and Eighty-fourth street to Fort Washington 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 Broadway, distant 663.19 feet northerly from West One Hundred and Eighty-first street; thence westerly and at right angles to Broadway, distance 200 feet to the easterly line of Bennett avenue; thence northerly along said line, distance 60 feet; thence easterly and parallel to first course, distance 200 feet, to the westerly line of Broadway; thence southerly along said line, distance 60 feet, to the point or place of beginning.

Also beginning at a point in the westerly line of Bennett avenue, distant 666.77 feet northerly from West One Hundred and Eighty-first street; thence westerly and at right angles to said avenue, distance 276.32 feet; thence northerly and deflecting to the right 81 degrees 59 minutes and 54 seconds, distance 970.40 feet; thence northerly and in a curved line to the right, radius 940 feet, distance 268.38 feet; thence northerly and tangent to the last curve, distance 1,011.07 feet; thence northerly and in a curved line to the left, radius 345 feet, distance 87.31 feet; thence northerly and tangent to last curve, distance 224.67 feet; thence westerly and deflecting to the left 84 degrees 46 minutes and 12 seconds, distance 269.54 feet to the easterly line of Fort Washington avenue; thence northerly and along the said easterly line, radius 317 feet, distance 60.36 feet; thence easterly and parallel to last course but one, distance 329.99 feet; thence southerly and deflecting to the right 84 degrees 46 minutes and 12 seconds, distance 279.43 feet; thence southerly and in a curved line to the right, radius 405 feet, distance 102.49 feet; thence southerly and tangent to last curve, distance 1,011.07 feet; thence southerly and in a curved line to the right, radius 880 feet, distance 251.25 feet; thence southerly and tangent to last curve, distance 918.25 feet to the northerly line of West One Hundred and Eighty-fourth street; thence easterly and deflecting to the left 81 degrees 59 minutes and 54 seconds, distance 224.17 feet to the westerly line of Bennett avenue; thence southerly along said westerly line, distance 60 feet to the point or place of beginning.

Said streets to be found in section 8 Block 2180, of the Land Map of the Borough of Manhattan, City of New York, and is shown on a certain map, entitled Map, Plans and Profile of the Avenues, Streets, Roads, Public Parks and Places in that part 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 grade now laid out, fixed and established under authority of the Greater New York Charter. Filed in the offices of the President of the Borough of Manhattan, the Corporation Counsel and the Register of the County of New York, on or about the 6th day of January, 1904, and as amended by a certain map, entitled Map, Plans and Profile of a New Street to be the continuation of Overlook terrace from the present street westerly to Fort Washington avenue, opposite Northern avenue, and the widening of Overlook terrace from the end of the 60-foot width northerly for a distance of 311.98 feet to meet the new street. And the closing and discontinuing of that part of the old terrace from New street northerly to Fort Washington avenue, in the Twelfth Ward, Borough of Manhattan, City of New York. Filed in the offices of the President of the Borough of Manhattan, the Corporation Counsel and the Register of the County of New York, on or about December 12, 1906.

The Board of Estimate and Apportionment on the 27th day of March, 1908, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

Beginning at a point on the northwesterly property line of the New York and Harlem Railroad where it is intersected by the prolongation of a line midway between East One Hundred and Forty-first street and East One Hundred and Forty-second street, as laid out between Park avenue and Canal place, and running thence northeasterly along the northwesterly property line of the New York and Harlem Railroad to the intersection with a line which bisects the angle formed by the intersection of the prolongations of the southerly line of East One Hundred and Forty-fourth street and the northerly line of East One Hundred and Forty-first street, as laid out between Park avenue and Canal place; thence northwesterly along the said bisecting line to the northwesterly line of Rider avenue; thence southwardly in a straight line to a point on the southeasterly line of Rider avenue midway between East One Hundred and Forty-first street and East One Hundred and Forty-second street; thence southwardly and parallel with East One Hundred and Forty-first street, as laid out between Park avenue and Canal place; thence northwesterly along the said bisecting line to the northwesterly line of Rider avenue; thence southwardly at right angles to the line of Rider avenue; thence southwesterly and parallel with Rider avenue to the intersection with the prolongation of a line midway between East One Hundred and Forty-first street and East One Hundred and Forty-second street, as the said streets are laid out between Park avenue and Canal place; thence northwesterly along the said line midway between East One Hundred and Forty-first street and East One Hundred and Forty-second street and the prolongation of the said 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 WEST ONE

HUNDRED AND EIGHTY-FOURTH STREET, from Broadway to unnamed street (Overlook terrace), and opening and extending said UNNAMED STREET (Overlook terrace), from West One Hundred and Eighty-fourth street to 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 West One Hundred and Eighty-fourth street, from Broadway to unnamed street (Overlook terrace), and opening and extending said unnamed street (Overlook terrace), from West One Hundred and Eighty-fourth street to Fort Washington 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 Broadway, distant 663.19 feet northerly from West One Hundred and Eighty-first street; thence westerly and at right angles to Broadway, distance 200 feet to the easterly line of Bennett avenue; thence northerly along said line, distance 60 feet; thence easterly and parallel to first course, distance 200 feet, to the westerly line of Broadway; thence southerly along said line, distance 60 feet, to the point or place of beginning.

Also beginning at a point in the westerly line of Bennett avenue, distant 666.77 feet northerly from West One Hundred and Eighty-first street; thence westerly and at right angles to said avenue, distance 276.32 feet; thence northerly and deflecting to the right 81 degrees 59 minutes and 54 seconds, distance 970.40 feet; thence northerly and in a curved line to the right, radius 940 feet, distance 268.38 feet; thence northerly and tangent to the last curve, distance 1,011.07 feet; thence northerly and in a curved line to the left, radius 345 feet, distance 87.31 feet; thence northerly and tangent to last curve, distance 224.67 feet; thence westerly and deflecting to the left 84 degrees 46 minutes and 12 seconds, distance 269.54 feet to the easterly line of Fort Washington avenue; thence northerly and along the said easterly line, radius 317 feet, distance 60.36 feet; thence easterly and parallel to last course but one, distance 329.99 feet; thence southerly and deflecting to the right 84 degrees 46 minutes and 12 seconds, distance 279.43 feet; thence southerly and in a curved line to the right, radius 405 feet, distance 102.49 feet; thence southerly and tangent to last curve, distance 1,011.07 feet; thence southerly and in a curved line to the right, radius 880 feet, distance 251.25 feet; thence southerly and tangent to last curve, distance 918.25 feet to the northerly line of West One Hundred and Eighty-fourth street; thence easterly and deflecting to the left 81 degrees 59 minutes and 54 seconds, distance 224.17 feet to the westerly line of Bennett avenue; thence southerly along said westerly line, distance 60 feet to the point or place of beginning.

Said streets to be found in section 8 Block 2180, of the Land Map of the Borough of Manhattan, City of New York, and is shown on a certain map, entitled Map, Plans and Profile of the Avenues, Streets, Roads, Public Parks and Places in that part 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 grade now laid out, fixed and established under authority of the Greater New York Charter. Filed in the offices of the President of the Borough of Manhattan, the Corporation Counsel and the Register of the County of New York, on or about the 6th day of January, 1904, and as amended by a certain map, entitled Map, Plans and Profile of a New Street to be the continuation of Overlook terrace from the present street westerly to Fort Washington avenue, opposite Northern avenue, and the widening of Overlook terrace from the end of the 60-foot width northerly for a distance of 311.98 feet to meet the new street. And the closing and discontinuing of that part of the old terrace from New street northerly to Fort Washington avenue, in the Twelfth Ward, Borough of Manhattan, City of New York. Filed in the offices of the President of the Borough of Manhattan, the Corporation Counsel and the Register of the County of New York, on or about December 12, 1906.

The Board of Estimate and Apportionment on the 27th day of March, 1908, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

Beginning at a point on the line bisecting the angle formed by the prolongations of the centre lines of Bennett avenue and the unnamed street meeting West One Hundred and Eighty-first street, distant 100 feet southwesterly from the southerly line of West One Hundred and Eighty-fourth street, the said distance measured at right angles to the line of West One Hundred and Eighty-fourth street, and running thence northeasterly along the line always distant 100 feet westerly from and parallel with the westerly line of Overlook terrace as laid out north of West One Hundred and Eighty-fourth street to the intersection with a line distant 311.98 feet to meet the new street. And the closing and discontinuing of that part of the old terrace from New street northerly to Fort Washington avenue, in the Twelfth Ward, Borough of Manhattan, City of New York. Filed in the offices of the President of the Borough of Manhattan, the Corporation Counsel and the Register of the County of New York, on or about December 12, 1906.

The Board of Estimate and Apportionment on the 27th day of March, 1908, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

Beginning at a point on the line bisecting the angle formed by the prolongations of the centre lines of Bennett avenue and the unnamed street meeting West One Hundred and Eighty-first street, distant 100 feet southwesterly from the southerly line of West One Hundred and Eighty-fourth street, the said distance measured at right angles to the line of West One Hundred and Eighty-fourth street, and running thence northeasterly along the line always distant 100 feet westerly from and parallel with the westerly line of Overlook terrace as laid out north of West One Hundred and Eighty-fourth street to the intersection with a line distant 311.98 feet to meet the new street. And the closing and discontinuing of that part of the old terrace from New street northerly to Fort Washington avenue, in the Twelfth Ward, Borough of Manhattan, City of New York. Filed in the offices of the President of the Borough of Manhattan, the Corporation Counsel and the Register of the County of New York, on or about December 12, 1906.

The Board of Estimate and Apportionment on the 27th day of March, 1908, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

Beginning at a point on the line bisecting the angle formed by the prolongations of the centre lines of Bennett avenue and the unnamed street meeting West One Hundred and Eighty-first street, distant 100 feet southwesterly from the southerly line of West One Hundred and Eighty-fourth street, the said distance measured at right angles to the line of West One Hundred and Eighty-fourth street, and running thence northeasterly along the line always distant 100 feet westerly from and parallel with the westerly line of Overlook terrace as laid out north of West One Hundred and Eighty-fourth street to the intersection with a line distant 311.98 feet to meet the new street. And the closing and discontinuing of that part of the old terrace from New street northerly to Fort Washington avenue, in the Twelfth Ward, Borough of Manhattan, City of New York. Filed in the offices of the President of the Borough of Manhattan, the Corporation Counsel and the Register of the County of New York, on or about December 12, 1906.

The Board of Estimate and Apportionment on the 27th day of March, 1908, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

Beginning at a point on the line bisecting the angle formed by the prolongations of the centre lines of Bennett avenue and the unnamed street meeting West One Hundred and Eighty-first street, distant 100 feet southwesterly from the southerly line of West One Hundred and Eighty-fourth street, the said distance measured at right angles to the line of West One Hundred and Eighty-fourth street, and running thence northeasterly along the line always distant 100 feet westerly from and parallel with the westerly line of Overlook terrace as laid out north of West One Hundred and Eighty-fourth street to the intersection with a line distant 311.98 feet to meet the new street. And the closing and discontinuing of that part of the old terrace from New street northerly to Fort Washington avenue, in the Twelfth Ward, Borough of Manhattan, City of New York. Filed in the offices of the President of the Borough of Manhattan, the Corporation Counsel and the Register of the County of New York, on or about December 12, 1906.

The Board of Estimate and Apportionment on the 27th day of March, 1908, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

Beginning at a point on the line bisecting the angle formed by the prolongations of the centre lines of Bennett avenue and the unnamed street meeting West One Hundred and Eighty-first street, distant 100 feet southwesterly from the southerly line of West One Hundred and Eighty-fourth street, the said distance measured at right angles to the line of West One Hundred and Eighty-fourth street, and running thence northeasterly along the line always distant 100 feet westerly from and parallel with the westerly line of Overlook terrace as laid out north of West One Hundred and Eighty-fourth street to the intersection with a line distant 311.98 feet to meet the new street. And the closing and discontinuing of that part of the old terrace from New street northerly to Fort Washington avenue, in the Twelfth Ward, Borough of Manhattan, City of New York. Filed in the offices of the President of the Borough of Manhattan, the Corporation Counsel and the Register of the County of New York, on or about December 12, 1906.

The Board of Estimate and Apportionment on the 27th day of March, 1908, duly fixed and determined the area of assessment for benefit in this proceeding, as follows:

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 supplemental and amended estimate and assessment, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, and having objections thereto, do present their said objections, in writing, duly verified, to us at our office, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in The City of New York, on or before the 17th day of December, 1908, 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 December, 1908, at 11 o'clock a. m.

Second—That the abstracts of our said supplemental and amended estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates, proofs and other documents used by us in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in said City, there to remain until the 18th day of December, 1908.

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 The Bronx, in The City of New York, which, taken together, are bounded and described as follows, viz:

Beginning at the point of intersection of the northerly line of East One Hundred and Fifty-sixth street with the easterly line of Melrose avenue; running thence northerly along the easterly line of Melrose avenue to its intersection with the southerly line of East One Hundred and Sixty-third street; thence easterly along the southerly line of East One Hundred and Sixty-third street to its intersection with the westerly line of Eagle avenue; thence southerly along the westerly line of Eagle avenue to its intersection with the northerly line of East One Hundred and Fifty-sixth street; thence westerly along the northerly line of East One Hundred and Fifty-sixth street to the point or place of beginning, as such streets are shown upon the final maps and profiles of the Twenty-third and Twenty-fourth Wards of The City of New York, excepting from said area all streets, avenues and roads or portions thereof heretofore legally opened, as such area is shown upon our benefit maps deposited as aforesaid.

Fourth—That, provided there be no objections filed to either of said supplemental and amended abstracts, our supplemental and amended final report herein will be presented for confirmation to the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part III., to be held in the County Court House, in the Borough of Manhattan, in The City of New York, on the 5th day of January, 1909, at the opening of the Court on that day.

Fifth—In case, however, objections are filed to either of said supplemental and amended abstracts of estimate and assessment, the notice of motion to confirm our supplemental and amended final report herein will stand adjourned to the date to be hereafter specified, and of which notice will be given to all those who have theretofore appeared in this proceeding, as well as by publication in the CITY RECORD, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated, Borough of Manhattan, New York, December 1, 1908.

JOHN P. COHALAN,
PIERRE G. CARROLL,
Commissioners.

JOHN P. DUNN, Clerk.

d4,16

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 EAST ONE HUNDRED AND FORTIETH STREET, from Park avenue to Morris avenue, in the Twenty-third Ward, Borough of The Bronx, City of New York.

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 15th day of December, 1908, at 10:30 o'clock in forenoon of that day, 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 2, 1908.

MAURICE S. COHEN,
GEORGE A. DEVINE,
MARTIN C. DYER,
Commissioners of Estimate.
GEORGE A. DEVINE,
Commissioner of Assessment.

JOHN P. DUNN, Clerk.

d2,12

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 A NEW AVENUE, between Fort Washington and Haven avenues, and extending from West One Hundred and Seventy-seventh street to its northerly terminal about 434 feet north of West One Hundred and Eighty-first street, in the Twelfth Ward, Borough of Manhattan, City of New York.

NOTICE IS HEREBY GIVEN TO ALL persons interested in the above-entitled proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That the undersigned Commissioners of Estimate have completed their estimate of damage, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, having any objection thereto, do file their said objections, in writing, duly verified, with them at their office, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in The City of New York, on or before the 16th day of December, 1908, and that the said Commissioners will hear parties so objecting, and for that purpose will be

in attendance at their said office on the 17th day of December, 1908, at 3 o'clock p. m.

Second—That the undersigned Commissioner of Assessment has completed his estimate of benefit and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, having any objection thereto, do file their said objections, in writing, duly verified, with him at his office, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in The City of New York, on or before the 16th day of December, 1908, and that the said Commissioner will hear parties so objecting, and for that purpose will be in attendance at his said office on the 17th day of December, 1908, at 4 o'clock p. m.

Third—That the Commissioner of Assessment has assessed any or all such lands, tenements and hereditaments and premises as are within the area of assessment fixed and prescribed as the area of assessment for benefit by the Board of Estimate and Apportionment on the 14th day of December, 1908, and that the said area of assessment includes all those lands, tenements and hereditaments and premises situate 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 a line midway between the new avenue to be opened and Haven avenue, south of West One Hundred and Eighty-first street, and Northern avenue, north of West One Hundred and Eighty-first street, and these lines prolonged southwardly and northwardly; on the east by a line midway between the new avenue to be opened and Fort Washington avenue, and said line prolonged southwardly and northwardly; on the north by a line 100 feet north of the northerly side of the new street extending from the northerly terminus of the new avenue to be opened to Broadway, as shown on the map adopted by the Board of Estimate and Apportionment on December 11, 1903; and on the south by a line 100 feet south of the southerly side of West One Hundred and Seventy-seventh street and parallel therewith, as such area is shown upon our benefit maps deposited as aforesaid.

Fourth—That the abstracts of said estimate of damage and of said assessment for benefit, together with the damage and benefit maps, and also all the affidavits, estimates, proofs and other documents used by the Commissioners of Estimate and by the Commissioners of Assessment in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in said City, there to remain until the 16th day of December, 1908.

Fifth—That, provided there be no objections filed to either of said abstracts, the reports as to awards and as to assessments for benefit herein will be presented for confirmation to the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part III., to be held in the County Court House, in the Borough of Manhattan, in The City of New York, on the 10th day of January, 1909, at the opening of the Court on that day.

Sixth—In case, however, objections are filed to the foregoing abstracts of estimate and assessment, or to either of them the motion to confirm the reports as to awards and as to assessments shall stand adjourned to the date to be hereafter specified in the notice provided in such cases to be given in relation to filing the final reports, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Manhattan, New York, November 18, 1908.

VINCENT NELLAMY, Chairman;
EMIL GREEN,
JAMES OWENS,
Commissioners of Estimate.

VINCENT NELLAMY,
Commissioner of Assessment.
JOHN P. DUNN, Clerk.

n24,d12

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, tenements and hereditaments required for the opening and extending of NICHOLAS AVENUE (although not yet named by proper authority), from Richmond terrace to the pierhead line, in the Third Ward, Borough of Richmond, 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 17th 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 Richmond, there to remain for and during the space of five days, as required by law.

Dated, Borough of Manhattan, New York, December 10, 1908.

SIDNEY F. RAWSON,
JOHN F. DUNN,
Commissioners.

JOHN P. DUNN, Clerk.

d10,16

SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the opening and extending of JAMAICA AVENUE (although not yet named by proper authority), from Old Bowery Bay road to East River, in the First Ward, Borough of Queens, in The 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, Second Department, at a Special Term thereof, to be held for the hearing of motions, at 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 bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of Queens, 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 9, 1908.

HENRY W. SHARKEY,
JAMES J. WHITE,
WILLIAM W. GILLEN,
Commissioners.

JOHN P. DUNN, Clerk.

d9,19

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 purpose of opening and extending EAST TWENTY-THIRD STREET, from Flatbush avenue to Canarsie lane, and EAST TWENTY-SECOND STREET, from Clarendon road to Beverley road, in the Twenty-ninth Ward, Borough of Brooklyn, City of New York.

NOTICE IS HEREBY GIVEN THAT THE cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, Second Department, at a Special Term of said Court, to be held for the hearing of motions, in the County Court House, in the County of Kings, in the Borough of Brooklyn, in The City of New York, on the 19th 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 and of one Commissioner of Assessment in the above-entitled matter. 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 the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening and extending of East Twenty-third street, from Flatbush avenue to Canarsie lane, and East Twenty-second street, from Clarendon road to Beverley road, in the Twenty-ninth Ward, Borough of Brooklyn, City of New York, being the following described lots, pieces or parcels of land, viz:

East Twenty-second Street.

Beginning at the intersection of the west line of East Twenty-second street with the north line of Beverley road, as the same are laid out on the map of the City;

Thence easterly along the north line of Beverley road 60 feet;

Thence southerly deflecting 90 degrees to the right 780 feet to the south line of Clarendon road;

Thence westerly along the south line of Clarendon road 60 feet;

Thence northerly 780 feet to the point of beginning.

East Twenty-third Street.

Beginning at the intersection of the west line of East Twenty-third street with the north line of Canarsie lane, as the same are laid out on the map of the City;

Thence easterly along the north line of Canarsie lane 60 feet;

Thence southerly deflecting 90 degrees 16 minutes 7 seconds to the right 1,493.22 feet to the east line of Flatbush avenue;

Thence northerly along the east line of Flatbush avenue 111.83 feet;

Thence northerly 1,396.56 feet to the point of beginning.

The Board of Estimate and Apportionment on the 5th day of June, 1908, duly fixed and determined the area of assessment for benefit in this proceeding as follows:

Beginning at a point on a line midway between Clarendon road and Vanderveer place where it is intersected by the prolongation of a line midway between Flatbush avenue and East Twenty-second street, and running thence northwardly along the said line midway between Flatbush avenue and East Twenty-second street and the prolongation thereof to a point distant one hundred feet northwardly from the northerly line of Beverley road; thence eastwardly and parallel with Beverley road to the intersection with a line midway between East Twenty-second street and East Twenty-third street; thence southwardly along the said line midway between East Twenty-third street and East Twenty-second street to the intersection with a line distant 100 feet northerly from and parallel with the northerly line of Canarsie lane, the said distance being measured at right angles to the line of Canarsie lane; thence eastwardly along the said line parallel with Canarsie lane to the intersection with a line midway between East Twenty-third street and Bedford avenue; thence southwardly along the said line midway between East Twenty-third street and Bedford avenue and the prolongation thereof to the intersection with the prolongation of the centre line of Newkirk avenue, as laid out easterly from Flatbush avenue; thence westwardly along the prolongation of the centre line of Newkirk avenue to the intersection with a line distant 100 feet southwesterly from and parallel with the southwesterly line of Flatbush avenue, the said distance being measured at right angles to the line of Flatbush avenue; thence northwardly and parallel with Flatbush avenue to the intersection with the prolongation of a line distant 100 feet westerly from and parallel with the westerly line of East Twenty-third street, the said distance being measured at right angles to the line of East Twenty-third street; thence northwardly along the said line parallel with East Twenty-third street to the intersection with a line midway between Clarendon road and Vanderveer place; thence westwardly along the said line midway between Clarendon road and Vanderveer place to the point of place of beginning.

Dated, New York, December 4, 1908.

FRANCIS K. PENDLETON,
Corporation Counsel,

Hall of Records, Borough of Manhattan, City of New York.

d8,11

SECOND DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title, wherever the same has not been heretofore acquired, for the same purpose in fee, to the lands, tenements and hereditaments required for the opening and extending of BUTLER AVENUE, between Eureka place and Broadway, and EUREKA PLACE, ARENTS AVENUE and CHESTNUT STREET, between Bentley avenue and Church street, as laid out on the map or plan of The City of New York, in the Fifth Ward, Borough of Richmond, 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 up to and including November 23, 1908, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, Second Department, at a Special Term thereof for the hearing of motions, to be held at the County Court House, in the Borough of Brooklyn, in The City of New York, on the 17th 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 Richmond, there to remain for and during the space of ten days, as required by law.

Dated Borough of Manhattan, New York, December 4, 1908.

DE WITT STAFFORD,
ROBERT G. TOMPKINS,
DANIEL J. ROACH,
Commissioners of Estimate.

JOHN P. DUNN, Clerk.

d4,15

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 TITUS STREET (although not yet named by proper authority), from Jackson avenue to the bulkhead line of the East River, in the First Ward, Borough of Queens, in The 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, Second Department, at a Special Term thereof, to be held for the hearing of motions at the County Court House in the Borough of Brooklyn, in The City of New York, on the 15th 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 Queens, 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 2, 1908.

J. W. BENNETT,
D. DEANS,
Commissioners.

JOHN P. DUNN, Clerk.

d2,12

SECOND DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the opening and extending of VAN ALST AVENUE, from Nott avenue to Hoyt avenue, in the First Ward, Borough of Queens, in The 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, Second Department, at a Special Term thereof, to be held for the hearing of motions at the County Court House in the Borough of Brooklyn, in The City of New York, on the 1

erly side of West Eighth street; running thence northerly along the westerly side of West Eighth street to a point distant 350 feet northerly of the northerly side of Avenue V; running thence westerly and parallel with Avenue V to the easterly side of Stillwell avenue; running thence southerly and along the easterly side of Stillwell avenue to the point or place of beginning.

Fourth.—That provided there be no objections filed to either of said abstracts, our final report herein will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof for the hearing of motions, to be held in the County Court House, in the Borough of Brooklyn, in The City of New York, on the 15th day of February, 1909, at the opening of the Court on that day.

Fifth.—In case, however, objections are filed to either of said abstracts, our final report herein will stand adjourned to the date to be hereafter specified, and of which notice will be given to all those who have theretofore appeared in this proceeding, as well as by publication in the *CITY RECORD*, and in the corporation newspapers, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Brooklyn, New York, December 2, 1908.

MICHAEL F. McGOLDRICK, Chairman;
BERTRAM MANNE,
JOHN B. BYRNE, JR., Commissioners.

JAMES F. QUIGLEY, Clerk.

d2,18

SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the opening and extending of FORTY-FIRST STREET, from Thirteenth avenue to West street, in the Twenty-ninth and Thirtieth Wards, Borough of Brooklyn, City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First.—That we have completed our estimate and assessment, and that all persons interested in this proceeding or in any of the lands, tenements and hereditaments and premises affected thereby, and having objections thereto, do present their said objections, in writing, duly verified, to us at our office, No. 166 Montague street, in the Borough of Brooklyn, in The City of New York, on or before the 22d day of December, 1908, 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 23d day of December, 1908, at 2 o'clock p. m.

Second.—That the abstracts of our said estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates, proofs and other documents used by us in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, No. 166 Montague street, in the Borough of Brooklyn, in said City, there to remain until the 2d 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 Brooklyn, in The City of New York, which, taken together, are bounded and described as follows, viz.:

Beginning at a point on the southerly side of Thirteenth avenue, where the same is intersected by the centre line of the block between Forty-first street and Fortieth street; running thence southerly and parallel with Forty-first street to the westerly side of West street; running thence southerly and along the westerly side of West street to the intersection of the centre line of the block between Forty-first street and Forty-second street; running thence northerly, parallel with Forty-first street and always along the centre line of the blocks between Forty-first street and Forty-second street, to the southerly side of Thirteenth avenue; running thence easterly along the southerly side of Thirteenth avenue to the place of beginning.

Fourth.—That provided there be no objections filed to either of said abstracts, our final report herein will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof for the hearing of motions, to be held in the County Court House in the Borough of Brooklyn, in The City of New York, on the 15th day of February, 1909, at the opening of the Court on that day.

Fifth.—In case, however, objections are filed to either of said abstracts of estimate and assessment, the notice of motion to confirm our final report herein will stand adjourned to the date to be hereafter specified, and of which notice will be given to all those who have theretofore appeared in this proceeding, as well as by publication in the *CITY RECORD* and in the corporation newspapers, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Brooklyn, New York, December 3, 1908.

JAMES RIDGWAY, Chairman;
MATTHEW J. KEANY,
Commissioners.

JAMES F. QUIGLEY, Clerk.

d2,18

SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired for the same purpose, in fee, to the lands, tenements and hereditaments required for the opening and extending of MIDWOOD STREET, between Nostrand avenue and Kingston avenue, in the Twenty-ninth Ward, Borough of Brooklyn, City of New York.

NOTICE IS HEREBY GIVEN TO ALL persons interested in the above-entitled proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First.—That the undersigned Commissioners of Estimate have completed their estimate of damage, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, having any objection thereto, do file their said objections in writing, duly verified, with them at their office, No. 166 Montague street, in the Borough of Brooklyn, in The City of New York, on or before the 21st day of December, 1908, and that the said Commissioners will hear parties so objecting, and for that purpose will

be in attendance at their said office on the 22d day of December, 1908, at 3:30 o'clock p. m.

Second.—That the undersigned Commissioner of Assessment has completed his estimate of benefit, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, having any objection thereto, do file their said objections, in writing, duly verified, with him at his office, No. 166 Montague street, in the Borough of Brooklyn, in The City of New York, on or before the 21st day of December, 1908, and that the said Commissioner will hear parties so objecting, and for that purpose will be in attendance at his said office on the 23d day of December, 1908, at 3:30 o'clock p. m.

Third.—That the Commissioner of Assessment has assessed any or all such lands, tenements and hereditaments and premises as are within the area of assessment fixed and prescribed as the area of assessment for benefit by the Board of Estimate and Apportionment on the 10th day of April, 1907, and that the said area of assessment includes all those lands, tenements and hereditaments and premises situate and being in the Borough of Brooklyn, in The City of New York, which, taken together, are bounded and described as follows, viz.:

Bounded on the north by a line midway between Midwood street and Maple street; on the east by a line 100 feet east of and parallel with the easterly line of Kingston avenue, the said distance being measured at right angles to the line of Kingston avenue; on the south by a line midway between Midwood street and Rutland road, and on the west by a line 100 feet west of and parallel with the westerly line of Nostrand avenue, the said distance being measured at right angles to the line of Nostrand avenue.

Fourth.—That the abstracts of said estimate of damage and of said assessment, for benefit, together with the damage and benefit maps and also all the affidavits, estimates, proofs and other documents used by the Commissioners of Estimate and by the Commissioner of Assessment in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, No. 166 Montague street, in the Borough of Brooklyn, in said City, there to remain until the 2d day of January, 1909.

Fifth.—That, provided there be no objections filed to either of said abstracts, the reports as to awards and as to assessments for benefit herein will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof, to be held in the County Court House, in the Borough of Brooklyn, in The City of New York, on the 29th day of January, 1909, at the opening of the Court on that day.

Sixth.—In case, however, objections are filed to the foregoing abstracts of estimate and assessment, or to either of them, the motion to confirm the reports as to awards and as to assessments shall stand adjourned to the date to be hereafter specified in the notice provided in such cases to be given in relation to filing the final reports, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Brooklyn, New York, December 2, 1908.

E. D. CHILDS, Chairman;
A. SILVERSTONE,
SOLON BARBANEL,
Commissioners of Estimate.

E. D. CHILDS,
Commissioner of Assessment.

JAMES F. QUIGLEY, Clerk.

d2,18

SECOND DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title to the lands, tenements and hereditaments required for the purpose of opening and extending FORTY-FOURTH STREET, from New Utrecht avenue to West street, in the Twenty-ninth and Thirtieth Wards, 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 14th 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 378 of the Laws of 1897, as amended by chapter 466 of the Laws of 1901.

Dated Borough of Brooklyn, New York, November 30, 1908.

FREDERICK A. WELLS,
ELISHA T. EVERETT,
SAMUEL T. MADDOX, JR.,
Commissioners.

JAMES F. QUIGLEY, Clerk.

n30,d10

SUPREME COURT—THIRD JUDICIAL DISTRICT.

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. R. 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 B (20-B), 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 KEY PENDLETON,
Corporation Counsel.
Hall of Records, New York City.

d5,26

THIRD JUDICIAL DISTRICT.

ULSTER COUNTY.

Northern Aqueduct Department, Section No. 5, Towns of Gardiner, Plattekill and Shawangunk, 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 Towns of Gardiner, Plattekill and Shawangunk, Ulster 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.

Bounded on the north by a line midway between Midwood street and Maple street; on the east by a line 100 feet east of and parallel with the easterly line of Kingston avenue, the said distance being measured at right angles to the line of Kingston avenue; on the south by a line midway between Midwood street and Rutland road, and on the west by a line 100 feet west of and parallel with the westerly line of Nostrand avenue, the said distance being measured at right angles to the line of Nostrand avenue.

Third.—That the Commissioner of Assessment has assessed any or all such lands, tenements and hereditaments and premises as are within the area of assessment fixed and prescribed as the area of assessment for benefit by the Board of Estimate and Apportionment on the 10th day of April, 1907, and that the said area of assessment includes all those lands, tenements and hereditaments and premises situate and being in the Borough of Brooklyn, in The City of New York, which, taken together, are bounded and described as follows, viz.:

Bounded on the north by a line midway between Midwood street and Maple street; on the east by a line 100 feet east of and parallel with the easterly line of Kingston avenue, the said distance being measured at right angles to the line of Kingston avenue; on the south by a line midway between Midwood street and Rutland road, and on the west by a line 100 feet west of and parallel with the westerly line of Nostrand avenue, the said distance being measured at right angles to the line of Nostrand avenue.

Fourth.—That the abstracts of said estimate of damage and of said assessment, for benefit, together with the damage and benefit maps and also all the affidavits, estimates, proofs and other documents used by the Commissioners of Estimate and by the Commissioner of Assessment in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, No. 166 Montague street, in the Borough of Brooklyn, in said City, there to remain until the 2d day of January, 1909.

Fifth.—That, provided there be no objections filed to either of said abstracts, the reports as to awards and as to assessments for benefit herein will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof, to be held in the County Court House, in the Borough of Brooklyn, in The City of New York, on the 29th day of January, 1909, at the opening of the Court on that day.

Sixth.—In case, however, objections are filed to the foregoing abstracts of estimate and assessment, or to either of them, the motion to confirm the reports as to awards and as to assessments shall stand adjourned to the date to be hereafter specified in the notice provided in such cases to be given in relation to filing the final reports, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Brooklyn, New York, December 2, 1908.

E. D. CHILDS, Chairman;

A. SILVERSTONE,
SOLON BARBANEL,
Commissioners of Estimate.

E. D. CHILDS,
Commissioner of Assessment.

JAMES F. QUIGLEY, Clerk.

d2,18

SECOND DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title to the lands, tenements and hereditaments required for the purpose of opening and extending FORTY-FOURTH STREET, from New Utrecht avenue to West street, in the Twenty-ninth and Thirtieth Wards, in the Borough of Brooklyn, The City of New York, as the same has been heretofore laid out.

Notice is further given that an application will be made at a Special Term of the Supreme Court of the State of New York, to be held in and for the Third Judicial District, at the Court House, in the City of Kingston, County of Ulster, New York, on the 10th day of December, 1908, at 10 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order confirming said report and for such other and further relief as may be just.

Reserving to The City of New York the right to oppose the confirmation of any and all parcels contained in said report.

Dated New York, November 23, 1908.

FRANCIS KEY PENDLETON,
Corporation Counsel.

n28,d10

SUPREME COURT—NINTH JUDICIAL DISTRICT.

NINTH JUDICIAL DISTRICT.

Kensico Reservoir, Section No. 5.

In the matter of the application and petition of the Board of Water Supply of The City of New York to acquire lands in the Town of Mount Pleasant, Westchester County, under chapter 724 of the Laws of 1905, and the acts amendatory thereof, etc.

WHEREAS, ISAAC BELL BRENNAN, who was appointed a Commissioner of Appraisal in the above entitled matter by an order of the Court bearing date July 20, 1907, departed this life on the 28th day of September, 1908.

Public notice is hereby given that an application will be made before his Honor Mr. Justice Keogh at a Special Term of the Supreme Court to be held at Moran's Hall, in the Village of White Plains on December 14, 1908, at 10 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard, for the appointment of a Commissioner in the place of said Isaac Bell Brennan, deceased, and for such other and further relief as may be just.

Dated December 1, 1908.

JOHN J. BROWN,
GEORGE A. SLATER,
Commissioners.

FRANCIS KEY PENDLETON, Corporation Counsel.
Office and Post Office Address: Hall of Records, New York City.

d4,14

BROOKLYN DISCIPLINARY TRAINING SCHOOL.

BOARD OF MANAGERS OF THE BROOKLYN DISCIPLINARY TRAINING SCHOOL FOR BOYS, (CENTRAL OFFICE), NOS. 4 AND 5 COURT SQUARE, BOROUGH OF BROOKLYN, NEW YORK CITY.

TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

SEALED BIDS OR ESTIMATES WILL BE received by the Supplies Committee of the Board of Managers of the Brooklyn Disciplinary Training School for Boys at the above office until 12 o'clock m. on

THURSDAY, DECEMBER 17, 1908.

FOR FURNISHING AND DELIVERING GROCERIES, VEGETABLES, MEATS, FISH, BREAD, ROLLS AND PIE, MILK AND CREAM, ICE, DRY GOODS AND CLOTH AND TAILOR-SHOP SUNDRIES, HARDWARE, LEATHER AND SHOE-SHOP SUNDRIES, LUMBER, ENGINEER'S SUPPLIES, DRUGS, ETC., EDUCATIONAL AND SCHOOL SUPPLIES, PAINTS, OILS, ETC., HAY, GRAIN AND FEED.

The time for the performance of the contract is during the year 1909.

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

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

Blank forms may be obtained at the office of the Board of Managers, Nos. 4 and 5 Court square, Borough of Brooklyn.

The bidder will state the price of each item contained in the specifications herein contained or hereto annexed, by which the bids will be tested. The extensions of each class must be made and footed up, as the bids will be read from the total footings and awards made to the lowest bidder on each item, as specified in schedule or annexed specifications.</