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THE CITY RECORD.

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GEORGE B. McCLELLAN, MAYOR.

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PATRICK J. TRACY, SUPERVISOR.

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PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT,

No. 154 NASSAU STREET, NEW YORK CITY.

CALENDAR OF HEARINGS.

The following hearings will be held during the remainder of the week commencing Monday, October 4, 1909:

Wednesday, October 6—10:30 a. m.—Room 305.—CITY OF NEW YORK AND BRADLEY CONTRACTING COMPANY.—"Arbitrations (Nos. 2, 3 and 4) of Determination of Henry B. Seaman, Chief Engineer."—H. H. Whitman of Counsel.

Thursday, October 7—10:30 a. m.—Room 305.—CITY OF NEW YORK AND CRANFORD COMPANY.—"Arbitration of Determination of Chief Engineer."

2:30 p. m.—Room 305.—BROOKLYN UNION ELEVATED R.R. CO.—"Rehearing as to Final Orders in regard to Stairways at Gates Ave. Station and Halsey St. Station."—Commissioner Bassett.

2:30 p. m.—Room 310.—Case No. 1160.—BROOKLYN GAS AND ELECTRIC CO.—"Application for approval of an issue of \$1,500,000 bonds."—Commissioner Maltbie.

Friday, October 8—2:30 p. m.—Room 305.—Case No. 1134.—CONEY ISLAND & BROOKLYN RAILROAD COMPANY.—Jonas Monheimer, Complainant.—"Five cent fare from New York to Coney Island on week days."—Commissioner Bassett.

4:00 p. m.—Room 310.—Case No. 1027.—NASSAU ELECTRIC RAILROAD COMPANY.—Frank Hutson, Complainant.—"Failure to issue transfers between West End Elevated and 86th Street Lines."—Commissioner McCullough.

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

POLICE DEPARTMENT.

September 24, 1909.

The following proceedings were this day directed by Police Commissioner William F. Baker:

It appearing that in the investigation as to the conduct and capacity of James T. Brady, a Probationary Patrolman, an error was made.

Ordered, That the proceedings of July 29, 1909, declaring that the conduct and capacity of the said James T. Brady "while on probation are unsatisfactory to the Police Commissioner and for that reason he is and is hereby dismissed from such employment," be and is hereby rescinded, and in consideration that the said James T. Brady has filed a petition in which he waives and renounces any and all back pay or salary which may be due and owing to him from The City of New York, from the 29th day of July, 1909.

Ordered, That the following Probationary Patrolman having qualified, is hereby appointed Patrolman in the Police Department of The City of New York, to take effect as of July 29, 1909: James T. Brady.

Ordered, That the Municipal Civil Service Commission be respectfully requested to include in certification of September 20, 1909, from which to appoint fifty Patrolmen, the name of Alexander V. Matier.

Granted.

Permission to Alfred Mendelsohn, First Grade Detective, Detective Bureau, The Bronx, to receive reward of \$50 from United States Army for arrest of deserter. With usual deduction.

Amusement Licenses Granted.

Aristide L. B. Carbone, Elena Cinematograph, No. 2007 First avenue, Manhattan, from September 17, 1909, to December 16, 1909; fee, \$150.

Antonio Castarella, Caruso Theatre, No. 124 West Houston street, Manhattan, from September 18, 1909, to December 17, 1909; fee, \$150.

Connex & Edwards, the Richmond Theatre, Canal and Brook streets, Richmond, from September 16, 1909, to March 15, 1910; fee, \$50.

Excelsior Theatre Company, Casino Theatre, Nos. 96 to 104 Flatbush avenue, Brooklyn, from September 3, 1909, to April 30, 1910; fee, \$450.

Runner Licenses Granted.

Cornelius E. Price, No. 542 East Eighty-seventh street, Manhattan, from September 24, 1909, to September 23, 1910; fee, \$20; bond, \$300.

Minor O. Russ, No. 802 East One Hundred and Sixty-eighth street, The Bronx, from September 24, 1909, to September 25, 1910; fee, \$20; bond, \$300.

On File, Send Copy.

Certified copy of resolution adopted by the Board of Estimate and Apportionment September 17, 1909, as follows:

"Resolved, That the sum of eighteen dollars and thirteen cents (\$18.13) be and the same is hereby transferred from the appropriation made to the Department of Health, for the year 1908, entitled Borough Administration of Sanitation and Prevention of Contagious Diseases, Brooklyn, Sanitary Police, the same being in excess of the amount required for the purposes thereof, to the appropriation made to the Police Department for the year 1908, entitled Police Pension Fund, the amount of said appropriation being insufficient."

Copy to the Bookkeeper.

Report of Lieutenant in command of Boiler Squad, dated September 23, 1909, relative to engineers' licenses granted. For publication in the City Record.

Special Order No. 271, issued this day, is hereby made part of the proceedings of the Police Commissioner.

Special Orders Nos. 272, 273 and 274, relative to Hudson-Fulton celebration, were this day promulgated by the Police Commissioner.

Special Order No. 271.

The following transfers are hereby ordered:

To take effect 8 p. m., September 24, 1909:

Patrolmen Philip Bernstein, from One Hundred and Fifty-ninth Precinct to Sixteenth Precinct; Charles Pfeiffer, from One Hundred and Fifty-ninth Precinct to Eighteenth Precinct; Eugene Brownell, from Sixteenth Precinct to One Hundred and Fifty-ninth Precinct.

The following temporary assignments are hereby ordered:

Lieutenant Joseph McKay, Two Hundred and Seventy-seventh Precinct, assigned to command precinct, during absence of Captain John F. Gardiner on sick leave, from 7 a. m., September 23, 1909.

Patrolmen John J. Lynch, Twenty-third Precinct, assigned to special duty in precinct, for thirteen days, from 8 a. m., September 27, 1909; Elmo C. Hoagland, One Hundred and Forty-third Precinct, assigned to clerical duty, during absence of Patrolman Andrew J. Glennon on sick leave, from 12:01 a. m., September 23, 1909.

Matron—Maud Leslie, Twelfth Precinct, assigned to Central Office Squad, duty in Third Deputy Commissioner's office, for five days, from 4 p. m., September 23, 1909.

The following extensions of temporary assignments are hereby ordered:

Patrolmen Isaac Steier and William Ornstein, Thirteenth Precinct, to Brooklyn Borough Headquarters Squad, duty in Borough Inspector's office, in plain clothes, for ten days, from 8 p. m., September 24, 1909; John Watson and Charles F. Figue, Thirty-first Precinct, to Brooklyn Borough Headquarters Squad, duty in Borough Inspector's office, in plain clothes, for ten days, from 8 a. m., September 25, 1909.

The following temporary assignment is hereby discontinued:

Patrolman Jeremiah Lane, Twenty-second Precinct, to Twenty-third Precinct, from 8 a. m., September 27, 1909.

The following member of the Force is excused for eighteen hours as indicated:

Surgeon Ernest V. Hubbard, Twenty-fourth Surgical District, from 12:01 a. m., September 23, 1909, with permission to leave city.

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

Patrolmen Thomas E. Clune, Twenty-eighth Precinct, for three days, from 12:01 a. m., September 22, 1909, with permission to leave city; Henry G. Kilroy, Tenement House Squad, for three days, from 12:01 a. m., September 24, 1909.

The following leaves of absence are hereby granted without pay:

Patrolmen Thomas E. Clune, Twenty-eighth Precinct, for two days, from 12:01 a. m., September 25, 1909, with permission to leave city; Henry G. Kilroy, Tenement House Squad, for two days, from 12:01 a. m., September 27, 1909; Henry E. A. Rohde, Twenty-ninth Precinct, for one day, from 12:01 a. m., September 22, 1909.

The following applications for full pay are hereby granted:

Motorcycle Patrolman John H. Howe, Central Office Squad, from 7 a. m., July 25, 1909, to 12 noon, September 15, 1909.

Mounted Patrolman James Tobin, Traffic Precinct C, from 12 noon, August 27, 1909, to 12:01 a. m., September 16, 1909.

Bicycle Patrolman Louis Schubert, Ninety-ninth Precinct, from 3:15 p. m., July 25, 1909, to 12 noon, July 30, 1909.

Patrolman Charles Spitz, Sixty-fifth Precinct, from 9:30 p. m., August 6, 1909, to 12 noon, September 5, 1909.

Permission granted to leave city:

Patrolman John Lass, One Hundred and Sixty-eighth Precinct, for thirty days, while on sick leave.

The following death is reported:

Patrolman Henry Metz, Thirty-sixth Precinct, at 5:10 a. m., September 24, 1909.

Commanding Officers will direct the drivers of patrol wagons, assigned to duty at Hudson-Fulton celebration, to take feed for their horses with them from their own stable.

The following Special Patrolmen are hereby appointed:

George M. Cowan, for Hotel Victoria, No. 1150 Broadway, Manhattan; Anthony Padrucco, for Amsterdam Opera House, No. 340 West Forty-fourth street, Manhattan; Leonard Schalkman and Roger Sullivan, for Holmes Electric Protective Company, No. 34 East Fourteenth street, Manhattan; Morris Volensky, for Siegel-Cooper Company, Eighth-eighth street and Sixth avenue, Manhattan.

The appointment of the following Special Patrolman is hereby revoked:

Wolf Pachter, employed by A. Rosenberg, No. 191 Harrison avenue, Brooklyn.

WM. F. BAKER, Police Commissioner.

POLICE DEPARTMENT.

Sanitary Company (Boiler Squad), September 30, 1909.

To the Police Commissioner:

Sir—In compliance with orders relative to engineers' certificates issued by me under section 312 of chapter 410 of the Laws of 1882 as amended, the following re-

port will show the names of the persons to whom licenses were issued, class of license and location for the same, during the twenty-four hours ending 12 midnight, September 29, 1909:

First Class.

Ernest Jaegermann, Ditmar avenue and Titus street, Long Island City; James E. Hendrickson, Atlantic avenue and Chestnut street; Moses Laing, No. 318 East Thirty-ninth street; James England, One Hundred and Seventy-seventh street and Third avenue; Emil Manning, No. 37 Wall street.

Second Class.

Thomas Campbell, Randalls Island, N. Y.; Hugh Murphy, No. 79 Spring street; Albert Dittmar, No. 1 Bond street; John Beckingham, No. 125 Greenwich street; John W. Kellas, No. 477 Broome street; Joseph Moneth, No. 188 Bowery; Frederick J. Harris, No. 510 East Twentieth street; Ebenezer Whittaker, No. 588 Broadway; Henry Alexander, Thirty-sixth street and Seventh avenue; Patrick H. Neary, No. 43 Greenpoint avenue, Long Island City; Michael J. Burke, No. 222 West Twenty-third street.

Third Class.

Henry L. Meyers, Nos. 36 to 44 Forty-first street, Brooklyn; John C. Murphy, Broadway and Thirty-fourth street; James J. McCormack, No. 41 Park row; William J. Bradley, foot of East Forty-second street; August J. Herrmann, No. 263 Prospect avenue, Brooklyn; William H. Williams, No. 58 Columbia Heights; Nathan Marx, No. 78 First street, Brooklyn; Thomas Fogarty, No. 38 Tiffany place, Brooklyn; William S. Hempsted, No. 621 West Twenty-fifth street; Edward Cooke, No. 4 East Sixtieth street; Michael G. O'Neill, No. 637 East Seventeenth street; Archie D. Burns, No. 621 Broadway; John W. G. Meine, No. 607 West Forty-third street; Joseph Haus, No. 2 Beaver street; George W. Hudson, Tottenville, S. L.; David Lawson, No. 65 Monticello avenue, Jersey City; William Evans, foot of Desbrosses street; Frank Ahern, No. 262 Rogers avenue, Brooklyn; John Butterworth, No. 17 Battery place; Patrick Mulcahy, No. 51 Maiden lane; Daniel Doherty, No. 49 West Fifty-seventh street; Herbert Jones, No. 429 East Eighth street; John H. Huyck, No. 125 East Fifty-seventh street; Peter Gannon, No. 437 Fifth avenue; Thomas McNiff, Lefferts and Stewart avenues, Richmond Hill, Brooklyn.

Special.

Seneca Larke, Jr., Pier "A," North River; Patrick S. Hayes, No. 178 Thirty-ninth street, Brooklyn.

Respectfully,

HENRY BREEN, Lieutenant in Command.

POLICE DEPARTMENT.

Sanitary Company (Boiler Squad),
October 2, 1909.

To the Police Commissioner:

Sir—In compliance with orders relative to engineers' certificates issued by me under section 312 of chapter 410 of the Laws of 1882, as amended, the following report will show the names of the persons to whom licenses were issued, class of license and location for the same, during the twenty-four hours ending 12 midnight, October 1, 1909:

First Class.

John C. Holscher, No. 74 Wall street; Frederick T. Fields, Fifty-ninth street and Ninth avenue; John Roeschlein, No. 48 Hamilton avenue, Brooklyn; Albert J. DeFreest, No. 326 Broadway; John Schneider, No. 102 Pilling street, Brooklyn; Richard S. Terhune, No. 32 Broadway; Herman Redlin, No. 107 North Eleventh street, Brooklyn; Charles Vedder, No. 710 East Fourteenth street; John Drexler, No. 639 West Fortieth street; William Fanton, No. 373 Ralph avenue, Brooklyn; Patrick Moore, Pier 39, North River; Samuel B. Norworthy, No. 603 West Fortieth street; Thomas S. Cunningham, No. 116 West Thirty-fourth street; Charles Spreng, No. 56 Hudson street.

Second Class.

Patrick McAssey, No. 30 Church street; Fred Mack, No. 481 Smith street, Brooklyn; Henry A. Richmond, No. 377 Madison avenue; Ludwig A. Sorenson, Remsen avenue, Far Rockaway, L. I.; Leonard Heinrichs, Kent avenue and South Third street, Brooklyn; John E. Babcock, No. 481 Smith street, Brooklyn; William Steele, No. 1013 Grand street; William Dineen, No. 210 West Twenty-seventh street; Joseph F. Carman, Fifth avenue and Fifty-ninth street; Daniel O. Klopsia, No. 2052 Bronx street; Joseph Cook, No. 1245 Madison avenue; Eugene A. Moon, No. 184 North Eighth street, Brooklyn; William R. McGrath, West Brighton, S. I.; Simon Hauser, No. 50 Thomas street; George D. Thorne, No. 65 Ninth street, Brooklyn; John Gilzinger, No. 321 East Sixty-fourth street; James E. Brady, No. 301 Sixth avenue.

Third Class.

John A. Bellmund, No. 106 Seventh avenue; Abraham Berger, Nos. 1462 and 1464 Broadway; Charles Hellstrom, foot of Court street, Brooklyn; Thomas B. Service, No. 17 William street; Clarence H. Pitt, Fifth avenue and Fifty-fifth street; Alfred Kellin, No. 532 West Twenty-second street; William F. Harris, East Sixteenth street and Locust avenue, Brooklyn; Thomas F. Kelly, No. 108 Fulton street; Harry W. Waters, No. 6 Albany street; Louis Bruckner, No. 386 East One Hundred and Fifty-second street; William A. Sonthard, No. 22 Exchange place; Charles P. Downing, No. 115 Broadway; Daniel J. Jennings, Amsterdam avenue and One Hundred and Seventy-ninth street; Alfred S. Bowen, Pier 4, North River; Alfred J. Battler, No. 777 Madison avenue; Gust Lawson, No. 18 West Twenty-seventh street; Patrick J. Sharkey, No. 547 Fulton street; Herman Bungartz, No. 125 Ninth street, Brooklyn; Mark Devine, No. 565 Smith street, Brooklyn; Michael Moran, Myrtle avenue and Fresh Pond road, Evergreen, Brooklyn; Garrett H. Schanck, No. 740 Wythe avenue, Brooklyn; Nicholas Doherty, No. 90 West street; George Seiferheld, Greenpoint avenue and Newtown Creek, Brooklyn; Edward A. MacCurley, No. 511 East Seventy-eighth street; Andrew Kinsol, No. 285 Atlantic avenue, Brooklyn; George J. Thomas, Broadway and Fulton street, Brooklyn; George Gade, No. 2436 Webster avenue; David Kelly, First avenue and Thirty-sixth street; John J. Fitzgerald, Joralemon and Fulton street, Brooklyn; Charles A. Kleinfelder, No. 367 Jay street, Brooklyn; Harry Hering, No. 521 Tenth avenue; Michael J. Madden, Washington avenue, Rockaway Park; Fred H. Goldthwaite, No. 325 Dean street, Brooklyn; Fritz Speidel, No. 515 Madison avenue; Egbert U. Havill, No. 104 West Ninety-eighth street; Michael J. Larkin, No. 65 Fifth avenue; George J. Grimm, No. 549 Broadway; John O'Connor, No. 418 West Twenty-eighth street; Arthur C. Wells, No. 294 Canal street; Otto Tuerling, No. 552 West Twenty-third street; John Ryan, One Hundred and Eleventh street and Lenox avenue; Thomas Quigley, No. 207 Lafayette avenue; Benjamin D. Lott, No. 8 East Thirty-fourth street; Edward J. Hogan, No. 207 East Seventy-fifth street.

Special.

John Morrissey, No. 340 East Fourteenth street; William F. McCarthy, No. 235 West Fifty-eighth street; Ambrose P. Rikeman, Avenue U and Gravesend avenue, Brooklyn.

HENRY BREEN, Lieutenant in Command.

BOARD OF ESTIMATE AND APPORTIONMENT.

FINANCIAL AND FRANCHISE MATTERS.

MINUTES OF MEETING OF THE BOARD OF ESTIMATE AND APPORTIONMENT, HELD IN ROOM 16, CITY HALL, FRIDAY, SEPTEMBER 17, 1909.

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. Ahearn, President, Borough of Manhattan; Bird S. Coler, President, Borough of Brooklyn; John F. Murray, President, Borough of The Bronx; Lawrence Gresser, President, Borough of Queens; George Cromwell, President, Borough of Richmond.

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

The minutes of the meeting held July 2, 1909, were approved as printed.

FRANCHISE MATTERS.

Staten Island Rapid Transit Railway Company.

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

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

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

No one appeared in opposition to the proposed grant.

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

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

The following was offered:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

annual rate of compensation to the City be fixed at a less amount than the sum required to be paid during the last year prior to the termination of the original term of this contract.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

THE CITY OF NEW YORK,

By Mayor.

[SEAL.]

Attest:

..... City Clerk.

THE STATEN ISLAND RAPID TRANSIT RAILWAY COMPANY,

By Vice-President.

Attest:

..... Secretary

(Here add acknowledgments.)

Which was adopted by the following vote:

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

Nassau Electric Railroad Company.

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

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

Which was ordered filed.

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

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

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

No one appeared in opposition to the proposed grant.

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

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

The Secretary presented the following:

REPORT NO. F-172.

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

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

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

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

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

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

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

Brooklyn City Railroad Company.

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

Which was ordered filed.

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

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

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

No one appeared in opposition to the proposed grant.

The following appeared in favor:

Mr. Milner, representing Wood, Harmon & Co.

George D. Yeomans, of counsel for the company.

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

The Secretary presented the following:

REPORT NO. F-171.

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

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

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

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

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

NELSON P. LEWIS, Chief Engineer.

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

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

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

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

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

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

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

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

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

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

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

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

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

The main features of the contract are:

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

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

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

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

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

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

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

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

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

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

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

Under date of August 3, 1909, a reply was received to my communication from Mr. E. W. Winter, President of The Brooklyn Heights Railroad Company, in which he objects to many of the provisions contained in the contract. As before stated, this contract contains conditions similar to those which have been used in other franchises which have recently been granted by the Board and the objections made by Mr. Winter seem to prove that it is not the intention of that company to accept any franchise from the City containing conditions which have practically become standard by frequent use. These objections are so numerous that it is plainly evident that there is no intention on the part of the company to endeavor to reach an agreement with the City upon the basis of the policies which have heretofore been adopted by the Board in granting franchises. It appears, therefore, that no agreement can be reached with the Company for this franchise, and the Company is pursuing the same policy which it has heretofore when applying for street surface railway franchises, particularly that of Metropolitan avenue, when it declined to accept any terms except the minimum provided in the Railroad Law. The question therefore arises whether the street surface railway companies in the Borough of Brooklyn shall be treated differently and more leniently by the terms of their franchises than other street surface railway companies operating in the City.

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

The communication of Mr. Winter is herewith transmitted.

Respectfully,

HARRY P. NICHOLS, Engineer in charge.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

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

By E. W. WINTER, President.

SYNOPSIS OF PROVISIONS OF CONTRACT.

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

Sec. 2. Conditions of grant:

First—Consents of property owners.

Second—Term of grant.

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

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

Fifth—Right not exclusive.

Sixth—Rights not to be assigned.

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

Eighth—Commencement and completion of construction.

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

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

Eleventh—Motive power.

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

Thirteenth—Rate of fare.

Fourteenth—No freight cars to be operated.

Fifteenth—Fenders and wheel guards to be provided.

Sixteenth—Cars to be heated.

Seventeenth—Cars to be lighted.

Eighteenth—Headway of cars.

Nineteenth—Streets to be watered.

Twentieth—Snow and ice to be removed.

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

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

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

Twenty-fourth—Company to change railway if lines or grades of streets are changed.
 Twenty-fifth—Annual report to the Board.
 Twenty-sixth—Company to keep accurate books of account and report to Comptroller.
 Twenty-seventh—City may sue for forfeiture.
 Twenty-eighth—Fine of \$250 per day for inefficient public service.
 Twenty-ninth—Company to assume all liability of damages.
 Thirtieth—Security deposit. Procedure for collection of penalties.
 Thirty-first—Definition of words "notice" and "direction."
 Thirty-second—Definition of words "streets or avenues."
 Thirty-third—If authority of Board or other officer is transferred, then such Board or officer shall act for City.
 Sec. 3. Contract not to be construed as limiting powers of Public Service Commission.
 Sec. 4. Provisions of Railroad Law to be complied with.
 Sec. 5. Company agrees to abide by all terms and conditions.

PROPOSED FORM OF CONTRACT.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

During the second term of five (5) years an annual sum which shall in no case be less than two thousand dollars (\$2,000), and which shall be equal to five (5) per cent. of its gross annual receipts, if such percentage shall exceed the sum of two thousand two hundred dollars (\$2,200).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[CORPORATE SEAL.]

Attest:

.....City Clerk.

THE BROOKLYN CITY RAILROAD COMPANY,
By.....President.

[SEAL.]

Attest:

.....Secretary.

(Here add acknowledgments.)

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

Queens Lighting Company.

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

Which was ordered filed.

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

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

An affidavit of publication was received from the CITY RECORD.

The Secretary presented the following:

REPORT NO. F-40.

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

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

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

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

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

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

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

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

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

Long Island Railroad Company.

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

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

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

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

REPORT NO. F-173.

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

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

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

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

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

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

Respectfully,

NELSON P. LEWIS, Chief Engineer.

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully,
HARRY P. NICHOLS, Engineer in Charge.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Very respectfully,
RALPH PETERS, President.

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

Treasury Department, United States of America.

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

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

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

The Secretary presented the following:

TREASURY DEPARTMENT,
WASHINGTON, July 27, 1909.

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

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

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

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

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

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

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

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

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

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

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

Respectfully,
FRANKLIN MACVEAGH, Secretary.

REPORT No. F-169.

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

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

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

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

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

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

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

Respectfully,
HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

The matter was then referred back to the Chief Engineer.

Bush Terminal Railroad Company.

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

The Secretary presented the following:

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

Board of Estimate and Apportionment:

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

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

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

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

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

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

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

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

Yours respectfully,

WILLIAM P. BURR, Acting Corporation Counsel.

REPORT No. F-175.

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

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

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

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

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

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

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

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

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

A resolution to this effect is transmitted herewith.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

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

The petition of the Bush Terminal Railroad Company respectfully shows:

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

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

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

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

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

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

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

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

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

Dated at New York City, August 17, 1909.

BUSH TERMINAL RAILROAD COMPANY,
By IRVING T. BUSH, President.

[SEAL.]

Attest:

H. W. GREENE, Secretary.

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

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

IRVING T. BUSH.

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

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

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

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

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

[SEAL.]

The following was offered:

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

Resolved, That, in pursuance of law, this Board sets Friday, the 15th day of October, 1909, at 10:30 o'clock in the forenoon, and Room 16, in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered, and a public hearing be had thereon at which citizens shall be entitled to appear and be heard; and be it further

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

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

Which was adopted by the following vote:

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

The petition was then referred to the Chief Engineer.

Flatbush Gas Company.

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

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

The Secretary presented the following:

REPORT No. F-105.

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

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

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

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

Respectfully,

NELSON P. LEWIS, Chief Engineer.

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully,
HARRY P. NICHOLS, Engineer in Charge.

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

The petition of the Flatbush Gas Company respectfully shows:

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

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

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

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

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

Dated New York City, April 6, 1908.

THE FLATBUSH GAS COMPANY.
By W. K. ROSSITER, Vice-President.

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

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

W. K. ROSSITER.

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

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

The following was offered:

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

Resolved, That, in pursuance of law, this Board sets Friday, the 15th day of October, 1909, at 10:30 o'clock in the forenoon, and Room 16 in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered and a public hearing be had thereon, at which citizens shall be entitled to appear and be heard; and be it further

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

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

Which was adopted by the following vote:

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

New York and North Shore Traction Company.

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

The Secretary presented the following:

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

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

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

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

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

Yours respectfully,

JAMES A. MACELHINNY.

The Secretary presented the following:

REPORT No. F-108.

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

MR. NELSON P. LEWIS, Chief Engineer:

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

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

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

| Street. | Fifty Per Cent. of Assessed Valuation. | Consents Obtained. |
|---|--|-----------------------|
| Broadway, City line to Bell avenue..... | \$339,100 00 | \$398,350 00 |
| Tenth street, Broadway to Bayside boulevard..... | 39,700 00 | 32,450 00 |
| Bayside boulevard, Tenth street to Ashburton avenue..... | 19,360 00 | |
| Ashburton avenue, Bayside boulevard to Chambers street.. | 80,687 50 | 105,800 00 |
| Chambers street, Ashburton avenue to Crocheron avenue.. | 34,842 50 | 40,230 00 |
| Crocheron avenue, Chambers street to Twenty-third street. | 355,691 75 | 506,423 50 |
| Twenty-third street, Crocheron avenue to State street..... | 35,920 00 | 71,900 00 |
| State street, Twenty-third street to Thirteenth street..... | 98,900 00 | 152,500 00 |
| Thirteenth street, State street to Chestnut street..... | 8,800 00 | 17,600 00 |
| Chestnut street, Thirteenth street to Whitestone avenue.... | 106,475 00 | 159,650 00 |
| Whitestone avenue, Chestnut street to State street..... | 43,650 00 | 55,600 00 |
| State street, Whitestone avenue to Prince street..... | 107,950 00 | 151,000 00 |
| Prince street, State street to Broadway..... | 27,700 00 | 30,300 00 |
| Broadway, Prince street to Farrington street..... | 123,550 00 | 146,600 00 |
| Farrington street, Broadway to State street..... | 30,100 00 | 20,000 00 |

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

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

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

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

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

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

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

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

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

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

New York and North Shore Traction Company.

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

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

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

Which were referred to the Chief Engineer.

Liquid Carbonic Company.

The Secretary presented the following:

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

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

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

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

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

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

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

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

Yours truly,

[SEAL.] THE LIQUID CARBONIC COMPANY,
JACOB BAUR, President.

Attest:

OSCAR BAUR, Assistant Secretary.

The Secretary presented the following:

REPORT No. F-174.

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

The following was offered:

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

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

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

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

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

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

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

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

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

Which was adopted by the following vote:

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

John E. and Joseph Conron.

The Secretary presented the following:

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

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

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

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

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

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

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

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

We remain,

Yours truly,

JOSEPH CONRON,
JOHN E. CONRON.

REPORT NO. F-176.

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

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

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

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

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

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

Respectfully,
NELSON P. LEWIS, Chief Engineer.

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

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

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

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

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

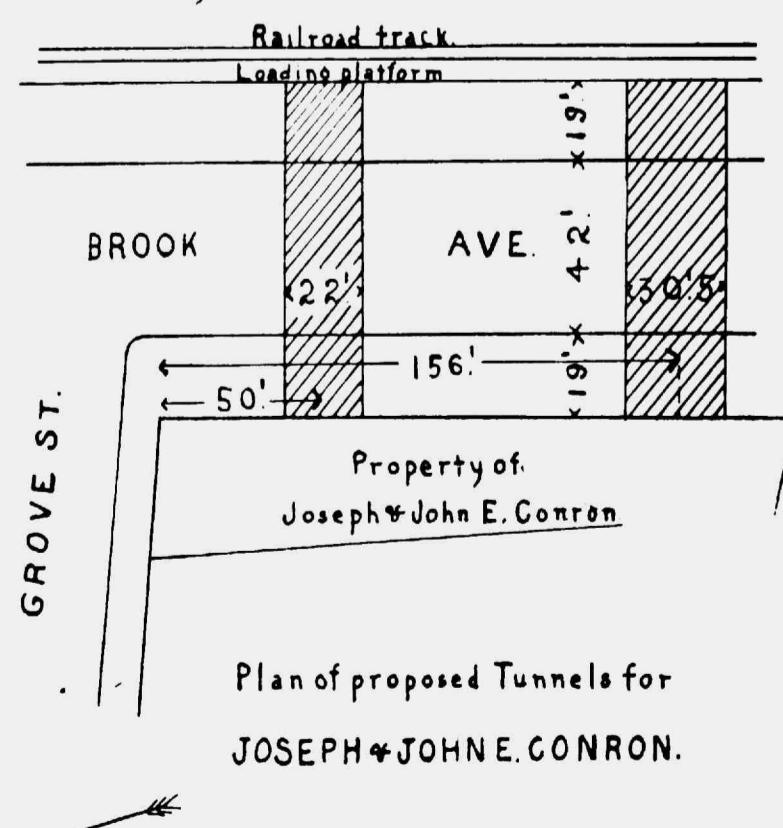
The reply from the Department of Water Supply, Gas and Electricity stated that there were no objections to offer to the proposed tunnel and no special conditions in this case other than those incorporated in the form of consent customarily used by the Board.

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

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

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

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



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

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

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

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

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

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

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

The following was offered:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Which was adopted by the following vote:

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

—
South Shore Traction Company.

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

The Secretary presented the following:

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

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

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

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

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

Very truly yours,

SOUTH SHORE TRACTION COMPANY,

By ARTHUR CARTER HUME, Secretary.

SUPREME COURT, APPELLATE DIVISION,

FIRST DEPARTMENT, JUNE, 1909.

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

No. 3760.

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

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

Clarence Lexow, for the relator.

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

George S. Coleman, for defendants.

Ingraham, J.:

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

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

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

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

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

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

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

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

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

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

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

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

SUPREME COURT, APPELLATE DIVISION,

FIRST DEPARTMENT, JUNE, 1909.

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

No. 3760.

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

Houghton, J. (Concurring):

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

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

REPORT No. F-95.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY, }

September 9, 1909.

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

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

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

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

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

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

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

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

Respectfully,

HARRY P. NICHOLS, *Engineer in Charge*.

Approved:

NELSON P. LEWIS, *Chief Engineer*.

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

ARTHUR CARTER HUME, ATTORNEY AT LAW,
TIMES BUILDING, FORTY-SECOND STREET AND BROADWAY, }

NEW YORK, N. Y., September 16, 1909.

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

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

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

Very truly yours,

ARTHUR CARTER HUME.

The papers were thereupon ordered filed.

New York Centadrink Company.

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

The Secretary presented the following:

REPORT No. F-115.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY, }

September 13, 1909.

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

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

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

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

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

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

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

Respectfully,
HARRY P. NICHOLS, Engineer in Charge.

Approved:

NELSON P. LEWIS, Chief Engineer.

Which was ordered filed.

Long Island Railroad Company.

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

The Secretary presented the following:

REPORT No. F-138.

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

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

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

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

Respectfully,
NELSON P. LEWIS, Chief Engineer.

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

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

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

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

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

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

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

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

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

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

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

Respectfully,
HARRY P. NICHOLS, Engineer in Charge.

The following was offered:

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

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

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

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

Which was adopted by the following vote:

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

New York Central and Hudson River Railroad Company.

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

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

The Secretary presented the following:

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

Board of Estimate and Apportionment:

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

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

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

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

"Trusting this explanation will be satisfactory, I am,

"Very truly yours,

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

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

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

Respectfully yours,

GEORGE L. STERLING, Acting Corporation Counsel.

Which was referred to the Chief Engineer.

Pelham Park Railroad Company; City Island Railroad Company.

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

The Secretary presented the following:

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

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

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

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

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

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

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

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

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

Respectfully yours,
CHARLES STRINGHAM.

REPORT NO. F-154.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY, }

September 10, 1909. }

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully,
HARRY P. NICHOLS, *Engineer in Charge.*

Approved:

NELSON P. LEWIS, *Chief Engineer.*

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

Harrison Street Cold Storage Company.

The Secretary presented the following:

REPORT NO. F-159.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY, }

September 8, 1909. }

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

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

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

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

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

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

Respectfully,

HARRY P. NICHOLS, *Engineer in Charge.*

Approved:

NELSON P. LEWIS, *Chief Engineer.*

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

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

Dated New York, June 11, 1909.

HARRISON STREET COLD STORAGE COMPANY,
By WM. FELLOWES MORGAN, President.

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

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

WM. FELLOWES MORGAN.

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

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

The following was offered:

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

Resolved, That in pursuance of law this Board sets Friday, the 15th day of October, 1909, at 10:30 o'clock in the forenoon, and Room 16 in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered, and a public hearing be had thereon, at which citizens shall be entitled to appear and be heard; and be it further

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

Which was adopted by the following vote:

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

New York Post-Graduate Medical School and Hospital.

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

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

The communication was ordered filed.

New York, New Haven and Hartford Railroad Company.

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

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

The communication was ordered filed.

Bristol-Myers Company.

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

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

The communication was ordered filed.

Seventieth Street Hygeia Ice Company.

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

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

The communication was ordered filed.

New York City Interborough Railway Company.

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

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

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

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

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

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

Which were ordered filed.

New York and Queens County Railway Company; Third Avenue Railroad Company

The Secretary presented the following:

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

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

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

I am further directed to request that your Honorable Board will grant a franchise to the Third Avenue Railway Company to run cars across the Queensboro Bridge.

Very respectfully yours,

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

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

FREDERICK LOESER & Co.

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

Which was referred to the Chief Engineer.

UNAUTHORIZED STRUCTURES, VARIOUS STREETS.

The Secretary presented the following:

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, }
Nos. 13 to 21 PARK ROW, }

August 30, 1909. }

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

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

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

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

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

Respectfully,
JOHN H. O'BRIEN, Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, }
Nos. 13 to 21 PARK ROW, }

August 30, 1909. }

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

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

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

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

Respectfully,
JOHN H. O'BRIEN, Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, }
Nos. 13 to 21 PARK ROW, }

September 4, 1909. }

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

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

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

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

Respectfully,
JOHN H. O'BRIEN, Commissioner.

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

July 27, 1909. }

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

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

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

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

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

Respectfully,
M. F. LOUGHMAN, Deputy and Acting Commissioner.

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

July 27, 1909. }

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

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

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

Respectfully,
M. F. LOUGHMAN, Deputy and Acting Commissioner.

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

July 27, 1909. }

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

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

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

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

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

Respectfully,
M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, }
COMMISSIONER'S OFFICE, Nos. 13 to 21 PARK ROW, }

NEW YORK, August 20, 1909. }

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

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

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

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

Respectfully,
M. F. LOUGHMAN, Deputy and Acting Commissioner.

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

August 23, 1909. }

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

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

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

Respectfully,
M. F. LOUGHMAN, Deputy and Acting Commissioner.

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

August 23, 1909. }

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

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

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

Respectfully,
M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, }
COMMISSIONER'S OFFICE, Nos. 13 to 21 PARK ROW, }

NEW YORK, August 20, 1909. }

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

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

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

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

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

Respectfully,
M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, }
COMMISSIONER'S OFFICE, Nos. 13 to 21 PARK ROW, }

NEW YORK, August 20, 1909. }

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

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

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

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

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

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

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

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

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

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

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

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

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

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

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

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

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

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

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

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

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

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

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

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

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

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

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

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

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

Which were referred to the Chief Engineer.

New York and Queens County Railway Company.

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

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

The Secretary presented the following:

REPORT No. F-93.

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

To the Board of Estimate and Apportionment:

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

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

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

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

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

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

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

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

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

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

The right to run local cars to be eliminated.

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

Respectfully,

H. A. METZ, Comptroller;
JOHN F. AHEARN, President, Borough of Manhattan;
LAWRENCE GRESSER, President, Borough of Queens.

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

To the Board of Estimate and Apportionment:

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

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

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

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

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

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

Respectfully,

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

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

The following was offered:

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

Which was adopted by the following vote:

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

Havemeyers & Elder, Unauthorized Tracks.

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

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

The Secretary presented the following:

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

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

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

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

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

"Respectfully,
JOSEPH HAAG, Secretary."

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

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

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

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

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

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

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

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

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

The following was offered:

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

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

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

Which was adopted by the following vote:

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

FINANCIAL MATTERS.

The Secretary presented two communications from the Commissioner of Bridges, requesting the transfer of \$6,000 within the appropriations made to said Department and to the Department of Water Supply, Gas and Electricity for the year 1909, involving a modification of the schedules of Salaries and Salaries and Wages accompanying the Budget for the year 1909, for the Department of Bridges, in order to provide for the operation of a railway service on the Queensboro Bridge, together with reports of the Comptroller recommending the granting of said request.

DEPARTMENT OF BRIDGES—CITY OF NEW YORK,
Nos. 13 to 21 PARK ROW,
NEW YORK, September 13, 1909.

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

GENTLEMEN—The Mayor directs me to ask your Board to make the following transfers of appropriations and modification of the Schedule of Salaries and Wages of the Department of Bridges for the purpose of installing and operating a local trolley car service across the Queensboro Bridge, from the underground station at Second avenue, on the Manhattan side, to Jackson avenue, on the Queens Borough side:

| | |
|---|------------|
| From Queensboro Bridge No. 121—Material for repairs and replacements by Departmental Labor..... | \$6,000 00 |
| To Department of Water Supply, Gas and Electricity, Heating, Light and Power, Bureau of Lamps and Lighting, No. 231—Heat and Power for City Departments, etc..... | 5,000 00 |
| To Department of Bridges, Queensboro Bridge No. 122—Apparatus and Machinery, Vehicles, Horses, etc..... | 1,000 00 |
| From Department of Bridges, Queensboro Bridge No. 119—Salaries and Wages; from line item Laborers to line item Motormen..... | 5,000 00 |

This does not increase the Budget appropriations for this Department for the year 1909.

It is the intention that the City conduct this service only until franchise arrangements have been made with a railroad company or companies, which will then assume the operation of the road.

At the outset an equipment of ten trolley cars will be used, maintaining a headway during the rush hours of a two-minute interval, and during the remainder of the day as the traffic requires. The fares charged will be similar to those on both the Brooklyn and Williamsburg bridges, that is, five cents per round trip, or three cents per single fare.

It is estimated that at least 10,000 passengers will use this line daily at the outset, and that the number will increase from day to day, but as the income must be paid into the general fund, which in turn is used to reduce taxation, it is necessary to meet the expenses out of the appropriation account. The receipts will undoubtedly pay for the maintenance and operation of the line.

The power will be obtained from the New York Edison Company, which has agreed to supply the current to the City without any construction or installation charges, and at a very favorable rate per unit of power consumed.

The cars will be rented at a fixed charge per day, including the cost of maintenance in perfect running condition, and will be returned to the parties leasing them when the operation of the road is discontinued by the City. Therefore there will be no cost for installation; simply the expense of operation.

In order to form some idea as to the saving in time which this will mean to those who would naturally use the Queensboro Bridge, it is estimated that to passengers going up town by the Second Avenue Elevated Railroad the saving in time between the Long Island City end of the bridge and the Manhattan end of the bridge, from that which is necessarily consumed in going by way of the Thirty-fourth Street Ferry, will be 32 minutes for each trip, while to passengers bound down town the saving is estimated at 14 minutes for each passenger.

The method by which these figures have been reached is as follows:

| | Minutes. |
|---|----------|
| From Jackson avenue, opposite the bridge approach, to the ferry by surface cars | 12 |
| Average wait for ferry..... | 5 |
| Ferry trip to the foot of Thirty-fourth street..... | 12 |
| From ferryboat to Second avenue elevated by shuttle train..... | 5 |
| Second avenue elevated train, Thirty-fourth to Fifty-ninth street..... | 9 |
| | 43 |
| | — |

| | Minutes. |
|---|----------|
| From surface car to bridge car on plaza..... | 1 |
| Average wait for bridge car..... | 1 |
| Trip across the bridge..... | 7 |
| From bridge terminal to Second Avenue Elevated..... | 2 |
| | 11 |
| | — |

Difference, 32 minutes.

For passengers bound down town the 9-minute ride on the Second Avenue Elevated, between Thirty-fourth and Fifty-ninth streets, should be subtracted from the time consumed by ferry passengers and added to that consumed by bridge passengers, a total difference of 18 minutes, reducing the time saved from 32 to 14 minutes for each passenger.

The arrangements for installing this service have been made, subject to the transfer of funds by your Board, which is now requested and which I ask you to pass on at your meeting on Friday, September 17.

In case favorable action is taken, the service can be installed almost immediately.

Yours truly,

J. W. STEVENSON, Commissioner.

DEPARTMENT OF BRIDGES—CITY OF NEW YORK,
Nos. 13 to 21 PARK ROW,
NEW YORK, September 14, 1909.

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

GENTLEMEN—Supplementing my letter of the 13th inst., asking for certain transfers of appropriations and modification of the Schedule of Salaries and Wages of this Department for the purpose of operating a trolley line across the Queensboro Bridge, I request the following additional modification:

| | |
|--|------------|
| Queensboro Bridge No. 119, Salaries and Wages— | |
| From line item Laborers..... | \$5,000 00 |
| To line item Conductors..... | 5,000 00 |

This does not increase the Budget appropriations for this Department for the year 1909.

I had at first intended to use Laborers now in the Department for the work on the rear platform of trolley cars, inasmuch as fares will not be collected on the cars but at the terminals. I am advised by the Civil Service Commission, however, that these employees should be classified as Conductors.

Yours truly,

J. W. STEVENSON, Commissioner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
September 14, 1909.

The Honorable Board of Estimate and Apportionment:

GENTLEMEN—Under date of September 13, 1909, the Commissioner of Bridges requested your Board to authorize transfers within appropriations made in the Budget for 1909 for the Department of Bridges and the Department of Water Supply, Gas and Electricity, and also asked that the schedule supporting one of the appropriations made for the Department of Bridges for salaries and wages be modified. This request was referred to me for consideration, and after an examination made in this Department as to the reasons given therefor, I would recommend the approval of the request so made.

It is the purpose of the Commissioner of Bridges, as a result of a conference with the Mayor, to provide for a temporary trolley car service across the Queensboro Bridge until proper franchise arrangements may be made with operating railroad companies. The full details of the proposed service are fully set forth in the communication of the Commissioner, which is submitted herewith. I would therefore recommend the adoption of the resolutions hereto appended.

Respectfully,

H. A. METZ, Comptroller.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
September 17, 1909.

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—Supplemental to my report of the 14th inst., I transmit herewith a further revision of the schedule of salaries and wages supporting the appropriations made for the Queensboro Bridge in the Budget for 1909, together with the request from the Commissioner of Bridges, which has necessitated this further modification of schedule; and, in view of the statement made in said request, respectfully recommend the adoption of the resolution hereunto attached.

Respectfully,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the sum of six thousand dollars (\$6,000) be and the same is hereby transferred from the appropriation made to the Department of Bridges for

the year 1909, entitled Queensboro Bridge (121), Materials for Repairs and Replacements by Departmental Labor, the same being in excess of the amount required for the purposes thereof, to the appropriation made for the year 1909, entitled and as follows:

| | |
|--|-------------------|
| Department of Water Supply, Gas and Electricity, Heat, Light and Power, Bureau of Lamps and Lighting (231), Heat and Power for City Departments, etc. | \$5,000 00 |
| Department of Bridges, Queensboro Bridge (122), Apparatus, Machinery, Vehicles, Horses, etc. | 1,000 00 |
| | <u>\$6,000 00</u> |

—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 following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the modification and revision of schedule supporting appropriations made for salaries and wages for the Department of Bridges for the year 1909, as follows:

Queensboro Bridge—

119. Salaries and Wages:

| | |
|---|---------------------|
| Engineer in Charge..... | \$5,000 00 |
| Assistant Engineer | 3,500 00 |
| Foreman Riveter | 1,800 00 |
| Foreman Lineman | 1,800 00 |
| Foremen, Laborers, 2 at \$1,800 each..... | 3,600 00 |
| Steel Inspector | 1,650 00 |
| Clerk | 1,500 00 |
| Stenographer and Typewriter..... | 1,200 00 |
| Messenger | 1,200 00 |
| Bridge Keepers, 8 at \$900 each..... | 7,200 00 |
| Bridge Keepers, 8 at \$1,095 each..... | 8,760 00 |
| Bridge Tenders, 4 at \$900 each..... | 3,600 00 |
| Rodman | 1,050 00 |
| Telephone Operator | 750 00 |
| Carpenters, not to exceed \$5 per day..... | 5,720 00 |
| Riveters, not to exceed \$4.80 per day..... | 16,473 60 |
| Wiremen, not to exceed \$4.50 per day..... | 6,570 00 |
| Painters, not to exceed \$4 per day..... | 4,576 00 |
| Blacksmiths, not to exceed \$4.50 per day..... | 1,249 00 |
| Blacksmith's Helpers, not to exceed \$3 per day.... | 858 00 |
| Laborers | 22,408 75 |
| Motormen | 5,000 00 |
| Conductors | 5,000 00 |
| Unassigned | 900 00 |
| | <u>\$111,365 35</u> |

Total..... \$111,365 35

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.—\$1813, as requested by the Department of Health from various appropriations within the year 1908, to the appropriation made to the Police Department for the year 1908, entitled Police Pension Fund.

DEPARTMENT OF HEALTH,
CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE, }
NEW YORK, July 30, 1909.

Hon. JOSEPH HAAG, Secretary, Board of Estimate and Apportionment, No. 277 Broadway:

Sir—At a meeting of the Board of Health of the Department of Health, held July 21, 1909, the following resolution was adopted:

Resolved, That the Board of Estimate and Apportionment be and is hereby respectfully requested, in accordance with the provisions of paragraph 2 of section 353 of the Greater New York Charter, to transfer the sum of \$38.84 (as hereinafter enumerated), from the appropriations made to the Department of Health for the year 1908, entitled Sanitary Police, to the appropriation made to the Police Department for the same year entitled Police Pension Fund, said sum being the unexpended balance of the appropriation made to this Department for such purpose:

520. Borough of Brooklyn..... \$18 13

A true copy.

EUGENE W. SCHEFFER, Secretary.

The following resolution was offered:

Resolved, That the sum of eighteen dollars and thirteen cents (\$18.13) be and the same is hereby transferred from the appropriation made to the Department of Health, for the year 1908, entitled Borough Administration of Sanitation and Prevention of Contagious Diseases, Brooklyn, Sanitary Police, the same being in excess of the amount required for the purposes thereof, to the appropriation made to the Police Department for the year 1908, entitled Police Pension Fund, 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.

B.—\$2,965.65, as requested by the Department of Public Charities within appropriations made for the year 1908.

DEPARTMENT OF PUBLIC CHARITIES,
FOOT OF EAST TWENTY-SIXTH STREET, }
August 3, 1909.

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—I beg respectfully to request the transfer of twenty-nine hundred and sixty-five dollars and sixty-five cents (\$2,965.65) from the appropriations to this Department for the year 1908, entitled:

| | |
|---|----------|
| Department of Public Charities, Code 1908-396, General Administration, Telephone | \$120 37 |
| Department of Public Charities, Code 1908-397, General Administration, Transportation of Paupers..... | 980 04 |

| | |
|--|-------------------|
| Department of Public Charities, Code 1908-398, General Administration, Allowance to Poor Adult Blind..... | 522 30 |
| Department of Public Charities, Code 1908-402, General Administration, Purchase of Ambulances, Horses, Harness and Repairs..... | 141 41 |
| Department of Public Charities, Code 1908-430, Additions, Alterations and Repairs to Buildings and Apparatus, including Labor and Material, Brooklyn | 1,201 53 |
| | <u>\$2,965 65</u> |

—the same being in excess of the amounts required therefor, to the appropriations

| | |
|--|-------------------|
| Department of Public Charities, Code 1908-395, General Administration, Supplies and Contingencies..... | \$2,596 57 |
| Department of Public Charities, Code 1908-400, Clothing for Epileptics sent to Craig Colony..... | 28 36 |
| Department of Public Charities, Code 1908-401, Donations to Grand Army Veterans | 330 00 |
| Department of Public Charities, Code 1908-433 Administration, Richmond, Telephone | 10 72 |
| | <u>\$2,965 65</u> |

—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 two thousand nine hundred and sixty-five dollars and sixty-five cents (\$2,965.65) be and the same is hereby transferred from appropriations made to the Department of Public Charities, for the year 1908, entitled and as follows:

| | |
|---|-------------------|
| General Administration, Miscellaneous— | |
| Telephone | \$120 37 |
| Transportation of Paupers..... | 980 04 |
| Allowance to Poor Adult Blind..... | 522 30 |
| Purchase of Ambulances, Horses, Harness and Repairs..... | 141 41 |
| Additions, Alterations and Repairs to Buildings and Apparatus, including Labor and Materials, Brooklyn..... | 1,201 53 |
| | <u>\$2,965 65</u> |

—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— | |
| Supplies and Contingencies..... | \$2,596 57 |
| Clothing for Epileptics sent to Craig Colony..... | 28 36 |
| Donations to Grand Army Veterans..... | 330 00 |
| Administration, Richmond, Miscellaneous, Telephone..... | 10 72 |
| | <u>\$2,965 65</u> |

—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.

C—\$1,421.16, as requested by the Board of Education within the appropriation entitled Special School Fund for the years 1903, 1904, 1905, 1906.

Resolved, That the Board of Estimate and Apportionment be and it is hereby respectfully requested to approve the following transfers:

From the Special School Fund, for the various years as enumerated, and from the items contained therein, entitled as follows:

| Year. | Code No. | Amount. |
|-----------|---|-------------------|
| 1903..... | 110. Supplies, Borough of Richmond..... | \$29 65 |
| 1904..... | 117. Salaries of Janitors, in all schools, Board of Education | 57 05 |
| 1905..... | 132. Salaries of Janitors in all schools, Board of Education | 289 52 |
| 1906..... | 162. Lectures, Board of Education..... | 1,044 94 |
| | | <u>\$1,421 16</u> |

—which items are in excess of their requirements, to the items also contained within the Special School Fund for the various years as enumerated, as follows:

| Year. | Code No. | Fund. | Borough. | Amount. |
|-----------|----------|-------------|---------------|-------------------|
| 1903..... | 146 | Water | Richmond..... | \$29 65 |
| 1904..... | 172 | Water | Richmond..... | 289 52 |
| 1905..... | 201 | Water | Richmond..... | 1,044 94 |
| | | | | <u>\$1,421 16</u> |

—which items are insufficient for their purposes.

A true copy of resolution adopted by the Board of Education July 6, 1909.

A. EMERSON PALMER, Secretary, Board of Education.

The following resolution was offered:

Resolved, That the sum of one thousand four hundred and twenty-one dollars and sixteen cents (\$1,421.16) be and the same is hereby transferred from the following appropriations made to the Department of Education, within the Special School Fund, for the various years as enumerated:

| | |
|--|-------------------|
| 1903, Borough of Richmond, Supplies..... | \$29 65 |
| 1904, Board of Education, Salaries of Janitors in all Schools..... | 57 05 |
| 1905, Board of Education, Salaries of Janitors in All Schools..... | 289 52 |
| 1906, Board of Education, Lectures..... | 1,044 94 |
| | <u>\$1,421 16</u> |

—the same being in excess of the amounts required for the purposes thereof, to the appropriations made to said department, within the Special School Fund, for the various years enumerated, entitled and as follows:

| | |
| --- | --- |
| 1903, Borough of Richmond, Water..... | \$29 65 |

<tbl_r cells

D—\$1,000, as requested by the Board of Trustees, Bellevue and Allied Hospitals, from the account No. 436, General Administration, Salaries and Wages for the year 1908, to the account No. 448, Buildings, Alterations, Maintenance and Repairs for the year 1908.

BOARD OF TRUSTEES, BELLEVUE AND ALLIED HOSPITALS,
FIRST AVENUE AND TWENTY-SIXTH STREET,
NEW YORK, August 14, 1909.

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 respectfully requests the transfer of \$1,000 from the appropriation entitled (436) General Administration, Salaries and Wages, 1908, to the appropriation entitled (448) Buildings, Alterations, Maintenance and Repairs, 1908.

This transfer is requested in order that several vouchers returned by the Department of Finance may be charged against the appropriation to which the transfer is requested, and in which there is not a sufficient balance to meet the bills.

Yours very truly,

A. M. ROBBINS, Acting Secretary, Board of Trustees.

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 Bellevue and Allied Hospitals for the year 1908, entitled Salaries and Wages (436) General Administration, 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 Buildings, Alterations, Maintenance and Repairs, 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—\$868, as requested by the Seventh District Municipal Court, Borough of Brooklyn, from the Supplies and Contingencies accounts of the Children's Court, First Division; First, Fourth, Ninth District Courts, Manhattan; First, Fifth, Sixth District Courts, Brooklyn, and from the account of the Inspectors and Sealers of Weights and Measures, and from the account Annual Compensation of John T. Mayers, etc., for the year 1908, to the Supplies and Contingencies account of the Seventh District Municipal Court, Borough of Brooklyn, for the year 1908.

MUNICIPAL COURT, CITY OF NEW YORK, SEVENTH DISTRICT,
PENNSYLVANIA AVENUE AND FULTON STREET,
BROOKLYN, July 2, 1909.

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

GENTLEMEN—Officials of the Chief Auditor's Department have declined to audit bills amounting to \$9.40 on our Contingency Voucher, submitted about a week ago, on the ground that such bills were contracted in 1908, although paid for by me in 1909.

As our balance of the 1908 Contingency Fund is only 72 cents, will you kindly transfer the remaining \$868 from some other 1908 fund? We cannot get out a voucher for this sum until the above has been done.

Thanking you for previous favors, I remain,

Yours sincerely,
SAMUEL F. BROTHERS.

The following resolution was offered:

Resolved, That the sum of eight dollars and sixty-eight cents (\$8.68) be and the same is hereby transferred from appropriations made for the year 1908, entitled and as follows:

| | |
|--|--------|
| 910. Children's Court, First Division, Supplies and Contingencies..... | \$1 83 |
| Municipal Courts, City of New York. | |
| BOROUGH OF MANHATTAN. | |
| 920. First District Court, Supplies and Contingencies..... | 1 94 |
| 926. Fourth District Court, Supplies and Contingencies..... | 3 18 |
| 936. Ninth District Court, Supplies and Contingencies..... | 04 |
| BOROUGH OF BROOKLYN. | |
| 942. First District Court, Supplies..... | 60 |
| 950. Fifth District Court, Supplies..... | 69 |
| 952. Sixth District Court, Supplies..... | 25 |
| 1130. Miscellaneous, Inspectors and Sealers of Weights and Measures..... | 07 |
| 1138. Miscellaneous, Annual compensation of John T. Mayers, a former employee of the Fire Department, for damages (chapter 372, Laws of 1903). | 08 |
| | \$8 68 |

—the same being in excess of the amounts required for the purposes thereof, to the appropriation made for the year 1908, entitled Municipal Courts, City of New York, Borough of Brooklyn, Seventh District Court, Supplies and Contingencies, the amount 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 resolutions and communications, as follows:

Resolutions (10) of the Board of Aldermen requesting the issue of Special Revenue Bonds, pursuant to subdivision 8 of section 188 of the Charter, as follows:

A—\$54,000, to compensate 40 Inspectors of Regulating, Grading and Paving, in the Bureau of Highways, Borough of Brooklyn, with salary at the rate of \$1,350 each per annum, for the year 1909.

B—\$275,000, to replenish the appropriation of the Board of City Record account, as follows:

542. Arrearages for 1907 and 1908, Printing, Lithographing, Engraving or Stamped Forms, including Pamphlets and Printed Blanks..... \$125,000 00
538. Printing, Lithographing, Engraving or Stamped Forms, including Pamphlets and Printed Blanks for the year 1909..... 150,000 00

\$275,000 00

C—\$2,400, for the removal of ashes in the Borough of Brooklyn, under the jurisdiction of the Commissioner of Street Cleaning.

D—\$14,658.52, for the employment of a sufficient force to enable the Commissioner of Parks, Boroughs of Manhattan and Richmond, to grant the per diem men the leave of absence authorized by law.

E—\$4,666.66, to compensate four Police Clerk's Assistants for the year 1909, under the jurisdiction of the Board of City Magistrates, First Division, pursuant to chapter 526 of the Laws of 1909.

F—\$4,250, to be expended by the President, Borough of The Bronx, for the removal of a retaining wall erected by the City on the northeast corner of Tremont and Honeywell avenues, Borough of The Bronx.

G—\$104,194.78, to be expended by the Commissioner of Water Supply, Gas and Electricity for the operation of the water supply system recently acquired in the Borough of Richmond.

H—\$3,200, for the rental of plots of ground in the Borough of Queens for the use of the Bureau of Street Cleaning, for the final disposition of garbage, under the jurisdiction of the President, Borough of Queens.

I—\$4,500, to be expended by the Trustees of the Queens Borough Public Library for the maintenance during 1909 of the new branch library at Woodside, Borough of Queens.

J—\$7,616.62, for deficiencies in the maintenance account for the year 1908, Queens Borough Library.

From the Commissioner of Parks, Boroughs of Manhattan and Richmond, requesting an issue of \$40,000 Corporate Stock for the purpose of providing means for the repaving with asphalt blocks the Sixty-sixth street transverse road in Central Park, from Central Park West to Fifth avenue, in the Borough of Manhattan.

From the Commissioner of Bridges, requesting authority, pursuant to resolution adopted December 18, 1908, to award the contracts for the erection of stairways and the installation of elevators in the anchor piers of the Queensboro Bridge, located in the Boroughs of Manhattan and Queens, at an estimated cost of \$90,000.

From the Commissioner of Bridges, requesting authority, pursuant to resolution adopted December 18, 1908, to proceed with the work of painting the Queensboro Bridge, at an estimated cost of \$175,000.

From the Commissioner of Parks, Boroughs of Manhattan and Richmond, requesting an appropriation of \$150,000 for the improvement of the four blocks of St. Nicholas avenue, bounded by One Hundred and Thirty-sixth and One Hundred and Thirty-eighth streets, Amsterdam avenue and St. Nicholas terrace, in the Borough of Manhattan, and submitting plan showing proposed improvement.

From the Commissioner of Parks, Boroughs of Manhattan and Richmond, requesting issues of Corporate Stock for the following purposes:

\$25,000 for overhauling and rebuilding Bow Bridge over the Lake in Central Park, Borough of Manhattan.

\$25,000 for increasing the toilet facilities and a rearrangement of the baths in Seward Park, Borough of Manhattan.

From the Board of Trustees, Bellevue and Allied Hospitals, requesting authority to advertise and award a contract for labor and material required for furnishing and installing electric and gas lighting fixtures in the Pathological Department and Men's Dormitory of the new Bellevue Hospital, at an estimated cost of \$8,000.

From the Board of Health, requesting the Board of Estimate and Apportionment to approve the selection of property on Sixteenth street and Irving place, Borough of Manhattan, as its chief office, and to authorize the issue of Corporate Stock in the sum of \$90,000 for the acquisition of said site and building thereon, and further requesting authority, pursuant to resolution adopted December 18, 1908, to expend the sum of \$100,000, payable from the proceeds of Corporate Stock heretofore authorized for the acquisition of sites and erection of buildings under the jurisdiction of the Department of Health, for the purpose of making initial payment upon the execution of the contract for the sale of the premises above described.

From the Board of Health, requesting an issue of \$18,000 Special Revenue Bonds (chapter 535, Laws of 1893) for the purchase of automobile ambulances, at a price not exceeding the sum of \$6,000 each.

From the Board of Health, requesting authority, pursuant to resolution adopted December 18, 1908, to advertise and award the contract for furnishing all the necessary labor and materials required for making alterations to the stable building located on the west side of Avenue D, near Fifteenth street, Borough of Manhattan, at an estimated cost of \$3,000.

From the Commissioner of Docks and Ferries, requesting authority, pursuant to resolution adopted December 18, 1908, to advertise and award contracts as follows:

1. For mud dredging to the extent of about 200,000 cubic yards of material on the North River, Borough of Manhattan, at an estimated cost of \$30,000.
2. For repairing Pier 42, North River, and for extending pierhead line, etc., at an estimated cost of \$120,500.

From the Commissioner of Docks and Ferries, requesting the Board to authorize and assent to the institution of condemnation proceedings for the acquisition of property known as Parcels A, B, C, D, E and F, situated on the westerly side of Twelfth avenue, between Forty-fourth and Forty-ninth streets, extending to the easterly side of Thirteenth avenue, etc., in the Borough of Manhattan.

From the Commissioner of Docks and Ferries, requesting the Board to authorize and assent to the institution of condemnation proceedings for the acquisition of the uplands, filled in lands, lands and lands under water, wharf property, etc., situated near the foot of Broadway, Borough of Brooklyn.

From the Commissioner of Docks and Ferries, requesting the Board to authorize and assent to the institution of condemnation proceedings for the acquisition of property on the westerly side of West street, between Albany and Rector streets, Borough of Manhattan, including all the right, title and interest to the wharfage rights, etc., to Piers (old) 8, 9, 10 and 11, North River.

From the Commissioner of Docks and Ferries, requesting the Board to authorize and assent to the institution of condemnation proceedings for the acquisition of the following piers and bulkheads situated on the North River, Borough of Manhattan:

Parcel A—Pier (old) 11, or Carlisle Street Pier.

Parcel B—Pier (old) 10, or Carlisle Street Pier South.

Parcel C—Pier (old) 9, or Rector Street Pier North.

Parcel D—Pier (old) 8, or Rector Street Pier.

Parcel E—Bulkhead between Pier (old) 11 and property of Central Railroad of New Jersey.

Parcel F—Bulkhead between Pier (old) 11 and Pier (old) 10.

Parcel G—Bulkhead between Pier (old) 10 and Pier (old) 9.

Parcel H—Bulkhead between Pier (old) 9 and Pier (old) 8.

Parcel I—Bulkhead between Pier (old) 8 and property owned by Howard Carroll.

From the Vice-President and General Counsel of the Central Railroad Company of New Jersey, offering to widen West street in front of Pier (old) 8 and the south half of Pier (old) 9, North River, Manhattan, build new sea wall, and in place of

said old piers erect Pier (new) 8, in accordance with plans of the Dock Department for the improvement of the water-front at this point.

From the Chairman of Committee, Amsterdam Democratic Club, relative to the establishment of an ambulance relief station in West Fiftieth street, Borough of Manhattan, and urging the Board to appropriate the necessary means therefor.

(On July 2, 1909, a resolution of the Board of Aldermen, requesting an issue of \$32,300 Special Revenue Bonds under the provisions of subdivision 8 of section 188 of the Charter for the above purpose, was referred to the Comptroller.)

Resolution of the Board of Education, amending resolution adopted by said Board on June 23, 1909, relative to an issue of \$141,400 Corporate Stock for the purpose of providing furniture, heating and ventilating equipment, etc., for sundry school buildings, by striking out the item "Borough of Manhattan, Public School 100, One Hundred and Thirty-eighth and One Hundred and Thirty-ninth streets, west of Fifth avenue, machine shop equipment for vocational school, \$16,000," and inserting in lieu thereof the items:

Borough of Manhattan, Public School 27, Forty-first and Forty-second streets, east of Third avenue, special furniture..... \$850 00
Borough of Brooklyn, Public School 164, Fourteenth avenue, Forty-second and Forty-third streets, heating and ventilating apparatus..... 49,000 00
— and by changing the total amount of the original request to read \$175,250.

(On July 2, 1909, the request of the Board of Education for an issue of \$141,400, as above, was referred to the Comptroller.)

Resolutions (2) of the Board of Education, as follows:

1. Relative to the acquisition of property on New York and Cherry avenues, Springfield, Borough of Queens, as a site for school purposes.

2. Requesting authority, pursuant to section 419 of the Charter, to award contracts for pianos for use in the public schools to other than the lowest bidders.

From the Commissioner of Bridges, requesting the establishment of the position of Engineer Inspector in the Department of Bridges, with salary at the rate of \$2,700 per annum, in order to comply with the Civil Service rules.

From the Commissioner of Docks and Ferries, requesting authority to advertise and award a contract for taking up the temporary pavement and for laying a permanent granite pavement on concrete foundation within the marginal street area between West Twenty-second and West Twenty-third streets, North River, Borough of Manhattan, at an estimated cost of \$40,000.

Which were referred to the Comptroller.

The Secretary presented communications, etc., as follows:

From the President of the Civil Service Commission, suggesting that the Board of Estimate and Apportionment request the various heads of Departments in making application for the establishment of positions and grades of positions to refer to the Civil Service classification in order that the titles of positions will agree with the present classification.

From the Board of Health requesting the amendment of resolution adopted by the Board of Estimate and Apportionment March 19, 1909, establishing the additional grade of position of Inspector of Foods with salary at the rate of \$1,350 per annum, by increasing the number of incumbents from six (6) to nine (9).

From the Commissioner of Correction requesting the establishment of grades of positions as follows:

| | Per Annum. |
|--------------------------------------|---------------|
| General Bookkeeper and Auditor | \$4,000 00 |
| Physician | 2,000 00 |
| Storekeeper | 2,500 00 |
| Electrician | 1,500 00 |
| Clerks | 1,050 00 |
| Hostler | 1,200 00 |
| Instructor of Industries..... | 2,000 00 |

From the Public Administrator of New York County requesting the establishment of the grade of position of Messenger, with salary at the rate of \$1,200 per annum.

From the President, Borough of Richmond, requesting the establishment of the grade of position of Secretary to the Superintendent of Buildings, with salary at the rate of \$1,500 per annum.

From the Commissioners of Accounts requesting the establishment of additional grades of positions as follows:

| | Per Annum. | | Per Annum. |
|---------------------------|---------------|-----------------------------|---------------|
| 2 Commissioners | \$7,500 00 | 4 Accountants | 2,550 00 |
| 1 Chief Engineer..... | 4,750 00 | 1 Stenographer | 1,800 00 |
| 1 Examining Engineer..... | 4,000 00 | 5 Clerks | 1,750 00 |
| 1 Chief Examiner | 3,750 00 | 4 Examining Inspectors..... | 1,650 00 |
| 4 Chief Examiners | 3,250 00 | 5 Clerks | 1,050 00 |
| 4 Accountants | 2,700 00 | 1 Auto-Engineman | 1,500 00 |

From the Supervisor, Board of City Record, requesting the establishment of additional grades of positions as follows:

| | Incum- bents. | Per Annum. |
|---------------------------------------|------------------|---------------|
| Deputy Supervisor Expert..... | 1 | \$3,000 00 |
| Secretary and Chief Clerk..... | 1 | 2,700 00 |
| Bookkeeper | 1 | 2,700 00 |
| Advertising Expert | 1 | 2,250 00 |
| Clerk | 1 | 1,350 00 |
| Stenographer and Book Typewriter..... | 1 | 1,650 00 |
| Book Typewriting Copyist..... | 1 | 1,200 00 |
| Storekeeper | 1 | 2,100 00 |

From the Clerk, Court of General Sessions of the Peace, requesting the creation of the position of Deputy Clerk at \$4,000 per annum, for one additional incumbent, and of Record Clerk at \$2,000 per annum, for five additional incumbents, to take effect January 1, 1910.

From the Board of Trustees, Bellevue and Allied Hospitals, requesting the establishment of additional grades of positions as follows:

| | Per Annum. |
|--|---------------|
| Inspector of Construction | \$2,400 00 |
| Assistant Superintendent, Medical..... | 3,500 00 |
| Assistant Superintendent, Medical..... | 2,500 00 |
| Fire Expert | 600 00 |
| Physician to Out Patients, 7 incumbents, each..... | 600 00 |

| | |
|---|----------|
| Supervising Nurses, 3 incumbents, each..... | 1,500 00 |
| Anaesthetists, 7 incumbents, each..... | 750 00 |
| Stenographer | 1,500 00 |

—also renewing the request of March 22, 1909, for the establishment of additional grades of positions of Trained Nurse at \$1,200 per annum (now requested at \$1,050 per annum in lieu thereof); Stenographer at \$900 per annum, for three incumbents, and Butcher at \$720 per annum.

From the President, Board of Ambulance Service of The City of New York (created by chapter 395, Laws of 1909), requesting the establishment of various positions in conjunction with the departmental estimate for the year 1910, as follows:

| | | |
|-----------------------------|------------|-----------------------------|
| 1 Director | \$5,000 00 | Brooklyn. |
| 3 Deputies | \$1,800 00 | Manhattan. |
| 1 Clerk | 1,200 00 | 1 Clerk |
| 3 Telephone Operators | 1,200 00 | 3 Telephone Operators |
| 1 Stenographer | 900 00 | 1 Stenographer |

From the President, Borough of The Bronx, requesting the establishment of the grade of position of Foreman of Highways, at \$1,350 per annum.

From the President, Borough of The Bronx, requesting the establishment of the grade of position of Clerk in the Bureau of Buildings, with salary at the rate of \$2,700 per annum.

From the Fire Commissioner, requesting the establishment of the position of Storekeeper in the Fire Department, with salary at the rate of \$1,200 per annum for one incumbent.

From the Commissioner of Licenses, requesting the establishment of additional grades of positions as follows:

| | Incum- bents. | Per Annum. |
|--------------------------------------|------------------|---------------|
| Commissioner of Licenses..... | 1 | \$6,000 00 |
| Deputy Commissioner of Licenses..... | 1 | 4,000 00 |
| Law and Complaint Clerk..... | 1 | 2,500 00 |

From the Commissioner of Parks, Borough of The Bronx, requesting the establishment of the grade of position of Foreman Gardener at \$1,500 per annum.

From the Commissioner of Parks, Boroughs of Manhattan and Richmond, requesting the establishment of the positions of Electrician, with compensation at the rate of \$4.50 per diem, and of Foreman of Mechanics, with salary at the rate of \$1,800 per annum.

From the District Attorney of New York County, requesting the establishment of the position of Telephone Switchboard Operator in the office of said District Attorney, with salary at the rate of \$60 per month for two incumbents, to take effect October 1, 1909.

From the President of the Borough of Brooklyn, requesting the establishment of the position of Messenger in the office of said President, with salary at the rate of \$1,500 per annum for one incumbent.

From the Clerk, Surrogate's Court, Kings County, requesting the establishment of additional grades of positions, as follows:

| | |
|--|------------|
| Chief Clerk and Clerk of the Court..... | \$9,000 00 |
| Probate Clerk | 4,000 00 |
| Administration Clerk | 4,000 00 |
| Accounting Clerk | 4,000 00 |
| Chief of Records and Interpreter..... | 3,500 00 |
| Clerk and Stenographer to Surrogate..... | 2,500 00 |
| Index Clerk | 2,000 00 |
| Assistant Administration Clerk..... | 2,300 00 |
| Messenger | 1,200 00 |

Resolution of the Board of Education, requesting the fixing of the salary of the position of Stenographer to the Board of Trustees of the Normal College at \$300 per annum.

Which were referred to the Select Committee, consisting of the Comptroller and the President, Board of Aldermen.

The Secretary presented a communication from the Commissioner of Docks and Ferries, requesting that the compensation of Hoisting Engineers in said Department be fixed at the rate of \$5 per day.

Which was referred to the Select Committee, consisting of the Comptroller and the President, Board of Aldermen, and the Secretary was directed to send a copy of said communication to the International Union of Steam Engineers for its information.

The Secretary presented the following communication from the Comptroller, recommending the acquisition at private sale, at a price not exceeding \$5,975, of property on the west side of Morris avenue, 222.19 feet south of East One Hundred and Sixty-ninth street, Borough of The Bronx, for the use of the Fire Department.

CITY OF NEW YORK—DEPARTMENT OF FINANCE, }
COMPTROLLER'S OFFICE, }
September 10, 1909. }

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—Under date of June 10, 1909, the Hon. Nicholas J. Hayes, Commissioner of the Fire Department, requests the purchase of a fire site, 50 by 100 feet, on the west side of Morris avenue, 222.19 feet south of East One Hundred and Sixty-ninth street, in the Claremont Heights section of the Borough of The Bronx, as recommended by Deputy Commissioner Whitney.

My office got into communication direct with the owner and received from him an option, which was dated the 2d day of August, and runs for sixty days, during which time he agrees to make a contract to sell the property to the City for the sum of \$5,975. While the price is full market value, it is my opinion that the acquisition of this property at private sale on the part of the City would be better for the City's interest than by acquiring it by condemnation proceedings. I therefore respectfully recommend that the Board of Estimate and Apportionment approve the request of the Commissioner of the Fire Department and authorize me to enter into contract for the acquisition of the following described property:

All that certain piece or *parcel* of land situate, lying or being in the Borough of The Bronx, City of New York, bounded and described as follows:

Beginning at a point on the west side of Morris avenue distant 222.19 feet southerly from the corner formed by the intersection of the west side of Morris avenue with the southerly side of East One Hundred and Sixty-ninth street, running thence southerly along said west side of Morris avenue 50 feet, thence westerly and parallel with East One Hundred and Sixty-ninth street 100 feet to

the centre line of the block between Morris and Grant avenues, thence northerly along the said centre line parallel with Morris avenue 50 feet, thence easterly and again parallel with East One Hundred and Sixty-ninth street 100 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 street in front thereof to the centre thereof, —at a price not exceeding \$5,975, said contracts to be submitted to the Corporation Counsel for his approval as to form.

Respectfully,
H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the selection by the Commissioner of the Fire Department of the following described property in the Borough of The Bronx as a site for a fire engine house:

All that certain piece or parcel of land situate, lying and being in the Borough of The Bronx, City of New York, bounded and described as follows:

Beginning at a point on the west side of Morris avenue distant 222.19 feet southerly from the corner formed by the intersection of the west side of Morris avenue with the southerly side of East One Hundred and Sixty-ninth street, running thence southerly along said west side of Morris avenue 50 feet, thence westerly and parallel with East One Hundred and Sixty-ninth street 100 feet to the centre line of the block between Morris and Grant avenues, thence northerly along the said centre line parallel with Morris avenue 50 feet, thence easterly and again parallel with East One Hundred and Sixty-ninth street 100 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 street in front thereof to the centre thereof.

—and the Comptroller be and is hereby authorized to enter into a contract for the acquisition of the above described property at private sale at a price not exceeding five thousand nine hundred and seventy-five dollars (\$5,975), said contract 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 Comptroller, recommending the amendment of resolution adopted June 25, 1909, which authorized the institution of condemnation proceedings for the acquisition of property on Park place, adjoining land of the Brooklyn Training School for Teachers, by authorizing the acquisition of said property at private sale, at a price not exceeding \$10,000, for the reason that subsequent to the adoption of the above resolution the owner of the property agreed to dispose of the same to the City at a much lower figure than was formerly asked.

Which was laid over.

The Secretary presented a communication from the Comptroller, requesting the amendment of resolution adopted by the Board on June 25, 1909, approving the plans and specifications for furniture and equipment for the New York Public Library Building, Astor, Lenox and Tilden foundations, by striking therefrom the words "with the exception of the items specified in the report of the Comptroller, dated June 23, 1909."

Which was laid over.

The Secretary presented the following communications from the Public Service Commission for the First District, requesting an appropriation of \$187,500, on account of requisition presented to the Board on December 11, 1908, for an appropriation of \$987,500 for the expenses of said Commission during the year 1909, and for an additional sum of \$150,000 which it is estimated will be required to pay all the expenses of the Commission during the year 1909, together with report of the Comptroller thereon, recommending the issue of \$150,000 Special Revenue Bonds for this purpose on account of the requisition of December 11, 1908, pending a further report upon the additional requisition for \$150,000 as above.

(At various meetings the Board has appropriated the sum of \$800,000 on account of the original requisition as above.)

PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT,
TRIBUNE BUILDING, NO. 154 NASSAU STREET,
NEW YORK, September 14, 1909.

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

SIRS—Under date of December 8, 1908, this Commission sent to your Honorable Board a requisition for the sum of \$987,500 for the expenses of this Commission during the year 1909, the amount deemed necessary to enable this Commission to carry out the work imposed upon it by law. Your Board has thus far appropriated on account of such requisition the sum of \$800,000. The Commission requests your Board to appropriate the balance of the sum, \$187,500, asked for in the requisition of December 8, 1908.

It also becomes necessary to make further requisition for the additional sum of \$150,000, which it is estimated, will be necessary to pay all of the expenses of this Commission during the year 1909. This additional sum is for extraordinary expenses that could not be definitely anticipated when the requisition for ordinary expenses for the year was made.

In the letter of December 8, 1908, transmitting such requisition to your Board, the Commission stated:

"There are now under way, or about to be begun, arbitration proceedings arising out of Contracts 1 and 2, as well as out of the loop contracts, the expense of which cannot at this time be anticipated. Nor does this Commission at this time estimate the expenses that may necessarily arise from the commencement during the coming year of subway construction for which contracts are not now authorized, or from the supervision and regulation of gas companies after the decision by the Supreme Court of the United States of the case now before it."

Arbitration Proceedings—The claims of the contractor for over \$6,000,000 for extras on account of the construction under Contract No. 1 are pending before a board of arbitrators. The analysis of the contractor's claims and the collection and presentation of evidence to this Board have rendered necessary the maintenance of an additional force. The Commission retained Edward M. Shepard to represent it on this arbitration.

At various times during the year contractors for the various sections of the Centre street loop line have appealed from the determination of the Chief Engineer as to claims made by such contractors, and in accordance with the contract provisions these claims have been submitted to arbitrators, whose fees and expenses must be paid in part by the Commission.

The Rapid Transit Subway Construction Company has submitted bills to the Chief Engineer of the Commission for extras on account of Contract No. 2 aggregating \$5,500,000. In order to make a determination upon these bills, it has become necessary for the Chief Engineer to keep employed an additional force of engineers.

Appraisals—The Commission has found it necessary to make appraisals of the properties of the street surface lines in Manhattan and The Bronx, and of all the lines comprised within the Brooklyn Rapid Transit system and within the Coney Island and Brooklyn system. This work has made necessary the employment of special experts.

New Subway Plans—The Commission, in an endeavor to have completed the plans and forms of contracts for the various routes enumerated in the communication from this Commission to your Board, dated June 24, 1909, has found it necessary to increase its engineering department beyond that deemed necessary in December, 1908.

The additional expenses to the Commission on account of the matters enumerated above amount to \$95,000.

The printing of the detail plans of the various routes above referred to and of the forms of contracts, required by law, and the necessary advertising for bidders will cost \$55,000.

The Commission therefore respectfully transmits a requisition for \$150,000 over and above the requisition of \$987,500 made on December 8, 1908.

Yours very truly,

W. R. WILLCOX, Chairman.

[SEAL.]

Attest:

TRAVIS H. WHITNEY, Secretary.

PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT,
TRIBUNE BUILDING, NO. 154 NASSAU STREET,
NEW YORK, September 14, 1909.

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

GENTLEMEN—Requisition is hereby made upon you, pursuant to the provisions of section 14 of chapter 429 of the Laws of 1907 and section 10 of chapter 4 of the Laws of 1891, as amended, by the Public Service Commission for the First District, for the sum of one hundred and fifty thousand dollars (\$150,000), which is requisite and necessary to enable the said Public Service Commission for the First District to do and perform or cause to be done and performed the duties in the said acts prescribed and to provide for the expenses and compensation of the employees of such Commission.

Appended hereto is a copy of the resolution of the Public Service Commission for the First District authorizing the signing of this requisition and communication showing the purposes to which it is intended to apply the appropriation for which requisition is now made.

In witness whereof, the Public Service Commission for the First District has caused this requisition to be subscribed by its Chairman and Secretary and its official seal to be hereto affixed this 14th day of September, 1909.

PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT,

By W. R. WILLCOX, Chairman.

[SEAL.]

Attest:

TRAVIS H. WHITNEY, Secretary.

Resolved. That the Chairman and Secretary of the Public Service Commission for the First District be and they hereby are authorized to make requisition upon the Board of Estimate and Apportionment for the sum of one hundred and fifty thousand dollars (\$150,000), which is necessary, in addition to the amount previously requisitioned, to cover the requirements of the Public Service Commission for the First District for expenses for the rest of the year ending December 31, 1909, and to execute and sign the form of requisition and communication which are herewith presented.

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

I, Travis H. Whitney, Secretary of the Public Service Commission for the First District, do hereby certify that I have compared the above with the original resolution adopted by the said Commission on September 14, 1909, and that it is a correct transcript therefrom and of the whole of the original.

In testimony whereof I have hereunto subscribed my hand and affixed the seal of the Commission this 14th day of September, 1909.

TRAVIS H. WHITNEY, Secretary.

[SEAL.]

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
September 15, 1909.

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—The Public Service Commission of the First District, under date of September 14, 1909, pursuant to provisions of section 14 of chapter 429 of the Laws of 1907, and chapter 4 of the Laws of 1891, as amended, has made requisition upon the Board of Estimate and Apportionment for the sum of \$150,000 for its administrative expenses, exclusive of the salaries of the Commissioners, their Secretary and Counsel, which are paid by the State, according to law.

The Commission, under date of December 8, 1908, sent to the Board of Estimate and Apportionment a requisition for \$987,500 for the expenses of 1909, of which requisition the Board of Estimate and Apportionment has hitherto appropriated \$800,000. The request for \$150,000 is in addition to the request for \$987,500, which makes the total of the requisitions for the expenses of the Public Service Commission for 1909, \$1,137,500.

Under date of March 30, 1909, I reported to the Board of Estimate and Apportionment upon the original requisition for \$987,500, saying in substance that my examination led me to the conclusion that that requisition was probably excessive, but recommended the appropriation of \$500,000, in addition to the \$300,000 previously authorized, as covering the temporary needs of the Commission.

In view of the conclusion they reached, I recommend at this time that a further issue of \$150,000 of Corporate Stock be authorized for the use of the Commission, which will pay the expenses of the Commission pending a further report upon its new request for an allowance of \$150,000 over and above the original 1909 estimate.

The adoption of the resolution attached hereto is accordingly recommended.

Respectfully,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved. That, pursuant to the provisions of section 10, chapter 4 of the Laws of 1891, as amended, and section 14, chapter 429 of the Laws of 1907, and on account of the requisition of the Public Service Commission for the First District, for an appropriation of nine hundred and eighty-seven thousand five hundred dollars (\$987,500), duly made by the Chairman and the Secretary thereof on December 8, 1908, the sum of one hundred and fifty thousand dollars (\$150,000) be and is hereby provided to meet the requirements of said Commission during the year 1909, in addition to the following amounts heretofore authorized on said requisition:

| | |
|----------------------|--------------|
| January 8, 1909..... | \$300,000.00 |
| April 2, 1909..... | 500,000.00 |
| | \$800,000.00 |

—and that the unexpended balance of any previous appropriation made by this Board upon the requisition of said Commission or by the former Board of Rapid Transit Commissioners, be applied to the same purpose; and be it further

Resolved. That for the purpose of providing for the payment of so much thereof as may be in excess of said unexpended balance, the Comptroller be and is hereby authorized and directed to issue and sell Special Revenue Bonds of The City of New York to an amount not exceeding one hundred and fifty thousand dollars (\$150,000), 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 communication from the Social Service Committee, Diocese of Long Island, requesting the Board to include in the Budget for 1910 appropriations for additional playgrounds and for increasing the number of public comfort stations in The City of New York.

Which was laid over for consideration with the Budget for the year 1910.

The Secretary presented a communication from the Secretary, First Assembly District Republican Club of Kings County, submitting resolution adopted by said association relative to the erection at Coney Island, Borough of Brooklyn, of a public bath house.

Which was referred to the President of the Borough of Brooklyn.

The Secretary presented a communication from the City Island Board of Trade relative to laying the electric light and other wires on City Island placed in conduits.

Which was referred to the Chief Engineer.

The Secretary presented a communication from Mrs. Mary Graham Young, Secretary and Treasurer of the Staten Island Playground Association, relative to an appropriation for the purchase of sites in the Borough of Richmond to be used for playground purposes.

Which was referred to the President, Board of Aldermen, as Chairman of the Playground Commission.

The Secretary presented a communication from the General Manager, Tulane Fire Extinguisher Company, requesting the privilege of exhibiting a new fire extinguisher.

Which was referred to the Fire Commissioner.

The Secretary presented the following resolution of the Board of Aldermen requesting an issue of \$3,450 Special Revenue Bonds to provide for increases in salaries of three Clerks, and for the appointment of two additional Process Servers in the Court of Special Sessions, First Division (referred to the Comptroller December 11, 1908); communication from the Acting Clerk of said Court urging favorable action thereon; report of the Comptroller recommending an issue of \$2,087.50 Special Revenue Bonds for this purpose, but that action be deferred until such time as the Board of Aldermen had approved of and concurred in the resolution of the Board of Estimate and Apportionment, adopted March 19, 1909, recommending the fixing of the salaries of said positions, together with a supplemental report of the Comptroller, recommending that \$1,725 Special Revenue Bonds be authorized, representing the cost of the proposed changes from July 1, 1909.

(On April 2, 1909, this matter was laid over pending action by the Board of Aldermen as above.)

(On June 29, 1909, the Board of Aldermen adopted a resolution approving of and concurring in the resolution of the Board of Estimate and Apportionment adopted March 19, 1909, as aforesaid, which was approved by the Mayor July 1, 1909.)

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 three thousand four hundred and fifty dollars (\$3,450), the proceeds whereof to be used for the purpose of providing for the payment of salaries in the Court of Special Sessions of the First Division for two additional Process Servers at twelve hundred dollars (\$1,200) each, and the proposed fixing of the salaries of three Clerks at an aggregate increase of one thousand and fifty dollars (\$1,050).

Adopted by the Board of Aldermen November 24, 1908, three-fourths of all the members voting in favor thereof.

Received from his Honor the Mayor, December 8, 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.

COURT OF SPECIAL SESSIONS, FIRST DIVISION,
No. 32 FRANKLIN STREET,
NEW YORK CITY, September 2, 1909.

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

Dear Sirs—I beg to state that on November 18, 1908, the Board of Aldermen passed a resolution authorizing the issuance by the Comptroller of \$3,450, Special Revenue Bonds to be applied to the payment of salaries for two additional Process Servers at \$1,200 each. It would appear that further action became necessary by the said Board of Aldermen in accordance with the provisions of section 56 of the Charter, that is, the fixing or grading of these positions. This action was taken on June 18 last, by the said Aldermen and approved by the Mayor. In accordance therewith the Justices of this Court on July 1, 1909, appointed two Process Servers who have been working in the Clerk's office of this Court since the first day of July. The payroll of this Court indicating such services and calling for the payment of such salaries by the Comptroller has not been audited owing to the fact that the Board of Estimate has not as yet taken action upon the original resolution of the Board of Aldermen above referred to. The Justices of this Court would respectfully recommend that the following resolutions be submitted to the Board of Estimate, viz.:

Resolved, That in accordance with a resolution of the Board of Aldermen of The City of New York adopted November 24, 1908, and approved by the Mayor of this City December 8, 1908, the Comptroller be and hereby is authorized to issue Special Revenue Bonds to the amount of \$3,450, the proceeds whereof to be used for the purpose of providing for the payment of the salaries in the Court of Special Sessions of the First Division for two additional Process Servers at \$1,200 each, and the fixing of the salaries of three Clerks at an aggregate increase of \$1,050. The said salaries of the said process servers to take effect July 1, 1909.

Resolved, That the line heading reading "five Process Servers in the Clerk's office of the Court of Special Sessions of the First Division of The City of New York" be changed to read: "seven Process Servers."

Yours respectfully,

W. M. FULLER, Acting Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
March 20, 1909.

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—I transmit herewith report of the Bureau of Municipal Investigation and Statistics upon the request of the Court of Special Sessions for an issue of Special Revenue Bonds to provide for increases in the salaries of three Clerks and the appointment of two additional Process Servers in said Court.

I would recommend that action thereon be delayed until the promotions and the additional appointments be passed upon by the Board of Estimate and Apportionment and the Board of Aldermen.

Yours respectfully,

H. A. METZ, Comptroller.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
March 20, 1909.

Hon. HERMAN A. METZ, Comptroller:

Sir—In the matter of the resolution adopted by the Board of Aldermen, November 24, 1908, requesting an issue of \$3,450, Special Revenue Bonds to provide for the payment of salaries in the Court of Special Sessions, First Division, for two additional Process Servers at \$1,200 each and the proposed fixing of the salaries of three Clerks at an aggregate increase of \$1,050, referred by the Board of Estimate and Apportionment to the Comptroller and by me referred to the Bureau of Municipal Investigation and Statistics for examination, I beg to report as follows:

There are at present five Process Servers in the employ of the Court of Special Sessions, First Division. The fixed salary of their position is \$1,200 per annum each. The same number was employed by the Court ten years ago but they then received \$2,000 per annum each.

The proposed increase in the salaries of the clerical force, if carried into effect would permit an increase in the salaries of the following employees of the Court:

Frank W. McCabe, Clerk, from \$1,350 to \$1,800 per annum.

John Hasselberger, Clerk, from \$1,500 to \$1,800 per annum.

Edward F. Norris, Clerk, from \$1,500 to \$1,800 per annum.

The proposed increases in the salaries of the three Clerks amount to \$1,050.

The Court of Special Sessions, First Division, disposes on an average of 1,300 cases each month. Its receipts from fines and other sources average \$8,000 a month. The business of the Court is three times greater than it was ten years ago. The Legislature has year by year added amendments to the penal code and nearly all violators of the new laws are brought before the Justices of the Court for trial. An enactment passed by the present Legislature provides for the assignment of two City Magistrates, who are to serve as Justices of the Court of Special Sessions until December 1, 1909. The act provides for two parts of the Court until the calendar is cleared of over 5,000 cases awaiting final disposition. Although the act provides for the temporary employment of two Clerks for the additional part of the Court, there is probability that extra work will devolve upon the regular force of Clerks when the two parts are holding sessions five days a week.

The Justices of the Court are unanimously in favor of increasing the salaries of Clerks McCabe, Hasselberger and Norris. The Justices also state that it is a physical impossibility for the five Process Servers to render the services required to keep up the calendar of cases. The result is the business of the Court is seriously hampered.

In view of the aforesaid facts your Examiner recommends that the request for the issue of Special Revenue Bonds to pay the salaries of two additional Process Servers and to increase the salaries of three Clerks be granted to a sufficient amount to permit the salary increases and the new appointments to begin not earlier than April 1, 1909, or namely, to the amount of \$2,087.50, provided the necessary additional salary grades and additional positions requested are approved by the Board of Estimate and Apportionment and the Board of Aldermen.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
September 15, 1909.

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—Under date of March 20, 1909, the Bureau of Municipal Investigation and Statistics submitted a report which was approved by me, recommending concurrence by your Board in a resolution adopted by the Board of Aldermen November 24, 1908, requesting an issue of \$2,087.50 Special Revenue Bonds, to provide for the salaries of two additional Process Servers at \$1,200 each per annum, and to meet increases in the salaries of Clerks, aggregating \$1,050, in the Court of Special Sessions, First Division. The increased expenditures were to go into effect April 1, 1909. The report recommending the issue of the bonds was laid over pending the necessary establishment, under the provisions of section 56 of the City Charter, of the new grades of positions.

On June 29, 1909, the Board of Aldermen approved of and concurred in the recommendation made by your Board March 19, 1909, for the fixation of salary grades as had been requested. The two additional Process Servers were duly appointed to office and began their duties July 1, 1909, and are entitled to compensation from that date. The new grades of positions also date from July 1, and not from April 1.

For reasons herein stated, I would suggest that the recommendations contained in the report of the Bureau of Municipal Investigation and Statistics, dated March 20, 1909, be amended, and Special Revenue Bonds to the amount of \$1,725 instead of \$2,087.50 be authorized. I therefore submit for adoption the resolution hereto attached as a substitute for the resolution submitted with the report dated March 20, 1909.

Respectfully,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the resolution adopted by the Board of Aldermen November 24, 1908, requesting an issue of three thousand four hundred and fifty dollars (\$3,450) Special Revenue Bonds, the proceeds whereof to provide for the payment of salaries of two additional Process Servers at twelve hundred dollars (\$1,200) per annum each, and the fixing of salaries of three Clerks at an aggregate increase of one thousand and fifty dollars (\$1,050) in the Court of Special Sessions, First Division, be and the same is hereby approved of and concurred in by the Board of Estimate and Apportionment to the extent of one thousand seven hundred and twenty-five dollars (\$1,725), representing the cost of the proposed changes beginning July 1, 1909; 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 one thousand seven hundred and twenty-five dollars (\$1,725), 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 reports as follows:

Of the Select Committee, consisting of the Comptroller and President of the Board of Aldermen, recommending the establishment of the grade of position of Superintendent of Docks under the jurisdiction of the Commissioner of Docks and Ferries, with salary at the rate of \$5,000 per annum, for one incumbent.

(On July 2, 1909, the request of the Commissioner of Docks and Ferries for the establishment of this grade was referred to said Select Committee.)

Of the Select Committee, consisting of the Comptroller and President of the Board of Aldermen, recommending the establishment of the position of Assistant Clerk in the Court of Special Sessions, Second Division, with salary at the rate of \$1,800 per annum, for one incumbent.

(On June 11, 1909, the request of the Board of Justices, Court of Special Sessions, Second Division, for the establishment of this position, was referred to said Select Committee.)

Of the Select Committee, consisting of the Comptroller and President of the Board of Aldermen, recommending the establishment of the grade of position of Chief Engineer in the Department of Parks, Boroughs of Manhattan and Richmond, with salary at the rate of \$5,000 per annum, for one incumbent.

(On September 25, 1908, the request of the Commissioner of Parks, Boroughs of Manhattan and Richmond, for the establishment of this grade, was referred to said Select Committee.)

Which were laid over.

The Secretary presented a presentment of the additional Grand Jury, July, 1909, requesting the Board to take steps towards rectifying the conditions now existing in the building used by the Essex Market Court.

Which was referred to the Select Committee, consisting of the Comptroller, the President, Board of Aldermen, and the President, Borough of Manhattan.

On motion of the Comptroller the above Committee was also requested to take into consideration the question of providing other quarters for the care of civil prisoners committed to the Ludlow Street Jail.

The Secretary presented a report of the Comptroller, recommending concurrence in the resolution of the Board of Aldermen requesting an issue of \$4,425 Special Revenue Bonds (subdivision 8, section 188 of the Charter) to provide for the increase in salaries of twelve Stenographers and for the salaries of seven additional Attendants in the Supreme Court, Second Department, for the last three months of the year 1909.

Which was laid over until the next financial meeting of the Board.

(On June 11, 1909, the request of the Justices of the Supreme Court, Second Department, for an appropriation for the above purpose, was referred to the Comptroller.)

The Secretary presented the following communication from the Fire Commissioner requesting, and report of the Comptroller recommending, an issue of \$1,200 Special Revenue Bonds for the purpose of providing means for the payment of said amount to the Treasurer of Rosedale Chemical Fire Engine Company No. 1, Rosedale, Borough of Queens, for maintenance for the year beginning June 1, 1909.

(On July 2, 1909, a communication from the Fire Commissioner requesting the above appropriation was referred to the Comptroller.)

HEADQUARTERS, FIRE DEPARTMENT—CITY OF NEW YORK, }
NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, }
BOROUGH OF MANHATTAN, July 1, 1909. }

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

SIR—The certificate of incorporation of Rosedale Chemical Fire Engine Company No. 1, of Rosedale, Borough of Queens, duly approved by Mr. Justice Samuel T. Maddox, of the Supreme Court of the State of New York, of the Second Judicial District, was approved by myself as Fire Commissioner on April 6, 1909, and by yourself as Mayor of The City of New York on April 20, 1909.

The approval of the certificate of incorporation by the Mayor and by the Fire Commissioner was based upon a report of the Deputy Chief of Department in charge of the Thirteenth Division addressed to the Deputy Chief of Department in charge of the Boroughs of Brooklyn and Queens, by whom it was approved, as also by the Deputy Fire Commissioner for said Boroughs, said report reading as follows:

"NEW YORK, March 29, 1909.

"Mr. THOMAS LALLY, Deputy Chief of Department in Charge, Boroughs of Brooklyn and Queens:

"Sir—In compliance with your orders relative to making an inspection as to the necessity of organizing a chemical engine company in the town of Rosedale, Borough of Queens, I have the honor to report having made such inspection on March 28, 1909, and find as follows:

"The company is to be known as Rosedale Chemical Fire Engine Company No. 1. Jacob Kaelber, Foreman; James Larkin, First Lieutenant; George Barnett, Second Lieutenant, and 53 charter members, mostly all of age and residing in the vicinity.

"The company is temporarily located in a two-story frame building situated at Melrose avenue and Gildersleeve avenue, owned by Max Wymer. The company has purchased a piece of property on the boulevard adjoining the Long Island Railroad Company station on which they intend to put up a suitable building.

"The present equipment consists of one (1) two-wheel single 60-gallon tank chemical engine, two (2) hooks, two (2) axes, one (1) crowbar, two (2) lanterns, one hundred (100) feet of one-inch chemical hose; apparatus can be drawn by one horse or by hand. The above is owned by the company and is in good condition.

"The district this company proposes to cover is the town of Rosedale and vicinity, which cover two by four miles, contains about 600 buildings of frame construction about two stories in height.

"The only protection they have here at present is a hook and ladder company, which is almost useless to put out a fire.

"The fire alarm system here consists of a few boxes, which at the present time are out of order.

"There are no water mains or fire hydrants here and not likely to have any for some time to come.

"This town is being built up quite rapidly and the organizing of this company is, in my opinion, very necessary. I also recommend that the alarm system here be put in working order at the earliest possible opportunity.

"Very respectfully,

"JOHN O'HARA, Deputy Chief, Thirteenth Division."

Pursuant to the authority of section 722 of the amended Greater New York Charter, I have the honor to request that, by virtue of the provisions of subdivision 7 of section 188 of said instrument, the Board of Estimate and Apportionment authorize an issue of Special Revenue Bonds in the sum of \$1,200 for the maintenance of said company for the year beginning June 1, 1909, and ending June 1, 1910. It is understood that the company waives its claim to a pro rata share of the annual appropriation from the date of approval of certificate of incorporation by the Mayor and Fire Commissioner to June 1, 1909.

Respectfully,

NICHOLAS J. HAYES, Fire Commissioner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS, }
July 22, 1909. }

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—In the matter of a communication from the Commissioner of the Fire Department, dated July 1, 1909, requesting a Special Revenue Bond issue of \$1,200, the proceeds to be applied to the maintenance of Rosedale Chemical Fire Engine Company No. 1, of Rosedale, Borough of Queens, which was referred to me for consideration, I beg to report as follows:

Rosedale Chemical Fire Engine Company is a regularly incorporated volunteer fire company, its certificate of incorporation having been approved by Hon. Samuel T. Maddox, Justice of the Supreme Court, and by the Fire Commissioner and Mayor on April 6 and April 20, 1909, respectively, in accordance with the provisions of section 722 of the Greater New York Charter. In a report made under date of March 29, 1909, to the Deputy Chief of the Fire Department in charge of the Boroughs of Brooklyn and Queens, by John O'Hara, Deputy Chief, as to the necessity of organizing an engine company in the town of Rosedale, he states that the new company will operate in a district covering about eight square miles, containing about 600 buildings, whose only fire protection at that time was that afforded by a hook and ladder company, which was inadequate to meet the necessities of the locality.

Section 722 of the Greater New York Charter, relative to volunteer fire companies, provides:

"* * * in the boroughs of Richmond and Queens, there shall be paid on the first day of June in each year to the treasurers of the several volunteer fire companies, by the comptroller of the city of New York the following sums: To the treasurer of an engine company or chemical engine company twelve hundred dollars * * *."

Rosedale Chemical Fire Engine Company having complied with all the legal requirements, I recommend that the request for an appropriation of \$1,200 be approved, as per resolution attached hereto.

Yours respectfully,
H. A. METZ, Comptroller.

The following resolution was offered:

Whereas, The Rosedale Chemical Fire Engine Company No. 1, of Rosedale, Borough of Queens, is duly incorporated and rendering fire service which entitles it to an appropriation for maintenance for the year beginning June 1, 1909; therefore be it

Resolved, That for the purpose of providing means for the payment to the Treasurer of the Rosedale Chemical Fire Engine Company No. 1, of Rosedale, Borough of Queens, of the sum of twelve hundred dollars (\$1,200), for the year beginning June 1, 1909, required to be paid by section 722 of the Greater New York Charter, the Comptroller be and is hereby authorized to issue, pursuant to the provisions of subdivision 7 of section 188 of the Greater New York Charter, Special Revenue Bonds of The City of New York, to an amount not exceeding twelve hundred dollars (\$1,200), 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, referring to a communication from Mr. Alexander Law, Secretary of the International Welfare Association and New York Committee for the Unemployed, relative to the erection by the City of buildings at the approach to the Williamsburg Bridge for the housing of the unemployed at a minimum cost, stating that the Corporation Counsel had advised him that there is no existing statute which authorizes the City to engage in the undertaking suggested, and recommends, therefore, that the Secretary of the Board transmit a copy of this report to Mr. Law for his information.

Which was ordered on file and the Secretary directed to transmit a copy of report to the Secretary, International Welfare Association and New York Committee for the Unemployed.

The Secretary presented the following communication from the Commissioner of Parks, Boroughs of Manhattan and Richmond, requesting, and report of the Comptroller recommending, a further modification of the schedules of Salaries and Salaries and Wages accompanying the Budget for the year 1909, for the Department of Parks, Boroughs of Manhattan and Richmond, involving no additional appropriation:

DEPARTMENT OF PARKS—MANHATTAN AND RICHMOND, }
ARSENAL, CENTRAL PARK, }
July 9, 1909.

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

GENTLEMEN—In the application of this Department for Budget appropriation of 1909, it was shown that this Department had three Keepers of Menagerie at \$85 per month and seven Keepers of Menagerie at \$75 per month.

For some reason the appropriation was made on the average pay of the ten men and specified in the supporting schedule as ten Keepers at \$78 per month.

Request is hereby respectfully made to amend account No. 759, Salaries and Wages, Maintenance of Zoological Department, to read:

| | |
|--|------------|
| 3 Keepers of Menagerie at \$85 a month..... | \$3,060 00 |
| 7 Keepers of Menagerie at \$75 a month..... | 6,300 00 |
| — in place of | |
| 10 Keepers of Menagerie at \$78 a month..... | 9,360 00 |

Yours truly,
HENRY SMITH, Commissioner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS, }
July 17, 1909.

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—In the matter of a communication from the Commissioner of the Department of Parks, Boroughs of Manhattan and Richmond, dated July 9, 1909, requesting a modification of the schedule supporting the 1909 Budget appropriation, entitled Maintenance, Zoological Department (No. 759), Salaries and Wages, I submit the following report:

The modification requested entails the elimination of the line item which reads, "Keepers of Menagerie, ten at \$78 monthly, \$9,360," and the insertion in lieu thereof of two line items to read as follows:

| | |
|--|------------|
| Keepers of Menagerie, three at \$85 monthly..... | \$3,060 00 |
| Keepers of Menagerie, seven at \$75 monthly..... | 6,300 00 |
| \$9,360 00 | |

The request was made by the Commissioner at my suggestion, for the reason that the schedule as adopted in the Budget for the year 1909 does not reflect the actual payroll conditions.

In view of this fact, I recommend the adoption of the resolution hereunto attached.

Respectfully,
H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the following Budget schedule, as revised, for the Department of Parks, Boroughs of Manhattan and Richmond, for the year 1909:

Maintenance, Zoological Department—

| | |
|--|------------|
| 759. Salaries and Wages: | |
| Director of Menagerie, at \$250 per month..... | \$3,000 00 |
| Keeper of Menagerie, at \$100 per month..... | 1,200 00 |
| Keepers of Menagerie, 3 at \$85 per month..... | 3,060 00 |
| Keepers of Menagerie, 7 at \$75 per month..... | 6,300 00 |
| Driver | 912 50 |
| Laborer | 821 25 |
| \$15,293 75 | |

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 communication from the County Clerk, Kings County, requesting, and report of the Comptroller recommending, a further modification of the schedules of Salaries and Salaries and Wages accompanying the Budget for the year 1909, for the office of the County Clerk, Kings County, involving a transfer of \$600, but no additional appropriation:

COUNTY CLERK'S OFFICE, COUNTY OF KINGS,
HALL OF RECORDS,
BROOKLYN, N. Y., July 7, 1909.

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

Dear Sirs—I herewith respectfully request the transfer of \$600 from the appropriation Recopying and Renovating Maps (allowable in the last annual Budget for expenditure in the office of the County Clerk of Kings County for the year 1909) to the account of Copyists of Current Records.

These Copyists of Current Records are paid at the rate of five cents per folio. There are at present employed in this office under this title the following:

Henry Rein, William H. Ahrens, Annie L. Manasse, Joseph J. Bennett, William Morris.

It is now necessary to have additional moneys for this Department so that another employee can be transferred to this Department.

It is particularly necessary that this matter be given attention for the reason that the work of copying current records in the office of the County Clerk of Kings County is considerably in arrears.

Trusting that this request for transfer of funds will be acted upon favorably, I am,

Yours very truly,
FRANK EHLERS, County Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
August 17, 1909.

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—The County Clerk of Kings County under date of July 7, 1909, requested the transfer of the sum of \$600 from the appropriation account No. 1624, entitled Recopying and Renovating Maps, \$1,000, provided in the Budget for the year 1909, to the appropriation entitled No. 1620, General Administration, Salaries. The matter having been referred to the Comptroller for consideration, I would report as follows:

In the appropriation for General Administration, Salaries, previously referred to, is a line item of \$6,000 for four Copyists to be compensated at the rate of five cents per folio. The County Clerk states that in view of the large increase in the number of papers filed in his office to July 1 last, he finds it necessary to employ an additional Copyist, the monthly compensation of whom averages about \$100 each. The County Clerk in his letter to the Board of Estimate and Apportionment gives the names of five persons now employed as Copyists, the one additional asked for making six, while the line item in the Budget specifies four. With the transfer requested, however, the County Clerk states that the amount will be sufficient to provide for the continued employment of the six Copyists for the remainder of the year. Meanwhile the requirements of the fund for recopying and renovating maps are not as great as in former years. The balance of \$400 in this fund, the County Clerk says, will be ample.

In view of the statements contained herein, I recommend the approval of the request of the County Clerk for a transfer of funds as hereinbefore stated, in accordance with resolutions hereto attached.

Respectfully,
H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the schedule supporting the appropriation in the Budget for 1909, for the County Clerk of Kings County, entitled (No. 1620) General Administration, Salaries, as revised and modified, as follows:

1620. General Administration, Salaries:

| | |
|--|-------------|
| County Clerk | \$8,000 00 |
| Deputy County Clerk | 5,000 00 |
| Counsel | 3,500 00 |
| Expert of Records | 3,000 00 |
| Assistant Deputy County Clerk | 2,500 00 |
| Bookkeeper | 2,000 00 |
| Notary Clerk | 2,000 00 |
| Secretary | 1,500 00 |
| Equity Clerks, 4 at \$1,500 | 6,000 00 |
| Docket Clerks, 3 at \$1,500 | 4,500 00 |
| Index Clerks, 3 at \$1,500 | 4,500 00 |
| Document Searchers, 2 at \$1,200 | 2,400 00 |
| Chief of Old Records | 1,100 00 |
| Assistants to Chief of Old Records, 2 at \$1,000 | 2,000 00 |
| Comparers, 2 at \$1,000 | 2,000 00 |
| Custodians, 3 at \$1,000 | 3,000 00 |
| Messengers, 2 at \$800 | 1,600 00 |
| Cashier | 2,000 00 |
| Law Clerk | 1,500 00 |
| Satisfaction Clerk | 1,500 00 |
| Assistant Cashier | 1,800 00 |
| Stenographer | 1,200 00 |
| Copyists, 6 at 5 cents per folio | 6,600 00 |
| | \$69,200 00 |

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller and the Presidents of the Boroughs of Manhattan, Brooklyn, The Bronx, Queens and Richmond—13.

Negative—The President of the Board of Aldermen—3.

The following resolution was offered:

Resolved, That the sum of six hundred dollars (\$600) be and the same is hereby transferred from the appropriation made to the County Clerk of Kings County for the year 1909, entitled Repairs and Replacements by Contracts or Open Orders, No. 1624, Recopying and Renovating Maps, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said office for the year 1909, entitled Salaries (No. 1620), General Administration, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller and the Presidents of the Boroughs of Manhattan, Brooklyn, The Bronx, Queens and Richmond—13.

Negative—The President of the Board of Aldermen—3.

The Secretary presented the following communication from the Auditor, Board of Education, requesting, and report of the Comptroller recommending, a modification of the schedules of Salaries and Salaries and Wages accompanying the Budget for the year 1909, for the Department of Education (office of the Auditor), involving no additional appropriation:

BOARD OF EDUCATION,
PARK AVENUE AND FIFTY-NINTH STREET,
NEW YORK, August 13, 1909.

Hon. HERMAN A. METZ, Comptroller:

DEAR SIR—In the details of the appropriation for the year 1909, entitled Special School Fund, General Administration, Salaries and Wages (858), Office of the Auditor, \$53,170, appears the item "Clerks, 5 at \$900, \$4,500."

Four of these positions have been and are filled by regular employees. The salary of the fifth position, up to the present time, has been used to defray the cost of services of temporary operators on the Elliott-Fisher billing and adding machines used in connection with the system of transmission of vouchers to your office.

The Civil Service Commission has held an examination and announced a list from which appointment for this work must be made.

The Civil Service title for this position is "Typewriter Accountant."

Will you therefore take the necessary steps to amend the schedule mentioned above, so that the item under consideration will read "Clerks, 4 at \$900, \$3,600; Typewriter Accountant, 1 at \$900, \$900."

Yours truly,

HENRY R. M. COOK, Auditor, Board of Education.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
August 20, 1909.

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—I am in receipt of a communication from the Board of Education, under date of August 13, 1909, requesting a modification of Schedule No. 858, Salaries and Wages, Office of the Auditor, and beg to report thereon as follows:

Said schedule provides for five Clerks at \$900 each, in the office of the Auditor. Four of these positions have been and now are filled by regular employees, but the salary of the fifth position has been used to defray the cost of services of temporary Operators on the Elliott-Fisher billing and adding machines used in connection with the system of transmission of vouchers recently instituted by the Department of Finance. Inasmuch as the Civil Service Commission has now established a list from which appointment for this work must be made, it is proposed to make the \$900 allowed for said fifth Clerk applicable to a new position having the title of "Typewriter Accountant."

It is recommended that the proposed modification be made, as requested, according to the resolution attached hereto.

Respectfully,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the following schedule as revised for the Department of Education for the year 1909:

Special School Fund, General Administration, Salaries and Wages—

858. Office of the Auditor—

| | |
|-----------------------------------|-------------|
| Auditor | \$5,500 00 |
| Clerk | 3,000 00 |
| Clerk | 2,100 00 |
| Clerk | 1,800 00 |
| Clerk | 1,500 00 |
| Bookkeeper | 1,950 00 |
| Examiners of Claims, 8 at \$1,500 | 12,000 00 |
| Examiner of Claims | 1,200 00 |
| Clerks, 3 at \$1,350 | 4,050 00 |
| Clerks, 5 at \$1,200 | 6,000 00 |
| Clerk | 1,050 00 |
| Clerks, 4 at \$900 | 3,600 00 |
| Typewriter Accountant | 900 00 |
| Clerk | 660 00 |
| Clerks, 2 at \$600 | 1,200 00 |
| Clerk | 540 00 |
| Clerks, 4 at \$400 | 1,600 00 |
| Clerks, 8 at \$300 | 2,400 00 |
| Cataloguer | 600 00 |
| Stenographer and Typewriter | 1,350 00 |
| Temporary help | 170 00 |
| | \$53,170 00 |

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 communications from the Surrogate, Kings County, and Register of Kings County relative to, and report of the Comptroller recommending a modification of the schedules of Salaries and Salaries and Wages accompanying the Budget for the year 1909, for the office of the Register of Kings County, involving a transfer of \$500, but no additional appropriation:

SURROGATE'S OFFICE, KINGS COUNTY,
HALL OF RECORDS,
BROOKLYN, September 7, 1909.

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—For the purpose of meeting the necessary expenditure for the salary of one additional Copyist of old and mutilated records in the Surrogate's Court, Kings County, I hereby request the transfer of the sum of five hundred dollars (\$500) from the appropriation made to the Register of Kings County entitled Salaries (1588) to my appropriation entitled Recopying Old and Mutilated Records (1614).

I submit the written consent of the Register of Kings County to such transfer and request that you give the matter your early attention.

Respectfully,

HERBERT T. KETCHAM, Surrogate.

REGISTER OF KINGS COUNTY,
HALL OF RECORDS,
BROOKLYN, September 1, 1909.

Mr. EDWARD J. BERGEN, Clerk of the Surrogate's Court, Brooklyn, N. Y.:

DEAR SIR—In answer to your favor of even date, in which you ask if I will consent to the transfer of \$500 from the Salary account of this office to that of the account for Copyist of Mutilated Records in the Surrogate's office of Kings County, to be used in the payment of the salary of Patrick H. Dalton, I wish to state that I am perfectly agreeable to this transfer being made, it being understood that the transfer will be made from the account of (1588) Salaries.

Yours very truly,

WM. A. PRENDERGAST, Register.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
September 14, 1909.

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—Under date of September 7, 1909, Hon. Herbert T. Ketcham, Surrogate of Kings County, requested that your Board approve of the transfer of the sum of \$500 from the appropriation made for the office of the Register of Kings County for the year 1909, entitled No. 1588, Salaries, to the appropriation made for the office

of the Surrogate of Kings County for the same year, entitled No. 1614, Recopying Old and Mutilated Records. This request having been referred to me for consideration, I would report thereon as follows:

Examination has shown that the Surrogate found it necessary to procure the services of an additional Copyist to be employed in recopying old and mutilated records. The appropriation balances available for his office were not sufficient to provide for the cost of said services, so an arrangement was made with the Register of Kings County for the transfer of a Copyist employed in that office, which transfer took effect on August 1, as shown by a formal notice to that effect sent to the Comptroller under date of August 18, said transfer having been approved by the State Civil Service Commission.

The Surrogate has secured the written consent of the Register for the transfer of the sum of \$500 from the appropriations made for the latter's office, which is appended to this report.

In view of the facts as herein set forth, I would recommend the approval of the request of the Surrogate for a transfer of funds, which also involves a modification of the budgetary schedule supporting the Salary appropriation for the office of the Register, resolutions to effect both of which are hereto attached.

Respectfully,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the modification of the schedule supporting the appropriation in the Budget for 1909 for the Register of Kings County, as follows:

General Administration—

1588. Salaries:

| | |
|--|---------------------|
| Register | \$8,000 00 |
| Deputy Register | 5,000 00 |
| Assistant Deputy Register | 2,500 00 |
| Counsel | 3,500 00 |
| Expert Clerk | 3,500 00 |
| Tickler Clerk | 2,500 00 |
| Chief Block Index Clerk..... | 2,500 00 |
| Chief Clerk of Records..... | 1,800 00 |
| Chief Current Index Clerk..... | 1,800 00 |
| Secretary | 1,500 00 |
| Clerks, 15 at \$1,500..... | 22,500 00 |
| Bookkeeper | 1,500 00 |
| Computers, 7 at \$1,500..... | 10,500 00 |
| Clerks, 14 at \$1,200..... | 16,800 00 |
| Stenographer | 1,200 00 |
| Custodians, 5 at \$1,000..... | 5,000 00 |
| Messengers, 3 at \$800..... | 2,400 00 |
| Keeper of Coat Room..... | 720 00 |
| Salaries, Copyists, 35 at \$1,200..... | 42,000 00 |
| Telephone Operator | 720 00 |
| Unassigned balance..... | 400 00 |
| | <u>\$136,340 00</u> |

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 resolution was offered:

Resolved, That the sum of five hundred dollars (\$500) be and the same is hereby transferred from the appropriation made to the office of the Register, Kings County, for the year 1909, entitled General Administration (1588), Salaries, the same being in excess of the amount required for the purposes thereof, to the appropriation made to the office of the Surrogate, Kings County, for the year 1909, entitled No. 1614, Recopying Old and Mutilated Records, 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.

The Secretary presented the following communications from the Fire Commissioner requesting, and report of the Comptroller recommending, a further modification of the schedules of Salaries and Salaries and Wages accompanying the Budget for the year 1909, for the Fire Department, involving a transfer of \$2,500, but no additional appropriation:

HEADQUARTERS, FIRE DEPARTMENT—CITY OF NEW YORK, }
NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, }
BOROUGH OF MANHATTAN, August 3, 1909. }

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

Sir—I have the honor to request that the Board of Estimate and Apportionment revise the salary schedule in connection with appropriation for the current year entitled 605, Fire Department, Office of the Commissioner, Salaries and Wages, so as to eliminate Secretary of Relief Fund at \$3,000 per annum, and provide in lieu thereof, Clerk at \$3,000 per annum.

Respectfully,
(Signed) NICHOLAS J. HAYES, Commissioner.

HEADQUARTERS, FIRE DEPARTMENT—CITY OF NEW YORK, }
NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, }
BOROUGH OF MANHATTAN, August 6, 1909. }

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

Sir—On July 6, 1909, Chief of Battalion Joseph Shea, in charge of the Hospital and Training Stables, Boroughs of Manhattan, The Bronx and Richmond, at a salary of \$3,000 per annum was, upon his own application, pursuant to the provisions of section 700 of the amended Greater New York Charter, retired on one-half pay.

In anticipation of this action on the part of Chief Shea, application was made to the Board of Estimate and Apportionment, pursuant to the provisions of section 56 of the amended Greater New York Charter, to recommend to the Board of Aldermen the establishment in this Department of the position of Veterinarian, with salary at the rate of \$2,500 per annum.

Favorable action having been taken in the matter by the Board of Estimate and Apportionment and the Board of Aldermen, with the approval of your Honor as Mayor, the position in question, at the rate specified, became established July 2, 1909; and in order to provide the funds for the new position, I have the honor to request that your Board make the necessary revision of the salary schedules made to this Department for the current year entitled, respectively, Administration, Borough of Manhattan, Bureau Chief of Department, 611, Salaries and Wages, and General Administration, Manhattan, The Bronx and Richmond, Hospital and Training Stables, 609, Salaries and Wages, and the required transfer of appropriation in connection therewith.

Respectfully,
NICHOLAS J. HAYES, Fire Commissioner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS, }
August 12, 1909.

The Honorable the Board of Estimate and Apportionment:

GENTLEMEN—In reference to requests made by the Commissioner of the Fire Department, under dates of August 3 and August 6, 1909, for modifications of sundry salary schedules supporting the appropriations provided for said Department in the Budget for 1909, and the transfer of \$2,500 rendered necessary by said modifications, I beg to report as follows:

The modification requested under date of August 3, 1909, is to strike out of the Budget appropriation for 1909, made for the office of the Commissioner (605), the item "Secretary to Relief Fund, \$3,000," and substitute in lieu thereof, "Clerk, \$3,000." The modification is simply a change of title approved by the Municipal Civil Service Commission on June 2, 1909.

Under date of August 6, 1909, the Fire Commissioner requests that provision be made for the payment of the salary of the position of Veterinarian, Boroughs of Manhattan, The Bronx and Richmond, at \$2,500 per annum, by reducing the appropriation allowed in the Budget for 1909 for Battalion Chiefs in the Borough of Manhattan to the amount of \$3,300 (due to the retirement of the Battalion Chief detailed to perform the duties of Veterinarian), and transferring \$2,500 of said sum to the appropriation made for the Hospital and Training Stables, Boroughs of Manhattan, The Bronx and Richmond, to provide for the salary of a Veterinarian, a position established on July 2, 1909, pursuant to the provisions of section 56 of the Greater New York Charter.

In view of the facts stated herein, I recommend the approval of the requests made by the Fire Commissioner as per resolutions attached hereto.

Yours respectfully,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment approves of the following Budget schedules, as revised, for the Fire Department for the year 1909:

General Administration, Manhattan, The Bronx and Richmond.

Office of the Commissioner—

605. Salaries and Wages:

| | |
|--|--------------------|
| Commissioner | \$7,500 00 |
| Deputy Commissioner | 5,000 00 |
| Secretary to Department..... | 4,800 00 |
| Assistant Secretary to Department..... | 3,500 00 |
| Secretary to Commissioner..... | 2,500 00 |
| Clerk | 3,000 00 |
| Clerk | 2,400 00 |
| Clerks, 2 at \$1,800..... | 3,600 00 |
| Clerks, 2 at \$1,500..... | 3,000 00 |
| Clerk | 1,200 00 |
| Stenographer and Typewriter..... | 1,800 00 |
| Stenographer and Typewriter..... | 1,500 00 |
| Stenographers and Typewriters, 2 at \$1,200..... | 2,400 00 |
| Bookkeeper | 1,800 00 |
| Storekeeper | 1,500 00 |
| Engineman | 1,642 00 |
| Inspector of Fuel..... | 1,500 00 |
| Messenger | 1,200 00 |
| Watchman | 2,012 50 |
| Stokers, 2 at \$1,095..... | 2,190 00 |
| Laborer | 1,095 00 |
| Laborers, 5 at \$912.50..... | 4,562 50 |
| Elevator Attendant | 912 50 |
| Cleaners, 2 at \$360..... | 720 00 |
| | <u>\$61,335 00</u> |

Hospital and Training Stables—

609. Salaries and Wages:

| | |
|----------------------------|--------------------|
| Veterinarian | \$2,500 00 |
| Foreman Hostler | 1,200 00 |
| Hostlers, 9 at \$912..... | 8,208 00 |
| Drivers, 5 at \$1,000..... | 5,000 00 |
| Drivers, 3 at \$912..... | 2,736 00 |
| Drivers, 2 at \$900..... | 1,800 00 |
| Stablemen, 2 at \$730..... | 1,460 00 |
| Foreman of Laborers..... | 1,200 00 |
| | <u>\$24,104 00</u> |

Administration, Borough of Manhattan.

Bureau of Chief of Department—

611. Salaries and Wages:

| | |
|--|---------------------|
| Chief of Department..... | \$10,000 00 |
| Deputy Chiefs of Department, 6 at \$4,200..... | 25,200 00 |
| Deputy Chief in charge of Marine Division..... | 4,200 00 |
| Battalion Chiefs, 21 at \$3,300..... | 69,300 00 |
| Medical Officers, 4 at \$3,300..... | 13,200 00 |
| Chaplains, 2 at \$1,000..... | 2,000 00 |
| Clerk | 1,650 00 |
| Clerk | 1,350 00 |
| Draftsman | 1,350 00 |
| Stenographers and Typewriters, 2 at \$1,200..... | 2,400 00 |
| Balance, unassigned | 800 00 |
| | <u>\$131,450 00</u> |

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 resolution was offered:

Resolved, That the sum of twenty-five hundred dollars (\$2,500) be and the same is hereby transferred from the appropriation made to the Fire Department for the year 1909, entitled Administration, Borough of Manhattan, Bureau of Chief of Department (611), Salaries and Wages, the same being in excess of the amount required for the purposes thereof, to the appropriation made to the said Department for the year 1909, entitled General Administration, Manhattan, The Bronx and Richmond, Hospital and Training Stables (609), Salaries and Wages, 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.

The Secretary presented the following report of the Comptroller, recommending a further modification of the schedules of Salaries and Salaries and Wages, accompanying the Budget for the year 1909, for the Department of Parks, Boroughs of Brooklyn and Queens, involving no additional appropriation.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS, }
August 4, 1909.

The Honorable Board of Estimate and Apportionment:

GENTLEMEN—In the matter of a request from the Commissioner of Parks, Boroughs of Brooklyn and Queens, requesting a modification in the schedule supporting appropriation No. 831 in the Budget of 1909, entitled Maintenance of Parks and Boulevards, Salaries and Wages, I submit the following report:

The modification requested entails only changes in the line items within the schedule, and necessitates no transfer of funds. The modification is requested because it has been found that for the payment of wages in some line items, insufficient sums are provided in the schedule while more than will be required was provided in other line items. I therefore recommend the approval of the Commissioner's request in accordance with the resolution appended.

Respectfully,
H. A. METZ, Comptroller.

The following resolution was offered:

Resolved. That the Board of Estimate and Apportionment hereby approves of the following revision in the salary and wages schedule provided for the Department of Parks, Boroughs of Brooklyn and Queens, in the Budget for the year 1909:

Maintenance of Parks and Boulevards—

831. Salaries and Wages:

| | |
|------------------------------------|--------------|
| Foreman of Greenhouses..... | \$1,825 00 |
| Foreman of Laborers..... | 37,047 50 |
| Foreman of Hostlers..... | 1,460 00 |
| Special Laborer and Janitor..... | 2,190 00 |
| Laborers | 27,016 25 |
| Gardeners | 51,928 75 |
| Pruners and Climbers..... | 22,500 00 |
| Laborers and Hostlers..... | 7,300 00 |
| Drivers | 15,462 50 |
| Attendants (Female) | 21,535 00 |
| Cottage Attendants | 1,460 00 |
| Gymnasium Attendants (Male)..... | 5,475 00 |
| Gymnasium Attendants (Female)..... | 3,650 00 |
| Laborers and Toolmen..... | 2,700 00 |
| | ————— |
| | \$446,550 00 |

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 communication from the Board of Health requesting, and report of the Comptroller, recommending a further modification of the schedules of Salaries and Salaries and Wages, accompanying the Budget for the year 1909, for the Department of Health, involving a transfer of \$500, but no additional appropriation.

DEPARTMENT OF HEALTH, }
CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE, }
NEW YORK, September 1, 1909.

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

SIR—At a meeting of the Board of Health of the Department of Health, held September 1, 1909, the following resolutions were adopted:

Resolved, That the Board of Estimate and Apportionment be and it is hereby respectfully requested to approve of transfers within the Budget appropriation of the Department of Health for the year 1909, entitled, and as follows:

From No. 384, Administration, Manhattan, Salaries and Wages, District Medical Inspection, \$500, the same being in excess of the amount required for the purpose thereof, to No. 362, General Administration, Salaries and Wages, Office of Registrar of Records, \$500, the amount of said appropriation being insufficient.

Resolved, That the Board of Estimate and Apportionment be and it is hereby respectfully requested to approve of the following further changes and modifications in the Budget Schedules for the year 1909, as revised for the Department of Health:

Group VI.—Supporting Schedule to Nos. 362, 379, 407, 419, 438 and 450, Salaries.

Change item "Registrar of Records, \$4,000," to read "Registrar of Records, \$5,000" to be effective as of June 29, 1909, on which date a resolution establishing the above grade of said position, adopted by the Board of Estimate and Apportionment on May 28, 1909, and concurred in by the Board of Aldermen on June 15, 1909, was received from his Honor the Mayor, without his approval or disapproval thereof, therefore the same took effect on June 29, 1909, as if he had approved it.

Group VII.—Supporting Schedule to Nos. 362, 379, 407, 419, 438 and 450, Salaries and Wages.

Change item "Disinfectors, 32 at \$900, \$28,800," to read "Disinfectors, 30 at \$900 \$27,000."

Insert item "Unassigned balance, \$800."

Group VIII.—Supporting Schedule to Nos. 377, 405, 417, 434, 446, 384, 409, 424, 436, 448, Salaries and Wages.

Change item "Disinfectors, 32 at \$900, \$28,800," to read "Disinfectors, 30 at \$900 \$27,000."

Insert item "Unassigned balance, \$800."

Group X.—Supporting Schedule to Nos. 380, 381, 405, 420, 421, 439, 451, Salaries and Wages.

Change item "Typewriting Copyist, \$750," to read "Typewriting Copyist, 2 at \$750, \$1,500."

Strike out item "Stenographer and Typewriter, \$750."

A true copy,

EUGENE W. SCHEFFER, Secretary.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS, }
September 11, 1909.

The Honorable Board of Estimate and Apportionment:

GENTLEMEN—A communication, presented to the Secretary of the Board of Estimate and Apportionment from the Board of Health, transmitting copies of resolutions adopted by said Board of Health on September 1, 1909, requesting further modifications of the salary schedules supporting the Budget appropriations for the year 1909, has been referred to me for consideration.

I would report that the request of the Board of Health involves one salary increase, viz., the Registrar of Records from \$4,000 to \$5,000 per annum; the decrease from thirty-two to thirty in the number of Disinfectors at \$900 a year, and the substitution of a Typewriting Copyist for a Stenographer and Typewriter, without change of salary.

Inasmuch as this action is necessary to make effective the action of the Board of Estimate and Apportionment and the Board of Aldermen in creating a new salary grade for the position of Registrar of Records, and further as the yearly rate of expenditures for salaries as proposed does not exceed the amount fixed in the Budget, I would recommend that the request for Budget schedule modifications be approved.

Respectfully,
H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the following further changes and modifications in the salary schedules supporting the Budget for the year 1909, as revised, for the Department of Health:

VI. General Administration and Administration—Supporting Schedule to Nos. 362, 379, 407, 419, 438, 450, Salaries—

| | |
|--|-------------|
| Registrar of Records..... | \$5,000 00 |
| Assistant Registrars of Records, 5 at \$3,000..... | 15,000 00 |
| Bookbinders, 2 at \$1,200..... | 2,400 00 |
| Bookbinder's Seamstress | 750 00 |
| Clerks, 4 at \$1,800..... | 7,200 00 |
| Clerks, 3 at \$1,500..... | 4,500 00 |
| Clerks, 3 at \$900..... | 2,700 00 |
| Clerk | 750 00 |
| Clerks, 2 at \$480..... | 960 00 |
| Clerks, 3 at \$300..... | 900 00 |
| Medical Clerks, 2 at \$1,200..... | 2,400 00 |
| Medical Clerk | 1,050 00 |
| Inspector | 1,500 00 |
| Tabulators, 3 at \$1,500..... | 4,500 00 |
| Stenographer and Typewriter..... | 900 00 |
| Stenographer and Typewriter..... | 750 00 |
| Typewriting Copyist | 900 00 |
| Typewriting Copyist | 750 00 |
| Typewriting Copyists, 15 at \$600..... | 9,000 00 |
| Laborer | 900 00 |
| | ————— |
| | \$62,810 00 |

VIII. Administration—Supporting Schedule to Nos. 377, 405, 417, 434, 446, 384, 409, 424, 436, 448, Salaries and Wages—

| | |
|--|--------------|
| Medical Inspector | \$3,000 00 |
| Medical Inspectors, 2 at \$2,550..... | 5,100 00 |
| Medical Inspectors, 7 at \$1,800..... | 12,600 00 |
| Medical Inspectors, 11 at \$1,500..... | 16,500 00 |
| Medical Inspectors, 44 at \$1,200..... | 52,800 00 |
| Sanitary Inspector | 1,500 00 |
| Clerk | 2,550 00 |
| Clerk | 1,800 00 |
| Clerk | 1,500 00 |
| Clerks, 2 at \$1,200..... | 2,400 00 |
| Clerks, 4 at \$900..... | 3,600 00 |
| Clerk | 750 00 |
| Clerks, 5 at \$480..... | 2,400 00 |
| Clerks, 5 at \$300..... | 1,500 00 |
| Stenographer and Typewriter..... | 900 00 |
| Stenographers and Typewriters, 2 at \$600..... | 1,200 00 |
| Typewriting Copyist | 900 00 |
| Typewriting Copyists, 6 at \$600..... | 3,600 00 |
| Disinfectors, 7 at \$1,050..... | 7,350 00 |
| Disinfectors, 32 at \$900..... | 27,000 00 |
| Disinfectors, 8 at \$750..... | 6,000 00 |
| Veterinarian | 1,800 00 |
| Veterinarians, 8 at \$1,200..... | 9,600 00 |
| Telephone Switchboard Operators, 6 at \$900..... | 5,400 00 |
| Stablemen | 2,040 00 |
| Laborers | 8,580 00 |
| Drivers | 20,340 00 |
| Stationary Engineer, not to exceed \$4.50 a day..... | 1,642 50 |
| Fireman, not to exceed \$3 a day..... | 1,095 00 |
| Watchman | 1,200 00 |
| Foreman of Laborers..... | 1,200 00 |
| Foreman of Laborers..... | 720 00 |
| Stoker | 750 00 |
| Fireman | 750 00 |
| Automobile Engineers, 2 at \$1,200..... | 2,400 00 |
| Unassigned balance | 800 00 |
| | ————— |
| | \$213,267 50 |

X. Administration—Supporting Schedule to Nos. 380, 381, 405, 420, 421, 439, 451, Salaries and Wages—

| | |
|---|--------------|
| Sanitary Inspector | \$3,000 00 |
| Sanitary Inspector | 2,550 00 |
| Sanitary Inspector | 1,800 00 |
| Sanitary Inspectors, 5 at \$1,500..... | 7,500 00 |
| Sanitary Inspectors, 53 at \$1,200..... | 63,600 00 |
| Sanitary Inspector | 750 00 |
| Medical Inspectors, 2 at \$2,550..... | 5,100 00 |
| Clerks, 2 at \$1,800..... | 3,600 00 |
| Clerks, 6 at \$1,200..... | 7,200 00 |
| Clerk | 1,050 00 |
| Clerks, 2 at \$900..... | 1,800 00 |
| Clerk | 750 00 |
| Clerks, 8 at \$480..... | 3,840 00 |
| Clerks, 6 at \$300..... | 1,800 00 |
| Stenographer and Typewriter..... | 600 00 |
| Typewriting Copyist | 900 00 |
| Typewriting Copyists, 2 at \$750..... | 1,500 00 |
| Typewriting Copyists, 5 at \$600..... | 3,000 00 |
| Driver | 840 00 |
| Driver | 720 00 |
| Medical Inspector | 1,500 00 |
| Medical Inspectors, 8 at \$1,200..... | 9,600 00 |
| Inspector of Foods..... | 1,800 00 |
| Inspector of Foods..... | 1,200 00 |
| Foreman of Laborers..... | 1,200 00 |
| Veterinarian | 1,320 00 |
| | ————— |
| | \$129,720 00 |

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 resolution was offered:

Resolved, That the sum of five hundred dollars (\$500) be and the same is hereby transferred from the appropriation made to the Department of Health for the year 1909, entitled Administration, Manhattan, District Medical Inspection (384), Salaries and Wages, the same being in excess of the amount required for the purposes thereof, to the appropriation made to the Department of Health for the year 1909, entitled General Administration, Office of the Registrar of Records (362), Salaries and Wages, 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.

The Secretary presented a report of the Comptroller referring to a communication from the Secretary-Treasurer of the Brooklyn Women's Animal Aid Association requesting the Board to grant an appropriation for the maintenance of four drinking fountains in the Borough of Brooklyn presented by said association to the City, and stating from information obtained from the Department of Water Supply, Gas and Electricity it appears that an additional appropriation is unnecessary, as a sufficient amount has been provided in the funds of said Department for the said purpose.

Which was ordered on file and the Secretary directed to transmit a copy of the report of the Comptroller to the Brooklyn Women's Animal Aid Association.

(On June 25, 1909, the above communication was referred to the Comptroller.)

The Secretary presented the following resolution of the Board of Aldermen requesting, and report of the Comptroller recommending, an issue of \$600 Special Revenue Bonds (subdivision 8, section 188 of the Charter) for the purpose of paying rent for the privilege of berthing a floating bath at the bulkhead foot of Elm street, First Ward, Borough of Queens, under the jurisdiction of the President of the Borough of Queens.

(On July 2, 1909, the resolution of the Board of Aldermen requesting this issue was referred to the Comptroller.)

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 six hundred dollars (\$600), the proceeds whereof to be used by the President, Borough of Queens, for the purpose of paying rent for the privilege of berthing a floating bath at the bulkhead, foot of Boulevard, property of Clonin & Messenger, First Ward, Borough of Queens.

Adopted by the Board of Aldermen June 22, 1909, three-fourths of all the members voting in favor thereof.

Approved by the Mayor July 1, 1909.

P. J. SCULLY, Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS, }
September 14, 1909.

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—In the matter of the resolution of the Board of Aldermen, adopted June 22, 1909, requesting an issue of Special Revenue Bonds (subdivision 8, section 188 of the Charter) to the amount of \$600 to provide for the payment of the rental for the privilege of berthing a floating bath at the bulkhead foot of Boulevard, First Ward, Borough of Queens, which was referred to me for consideration and report at the meeting of your Honorable Board, held July 2, 1909, I would report as follows:

Under date of May 28, 1909, the President of the Borough of Queens addressed a communication to the Commissioners of the Sinking Fund requesting that a lease be entered into by the City for the berthing of a public bath at the bulkhead of the dock owned by Messrs. Clonin & Messenger, foot of Camelia street, Boulevard, First Ward, Borough of Queens, for a period of four months from June 1 to September 30, 1909, at a rental of \$150 per month. It appears that the said floating bath has been berthed since June 1, 1909, at a dock owned by Messrs. Clonin & Messenger, on the west side of the Boulevard at the foot of Elm street, First Ward, Long Island City, Borough of Queens.

The Commissioners of the Sinking Fund, at a meeting held June 23, 1909, authorized the execution of a lease of the space at the bulkhead of the dock at the foot of Elm street, First Ward, Long Island City, Borough of Queens, for the purpose of a berth for a free public bath for four months from June 1 to September 30, 1909, at a rental of \$150 per month, payable monthly. The lease has been duly executed by the parties thereto.

In view of the foregoing, I recommend that your Board authorize the issuance of Special Revenue Bonds in the sum of \$600 for the purpose of paying the rental of the space at the bulkhead of the dock at the foot of Elm street, First Ward, Long Island City, Borough of Queens, leased to the City as a berth for a free public bath for four months, from June 1 to September 30, 1909, at a rental of \$150 per month.

Respectfully submitted,

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 22, 1909, and approved by the Mayor July 1, 1909, requesting an issue of Special Revenue Bonds to the amount of six hundred dollars (\$600) for the purpose of paying rent for the privilege of berthing a floating bath at the bulkhead at the foot of Elm street, First Ward, Borough of Queens; 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 six hundred dollars (\$600), 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 communication from the Chief Engineer recommending an issue of Corporate Stock in the sum of \$20,000 to pay the expense of making tests of cinder concrete and other fireproofing materials. The Engineer reported that he had been instructed by his Honor the Mayor to make these tests and to have the work done thoroughly and exhaustively and estimated the cost at \$20,000. That inasmuch as these tests will be of permanent value, it is believed proper to provide funds by an issue of Corporate Stock.

The Chief Engineer stated that as arches, etc., will have to be constructed, in his opinion the amount necessary would be \$30,000 in place of \$20,000.

The Comptroller moved that the Chief Engineer be requested to apply to the Board of Aldermen for an issue of Special Revenue Bonds for this purpose, which motion was adopted.

The Secretary presented the following communication from the Chief Engineer recommending the reappointment of Mr. Walter Cook as Consulting Architect to the Board for a period of one year from July 1, 1909, at a compensation not to exceed \$5,000 and expenses in any one year.

BOARD OF ESTIMATE AND APPORTIONMENT, }
OFFICE OF THE CHIEF ENGINEER, }
September 13, 1909.

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

Sir—The designation of Mr. Walter Cook as Consulting Architect to the Board of Estimate and Apportionment was for one year, which expired on June 30 last, and no action has yet been taken toward renewing this appointment. Mr. Cook has already been appointed a member of the Committee to consider the question of encroachments upon sidewalks, and his advice will also be very desirable in connection with the tests of fireproofing materials.

I regret that this matter was not brought to the attention of the Board before its adjournment on July 2, and beg to now recommend the adoption of a resolution providing for the appointment of Mr. Walter Cook as Consulting Architect for one year beginning July 1, 1909.

Respectfully,
NELSON P. LEWIS, Chief Engineer.

The following resolution was offered:

Resolved, That, subject to the approval of the Municipal Civil Service Commission, under Rule 12, paragraph 6 of the Civil Service Rules, Mr. Walter Cook be and is hereby appointed Consulting Architect to the Board of Estimate and Apportionment to supervise the preparation of plans, designs or specifications in connection with the construction of public buildings authorized by the Board of Estimate and Apportionment, with compensation not to exceed the sum of five thousand dollars (\$5,000) and expenses in any one year, said appointment to take effect from July 1, 1909.

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, referring to a communication from the Brooklyn League protesting against the contemplated erection by the Board of Education of two schools on the Union Cemetery plot of ground which was purchased for playground purposes, and stating that the association is in error, as the plot of ground in question was purchased for both the Board of Education and for playground purposes, the portion to be used for said purpose having been turned over to the Park Department, and thereafter said Department turned Parcels A and C back to the Sinking Fund Commissioners for the purpose of assignment to the Board of Education, and recommending, therefore, in view of the facts stated, that no action be taken by the Board on the protest and that the communication from the above association, as well as this report, be printed in the minutes and placed on file.

Which was ordered on file, printed in the minutes and the Secretary directed to transmit a copy thereof to the Brooklyn League.

(On July 2, 1909, the communication from the Brooklyn League, as above, was referred to the Comptroller.)

THE BROOKLYN LEAGUE, TEMPLE BAR, }
No. 44 COURT STREET,
BROOKLYN, N. Y., June 24, 1909.

Board of Estimate and Apportionment, No. 277 Broadway, N. Y.:

GENTLEMEN—I understand that the Board of Education expects to build two large schools on the Union Cemetery, which was purchased for a playground out of the playground fund, thus practically spoiling the playground. It seems a pity that when we have so few playgrounds for the children in this tenement neighborhood, that the Board of Education should not purchase some of the neighboring vacant lots out of its ample funds for its buildings, and not take away this important playground.

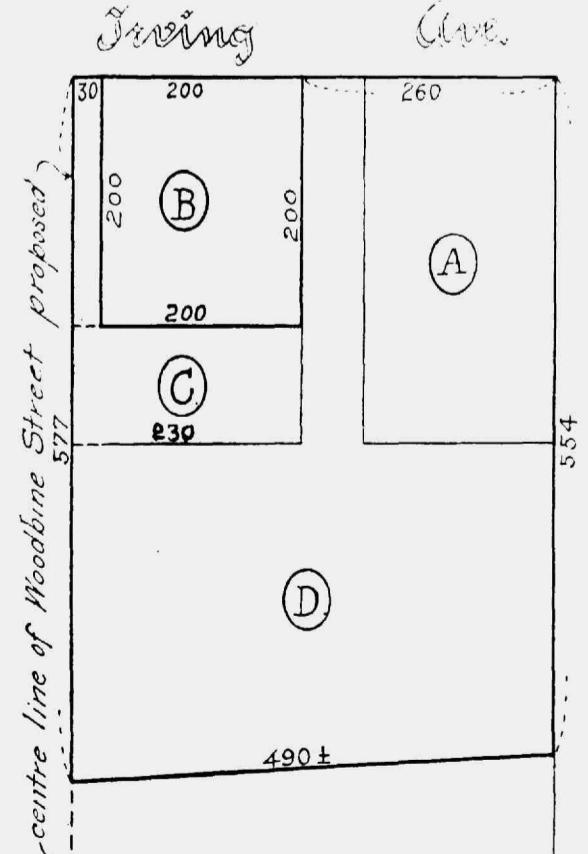
I therefore respectfully request your Honorable Body to rescind the resolution allowing the Board of Education to use any part of this land for building purposes.

Yours truly,
GILBERT ELLIOTT, Chairman.

CITY OF NEW YORK—DEPARTMENT OF FINANCE, }
COMPTRROLLER'S OFFICE, }
September 11, 1909.

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—The Board of Education, at a meeting held July 2, referred to me the communication from the Brooklyn League, which was presented to the Board at that meeting, protesting against the contemplated erection by the Board of Educa-



Knickerbocker Ave.

tion of two schools on the (Union Cemetery) plot of ground which was purchased, they say, for playground purposes, and in reply I desire to inform the Board that the Union League is in error.

The property described in the letter of Mr. Elliott is located on Irving avenue, between Putnam avenue and Woodbine street, proposed, and was acquired for both the Board of Education and for playground purposes, as will be seen by the diagram forming a part of this report. Parcel B, 200 by 200 feet, exclusive of the proposed Woodbine street, was acquired by and for the Board of Education at the cost of \$40,000; Parcels A, C and D were acquired for playground purposes for the sum of \$184,000. Both of these acquisitions were in June, 1907, making a total cost of \$224,000.

Subsequent to this acquisition, the parcels marked A, C and D were turned over to the Park Department for playground purposes, and thereafter the Park Department turned the Parcels A and C back to the Sinking Fund Commissioners for the purpose of assignment to the Board of Education. Owing to the demand made by the citizens of the district, who desire to have the City acquire land for high school purposes, the Sinking Fund Commissioners turned over to the Board of Education Parcels A and C—A for high school purposes, and C as an addition to the elementary school (see minutes S. F. June 30, 1908).

The plot remaining for playground purposes is, in my opinion, sufficient for the present needs of the neighborhood and will be for some time to come. The location of the high school adjoins that of the elementary school, and the playground will be used subsequently by the pupils in the public school and the high school, as well as by the boys in the neighborhood.

Had the City attempted to acquire a site for high school purposes in this vicinity, of the size assigned to the Board of Education for that purpose, it would have cost at least \$70,000 without having the additional advantages of a playground adjoining.

I saw no reason why this site should not be turned over to the Board of Education for high school purposes and I so recommended it to the Sinking Fund Commissioners, and I see no reason at the present time why any action should be taken thereon by this Board. I therefore respectfully recommend that the communication signed by Mr. Gilbert Elliott be printed in the minutes with this report and placed on file.

Respectfully,
H. A. METZ, Comptroller.

The Secretary presented the following communications from the Commissioner of Water Supply, Gas and Electricity and from the Deputy and Acting Commissioner of said Department requesting, and report of the Comptroller recommending, a further modification of the schedules of Salaries and Salaries and Wages accompanying the Budget for the year 1909, for the Department of Water Supply, Gas and Electricity, involving a transfer of \$900, but no additional appropriation:

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,
Nos. 13 to 21 PARK ROW,
NEW YORK, July 1, 1909.

Hon. HERMAN A. METZ, Comptroller:

DEAR SIR—I desire to increase the salaries of three men who are paid, from account No. 135, General Administration, \$300 each per annum, a total of \$900, although, of course, only \$450 will be needed for the balance of this year.

There is a vacancy in account No. 172, Water Registration, Brooklyn, in the schedule line, "Financial Clerk, \$1,500," and of which only \$600 was expended before the vacancy occurred. If the unexpended balance of \$900 is transferred to the first named account (135), I will be able to make the increases, and I respectfully request that you submit, with your approval, to the Board of Estimate and Apportionment the enclosed modified schedules and the resolution for the transfer of the \$900 aforesaid.

Respectfully,
JOHN H. O'BRIEN, Commissioner.

Department of Water Supply, Gas and Electricity, General Administration—

135. Salaries and Wages:

| | |
|---|--------------------|
| Commissioner | \$7,500 00 |
| Deputy Commissioner | 6,000 00 |
| Consulting Electrical Engineer | 4,000 00 |
| Secretary to the Department | 3,000 00 |
| Secretary to the Commissioner | 3,500 00 |
| Stenographer to the Commissioner | 1,200 00 |
| Secretary to the Deputy Commissioner | 3,000 00 |
| Chief Clerk and Auditor | 4,000 00 |
| Bookkeeper | 2,850 00 |
| Bookkeeper | 2,100 00 |
| Clerk | 3,000 00 |
| Clerks, 2 at \$2,700 | 5,400 00 |
| Clerk | 2,100 00 |
| Clerk | 1,800 00 |
| Clerk | 1,650 00 |
| Clerks, 2 at \$1,050 | 2,100 00 |
| Clerks, 4 at \$900 | 3,600 00 |
| Clerk | 750 00 |
| Telephone Operator | 900 00 |
| Stenographers and Typewriters, 2 at \$1,350 | 2,700 00 |
| Stenographers and Typewriters, 2 at \$1,200 | 2,400 00 |
| Automobile Engineer | 1,500 00 |
| Chief Chemist | 3,500 00 |
| Chemist | 1,950 00 |
| Chemists, 4 at \$1,500 | 6,000 00 |
| Chemist | 1,200 00 |
| Bacteriologist | 1,800 00 |
| Bacteriologists, 3 at \$1,200 | 3,600 00 |
| Laboratory Assistants, 6 at \$900 | 5,400 00 |
| Laborers | 4,797 50 |
| | \$93,297 50 |

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,
Nos. 13 to 21 PARK ROW,
NEW YORK, July 29, 1909.

Hon. HERMAN A. METZ, Comptroller:

DEAR SIR—I respectfully request that, to permit the increase in the salary of the Assistant Engineer in charge of the repair forces from \$2,700 to \$3,000 per annum, you present, with your approval, to the Board of Estimate the enclosed amended salary schedule for appropriation account, 1909, 157; this request being intended to take the place of a similar request in the letter of the Commissioner dated July 1, it being his intention to make the increase from that date.

Respectfully,
M. F. LOUGHMAN, Deputy and Acting Commissioner.

Department of Water Supply, Gas and Electricity, Water Supply, Boroughs of Manhattan and The Bronx, Distribution, Maintenance, Croton and Bronx Systems—

157. Salaries and Wages:

| | |
|---|------------|
| Assistant Engineer (half salary) | \$2,400 00 |
| Assistant Engineer | 3,000 00 |
| Tappers, 2 at \$1,400 | 2,800 00 |
| Foremen, not to exceed \$5 per day | 29,200 00 |
| Assistant Foremen, not to exceed \$3 per day | 34,450 00 |
| Pavers, not to exceed \$5 per day | 6,260 00 |
| Blacksmith, not to exceed \$4 per day | 1,252 00 |
| Bricklayer, not to exceed \$5.60 per day | 1,752 80 |
| Calkers, not to exceed \$4 per day | 65,000 00 |
| Assistant Tappers, not to exceed \$3.50 per day | 17,062 50 |
| Blacksmith's Helpers, not to exceed \$3 per day | 939 00 |
| Plumber's Helpers | 1,878 00 |
| Plumber's Apprentice | 730 00 |
| Flaggers, not to exceed \$4.50 per day | 4,225 50 |
| Toolmen | 1,565 00 |

| | |
|--|---------------------|
| Plumber's Helpers | 1,878 00 |
| Plumber's Apprentice | 730 00 |
| Flaggers, not to exceed \$4.50 per day | 4,225 50 |
| Toolmen | 1,565 00 |
| Cement Worker | 912 50 |
| Laborers | 118,034 00 |
| Undistributed | 1,700 00 |
| | \$293,161 30 |

Department of Water Supply, Gas and Electricity, Water Supply, Borough of Brooklyn, Distribution, Water Registration, Permits and Revenue Collections—

| | |
|--|--------------------|
| 172. Salaries and Wages: | |
| Registrar | \$4,000 00 |
| Cashier | 2,250 00 |
| Financial Clerk | 600 00 |
| Clerk | 2,100 00 |
| Clerk | 2,000 00 |
| Clerks, 5 at \$1,350 | 6,750 00 |
| Clerks, 10 at \$1,200 | 12,000 00 |
| Clerks, 5 at \$1,650 | 5,250 00 |
| Clerk | 1,000 00 |
| Clerk | 900 00 |
| Clerk | 750 00 |
| Clerk | 600 00 |
| Messenger | 900 00 |
| Temporary Clerks | 475 00 |
| Inspector of Meters and Water Consumption | 1,500 00 |
| Inspectors of Meters and Water Consumption, 4 at \$1,000 | 4,000 00 |
| Measurer | 1,500 00 |
| Measurer | 1,000 00 |
| | \$47,575 00 |

DEPARTMENT OF FINANCE—CITY OF NEW YORK.
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS
August 24, 1909.

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—I transmit herewith two communications, under dates of July 1 and July 29, 1909, respectively, addressed to me by the Commissioner of the Department of Water Supply, Gas and Electricity, requesting certain modifications of the Budget schedules of Salaries and Wages, supporting the appropriations made for said department for the year 1909, and involving a transfer of the sum of \$900 within the said appropriations.

As the changes proposed by the Commissioner appear to be simply adjustments of administrative policy, and in no way increase the aggregate monthly pro rata cost of the schedules so modified, I recommend that the Commissioner's request be granted through the adoption of the resolutions hereto attached.

Respectfully yours,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves the schedules of salaries and wages supporting appropriations in the Budget of 1909 for the Department of Water Supply, Gas and Electricity as revised, as follows:

Department of Water Supply, Gas and Electricity, General Administration—

135. Salaries and Wages:

| | |
|---|--------------------|
| Commissioner | \$7,500 00 |
| Deputy Commissioner | 6,000 00 |
| Consulting Electrical Engineer | 4,000 00 |
| Secretary to the Department | 3,000 00 |
| Secretary to the Commissioner | 3,500 00 |
| Stenographer to the Commissioner | 1,200 00 |
| Secretary to the Deputy Commissioner | 3,000 00 |
| Chief Clerk and Auditor | 4,000 00 |
| Bookkeeper | 2,850 00 |
| Bookkeeper | 2,100 00 |
| Clerk | 3,000 00 |
| Clerks, 2 at \$2,700 | 5,400 00 |
| Clerk | 2,100 00 |
| Clerk | 1,800 00 |
| Clerk | 1,650 00 |
| Clerks, 2 at \$1,050 | 2,100 00 |
| Clerks, 4 at \$900 | 3,600 00 |
| Clerk | 750 00 |
| Telephone Operator | 900 00 |
| Stenographers and Typewriters, 2 at \$1,350 | 2,700 00 |
| Stenographers and Typewriters, 2 at \$1,200 | 2,400 00 |
| Automobile Engineer | 1,500 00 |
| Chief Chemist | 3,500 00 |
| Chemist | 1,950 00 |
| Chemists, 4 at \$1,500 | 6,000 00 |
| Chemist | 1,200 00 |
| Bacteriologist | 1,800 00 |
| Bacteriologists, 3 at \$1,200 | 3,600 00 |
| Laboratory Assistants, 6 at \$900 | 5,400 00 |
| Laborers | 4,797 50 |
| | \$93,297 50 |

Department of Water Supply, Gas and Electricity, Water Supply, Boroughs of Manhattan and The Bronx, Distribution, Maintenance, Croton and Bronx Systems—

157. Salaries and Wages:

| | |
|---|------------|
| Assistant Engineer (half salary) | \$2,400 00 |
| Assistant Engineer | 3,000 00 |
| Tappers, 2 at \$1,400 | 2,800 00 |
| Foremen, not to exceed \$5 per day | 29,200 00 |
| Assistant Foremen, not to exceed \$3 per day | 34,450 00 |
| Pavers, not to exceed \$5 per day | 6,260 00 |
| Blacksmith, not to exceed \$4 per day | 1,252 00 |
| Bricklayer, not to exceed \$5.60 per day | 1,752 80 |
| Calkers, not to exceed \$4 per day | 65,000 00 |
| Assistant Tappers, not to exceed \$3.50 per day | 17,062 50 |
| Blacksmith's Helpers, not to exceed \$3 per day | 939 00 |
| Plumber's Helpers | 1,878 00 |
| Plumber's Apprentice | 730 00 |
| Flaggers, not to exceed \$4.50 per day | 4,225 50 |
| Toolmen | 1,565 00 |

| | |
|---------------------|---------------------|
| Cement Worker | 912 50 |
| Laborers | 118,034 00 |
| Undistributed | 1,700 00 |
| | \$293,161 30 |

Department of Water Supply, Gas and Electricity, Water Supply, Borough of Brooklyn, Distribution—Water Registration, Permits and Revenue Collections—

172. Salaries and Wages:

| | |
|--|--------------------|
| Registrar | \$4,000 00 |
| Cashier | 2,250 00 |
| Clerk | 2,100 00 |
| Clerk | 2,000 00 |
| Clerks, 5 at \$1,350 | 6,750 00 |
| Clerks, 10 at \$1,200 | 12,000 00 |
| Clerks, 5 at \$1,050 | 5,250 00 |
| Clerk | 1,000 00 |
| Clerk | 900 00 |
| Clerk | 750 00 |
| Clerk | 600 00 |
| Messenger | 900 00 |
| Temporary Clerks | 475 00 |
| Inspector of Meters and Water Consumption | 1,500 00 |
| Inspectors of Meters and Water Consumption, 4 at \$1,000 | 4,000 00 |
| Measurer | 1,500 00 |
| Measurer | 1,000 00 |
| Undistributed | 600 00 |
| | \$47,575 00 |

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 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 Water Supply, Gas and Electricity for the year 1909, entitled Water Supply, Borough of Brooklyn, Distribution, Water Registration, Permits and Revenue Collections, No. 172, Salaries and Wages, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Department for the year 1909, entitled General Administration (No. 135), Salaries and Wages, 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.

The Secretary presented the following communication from the Comptroller, referring to the request of the Board of Education for an appropriation sufficient to meet the wages of Inspectors, Draftsmen, etc., in the Bureau of School Buildings for the balance of the year 1909, and recommending in view of the facts sets forth in said communication that the Board authorize an issue of \$100,000 Corporate Stock, pursuant to section 169 of the Charter, for said purpose, and further recommending that said amount be stricken from the recommendations heretofore presented to the Board relative to an issue of \$6,799,010 Corporate Stock pursuant to the provisions of section 47 of the Charter, for various purposes, which included the sum of \$100,000 for Salaries and Wages, All Boroughs.

(On May 28, 1909, the report of the Comptroller, recommending an issue of \$6,799,010 Corporate Stock, as above, was laid over.)

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS, }
September 14, 1909.

The Honorable Board of Estimate and Apportionment:

GENTLEMEN—I am in receipt of the following communication, under date of September 8, 1909, from the Secretary of the Board of Education:

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

"DEAR SIR—I have the honor to advise you that at a meeting of the Committee on Buildings, held on the 7th inst., a communication was received from the Auditor of the Board of Education, calling attention to the condition of the Corporate Stock Fund for the payment of salaries and wages, and stating that the sum set aside last March for this purpose, including premiums received since, amounted to \$107,944.71; that the disbursements to date, including the payroll for the month of August, amounted to \$90,675.34, leaving an available balance of \$17,269.37; that on April 28, 1909, the Board of Education, upon the recommendation of the Committee on Buildings, requested the Board of Estimate and Apportionment to provide funds for new buildings and additions, etc., and asked that the sum of \$338,095 be provided for wages of Draftsmen, Inspectors, etc.; that, as these funds have not been as yet provided, there exists only the above mentioned balance of \$17,269.37, which will little more than cover the payroll of Inspectors and Draftsmen for the month of September, and that it will therefore be seen that the work of the Bureau of School Buildings will be brought to a standstill unless funds are immediately provided for the payment of the employees mentioned.

"The Committee ordered that your attention be called to the conditions hereinbefore described, and that you be respectfully requested to consider the matter at the earliest possible moment, and to suggest some way out of the difficulty.

"Respectfully yours,

"A. EMERSON PALMER, Secretary, Board of Education."

In a report presented by me to your Board May 28, 1909, concerning the request of the Board of Education for an issue of Corporate Stock during the remainder of the year 1909, to the amount of \$7,415,010, of which amount \$388,095 was for salaries and wages of Inspectors, Draftsmen, etc., which report was referred to a Select Committee, consisting of the President of the Board of Aldermen and the Comptroller. I recommended the authorization of Corporate Stock to the amount of \$6,799,010, of which sum \$100,000 was for Salaries and Wages, All Boroughs, under the provisions of section 47 of the Greater New York Charter.

Considering the facts set forth in the above communication, and the probable delay of this Board in acting upon the larger matter, I would respectfully recommend that said item of \$100,000 for salaries and wages be stricken from said recommendations made in my report, which is now in the hands of the Select Committee, and that Corporate Stock, not exceeding said amount for said purpose, be authorized under the provisions of section 169 of the Charter, according to the resolution attached hereto.

Respectfully,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That, pursuant to the provisions of section 169 of the Greater New York Charter, the Board of Estimate and Apportionment hereby approves of the issue of Corporate Stock of The City of New York, to an amount not exceeding one hundred thousand dollars (\$100,000), to provide means for the payment of salaries and wages of Inspectors and Draftsmen employed in the Bureau of Buildings, Department of Education; and the Comptroller is hereby authorized to issue Corporate Stock of The City of New York, in the manner provided by section 169 of the Greater New York Charter, to an amount not exceeding one hundred thousand dollars (\$100,000), the proceeds whereof to be applied to the purposes aforesaid.

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—\$15,000, from the account entitled 751, Material for Repairs and Replacements by Departmental Labor, to the account entitled 752, Repairs and Replacements by Contracts or Open Orders, within the appropriation made to the Department of Parks, Boroughs of Manhattan and Richmond, for the year 1909.

DEPARTMENT OF PARKS, MANHATTAN AND RICHMOND, }
ARSENAL, CENTRAL PARK, }
August 20, 1909.

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

DEAR SIRS—Application is hereby respectfully made to your Honorable Board for the transfer of \$15,000 from Account 751, entitled Materials for Repairs and Replacements by Departmental Labor, to Account 752, entitled Repairs and Replacements by Contracts or Open Orders, for the painting of railings and arches in Central and other parks, as well as other work; the departmental force being insufficient to perform same, it is, therefore, necessary to have the work done under contract.

Respectfully,

HENRY SMITH, Commissioner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS, }
August 30, 1909.

The Honorable Board of Estimate and Apportionment:

GENTLEMEN—In the matter of a communication from the Commissioner of Parks, Boroughs of Manhattan and Richmond, dated August 20, 1909, requesting the transfer of the sum of \$15,000 from the appropriation made for said Department in the 1909 Budget, entitled 751, Materials for Repairs and Replacements by Departmental Labor, to the appropriation for the same Department and same year, entitled 752, Repairs and Replacements by Contracts or Open Orders, which has been referred to me for consideration, I would report as follows:

An examination made into this matter shows that the Commissioner cannot with the force at his disposal complete the work of painting railings and arches in Central and other parks under his jurisdiction, before the winter season sets in, and as the work seems necessary, he desires to have it done under contract instead of by departmental labor, and, therefore, asks that the amount mentioned be transferred. As this appears to be solely a question of administrative policy, I would recommend that the transfer requested be approved.

Respectfully,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the sum of fifteen thousand dollars (\$15,000) be and the same is hereby transferred from the appropriation made to the Department of Parks, Boroughs of Manhattan and Richmond, for the year 1909, entitled Maintenance, Parks and Boulevards (751), Materials for Repairs and Replacements by Departmental Labor, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Department for the year 1909, entitled Maintenance, Parks and Boulevards (752), Repairs and Replacements by Contracts or Open Orders, 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.

B—\$7,000, from the account entitled 755, Maintenance of Metropolitan Museum of Art, Contingencies, to various other accounts within the appropriation made to the Department of Parks, Boroughs of Manhattan and Richmond, for the year 1909.

DEPARTMENT OF PARKS, MANHATTAN AND RICHMOND, }
ARSENAL, CENTRAL PARK, }
September 10, 1909.

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

GENTLEMEN—Application is hereby made to your Honorable Board for the transfer of seven thousand dollars (\$7,000) from account No. 775, entitled Contingencies, to the following accounts:

Metropolitan Museum of Art—\$4,000 to account No. 772, entitled General Supplies; \$2,000 to account No. 773, entitled Materials for Repairs and Replacements by Departmental Labor; \$1,000 to account No. 774, entitled Fuel.

Yours truly,

HENRY SMITH, Commissioner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS, }
September 14, 1909.

The Honorable Board of Estimate and Apportionment:

GENTLEMEN—In the matter of a communication presented to your Board from the Commissioner of Parks, Boroughs of Manhattan and Richmond, under date of September 10, 1909, requesting the transfer of \$7,000 from the appropriation made for that Department for the year 1909, entitled No. 775, Contingencies, to various other appropriations made for the same Department and same year, referred to me for consideration, I would report as follows:

An examination made of the accounts in question, all of which are for the purposes of the Metropolitan Museum of Art, shows that in some instances the balances are insufficient and in others they are in excess of the amounts required for the remainder of the year, and as the Commissioner's request involves only transfers within the appropriations made for the said museum, I recommend favorable consideration of the resolution hereunto attached.

Respectfully,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the sum of seven thousand dollars (\$7,000) be and the same is hereby transferred from the appropriation made to the Department of Parks, Boroughs of Manhattan and Richmond, for the year 1909, entitled Maintenance of Metropolitan Museum of Art (No. 775), Contingencies, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Department for the year 1909, entitled and as follows:

| | |
|---|-------------------|
| Maintenance of Metropolitan Museum of Art— | |
| 772. General Supplies | \$4,000 00 |
| 773. Materials for Repairs and Replacements by Departmental Labor | 2,000 00 |
| 774. Fuel | 1,000 00 |
| | <u>\$7,000 00</u> |

—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.

—\$8,000 from the account entitled 478, Hospitals, Willard Parker and Reception, General Supplies, to the account entitled 480, Hospitals, Willard Parker and Reception, Repairs and Replacements by Contract or Open Order, within the appropriation made to the Department of Health for the year 1909.

DEPARTMENT OF HEALTH,
CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE,
NEW YORK, September 1, 1909.

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

Sir—At a meeting of the Board of Health of the Department of Health, held September 1, 1909, the following resolution was adopted:

Resolved, That the Board of Estimate and Apportionment be and is hereby respectfully requested to approve of the transfer of \$8,000 within the Budget appropriation of the Department of Health for the year 1909, entitled No. 478, Hospitals, Willard Parker and Reception, General Supplies, the same being in excess of the amount required for the purpose thereof, to No. 480, entitled Hospitals, Willard Parker and Reception, Repairs and Replacement by Contract or Open Orders, the amount of said appropriation being insufficient.

A true copy,

EUGENE W. SCHEFFER, Secretary.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
September 14, 1909.

The Honorable Board of Estimate and Apportionment:

GENTLEMEN—A communication presented to the Secretary of the Board of Estimate and Apportionment from the Board of Health, transmitting copy of a resolution adopted by said Board of Health on September 1, 1909, requesting the transfer of \$8,000 within the appropriation for Willard Parker and Reception Hospitals for the year 1909, has been referred to me for consideration.

The Secretary to the Board of Health informed your Examiner that the money requested was needed for very necessary repairs on the Willard Parker Hospital building, the furnishing of new skylights, painting, etc.; that bids which had been received showed the cost of the work to be done would be at least \$7,900, but that the contract could not be executed until the transfer of funds had been authorized.

In order to secure the required amount of money for the purpose, it is desired to have transferred the sum of \$8,000 from the appropriation entitled No. 478, Hospitals, Willard Parker and Reception, General Supplies, for the year 1909, to the appropriation entitled No. 480, Hospitals, Willard Parker and Reception, Repairs and Replacements by Contract or Open Order, for the same year.

As the yearly rate of expenditure is not increased over that fixed for the Department of Health in the Budget for 1909, I recommend that the request be approved.

Respectfully,
H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the sum of eight thousand dollars (\$8,000) be and the same is hereby transferred from the appropriation made to the Department of Health for the year 1909, entitled Hospitals, Willard Parker and Reception (No. 478), General Supplies, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Department for the year 1909, entitled Hospitals, Willard Parker and Reception (No. 480), Repairs and Replacements by Contract or Open Order, 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.

—\$8,500 from the account entitled 1304, Bureau of Highways, Maintenance of Highways, to various other accounts within the appropriation made to the President of the Borough of Manhattan for the year 1909.

CITY OF NEW YORK,
OFFICE OF THE PRESIDENT OF THE BOROUGH OF MANHATTAN,
CITY HALL, September 1, 1909.

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—Request is hereby made for the transfer of the following funds:

| | |
|---|-------------------|
| From the appropriation (No. 1304), Maintenance of Highways..... | <u>\$8,500 00</u> |
| To the Appropriation— | |
| 1298. Bureau of Highways General Supplies..... | 500 00 |
| 1299. Bureau of Highways, Contingencies..... | 500 00 |
| 1318. Bureau of Public Buildings and Offices, Materials for Repairs and Replacements by Departmental Labor..... | 1,000 00 |
| 1325. Maintenance of Baths and Comfort Stations, General Supplies | 3,500 00 |
| 1328. Maintenance, Baths and Comfort Stations, Apparatus, Machinery, Equipment, Storage of, etc..... | 3,000 00 |

Very truly yours,

JOHN F. AHEARN, President, Borough of Manhattan.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
September 14, 1909.

The Honorable Board of Estimate and Apportionment:

GENTLEMEN—Referring to the communication of the President of the Borough of Manhattan, dated September 1, 1909, in which request is made that your Honorable Body authorize the transfer of the sum of \$8,500 from the appropriation account No. 1304, Maintenance of Highways, to replenish the following appropriation accounts:

| | |
|---|----------|
| 1298. Bureau of Highways, General Supplies..... | \$500 00 |
| 1299. Bureau of Highways, Contingencies..... | 500 00 |
| 1318. Bureau of Public Buildings and Offices, Materials for Repairs and Replacements by Departmental Labor..... | 1,000 00 |
| 1325. Bureau of Public Buildings and Offices, Maintenance, Public Baths and Comfort Stations, General Supplies..... | 3,500 00 |
| 1328. Bureau of Public Buildings and Offices, Maintenance, Public Baths and Comfort Stations, Apparatus, Machinery, Vehicles, Horses, Equipment, Care and Storage of..... | 3,000 00 |

I would report as follows:

It appears that the balances remaining to the credit of the several appropriation accounts, which the Borough President seeks to have replenished by the proposed transfer of funds, are insufficient to meet the requirements of the several Bureaus affected thereby.

I therefore recommend that the request of the President of the Borough of Manhattan be complied with.

Respectfully,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the sum of eight thousand five hundred dollars (\$8,500) be and the same is hereby transferred from the appropriation made to the office of the President, Borough of Manhattan, for the year 1909, entitled Bureau of Highways (No. 1304), Maintenance of Highways, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Department for the year 1909, entitled and as follows:

Bureau of Highways—

| | |
|--|----------|
| 1298. General Supplies | \$500 00 |
| 1299. Contingencies | 500 00 |
| Bureau of Public Buildings and Offices— | |
| 1318. Materials for Repairs and Replacements by Departmental Labor... | 1,000 00 |
| 1325. Public Baths and Comfort Stations, General Supplies..... | 3,500 00 |
| 1328. Public Baths and Comfort Stations, Apparatus, Machinery, Vehicles, Horses, Equipment, Care and Storage of..... | 3,000 00 |

\$8,500 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 communication from the Comptroller referring to the request of the Register of Kings County that a correction be made in the schedule supporting the appropriation account for his office, for the year 1909, entitled No. 1588—Salaries, so as to make the schedule conform to the payroll conditions then existing, and stating that the correction asked for has been included in the report for presentation at the meeting of September 17, 1909, relative to a transfer of funds within the appropriations made to the Register and to the Surrogate of Kings County for the year 1909.

Which was ordered on file.

The Secretary presented the following communication from the Assistant Secretary, Board of Taxes and Assessments, relative to an appropriation of \$30,000 to enable the Board of Taxes and Assessments to proceed with the work of procuring materials necessary in providing new tax assessment maps, together with report of the Comptroller recommending the issue as requested:

DEPARTMENT OF TAXES AND ASSESSMENTS,
HALL OF RECORDS,
NEW YORK, September 9, 1909.

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

GENTLEMEN—I beg to notify you that at a meeting of the Board of Taxes and Assessments, held September 9, 1909, the following resolution was adopted:

“Resolved, That requisition be and is hereby made under the provisions of chapter 542, Laws of 1892, and certified to the Board of Estimate and Apportionment for the sum of \$30,000, that amount being necessary and required to enable the Board of Taxes and Assessments to proceed with the work and procure materials necessary in providing new tax assessment maps.”

The early attention of your Honorable Board is requested thereto.

Yours respectfully,
CHARLES H. WOODHULL, Assistant Secretary.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,
September 16, 1909.

The Honorable Board of Estimate and Apportionment:

GENTLEMEN—At a meeting of the Board of Taxes and Assessments, held September 9, 1909, the following resolution was adopted:

“Resolved, That requisition be and is hereby made under the provisions of chapter 542, Laws of 1892, and certified to the Board of Estimate and Apportionment for the sum of \$30,000, that amount being necessary and required to enable the Board of Taxes and Assessments to proceed with the work and procure materials necessary in providing new assessment maps.”

Under date of September 9, 1909, Charles H. Woodhull, Acting Secretary of the Department of Taxes and Assessments, notified me of the action of said Department. I was also informed that the appropriation asked for was needed at once as there were not sufficient funds to pay the salaries of the Surveyors and Draftsmen employed in the preparation of the new tax assessment maps for the present month. The monthly payroll of said employees amounts to \$3,529.15. The balance on hand to meet their salaries for September is \$1,806.35.

This requisition of the Department of Taxes and Assessments is customary and is presented to the Board of Estimate and Apportionment under chapter 542, Laws of 1892, and sections 169, 170 and 187 of the Greater New York Charter. Section 5 of chapter 542, Laws of 1892, provides as follows:

“The expenses incurred in the preparation of the said block map and the copies thereof hereby authorized shall, from time to time, as the same are incurred, be certified by the said commissioners of taxes and assessments to the board of estimate and apportionment of said city, and upon approval thereof by said board it shall be the duty of the controller of the city to pay the respective amounts as certified and approved to the parties entitled thereto, and to raise the amounts necessary for that purpose from revenue bonds of the city to be issued in anticipation of the taxes to be levied in the year following the date of the issue of such bonds.”

The employees at present engaged in the preparation of the maps and the salaries they receive from the assessment map bond account are as follows:

| | |
|----------------------------------|------------|
| 1 Assistant Surveyor | \$3,500 00 |
| 1 Assistant Surveyor | 3,000 00 |
| 1 Assistant Surveyor | 2,500 00 |
| 4 Draftsmen at \$2,100 each..... | 8,400 00 |
| 6 Draftsmen at \$1,800 each..... | 10,800 00 |
| 2 Draftsmen at \$1,600 each..... | 3,200 00 |
| 8 Draftsmen at \$1,200 each..... | 9,600 00 |
| 1 Bookbinder | 1,350 00 |

Total..... \$42,350 00

The Assessment Map Bond account is a continuous account. During the year 1908 over 15,000 lot alterations affecting copies of tax maps used by various Departments were corrected to correspond with alterations made on the original maps. The Surveyors and Draftsmen are kept busy preparing new assessment maps in the outlying districts of the city and their work is far from being completed. Their employment is a necessity and it is mandatory to provide for the payment of their salaries.

Respectfully,
H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That, pursuant to the provisions of chapter 542 of the Laws of 1892, and sections 109, 170 and 187 of the Greater New York Charter, the Board of Estimate and Apportionment hereby approves of the requisition made by the Board of Taxes and Assessments, by resolution adopted September 9, 1909, for thirty thousand dollars (\$30,000), to be expended in preparing new tax and assessment maps; and the Comptroller be and is hereby authorized to issue, from time to time as may be necessary, Special Revenue Bonds of The City of New York to an amount not exceeding thirty thousand dollars (\$30,000), 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 following matters not upon the calendar for this day were considered by unanimous consent:

The Comptroller presented the following resolutions modifying the Budget schedules of Salaries and Salaries and Wages for the year 1909, for the office of the Board of Aldermen and City Clerk, and for the office of the Board of Estimate and Apportionment, involving no additional appropriations, but the transfer of \$1,000:

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the following Budget schedule, as revised for the Board of Aldermen and City Clerk for the year 1909:

General Administration—

9. Salaries:

| | |
|---|---------------------|
| President of the Board of Aldermen..... | \$5,000 00 |
| Aldermen, 73 at \$2,000..... | 146,000 00 |
| City Clerk | 8,000 00 |
| Chief Clerk | 5,000 00 |
| Assistant Chief Clerk..... | 2,500 00 |
| Stenographer | 2,500 00 |
| Document Clerk | 2,650 00 |
| Assistant Document Clerk..... | 2,400 00 |
| Clerks, 2 at \$2,000..... | 4,000 00 |
| Clerk | 1,750 00 |
| Clerks, 2 at \$1,800..... | 3,600 00 |
| Clerks, 3 at \$1,500..... | 4,500 00 |
| Clerk | 1,350 00 |
| Librarian | 2,000 00 |
| Sergeant-at-Arms | 1,500 00 |
| Assistant Sergeant-at-Arms, 2 at \$1,200..... | 2,400 00 |
| Assistant Sergeant-at-Arms, 6 at \$1,000..... | 6,000 00 |
| | \$201,150 00 |

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 resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the following Budget schedule as revised for the Board of Estimate and Apportionment for the year 1909:

General Administration—

982. Salaries:

| | |
|--|--------------------|
| Secretary | \$7,500 00 |
| Assistant Secretary | 4,000 00 |
| Clerk to Board..... | 4,000 00 |
| Stenographer to the Board..... | 3,500 00 |
| Clerk | 3,000 00 |
| Clerk | 2,100 00 |
| Clerk | 750 00 |
| Stenographer and Typewriter, 3 at \$1,500..... | 4,500 00 |
| Stenographer and Typewriter, 3 at \$1,350..... | 4,050 00 |
| Messenger | 1,500 00 |
| Telephone Operator | 750 00 |
| Office Boy | 300 00 |
| Balance unassigned | 600 00 |
| | \$36,550 00 |

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 resolution was offered:

Resolved, That the sum of four hundred dollars (\$400) be and the same is hereby transferred from the appropriation made to the Board of Revision of Assessments for the year 1909 entitled (1227½) Board of Revision of Assessments, the same being in excess of the amount required for the purposes thereof, to the appropriation made to the Board of Aldermen and City Clerk for the same year entitled The Board of Aldermen and City Clerk, General Administration (9), Salaries, 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.

The following resolution was offered:

Resolved, That the sum of six hundred dollars (\$600) be and the same is hereby transferred from the appropriation made to the Board of Estimate and Apportionment for the year 1909 entitled Board of Estimate and Apportionment, General Administration (982), Salaries, the same being in excess of the amount required for the purposes thereof, to the appropriation made to the Board of Aldermen and City Clerk for the same year entitled The Board of Aldermen and City Clerk, General Administration (9), Salaries, 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.

The Comptroller presented a communication from The Bronx Labor Council, requesting the Board to grant a hearing to a committee of three members of said body, relative to the interior marble work for The Bronx Court House.

Which was referred to the President, Borough of The Bronx.

The Comptroller presented a resolution of the Board of Aldermen, requesting the Board to acquire property at the foot of Hudson avenue, Brooklyn, for use as a public park.

Which was referred to the Committee on Small Parks for the Borough of Brooklyn, consisting of the Comptroller, President of the Board of Aldermen, and the President, Borough of Brooklyn.

The Comptroller presented resolutions (2) of the Board of Aldermen, as follows:

A—Requesting the Board to give early and favorable action on the question of erecting and maintaining a municipal bath establishment at Coney Island and Brighton Beach.

B—Requesting the Board to begin proceedings for the establishment of a bathing pavilion at the foot of the Concourse, Coney Island, for the purpose of hiring to the public bathing suits at a nominal figure.

Which was referred to the President, Borough of Brooklyn.

The Comptroller presented communications as follows:

From the President, Board of Education, requesting the establishment of various positions in the New York Parental School and the Brooklyn Truant School, as follows:

| | Incumbents. | Per Annum. |
|-----------------------------------|-------------|------------|
| Caretaker | 5 | \$720 00 |
| Cook | 1 | *600 00 |
| Physician | 1 | 400 00 |
| Laundryman | 1 | *600 00 |
| Additional Grades. | | |
| Gardener | 1 | 780 00 |
| Cook | 1 | 480 00 |
| Assistant Cook (additional) | 1 | *300 00 |
| Cleaner | 1 | *300 00 |
| | | ===== |

*With maintenance.

From the United States Blacksmiths' Helpers' Union, Local No. 1, of New York City and Vicinity, requesting the Board to provide for an increase in the salaries of Blacksmiths' Helpers to \$3.50 per diem, the prevailing rate of wages:

From Edwin P. Kilroe, submitting petition on behalf of the Inspectors of Sewer Construction in the Borough of Manhattan, relative to establishing a uniform salary for said position, namely at \$1,500 per annum.

From the County Clerk of Kings County, requesting the establishment of the grade of position of Custodian in the office of said County Clerk, with salary at the rate of \$1,200 per annum for three incumbents.

Which were referred to a Select Committee, consisting of the Comptroller and the President of the Board of Aldermen.

The Comptroller presented a communication from the former President, Borough of The Bronx, requesting the return of his communication, dated June 21, 1909, relative to an issue of \$3,000 Special Revenue Bonds for the maintenance of the free public bath at Elton avenue and One Hundred and Fifty-sixth street, The Bronx.

Which was ordered on file.

The President, Board of Aldermen, moved that when the Board adjourns on Friday, September 24, 1909, it adjourn to meet Monday, October 4, and that at the meeting of Friday, October 8, 1909, both financial and public improvement matters be considered, which motion was adopted.

The Comptroller presented communications as follows:

From the President, Borough of Manhattan, requesting a modification of the schedules of Salaries and Salaries and Wages accompanying the Budget for the year 1909 for the office of the President of the Borough of Manhattan (Bureau of Sewers).

From the President of the Borough of Manhattan, requesting the establishment of various positions and grades of positions under his jurisdiction in order to comply with the Civil Service rules, as follows:

| | Per Annum. |
|---|------------|
| Supervising Inspector | \$3,000 00 |
| Axeman | 1,200 00 |
| Inspector of Construction and Repairs..... | 2,100 00 |
| Inspector of Plumbing..... | 1,800 00 |
| Inspector of Markets..... | 1,800 00 |
| Inspectors of Steam Plants, \$1,350, \$1,500..... | 1,800 00 |
| Keeper of Corporation Yards..... | 1,200 00 |
| | ===== |

Which were referred to the Comptroller to report at the next meeting.

The Comptroller moved that the Board of Education be requested to furnish the Board of Estimate and Apportionment with all information as to the conditions existing which render part time classes necessary in the schools of the City, the localities in which said conditions exist, the number of classrooms entirely occupied and those either wholly or in part unoccupied, which motion was adopted.

The President of the Board of Aldermen moved that when the Board adjourns it adjourn to meet Friday, September 24, 1909, at 10.30 o'clock in the forenoon, which motion was adopted.

The Board adjourned to meet Friday, September 24, 1909, at 10.30 o'clock in the forenoon.

JOSEPH HAAG, Secretary.

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 May 22, 1909.

Public Moneys Received During Week.

| | |
|--|--------------------------|
| Bureau of Highways— | |
| For restoring and repaving pavement (water connections, openings)... | \$204 53 |
| For restoring and repaving pavement (sewer connections, openings)... | 59 28 |
| For restoring and repaving pavement (general account)..... | 39 60 |
| Bureau of Sewers— | |
| For sewer permits..... | 39 00 |
| Miscellaneous— | |
| For deposit to Special Fund, etc., received on bids..... | 4,200 00 |
| Total..... | <u><u>\$4,542 41</u></u> |

Permits Issued.

| | | |
|--|--|---|
| Bureau of Highways. | Permits to open streets to repair sewer connections..... | 3 |
| Permits to open streets to tap water pipes..... | 8 | |
| Permits to open streets to repair water pipes..... | 18 | |
| Permits to open streets to make sewer connections..... | 13 | |

Bureau of Sewers.

Permits for new sewer connections.....

Total.....

78

Requisitions Drawn on Comptroller.

| | |
|-------------------------|---------------------------|
| Contracts | \$25,077 98 |
| Open Market Orders..... | 3,086 62 |
| Payrolls | 20,494 61 |
| Total..... | <u><u>\$48,659 21</u></u> |

Statement of Laboring Force Employed.

| Bureau of Highways. | Bureau of Sewers. | Bureau of Street Cleaning. | Bureau of Public Buildings and Offices. | Engineer Corps | | Total. | | | | | | | |
|-----------------------------|-------------------|----------------------------|---|----------------|-------|-----------|---------|-----|----|---------|-----|-----------|----|
| | | | | No. | Days. | | | | | | | | |
| Foremen | 86 | 242 | 4 | 28 | 11 | 76 | 5 | 35 | 11 | 77 | 67 | 458 | |
| Assistant Foremen... | 1 | 6 | 3 | 18 1/4 | 1 | 6 | 1 | 6 | 1 | 7 | 7 | 43 1/4 | |
| Laborers | 101 | 549 1/4 | 4 | 24 1/4 | 43 | 287 3/4 | 20 | 130 | 31 | 217 | 199 | 1,208 1/4 | |
| Laborers (Crematory) | .. | .. | .. | 1 | 7 | .. | .. | .. | 1 | 7 | .. | .. | |
| Carts | 16 | 84 5/8 | 2 | 12 1/4 | .. | .. | 2 | 11 | 20 | 107 3/4 | .. | .. | |
| Carts (Garbage, etc.) | .. | .. | .. | 8 | 48 | .. | .. | .. | 8 | 48 | .. | .. | |
| Sprinkling Carts.... | 42 | 234 5/8 | .. | .. | .. | .. | .. | .. | 42 | 178 1/2 | .. | .. | |
| Teams | 32 | 147 1/4 | .. | .. | .. | .. | .. | .. | 1 | 2 | 33 | 149 1/4 | |
| Drivers | 1 | 7 | 5 | 35 | 47 | 315 | 1 | 7 | 10 | 70 | 64 | 434 | |
| Sweepers | .. | .. | .. | .. | .. | 83 | 558 1/2 | .. | .. | .. | 83 | 558 1/2 | |
| Hostlers | .. | .. | .. | .. | .. | 14 | 94 | .. | .. | .. | 14 | 94 | |
| Steam Rollers..... | 3 | 18 | .. | .. | .. | .. | .. | .. | .. | .. | 3 | 18 | |
| Steam Roller Engineers..... | 4 | 24 1/2 | .. | .. | .. | .. | .. | .. | .. | .. | 4 | 24 1/2 | |
| Auto Enginemen..... | 2 | 14 | .. | .. | .. | .. | .. | .. | .. | .. | 2 | 14 | |
| Sewer Cleaners..... | .. | .. | 29 | 176 1/8 | .. | .. | .. | .. | .. | .. | 29 | 176 1/8 | |
| Janitors | .. | .. | .. | .. | .. | .. | .. | 3 | 21 | .. | 3 | 21 | |
| Janitress | .. | .. | .. | .. | .. | .. | .. | 1 | 7 | .. | 1 | 7 | |
| Female Cleaners..... | .. | .. | .. | .. | .. | .. | .. | 6 | 42 | .. | 6 | 42 | |
| Stationary Enginemen | .. | .. | .. | .. | .. | .. | 1 | 7 | 2 | 14 | .. | 3 | 21 |
| Stokers | .. | .. | .. | .. | .. | .. | 1 | 7 | 4 | 28 | .. | 5 | 35 |
| Elevatorman | .. | .. | .. | .. | .. | .. | .. | 1 | 6 | .. | 1 | 6 | |
| Varnisher | .. | .. | .. | .. | .. | .. | .. | 1 | 6 | .. | 1 | 6 | |
| Total..... | 234 | 1,306 5/8 | 47 | 2,447 1/4 | 210 | 1,408 5/8 | 45 | 302 | 56 | 384 | 592 | 3,696 5/8 | |

Work Done.

| | | | |
|---|-------|---|-----|
| Linear feet of sewer cleaned..... | 3,150 | Number of flush tanks examined.. | 109 |
| Number of basins cleaned..... | 157 | Number of flush tanks cleaned.... | 6 |
| Number of basins examined..... | 327 | Number of flush tanks repaired.... | 5 |
| Number of manholes examined.... | 230 | Bureau of Street Cleaning. | |
| Number of manholes rebuilt..... | 20 | Number of loads of ashes and rub- ish | 511 |
| Number of manholes cleaned..... | 25 | Number of manholes rebuilt..... | 3 |
| Number of manholes repaired..... | 2 | Number of manholes cleaned..... | 161 |
| Linear feet of culverts rebuilt..... | 20 | Number of manholes repaired..... | 5 |
| Linear feet of culverts repaired.... | 3 | Linear feet of culverts repaired.... | 49 |
| Linear feet of culverts and drains cleaned: culverts, 471; drains, 445. | 916 | Number of loads of mixed refuse collected | 90 |

Appointments, Removals, etc.

M. F. Sweeny, New Brighton, Driver (Street Cleaning) \$720; dropped from roll May 18.

W. Corsan, Port Richmond, Driver, \$720; dropped from roll May 18.

E. Merrill, Mariners Harbor, Laborer (Highways), \$2.50; increase, May 17; effective May 24.

A. Hanlon, New Brighton, Laborer, \$2.50; increase, May 17; effective May 24.

D. B. McCullough, Port Richmond, Laborer, \$2.50; increase, May 17; effective May 24.

GEORGE CROMWELL, President, Borough of Richmond.

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 May 29, 1909.

Public Moneys Received During Week.

| | |
|--|------------------------|
| Bureau of Highways— | |
| For restoring and repaving pavement (water connections, openings)..... | \$110 65 |
| For restoring and repaving pavement (sewer connections, openings)..... | 93 53 |
| For restoring and repaving pavement (general account)..... | 83 32 |
| Bureau of Sewers— | |
| For sewer permits..... | 33 00 |
| Total..... | <u><u>\$320 50</u></u> |

Permits Issued.

| | | |
|---|--|---|
| Bureau of Highways. | Permits to place building materials on streets | 3 |
| Permits to open streets to tap water pipes | 8 | |
| Permits to open streets to repair water pipes | 18 | |
| Permits to open streets to make sewer connections | 10 | |
| Permits to open streets to repair sewer connections | 13 | |
| Total | 77 | |

Bureau of Highways.

Permits to open streets to repair sewer connections

3

| Requisitions Drawn on Comptroller. | | | | | | | | | | | |
|------------------------------------|--|--|--|--|--|--|--|--|--|--|--|
| Contracts | | | | | | | | | | | |
| Open Market Orders..... | | | | | | | | | | | |
| Miscellaneous | | | | | | | | | | | |
| Payrolls | | | | | | | | | | | |
| Total..... | | | | | | | | | | | |
| | | | | | | | | | | | |

Statement of Laboring Force Employed.

| Bureau of Highways. | Bureau of Sewers. | Bureau of Street Cleaning. | Bureau of Public Buildings and Offices. | Engineer Corps | | Total. |
|---------------------|-------------------|----------------------------|---|----------------|-------|--------|
| | | | | No. | Days. | |
| Foremen | 36 | | | | | |

| | 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. | |
| Hostlers | .. | .. | .. | .. | 14 | 97 | .. | .. | .. | .. | 14 | 97 | |
| Steam Rollers..... | 3 | 15 | .. | .. | .. | .. | .. | .. | .. | .. | 3 | 15 | |
| Steam Roller Engineers..... | 4 | 20 1/2 | .. | .. | .. | .. | .. | .. | .. | 4 | 20 1/2 | | |
| Auto Enginemen.... | 2 | 14 | .. | .. | .. | .. | .. | .. | .. | 2 | 14 | | |
| Sewer Cleaners.... | .. | 29 | 142 1/2 | .. | .. | .. | .. | .. | .. | 29 | 142 1/2 | | |
| Janitors | .. | .. | .. | .. | .. | .. | 3 | 21 | .. | 3 | 21 | | |
| Janitress | .. | .. | .. | .. | .. | .. | 1 | 7 | .. | 1 | 7 | | |
| Female Cleaners.... | .. | .. | .. | .. | .. | .. | 6 | 42 | .. | 6 | 42 | | |
| Stationary Enginemen .. | .. | .. | .. | .. | 1 | 7 | 2 | 14 | .. | 3 | 21 | | |
| Stokers | .. | .. | .. | .. | 1 | 7 | 4 | 28 | .. | 5 | 35 | | |
| Elevatormen | .. | .. | .. | .. | .. | .. | 1 | 5 | .. | 1 | 5 | | |
| Varnisher | .. | .. | .. | .. | .. | .. | 1 | 6 | .. | 1 | 6 | | |
| | Total..... | 240 | 1102 1/2 | 47 | 247 1/2 | 212 | 1397 1/2 | 46 | 300 | 59 | 390 | 604 | 3437 1/2 |

Appointments, Removals, etc.

Chas. W. Sherman, Castleton Corners, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909.

M. Sandaro, New Brighton, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909.

R. Guastavino, Rosebank, Laborer (Engineering Corps-Construction), \$2; appointed June 1, 1909; effective June 3, 1909.

J. Fauss, Port Richmond, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909.

G. C. Thompson, Tompkinsville, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909; appointment cancelled.

W. L. Conner, Huguenot Park, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909; declined appointment.

G. W. Abbott, Tottenville, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909; appointment cancelled.

G. Caggiano, Rosebank, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909; appointment cancelled.

A. Navarini, New Brighton, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909; appointment cancelled.

A. Fanchello, New Brighton, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909; appointment cancelled.

Geo. Keller, Mariners Harbor, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909.

Wm. Gibbons, Concord, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909.

W. C. Noller, Eltingville, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909.

J. O'Neill, Rosebank, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909.

J. Harlan, New Brighton, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909.

Geo. T. Warren, Port Richmond, Laborer (Public Buildings and Offices), \$2; appointed June 1, 1909; effective June 3, 1909.

Cuyler Van Vechten, Tompkinsville, Laborer (Engineering Corps-Topographical), \$2; appointed June 1, 1909; effective June 3, 1909.

Geo. Rix, Stapleton, Laborer (Engineering Corps-Construction), \$2; appointed June 1, 1909; effective June 3, 1909.

R. K. Reimer, Tottenville, Laborer (Highways), \$2; appointed June 1, 1909; effective June 3, 1909.

G. C. Batz, Tompkinsville, Laborer (Engineering Corps-Construction), \$2; appointed June 1, 1909; effective June 3, 1909.

J. A. McCarthy, Port Richmond, Laborer (Engineering Corps-Construction), \$2; appointed June 1, 1909; effective June 3, 1909.

James Doody, New Brighton, Laborer (Street Cleaning), \$3; appointed June 1, 1909; effective June 2, 1909.

L. T. Rodgers, Arrochar, Laborer (Street Cleaning), \$3; appointed June 1, 1909; effective June 2, 1909.

J. Meehan, New Brighton, Sewer Cleaner, \$2.25; increase June 1, 1909; effective June 7, 1909.

Wm. Sussmann, Graniteville, Foreman (Street Cleaning), \$1.050; appointed June 2, 1909; effective June 3, 1909.

Andrew Darcey, New Brighton, Foreman (Street Cleaning), \$1.050; transferred to Engineering Corps-Construction June 2, 1909; effective June 3, 1909.

A. Lenza, Stapleton, Laborer (Highways), \$2; appointed June 4, 1909; effective June 7, 1909.

M. Mastangelo, Rosebank, Sewer Cleaner, \$2.25; increase June 5, 1909; effective June 7, 1909.

F. Mezzacapipa, New Brighton, Sewer Cleaner, \$2.25; increase and change of title June 5, 1909; effective June 7, 1909.

GEORGE CROMWELL, President, Borough of Richmond.

DEPARTMENT OF PUBLIC CHARITIES.

List of Changes in the Department of Public Charities During the Week Ending September 25, 1909.

September 21—Apgar, Edith M., restored to payroll, Pupil Nurse, New York City Training School, Blackwells Island, \$180 per annum.

September 1—Bader, Harry, appointed, Hospital Helper, Municipal Lodging House, \$300 per annum; certified September 1, 1909.

September 11—Brown, William, dropped, five days, 11, 12, 13, 14 and 15, owing to illness, Hospital Helper, City Home, Blackwells Island, \$240 per annum.

September 15—Basheim, Joseph, title changed from Hospital Helper to Hospital Clerk, Bureau of Dependent Children, \$600 per annum; certified Civil Service September 7, 1909.

September 20—Blackley, Minnie M., restored to payroll, Pupil Nurse, New York City Training School, Blackwells Island, \$180 per annum.

September 8—Black, James J., appointed, Hospital Helper, Kings County Hospital, \$240 per annum; certified September 8, 1909.

September 7—Brown, William, appointment made permanent, licensed Fireman, City Home, Blackwells Island, \$3 per diem; certified, Civil Service, July 8, 1909; was appointed, temporarily, on July 5, 1909.

September 18—Clark, Carolina, resigned, Hospital Helper, Kings County Hospital, \$240 per annum.

September 20—Collins, James J., salary increased, Hospital Helper, Kings County Hospital, \$240 per annum to \$300 per annum.

September 15—Callahan, Mary A., dismissed, Hospital Helper, New York City Children's Hospitals and Schools, Randalls Island, \$240 per annum; neglect of duty.

September 3—Doherty, Robert J., dropped, Hospital Helper, Kings County Hospital, \$300 per annum; own request.

September 23—Doherty, Robert J., restored to payroll of Kings County Hospital as Hospital Helper, \$240 per annum.

September 21—Downing, William P., promoted, Hospital Helper, New York City Children's Hospitals and Schools, Randalls Island, \$360 to \$420 per annum.

September 17—Evans, Sarah A., appointed, Trained Nurse, Kings County Hospital, \$600 per annum; certified September 17, 1909.

September 7—FitzGerald, Annie, appointed, Hospital Helper, City Home, Brooklyn, \$300 per annum; certified September 7, 1909.

September 9—Flood, Annie, restored to payroll, Hospital Helper, Kings County Hospital, \$216 per annum.

September 18—Grymes, Thomas H., dropped, Engineer (temporary) Steamboats, \$1,350 per annum; service no longer necessary.

September 21—Gough, Thomas, dropped, Hospital Helper, Kings County Hospital, \$240 per annum; own request.

September 17—Griffin, Junie, dismissed, Hospital Helper, City Farm Colony, \$180 per annum; intoxication.

September 27—Haley, Mary E., resigned, Clerical Assistant, Central office, Manhattan, \$420 per annum.

September 21—Howard, Robert C., appointment extended ten days, Apothecary (temporary), General Drug Department, \$75 per month.

September 1—Hughes, Charles, appointed, Hospital Helper, City Home, Brooklyn, \$240 per annum; certified September 1, 1909.

September 4—Hoerberlein, Max, Jr., appointed, Hospital Helper, Kings County Hospital, \$240 per annum; certified September 4, 1909.

September 1—Holden, John B., appointed, Hospital Helper, Kings County Hospital, \$240 per annum; certified September 1, 1909.

September 15—Kapps, Charles, dropped, Fireman (temporary), Cumberland Street Hospital, \$3 per diem; services unnecessary.

September 15—Kehoe, Daniel, dismissed, Hospital Helper, Metropolitan Hospital, Blackwells Island, \$240 per annum; intoxication.

September 19—Lane, Minnie, dropped, Cook, Metropolitan Training School, Blackwells Island, \$480 per annum; absence without leave.

September 15—Lester, Michael, dismissed, Hospital Helper, Kings County Hospital, \$240 per annum; he being undesirable.

September 17—Leavy, Minnie, resigned, Hospital Helper, Kings County Hospital, \$180 per annum.

September 19—Lane, John J., dropped, Hospital Helper, Kings County Hospital, \$300 per annum; own request.

September 15—Lamb, Gerald, dismissed, Hospital Helper, Kings County Hospital, \$240 per annum; absence without leave.

September 23—Murphy, Frank J., appointed, Clerk, Bureau of Dependent Adults, \$600 per annum; certified, Civil Service, September 15, 1909.

September 17—Marshall, Annie, dropped, Hospital Helper, Metropolitan Training School, Blackwells Island, \$300 per annum; illness at home.

September 18—McFadden, Lizzie C., dropped, Hospital Helper, Metropolitan Training School, Blackwells Island, \$300 per annum; illness.

October 1—McPherson, Alexander, title changed from Hospital Helper to Hospital Clerk, General Drug Department, \$600 per annum; certified, Civil Service, September 7, 1909.

September 21—Mooney, Mary, resigned, Hospital Helper, Kings County Hospital, \$240 per annum.

September 16—Moran, Hannah, appointed, Cook, Metropolitan Training School, Blackwells Island, \$480 per annum; certified September 16, 1909.

September 10—McTeran, James, dropped, four days, City Home, Blackwells Island, \$3 per diem; licensed Fireman.

September 21—Pheiffer, Edward G., dismissed, Hospital Helper, City Hospital, Blackwells Island, \$480 per annum; overstaying pass.

September 1—McFadden, James, restored to payroll, Hospital Helper, Kings County Hospital, \$240 per annum.

September 8—Mellon, John, restored to payroll, Hospital Helper, Kings County Hospital, \$240 per annum.

September 1—Murphy, Arthur J., appointed, Hospital Helper, Kings County Hospital, \$240 per annum; certified September 1, 1909.

September 15—Murphy, Mary, resigned, Hospital Helper, Kings County Hospital, \$216 per annum.

September 20—Pendleton, Charles L., resigned, Hospital Helper, Kings County Hospital, \$240 per annum.

September 9—O'Connell, Patrick A., appointed, Hospital Helper, Kings County Hospital, \$240 per annum; certified September 9, 1909.

September 1—Rall, Charles S., dropped, Painter, Bureau of Mechanics, \$4 per diem (transferred to the office of the President of the Borough of Queens.)

September 18—Rice, Julianna, appointed, Seamstress, New York City Children's Hospitals and Schools, Randalls Island, \$204 per annum; certified September 18, 1909.

September 20—Rivers, John J., appointed, Painter, Bureau of Mechanics, Manhattan, \$4 per diem; certified, Civil Service, September 14, 1909.

September 30—Rushe, Annie M., resigned, Hospital Helper, City Home, Brooklyn, \$240 per annum.

September 20—Romandetti, Tom, dismissed, Hospital Helper, New York City Children's Hospitals and Schools, Randalls Island, \$420 per annum.

September 15—Ruddy, Michael J., dropped, Hospital Helper, Kings County Hospital, \$240 per annum; own request.

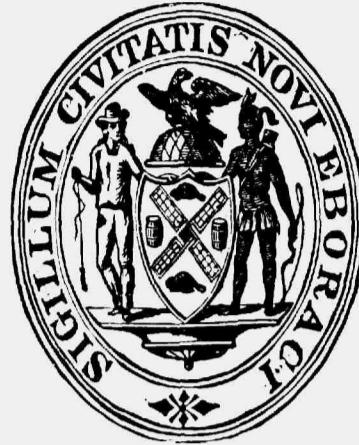
September 1—Solomon, Alexander, transferred to Department of Taxes and Assessments, Bureau of Dependent Adults, \$600 per annum; Clerk.

where necessary, all of the present plumbing fixtures, in the basement, wash basin, in dormitory on second floor, wash basin, bath tub and W. C. of the Nurses' toilet room; on the third floor repair the metal ceiling and all plaster on all floors, where the same are disturbed; repair closets in both corners of the Matrons' room, and do all necessary carpenter work and painting, and leave all rooms south of the south toilet in good condition, for eight hundred and sixty-five dollars (\$865) (no other bids received), is accepted, as above specified, and you are hereby directed to proceed with the work.

By direction of the Commissioner.

Respectfully yours,

J. MCKEE BORDEN, Secretary.



CHANGES IN DEPARTMENTS, ETC.

DEPARTMENT OF DOCKS AND FERRIES.

October 1—The Commissioner has transferred Frank C. Donigan from the position of Janitor-Engineer in the Department of Education and has appointed him to the position of Stationary Engineer in this Department at 56½ cents per hour, to take effect October 5, 1909.

BOARD OF WATER SUPPLY.

October 4—

Separtions.

George Hart, Jr., temporary Inspector; last day's service, September 20; establishment of permanent eligible list of Inspector.

Merton E. DeLaMater, temporary Inspector; last day's service, September 12; establishment of permanent eligible list of Inspector.

Willard B. VanInwegen, temporary Inspector; last day's service, September 12; establishment of permanent eligible list of Inspector.

Norman C. Hill, Rodman; last day's service, September 19; appointed Inspector.

The Board of Water Supply has made the following appointments:

Horatio Seymour, Jr., Cornwall-on-Hudson, N. Y., Miner, \$3 per day (50 cents additional per day when working in shafts), September 23.

Patrick Diviny, Cornwall, N. Y., Mining Blacksmith, \$3.50 per day, September 23.

Mulford Stow, Middletown, N. Y., Inspector, \$4.50 per day (50 cents additional per day when working in shafts or tunnels), September 27.

David H. Hill, New Paltz, N. Y., Inspector, \$4.50 per day (50 cents additional per day when working in shafts or tunnels), September 27.

William Logan, No. 302 West Twenty-seventh street, Automobile Engineer, \$1,200 per annum, September 15.

Separtions.

William W. Brush, Assistant Engineer, last day's service, September 14; appointed Department Engineer.

The Board of Water Supply has made the following appointments:

William W. Brush, No. 194 Hancock street, Brooklyn, Department Engineer, \$6,000 per annum; commencing duty, September 15.

Alfred Noble, No. 501 West One Hundred and Twentieth street, Consulting Engineer, \$8,000 per annum; commencing duty, September 16.

October 5—

Appointment.

Austin J. Ford, No. 155 East Ninety-sixth street, Patrolman on Aqueduct, \$75 per month; commencing duty, September 29.

DEPARTMENT OF FINANCE.

October 1—Richard L. Johnson, No. 58 West Fifty-ninth street, and Meyer Parment, No. 309 East Seventy-ninth street, have been appointed as Bookkeepers in the Bureau for the Collection of Assessments and Arrears, with salaries at the rate of \$1,200 each, taking effect October 18 and October 1, respectively.

October 4—The following persons have been appointed as Inspectors of Repairs and Supplies in the Division of Inspection of this Department, taking effect October 5, 1909:

Edward M. Griffiths, \$1,200.

Thomas E. Mundon, \$1,200.

William J. Schade, \$1,200.

Harry C. Frazer, \$1,200.

Frank J. Florence, \$1,200.

William A. Finn, \$1,200.

Hugh M. Foster, \$1,200.

Thomas J. York, \$1,200.

Adolph H. Witschibien, \$1,500.

Walter J. Nolan, No. 242 New York avenue, Brooklyn, has been appointed as temporary Clerk (Searcher) in the Bureau for the Collection of Assessments and Arrears, with compensation at 50 cents per hour, taking effect October 5, 1909.

FIRE DEPARTMENT.

October 4—

Appointed.

Boroughs of Manhattan, The Bronx and Richmond.

John J. Gaffney and Charles J. Sheeran, appointed as Clerks, with salary each at the rate of \$480 per annum, to take effect from October 1, 1909, and assigned to the Repair Shops.

Resigned.

Boroughs of Manhattan, The Bronx and Richmond.

Clerk Charles E. Bennett, Jr., Repair Shops, resigned, to take effect from September 2, 1909.

Suspended from Pay and Duty.

Boroughs of Manhattan, The Bronx and Richmond.

Wheelwright Michael Shields, Repair Shops, having been found guilty of the charge preferred against him, tried September 30, 1909, has been suspended from pay and duty for one week, beginning September 27, 1909.

Died.

Boroughs of Manhattan, The Bronx and Richmond.

Robert Mannle, Stableman, Hospital and Training Stables, 8:30 a. m., September 30, 1909.

Revocation of Special Order.

In accordance with the decision of Justice F. E. Crane, Supreme Court, County of Kings, Foreman Cornelius Cunningham, Hose Company 6, Borough of Queens, has been reinstated as a Foreman in this Department, to take effect as of May 1, 1909, and Special Order No. 69, dated April 30, 1909, directing the retirement of the said Cornelius Cunningham has been revoked, and he has been assigned to the Chief of Department for assignment to duty.

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 often 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.; Saturday, 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.

Patrick Derry, Chief of Bureau.

BUREAU OF LICENSES.

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.

Major 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; John B. Pine, Secretary; A. Augustus Healy, President of the Brooklyn Institute of Arts and Sciences; George B. McClellan, Mayor of the City of New York; John Bigelow, President of New York Public Library; Arnold W. Brunner, Architect; Charles Howland Russell, Frederic B. Pratt, Herbert Adams, Sculptor.

John Quincy Adams, Assistant Secretary.

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, 750 Cortlandt.

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

Joseph F. Prendergast, First Deputy.

John T. Oakley, Chief Clerk of the Board of Aldermen.

Joseph V. Sculley, Clerk, Borough of Brooklyn.

Thomas J. McCabe, Deputy City Clerk, Borough of the Bronx.

William R. Zimmerman, Deputy City Clerk, Borough of Queens.

Joseph F. O'Grady, Deputy City Clerk, Borough of Richmond.

CITY RECORD OFFICE.

BUREAU OF PRINTING, STATIONERY AND BLANK BOOKS.

Supervisor's Office, Park Row Building, No. 21 Park Row. Entrance, Room 607, 9 a. m. to 4 p. m.

Saturdays, 9 a. m. to 12 m.

Telephone, 1505 and 1506 Cortlandt. Supply Room, No. 2, City Hall.

Patrick J. Tracy, Supervisor; Henry McMillen Deputy Supervisor C. McKemie, Secretary.

BOARD OF ASSESSORS.

Office, No. 320 Broadway, 9 a. m. to 4 p. m.; Saturday, 12 m.

Antonio Zucca.

Paul Weimann.

James H. Kennedy.

William H. Jasper, Secretary.

Telephone, 29, 30 and 31 Worth.

BOARD OF ALDERMEN.

No. 11 City Hall, 10 a. m. to 4 p. m.; Saturdays 10 a. m. to 12 m.

Telephone, 750 Cortlandt.

Patrick F. McGowan, President.

P. J. Scully, City Clerk.

BOARD OF ELECTIONS.

Headquarters General Office, No. 107 West Forty-first Street.

Commissioners—John T. Dooling (President) Charles B. Page (Secretary), James Kane, John E. Smith.

Michael T. Daly, Chief Clerk.

Telephone, 2940 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, 6 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.

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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 DIVISION.
Frank W. Smith, Chief Accountant and Bookkeeper, Room 8.

AWARDS DIVISION.
Joseph R. Kenny Bookkeeper in Charge, Room 1.

CONTRACT DIVISION.
John H. Andrews, Clerk in Charge, Room 86.

STOCK AND BOND DIVISION.
James J. Sullivan, Chief Stock and Bond Clerk, Room 84.

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 184.

BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS.
Charles S. Hervey, Supervising Statistician and Examiner, Room 186.

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

OFFICE OF THE CITY PAYMASTER.
No. 83 Chambers street and No. 65 Reade street.
John H. Timmerman, City Paymaster.

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

DIVISION OF INSPECTION.
William M. Hoge, Auditor of Accounts in Charge Room 39.

DIVISION OF REAL ESTATE.
Mortimer J. Brown, Appraiser of Real Estate Rooms 101, 103 and 105.

BUREAU FOR THE COLLECTION OF TAXES.
Borough of Manhattan—Stewart Building, Room 0.

David E. Austen, Receiver of Taxes.
John J. McDonough and William H. Loughran, Deputy Receivers of Taxes.

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

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

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

Thomas J. Drennan and William Gallagher, Deputy Receivers of Taxes.
Borough of Queens—Hackett Building, Jackson avenue and Fifth street, Long Island City.

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

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

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

BUREAU FOR THE COLLECTION OF ASSESSMENT AND ARREARS.

Borough of Manhattan, Stewart Building, Room 1.

Daniel Moynahan, Collector of Assessments and Arrears.

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

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

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

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

John M. Gray, Deputy Collector of Assessments and Arrears.

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

Thomas A. Healy, Deputy Collector of Assessments and Arrears.

Borough of Richmond—St. George, New Brighton.

John J. McGann, Deputy Collector of Assessments and Arrears.

BUREAU FOR THE COLLECTION OF CITY REVENUE AND OF MARKETS.

Stewart Building, Chambers street and Broadway, Room 141.

Peter Aitken, Collector of City Revenue and Superintendent of Markets.

David O'Brien, Deputy Collector of City Revenue.

BUREAU FOR THE EXAMINATION OF CLAIMS.

Frank J. Prial, Chief Examiner, Room 181.

BUREAU OF THE CITY CHAMBERLAIN.

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

James J. Martin, City Chamberlain.

Henry J. Walsh, Deputy Chamberlain.

Telephone, 4270 Worth

DEPARTMENT OF HEALTH.

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

Burial Permit and Contagious Disease offices always open.

Telephone, 4900 Columbus.

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

Alvah H. Doty, M. D.; William F. Baker, Commissioners.

Walter Bensel, M. D., Sanitary Superintendent.

Eugene W. Scheffer, Secretary.

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

James McCuller, Chief Clerk.

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

Borough of Manhattan.

Traverse R. Maxwell, M. D., Assistant Sanitary Superintendent; George A. Roberts, Assistant Chief Clerk.

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

Borough of The Bronx, No. 3731 Third avenue.

Alonzo Blauvelt, M. D., Acting Assistant Sanitary Superintendent; Ambrose Lee, Jr., Assistant Chief Clerk; Arthur J. O'Leary, M. D., Assistant Registrar of Records.

Borough of Brooklyn, Nos. 38 and 40 Clinton street.

Alonzo Blauvelt, M. D., Assistant Sanitary Superintendent; Alfred T. Metcalfe, Assistant Chief Clerk; S. J. Byrne, M. D., Assistant Registrar of Records.

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

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

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

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

DEPARTMENT OF PARKS.

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

William J. Fransoli, Secretary.

Offices, Arsenal, Central Park.

Telephone, 201 Plaza.

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

Offices, Litchfield Mansion, Prospect Park, Brooklyn.

Telephone, 2300 South.

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

Office, Browne's Mansion, Claremont Park.

Office hours, 9 a. m. to 4 p. m.; Saturdays, 12 m.

Telephone, 2640 Tremont.

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DEPARTMENT OF PUBLIC CHARITIES.

PRINCIPAL OFFICE.

Foot of East Twenty-sixth street, 9 a. m. to 4 p. m.

Saturdays, 12 m.

Telephone, 3350 Madison Square.

Robert W. Heberd, Commissioner.

Richard C. Baker, First Deputy Commissioner.

Thomas W. Hynes, Second Deputy Commissioner for Brooklyn and Queens, Nos. 327 to 331 Schermerhorn street, Brooklyn. Telephone, 2977 Main.

J. McKee Borden, Secretary.

Plans and Specifications, Contracts, Proposals and Estimates for Work and Materials for Building, Repairs and Supplies, Bills and Accounts, 9 a. m. to 4 p. m.; Saturdays, 12 m.

Bureau of Dependent Adults, foot of East Twenty-sixth street. Office hours, 8:30 a. m. to 4 p. m.

The Children's Bureau, No. 66 Third Avenue.

Office hours, 8:30 a. m. to 4 p. m.

Jeremiah Connally, Superintendent for Richmond Borough, Borough Hall, St. George, Staten Island.

Telephone, 1000 Tompkinsville.

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DEPARTMENT OF STREET CLEANING.

Nos. 13 to 21 Park row, 9 a. m. to 4 p. m.

Telephone, 3863 Cortlandt.

William H. Edwards, Commissioner.

James J. Hogan, Deputy Commissioner, Borough of Manhattan.

Owen J. Murphy, Deputy Commissioner, Borough of Brooklyn.

Julian Scott, Deputy Commissioner, Borough of the Bronx.

John J. O'Brien, Chief Clerk.

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DEPARTMENT OF TAXES AND ASSESSMENTS.

Hall of Records, corner of Chambers and Centre streets. Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Commissioners—Lawson Purdy, President; Frank Raymond, James H. Tully, Charles Putzel, Hugh Hastings, Charles J. McCormack, John J. Halloran.

Telephone, 3900 Worth.

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BUREAU FOR THE COLLECTION OF ARREARS OF PERSONAL TAXES.

No. 280 Broadway, 5th floor. Office hours for public, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Telephone, 4585 Worth.

Geo. O'Reilly, Assistant in charge.

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TENEMENT HOUSE BUREAU AND BUREAU OF BUILDINGS.

No. 44 East Twenty-third street, 9 a. m. to 4 p. m.

Saturdays, 9 a. m. to 12 m.

Telephone, 1661 Gramercy.

John P. O'Brien, Assistant in charge.

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METROPOLITAN SEWERAGE COMMISSION.

Office, No. 17 Battery place, George A. Soper, Ph. D., President; James H. Fuertes, Secretary, H. D. Parsons, Charles Sooysmith, Linsly R. Williams, M. D.

Telephone, 1694 Rector.

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MUNICIPAL CIVIL SERVICE COMMISSION.

No. 299 Broadway, 9 a. m. to 4 p. m.

Frank L. Polk, R. Ross Appleton, Arthur J. O'Keefe.

Frank A. Spencer, Secretary.

John F. Skelly, Assistant Secretary.

Labor Bureau.

Nos. 54-60 Lafayette street.

Telephone, 2140 Worth.

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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 B. Breneman.

Telephone, 650 Plaza.

Stated meeting, Friday of each week, at 3 p. m.

Telephone, 3520 Main.

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POLICE DEPARTMENT.

CENTRAL OFFICE.

No. 300 Mulberry street, 9 a. m. to 4 p. m.

Telephone, 3100 Spring.

William F. Baker, Commissioner.

Frederick H. Bugher, First Deputy Commissioner.

Charles W. Kirby, Second Deputy Commissioner.

Josiah A. Stover, Third Deputy Commissioner.

Alfred W. Boorham, Fourth Deputy Commissioner.

William H. Kipp, Chief Clerk.

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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

PUBLIC ADMINISTRATOR.
No. 119 Nassau street, 9 a. m. to 4 p. m.
William M. Hoes, Public Administrator.
Telephone, 6376 Cortlandt.

REGISTER.

Hall of Records. Office hours, from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. During the months of July and August the hours are from 9 a. m. to 2 p. m.

Frank Gass, Register.
William H. Sinnott, Deputy Register.
Telephone, 3900 Worth.

SHERIFF.

No. 299 Broadway, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Except during July and August, 9 a. m. to 2 p. m.; Saturdays, 9 a. m. to 12 m.
Thomas F. Foley, Sheriff.
John F. Gilchrist, Under Sheriff.
Telephone, 4984 Worth.

SURROGATE.

Hall of Records. Court open from 9 a. m. to 4 p. m., except Saturday when it closes at 12 m. During the months of July and August the hours are from 9 a. m. to 2 p. m.
Abner C. Thomas and John P. Cahalan, Surrogates; William V. Leahy, Chief Clerk.

KINGS COUNTY.**COMMISSIONER OF JURORS.**

County Court-house.
Jacob Brenner, Commissioner.
Jacob A. Livingston, Deputy Commissioner.
Albert B. Waldron, Secretary.
Office hours from 9 a. m. to 4 p. m.; Saturdays, from 9 a. m. to 12 m.
Office hours during July and August, 9 a. m. to 2 p. m.; Saturdays, 9 a. m. to 12 m.
Telephone, 1454 Main.

COMMISSIONER OF RECORDS.

Hall of Records.
Office hours, 9 a. m. to 4 p. m., excepting months of July and August, then 9 a. m. to 2 p. m., 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, 2955-7 Main.

PUBLIC ADMINISTRATOR.

No. 44 Court street (Temple Bar), Brooklyn, 9 a. m. to 5 p. m.
Charles E. Teale, Public Administrator.
Telephone, 2840 Main.

REGISTER.

Hall of Records. Office hours, 9 a. m. to 4 p. m., excepting months of July and August; then from 9 a. m. to 2 p. m., provided for by statute.
William A. Prendergast, Register.
Frederick H. E. Epstein, Deputy Register.
Telephone, 2830 Main.

SHERIFF.

County Court-house, Brooklyn, N. Y.
9 a. m. to 4 p. m.; Saturdays, 12 m.
Alfred T. Hobley, Sheriff.
James P. Connel, 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 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 Juries.
Rodman Richardson, Assistant Commissioner.
Telephone, 455 Greenpoint.

COUNTY CLERK.

No. 354 Fulton street, Jamaica, Fourth Ward Borough of Queens, City of New York.
Office open, 9 a. m. to 4 p. m.; Saturday, 9 a. m. to 12 m.
John Niederstein, County Clerk.

Frank C. Klingenberg, Secretary.
Henry Walter, Jr., Deputy County Clerk.
Telephone, 151 Jamaica.

COUNTY COURT.

Temporary County Court-house, Long Island City. County Court opens at 10 a. m. Trial Terms begin first Monday of each month, except July, August and September. Special Terms each Saturday, except during August and first Saturday of September. County Judge's office always open at No. 356 Fulton street, Jamaica, N. Y.
Burt J. Humphrey, County Judge.
Telephone, 286 Jamaica.

DISTRICT ATTORNEY.
Office, Queens County Court-house, Long Island City, 9 a. m. to 5 p. m.
Frederick G. De Witt, District Attorney.
Telephone, 39 Greenpoint.

PUBLIC ADMINISTRATOR.
No. 17 Cook avenue, Elmhurst.
John T. Robinson, Public Administrator, County of Queens.
Telephone, 335 Newtown.

SHERIFF.
County Court-house, Long Island City, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.
Herbert S. Harvey, Sheriff.
John M. Phillips, Under Sheriff.
Telephone, 43 Greenpoint (office).
Henry O. Schleth, Warden, Queens County Jail.
Telephone, 372 Greenpoint.

SURROGATE.
Daniel Noble, Surrogate.
Wm. F. Hendrickson, Clerk.
Office, No. 354 Fulton street, Jamaica.
Except on Sundays, holidays and half holidays, the office is open from 9 a. m. to 4 p. m.; Saturdays, from 9 a. m. to 12 m.
The calendar is called on Tuesday of each week at 10 a. m., except during the month of August.
Telephone, 397 Jamaica.

RICHMOND COUNTY.
COMMISSIONER OF JURORS.
Village Hall, Stapleton.
Charles J. Kullman, Commissioner.
John J. McCaughay, Assistant Commissioner.
Office open from 9 a. m. until 4 p. m.; Saturdays, from 9 a. m. to 12 m.
Telephone, 81 Tompkinsville.

COUNTY CLERK.
County Office Building, Richmond, S. I., 9 a. m. to 4 p. m.
C. L. Bostwick, County Clerk.
County Court-house, Richmond, S. I., 9 a. m. to 4 p. m.
Telephone, 28 New Dorp.

COUNTY JUDGE AND SURROGATE.
Terms of Court, Richmond County, 1909.
County Courts—Stephen D. Stephens, County Judge.
First Monday of June, Grand and Trial Jury.
Second Monday of November, Grand and Trial Jury.
Fourth Wednesday of January, without a Jury.
Fourth Wednesday of February, without a Jury.
Fourth Wednesday of March, without a Jury.
Fourth Wednesday of April, without a Jury.
Fourth Wednesday of May, without a Jury.
Fourth Wednesday of September, without a Jury.
Fourth Wednesday of October, without a Jury.
Fourth Wednesday of December, without a Jury.
Surrogate's Court—Stephen D. Stephens, Surrogate.
Mondays, at the Borough Hall, St. George, at 10:30 o'clock a. m.
Tuesdays, at the Borough Hall, St. George, at 10:30 o'clock a. m.
Wednesdays, at the Surrogate's Office, Richmond at 10:30 o'clock a. m.

DISTRICT ATTORNEY.
Borough Hall, St. George, S. I.
Samuel H. Evans.
Telephone, 50 Tompkinsville.

SHERIFF.
County Court-house, Richmond, S. I.
Office hours, 9 a. m. to 4 p. m.
Joseph J. Barth.

THE COURTS.

APPELLATE DIVISION OF THE SUPREME COURT.
FIRST JUDICIAL DEPARTMENT.

Court-house, Madison avenue, corner Twenty-fifth street. Court opens at 1 p. m. (Friday, Motion day at 10:30 a. m.)
Edward Patterson, Presiding Justice; George L. Ingraham, Chester B. McLaughlin, Frank C. McLaughlin, John Proctor Clarke, James W. Houghton, Francis M. Scott, Justices; Alfred Wagstaff, Clerk; William Lamb, Deputy Clerk.
Clerk's Office open at 9 a. m.
Telephone, 3840 Madison Square.

SUPREME COURT—FIRST DEPARTMENT.

County Court-house, Chambers street. Court open from 10:15 a. m. to 4 p. m.
Special Term, Part I. (motions), Room No. 16
Special Term, Part II. (ex parte business), Room No. 13
Special Term, Part III., Room No. 19
Special Term, Part IV., Room No. 20
Special Term, Part V., Room No. 6
Special Term, Part VI. (Elevated Railroad cases) Room No. 31
Trial Term, Part II., Room No. 34
Trial Term, Part III., Room No. 28
Trial Term, Part IV., Room No. 21
Trial Term, Part V., Room No. 24
Trial Term, Part VI., Room No. 18
Trial Term, Part VII., Room No. —
Trial Term, Part VIII., Room No. 27
Trial Term, Part IX., Room No. 35
Trial Term, Part X., Room No. 26
Trial Term, Part XI., Room No. 27
Trial Term, Part XII., Room No. —
Trial Term, Part XIII., and Special Term, Part VIII., Room No. 36
Trial Term, Part XIV., Room No. 28
Trial Term, Part XV., Room No. 37
Trial Term, Part XVI., Room No. —
Trial Term, Part XVII., Room No. 20
Trial Term, Part XVIII., Room No. 29
Appellate Term, Room No. 29
Naturalization Bureau, Room No. 38, third floor.
Assignment Bureau, room on mezzanine floor.
Clerks in attendance from 10 a. m. to 4 p. m.
Clerk's Office, Special Term, Part I. (motions), Room No. 15
Clerk's Office, Special Term, Part II. (ex parte business), ground floor, southeast corner.
Clerk's Office, Special Term, Calendar, ground floor, south.

Clerk's Office, Trial Term, Calendar, room north east corner, second floor, east.
Clerk's Office, Appellate Term, room southwest corner, third floor.
Trial Term, Part I. (criminal business).
Criminal Court-house, Centre street.
Justices—Charles H. Truax, Charles F. MacLean, Henry Bischoff, Leonard A. Giegerich, P. Henry Dugro, Henry A. Gildersleeve, James Fitzgerald, James A. O'Gorman, James A. Blanchard, Samuel

Greenbaum, Edward E. McCall, Edward B. Amend, Vernon M. Davis, Victor J. Dowling, Joseph E. Newburger, John W. Goff, Samuel Seabury, M. Warley Platsek, Peter A. Hendrick, John Ford, Charles W. Dayton, John J. Brady, Mitchell L. Erlanger, Charles L. Guy, James W. Gerard, Irving Lehman.
Peter J. Dooling, Clerk, Supreme Court.
Telephone, 4580 Cortlandt.

SUPREME COURT—SECOND DEPARTMENT.
Kings County Court-house, Borough of Brooklyn N. Y.
Court open daily from 10 o'clock a. m. to 5 o'clock p. m.; Seven jury trial parts. Special Term for Trials. Special Term for Motions.
James F. McGee, General Clerk.
Telephone, 5460 Main.

CRIMINAL DIVISION—SUPREME COURT.

Building for Criminal Courts, Centre, Elm, White and Franklin streets.
Court opens at 10:30 a. m.
Peter J. Dooling, Clerk; Edward R. Carroll, Special Deputy to the Clerk.
Clerk's Office open from 9 a. m. to 4 p. m.
Telephone, 6064 Franklin.

COURT OF GENERAL SESSIONS.
Held in the Building for Criminal Courts, Centre Elm, White and Franklin streets.
Court opens at 10:30 a. m.
Thomas C. T. Crain, Otto A. Rosalsky, Warren W. Foster, Thomas C. O'Sullivan, Edward Swann, Joseph F. Mulqueen, James T. Malone, Judges of the Court of General Sessions. Edward R. Carroll Clerk. Telephone, 1201 Franklin.

COURT OF SPECIAL SESSIONS.
Building for Criminal Courts, Centre street between Franklin and White streets, Borough of Manhattan.
Court opens at 10 a. m.
Justices—First Division—William E. Wyatt, Wiliard H. Olmsted, Joseph M. Denel, Lorenz Zeller, John H. Mayo, Franklin Chase Hoyt, William M. Fuller, Acting Clerk.
City Magistrates to sit in the Court of Special Sessions until November 30, 1909—Charles W. Harris, Joseph F. Moss.
Clerk's Office open from 9 a. m. to 4 p. m.

COURT OF SPECIAL SESSIONS.
Building for Criminal Courts, Centre street between Franklin and White streets, Borough of Manhattan.
Court opens at 10 a. m.
Justices—First Division—William E. Wyatt, Wiliard H. Olmsted, Joseph M. Denel, Lorenz Zeller, John H. Mayo, Franklin Chase Hoyt, William M. Fuller, Acting Clerk.
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City Magistrates to sit in the Court of Special Sessions until November 30, 1909—Charles W. Harris, Joseph F. Moss.
Clerk's Office open from 9 a. m. to 4 p. m.

COURT OF SPECIAL SESSIONS.
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Court opens at 10 a. m.
Justices—First Division—William E. Wyatt, Wiliard H. Olmsted, Joseph M. Denel, Lorenz Zeller, John H. Mayo, Franklin Chase Hoyt, William M. Fuller, Acting Clerk.
City Magistrates to sit in the Court of Special Sessions until November 30, 1909—Charles W. Harris, Joseph F. Moss.
Clerk's Office open from 9 a. m. to 4 p. m.

COURT OF SPECIAL SESSIONS.
Building for Criminal Courts, Centre street between Franklin and White streets, Borough of Manhattan.
Court opens at 10 a. m.
Justices—First Division—William E. Wyatt, Wiliard H. Olmsted, Joseph M. Denel, Lorenz Zeller, John H. Mayo, Franklin Chase Hoyt, William M. Fuller, Acting Clerk.
City Magistrates to sit in the Court of Special Sessions until November 30, 1909—Charles W. Harris, Joseph F. Moss.
Clerk's Office open from 9 a. m. to 4 p. m.

COURT OF SPECIAL SESSIONS.
Building for Criminal Courts, Centre street between Franklin and White streets, Borough of Manhattan.
Court opens at 10 a. m.
Justices—First Division—William E. Wyatt, Wiliard H. Olmsted, Joseph M. Denel, Lorenz Zeller, John H. Mayo, Franklin Chase Hoyt, William M. Fuller, Acting Clerk.
City Magistrates to sit in the Court of Special Sessions until November 30, 1909—Charles W. Harris, Joseph F. Moss.
Clerk's Office open from 9 a. m. to 4 p. m.

COURT OF SPECIAL SESSIONS.
Building for Criminal Courts, Centre street between Franklin and White streets, Borough of Manhattan.
Court opens at 10 a. m.
Justices—First Division—William E. Wyatt, Wiliard H. Olmsted, Joseph M. Denel, Lorenz Zeller, John H. Mayo, Franklin Chase Hoyt, William M. Fuller, Acting Clerk.
City Magistrates to sit in the Court of Special Sessions until November 30, 1909—Charles W. Harris, Joseph F. Moss.
Clerk's Office open from 9 a. m. to 4 p. m.

COURT OF SPECIAL SESSIONS.
Building for Criminal Courts, Centre street between Franklin and White streets, Borough of Manhattan.
Court opens at 10 a. m.
Justices—First Division—William E. Wyatt, Wiliard H. Olmsted, Joseph M. Denel, Lorenz Zeller, John H. Mayo, Franklin Chase Hoyt, William M. Fuller, Acting Clerk.
City Magistrates to sit in the Court of Special Sessions until November 30, 1909—Charles W. Harris, Joseph F. Moss.
Clerk's Office open from 9 a. m. to 4 p. m.

COURT OF SPECIAL SESSIONS.
Building for Criminal Courts, Centre street between Franklin and White streets, Borough of Manhattan.
Court

Ninth District—The Ninth District embraces the territory bounded on the south by the centre line of Fourteenth street and by the centre line of Fifty-ninth street from the centre line of Seventh avenue to the centre line of Central Park West, on the east by the centre line of Lexington avenue and by the centre line of Irving place, including its projection through Gramercy Park, and by the centre line of Fifth avenue from the centre line of Ninety-sixth street to the centre line of One Hundred and Tenth street, on the north by the centre line of Ninety-sixth street from the centre line of Lexington avenue to the centre line of Fifth avenue and by One Hundred and Tenth street from Fifth avenue to Central Park West, on the west by the centre line of Seventh avenue and Central Park West.

Edgar J. Lauer, Frederick De Witt Wells, Frank D. Sturges, William C. Wilson, Justices.

William J. Chamberlain, Clerk; Charles Healy, Deputy Clerk.

Location of Court—Southwest corner of Madison avenue and Fifty-ninth street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m. Telephone, 3873 Plaza.

Borough of The Bronx.

First District—All that part of the Twenty-fourth Ward which was lately annexed to the City and County of New York by chapter 934 of the Laws of 1895, comprising all of the late Town of Westchester and part of the Towns of Eastchester and Pelham, including the Villages of Wakefield and Williamsbridge. Court-room, Town Hall, No. 1400 Williamsbridge road, Westchester Village. Court open daily (Sundays and legal holidays excepted), from 9 a. m. to 4 p. m. Trial of causes, Tuesday and Friday of each week.

Peter A. Sheil, Justice.

Stephen Collins, Clerk.

Office hours from 9 a. m. to 4 p. m.; Saturdays closing at 12 m.

Telephone, 457 Westchester.

Second District—Twenty-third and Twenty-fourth Wards, except the territory described in chapter 934 of the Laws of 1895. Court-room, southeast corner of Washington avenue and One Hundred and Sixty-second street. Office hours, from 9 a. m. to 4 p. m. Court opens at 9 a. m.

John M. Tierney, Justice. Thomas A. Maher, Clerk.

Telephone, 3043 Melrose.

Borough of Brooklyn.

First District—Comprising First, Second, Third, Fourth, Fifth, Sixth, Tenth and Twelfth Wards and that portion of the Eleventh Ward beginning at the intersection of the centre lines of Hudson and Myrtle avenues, thence along the centre line of Myrtle avenue to North Portland avenue, thence along the centre line of North Portland avenue to Flushing avenue, thence along the centre line of Flushing avenue to Navy street, thence along the centre line of Navy street to Johnson street, thence along the centre line of Johnson street to Hudson avenue, and thence along the centre line of Hudson avenue to the point of beginning, of the Borough of Brooklyn. Court-house, northwest corner State and Court streets, Parts I. and II.

John J. Walsh, Justice. Edward Moran, Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Second District—Seventh Ward and that portion of the Twenty-first and Twenty-third Wards west of the centre line of Stuyvesant avenue and the centre line of Schenectady avenue, also that portion of the Twenty-third Ward beginning at the intersection of the centre lines of North Portland and Myrtle avenues, thence along the centre line of Myrtle avenue to Waverly avenue, thence along the centre line of Waverly avenue to Park avenue, thence along the centre line of Park avenue to Washington avenue, thence along the centre line of Washington avenue to Flushing avenue, thence along the centre line of Flushing avenue to North Portland avenue, and thence along the centre line of North Portland avenue to the point of beginning.

Court-room, No. 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 Wiloughby 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.

Telephone, 955 Williamsburg.

Fourth District—Embraces the Twenty-fourth and Twenty-fifth Wards, that portion of the Twenty-first and Twenty-third Wards lying east of the centre line of Stuyvesant avenue and east of the centre line of Schenectady avenue, and that portion of the Twenty-seventh Ward lying southeast of the centre line of Starr street between the boundary line of Queens and the centre line of Central avenue, and southeast of the centre line of Suydam street between the centre lines of Central and Bushwick avenues, and southeast of the centre line of Wiloughby avenue between the centre lines of Bushwick avenue and Broadway.

Court-room, No. 14 Howard avenue.

Thomas H. Williams, Justice. G. J. Wiederhold, Clerk. Milton I. Williams, Assistant Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Fifth District—Contains the Eighth, Thirtieth and Thirty-first Wards, and so much of the Twenty-second Ward as lies south of Prospect avenue. Court-house, northwest corner of Fifty-third street and Third avenue.

Cornelius Furgeson, Justice. Jeremiah J. O'Leary, Clerk.

Clerk's Office open from 9 a. m. to 4 p. m.

Telephone, 407 Bay Ridge.

Sixth District—The Sixth District embraces the Ninth and Twenty-ninth Wards and that portion of the Twenty-second Ward north of the centre line of Prospect avenue; also that portion of the Eleventh and the Twentieth Wards beginning at the intersection of the centre lines of Bridge and Fulton streets; thence along the centre line of Fulton street to Flatbush avenue; thence along the centre line of Flatbush avenue to Atlantic avenue; thence along the centre line of Atlantic avenue to Washington avenue; thence along the centre line of Washington avenue to Park avenue; thence along the centre line of Park avenue to Waverly avenue; thence along the centre line of Waverly avenue to Myrtle avenue; thence along the centre line of Myrtle avenue to Hudson avenue; thence along the centre line of Hudson avenue to Johnson street; thence along the centre line of Johnson street to Bridge street, and thence along the centre line of Bridge street to the point of beginning.

Lucien S. Bayliss and George Fielder, Justices, Charles P. Bible, Clerk.

Court-house, No. 611 Fulton street.

Seventh District—The Seventh District embraces the Twenty-sixth, Twenty-eighth and Thirty-second Wards.

Alexander S. Rosenthal and Edward A. Richards, Justices. Samuel F. Brothers, Clerk.

Court-house, corner Pennsylvania avenue and Fulton street (No. 31 Pennsylvania avenue). Clerk's Office open from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Trial days, Tuesdays and Fridays.

Clerk's Telephone, 904 East New York.

Court Telephone, 905 East New York.

Borough of Queens.

First District—First Ward (all of Long Island City formerly composing five wards). Court-room, St. Mary's Lyceum, Nos. 115 and 117 Fifth street, Long Island City.

Clerk's Office open from 9 a. m. to 4 p. m. each day, except Saturday, closing at 12 m. Trial days, Mondays, Wednesdays and Fridays. All other business transacted on Tuesdays and Thursdays.

Thomas C. Kadien, Justice. Thomas F. Kennedy, Clerk.

Telephone, 2376 Greenpoint.

Second District—Second and Third Wards, which include the territory of the late Towns of Newtown and Flushing. Court-room in Court-house of the late Town of Newtown, corner of Broadway and Court street, Elmhurst, New York. P. O. Address, Elmhurst, Queens County, New York.

William Rasquin, Jr., Justice. Luke J. Connor, Clerk. William Kepper, 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, 507 Tompkinsville.

Second District—Second and Fourth 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.

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, NEW YORK CITY.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Water Supply, Gas and Electricity at the above office until 2 o'clock p. m. on

WEDNESDAY, OCTOBER 13, 1909.

Borough of Manhattan.

FOR FURNISHING, DELIVERING AND LAYING HIGH PRESSURE FIRE SERVICE MAINS AND APPURTENANCES IN SEVENTEENTH, EIGHTEENTH, NINETEENTH, TWENTIETH, TWENTY-FIRST AND TWENTY-SECOND STREETS.

The time allowed for doing and completing the work will be one hundred and fifty (150) working days.

The security required will be Twenty-five thousand Dollars (\$25,000).

The bidder will state the price per unit of each item of work or supplies contained in the specifications or schedules, 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 schedules attached thereto.

Bidders are particularly cautioned that a provision in the contract requires the maintenance of the pipes, joints, valves, connections, pavements, etc., in good condition for the period of one year from the final completion and acceptance of the work.

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 Department, Bureau of Chief Engineer, No. 21 Park row, New York City, where the plans, if any, which are made a part of the specifications, may also be seen and any further information obtained.

A deposit of ten dollars will have to be made by those who apply for copies of the contract plans and specifications, and this deposit will be returned to bidders.

JOHN H. O'BRIEN, Commissioner.

Dated New York, September 23, 1909.

24.03

See General Instructions to Bidders on the last page, last column, of the "City Record."

POLICE DEPARTMENT.

POLICE DEPARTMENT OF THE CITY OF NEW YORK, NO. 300 MULBERRY STREET, BOROUGH OF MANHATTAN.

SEALED BIDS OR ESTIMATES WILL BE received by the Police Commissioner of the Police Department of the City of New York at the Bookkeeper's office, Central Department, until 10 o'clock a. m. on

FRIDAY, OCTOBER 15, 1909.

FOR FURNISHING ALL THE LABOR, AND FURNISHING AND ERICCTING ALL THE MATERIALS NECESSARY IN MAKING AND COMPLETING ALTERATIONS, GENERAL REPAIRS AND IMPROVEMENTS TO THE SEVENTY-SEVENTH PRECINCT POLICE STATION HOUSE, SITUATED AT THE NORTHWEST CORNER OF CITY ISLAND AVENUE AND ORCHARD STREET, CITY ISLAND, BOROUGH OF THE BRONX, CITY OF NEW YORK.

The time allowed for the erection and completion of the entire work will be fifty (50) working days.

The amount of security shall be fifty per cent of the amount of the bid or estimate.

Bidders are particularly requested to examine the plans, specifications and location of the work before bidding, and they are expressly notified that no deviation from the specifications will be allowed unless the same has been previously authorized by and written permission therefor obtained from the Police Commissioner.

For particulars as to the nature and extent of the work required or of the materials to be furnished, bidders are referred to the specifications and lists of materials, supplies and apparatus to be furnished and to the plans on file in the office of the Inspector of Repairs and Supplies of the Police Department, No. 300 Mulberry street, City of New York.

Blank forms and further information may be obtained at the Central Office of the Police Department, No. 300 Mulberry street, Borough of Manhattan.

WILLIAM F. BAKER, Commissioner. Dated October 1, 1909.

02.15
FLOORING AND WAINSCOTING IN THE SEVERAL ROOMS OF THE DINING HALL PAVILION AT THE TUBERCULOSIS SANATORIUM AT OTISVILLE, ORANGE COUNTY, N. Y.

The time for the completion of the work and the full performance of the contract is forty-five (45) consecutive working days.

The amount of security required is fifty per cent (50%) of the amount of the bid.

Bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms and further information may be obtained at the office of the Chief Clerk of the Department of Health, south-west corner of Fifty-sixth street and Sixth avenue, Borough of Manhattan.

THOMAS DARLINGTON, M. D., President; ALVAH H. DOTY, M. D., WILLIAM F. BAKER, Board of Health.

Dated October 4, 1909.

04.19

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF PARKS.

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Police Commissioner of the Police Department of The City of New York at the Bookkeeper's Office, Central Department, until 10 o'clock a. m. on

THURSDAY, OCTOBER 7, 1909,

Borough of Manhattan.

FOR FURNISHING ALL THE LABOR AND MATERIALS NECESSARY TO PAINT AND TINT THE WALLS AND CEILINGS IN THE NEW BUILDING BEING ERECTED ON THE BLOCK BOUNDED BY GRAND, CENTRE AND BROOME STREETS AND CENTRE MARKET PLACE, BOROUGH OF MANHATTAN, FOR HEADQUARTERS FOR THE POLICE DEPARTMENT OF THE CITY OF NEW YORK.

The time allowed for making and completing the entire work will be thirty (30) days.

The amount of security required will be fifty per cent (50%) of the amount of bid or estimate.

Bidders are particularly requested to examine the plans, specifications and location of the work before bidding, and they are expressly notified that no deviation from the specifications will be allowed unless the same has been previously authorized by and written permission therefor obtained from the Police Commissioner.

For particulars as to the quantity and quality of the supplies or the nature and extent of the work required or of the materials to be furnished, bidders are referred to the specifications and lists of materials, supplies and apparatus to be furnished and to the plans on file at the office of F. L. V. Hopper, Architect, No. 244 Fifth avenue, Borough of Manhattan, where blank forms for making bids or estimates, with the proper envelope in which to inclose the same, may be obtained.

The bidder shall state one aggregate price for the whole work described and specified, as the contract is entire and for a complete job.

Blank forms may be obtained at the office of the Department of Parks, Litchfield Mansion, Prospect Park, Brooklyn.
 HENRY SMITH, President;
 JOSEPH L. BERRY,
 MICHAEL J. KENNEDY,
 Commissioners of Parks.

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, OCTOBER 21, 1909,
 Borough of Manhattan.

FOR WORK AND MATERIAL FOR THE INSTALLATION OF ELECTRIC LIGHT AND POWER PLANT IN THE NEW YORK PUBLIC LIBRARY, ASTOR, LEXON AND TILDEN FOUNDATIONS, FIFTH AVENUE, FORTIETH AND FORTY-SECOND STREETS. The security required will be Forty Thousand Dollars (\$40,000).

The time allowed for doing and completing the work in this contract will be one year after notice to begin work at the building has been given by the Commissioner.

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, Arsenal, Central Park, New York City, and also at the office of the Architects, Carrere & Hastings, New York Public Library Building, Manhattan.

HENRY SMITH, President;
 JOSEPH L. BERRY,
 MICHAEL J. KENNEDY,
 Commissioners of Parks.

Dated October 1, 1909.

01.21

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, OCTOBER 7, 1909,
 Borough of The Bronx.

FOR FURNISHING ALL THE LABOR AND MATERIALS FOR COMPLETELY ERRECTING A GRANITE AND LIMESTONE FOUNTAIN AT MACOMES DAM, PARK, BOROUGH OF THE BRONX, IN THE CITY OF NEW YORK.

The time allowed for delivery of the articles, materials and supplies and the performance of the contract is ninety (90) days.

The amount of security required is Two Thousand Dollars (\$2,000).

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, Zbrowski Mansion, Claremont Park, The Bronx.

HENRY SMITH, President;
 JOSEPH L. BERRY,
 MICHAEL J. KENNEDY,
 Commissioners of Parks.

\$27.07

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, OCTOBER 7, 1909,
 Borough of Brooklyn.

FOR FURNISHING, DELIVERING AND SETTING UP EIGHTEEN (18) FLAG POLES IN THE PARKS OF THE BOROUGHS OF BROOKLYN AND QUEENS.

The time for the completion of the contract is thirty (30) days.

The amount of security required is Five Hundred Dollars (\$500).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Boroughs of Brooklyn and Queens, Litchfield Mansion, Prospect Park, Brooklyn.

HENRY SMITH, President;
 JOSEPH L. BERRY,
 MICHAEL J. KENNEDY,
 Commissioners of Parks.

\$23.07

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, OCTOBER 7, 1909,
 Borough of Manhattan.

FOR ALL MATERIALS AND LABOR REQUIRED FOR FURNISHING AND INSTALLING ELECTRIC LIGHTING FIXTURES IN NEW ADDITION (E) OF THE METROPOLITAN MUSEUM OF ART, LOCATED IN CENTRAL PARK, ON THE WEST SIDE OF FIFTIETH AVENUE, OPPOSITE EIGHTY-THIRD STREET, BOROUGH OF MANHATTAN.

The amount of security required is Two Thousand Five Hundred Dollars (\$2,500).

The time allowed to complete the whole work will be fifty (50) consecutive working days.

The bids will be compared and the contract awarded at a lump or aggregate sum.

Plans may be seen and blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH, President;
 JOSEPH L. BERRY,
 MICHAEL J. KENNEDY,
 Commissioners of Parks.

Dated September 10, 1909.

\$10.07

See General Instructions to Bidders on the last page, last column, of the "City Record."

BOARD OF WATER SUPPLY.

CONTRACT 55.

SEALED BIDS WILL BE RECEIVED BY the Board of Water Supply in Room 910, No. 299 Broadway, New York, until 11 a. m. on

WEDNESDAY, OCTOBER 20, 1909,

FOR CONTRACT 55.

FOR THE CONSTRUCTION OF PORTIONS OF CROTON AND KENSICO DIVISIONS OF THE CATSKILL AQUEDUCT.

The work includes 8 tunnels on the hydraulic gradient, aggregating about 3.7 miles in length, 17 feet high by 13 1/2 feet wide inside; about 625 feet of Putnam siphon of reinforced concrete, 16 feet in diameter; about 5.7 miles of plain concrete conduit known as cut-and-cover aqueduct, 17 feet high by 17 1/2 feet wide inside; the bypass aqueduct, the influent and effluent gate-chambers and aeration works of Kensico Reservoir, and other accessories. The work is located in the Towns of New Castle and Mount Pleasant, Westchester County, N. Y.

An approximate statement of the quantities of the various classes of work and further information are given in the Information for Bidders, forming part of the contract. At the above place and time bids will be publicly opened and read. The award of the contract, if awarded, will be made by the Board of Water Supply as soon thereafter as practicable. The Board reserves the right to reject any and all bids.

Two or more bonds, the aggregate amount of which shall be Six Hundred Thousand Dollars (\$600,000) will be required for the faithful performance of the contract.

No bid will be received and deposited unless accompanied by a certified check upon a National or State bank drawn to the order of the Comptroller of The City of New York, to the amount of eighty thousand dollars (\$80,000).

Time allowed for the completion of the work is fifty-four (54) months from the service of notice by the Board to begin work.

Pamphlets containing information for bidders, forms of proposal and contract, specifications, etc., and pamphlets of contract drawings, can be obtained at Room 1510; at the above address, upon application in person or by mail, by depositing the sum of ten dollars (\$10) in currency, or check drawn to the order of the Board of Water Supply, for each pamphlet, or twenty dollars (\$20) for each set. This deposit will be refundable upon the return of the pamphlets in acceptable condition within thirty days from the date on which bids are to be opened.

JOHN A. BENSEL, President;
 CHARLES N. CHADWICK,
 CHARLES A. SHAW,
 Commissioners of the Board of Water Supply.

J. WALDO SMITH, Chief Engineer.

THOMAS HASSETT, Secretary.

Note—See general instructions to bidders on last page, last column, of the City Record, so far as applicable hereto and not otherwise provided for.

01.21

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, OCTOBER 7, 1909,
 Borough of The Bronx.

FOR FURNISHING ALL THE LABOR AND MATERIALS FOR COMPLETELY ERRECTING A GRANITE AND LIMESTONE FOUNTAIN AT MACOMES DAM, PARK, BOROUGH OF THE BRONX, IN THE CITY OF NEW YORK.

The time allowed for delivery of the articles, materials and supplies and the performance of the contract is ninety (90) days.

The amount of security required is Two Thousand Dollars (\$2,000).

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, Zbrowski Mansion, Claremont Park, The Bronx.

HENRY SMITH, President;
 JOSEPH L. BERRY,
 MICHAEL J. KENNEDY,
 Commissioners of Parks.

\$27.07

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, OCTOBER 7, 1909,
 Borough of Brooklyn.

FOR FURNISHING, DELIVERING AND SETTING UP EIGHTEEN (18) FLAG POLES IN THE PARKS OF THE BOROUGHS OF BROOKLYN AND QUEENS.

The time for the completion of the contract is thirty (30) days.

The amount of security required is Five Hundred Dollars (\$500).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Boroughs of Brooklyn and Queens, Litchfield Mansion, Prospect Park, Brooklyn.

HENRY SMITH, President;
 JOSEPH L. BERRY,
 MICHAEL J. KENNEDY,
 Commissioners of Parks.

\$23.07

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, OCTOBER 7, 1909,
 Borough of Manhattan.

FOR ALL MATERIALS AND LABOR REQUIRED FOR FURNISHING AND INSTALLING ELECTRIC LIGHTING FIXTURES IN NEW ADDITION (E) OF THE METROPOLITAN MUSEUM OF ART, LOCATED IN CENTRAL PARK, ON THE WEST SIDE OF FIFTIETH AVENUE, OPPOSITE EIGHTY-THIRD STREET, BOROUGH OF MANHATTAN.

The amount of security required is Two Thousand Five Hundred Dollars (\$2,500).

The time allowed to complete the whole work will be fifty (50) consecutive working days.

The bids will be compared and the contract awarded at a lump or aggregate sum.

Plans may be seen and blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH, President;
 JOSEPH L. BERRY,
 MICHAEL J. KENNEDY,
 Commissioners of Parks.

Dated September 10, 1909.

\$10.07

See General Instructions to Bidders on the last page, last column, of the "City Record."

nuies, and on the west side of Eighth avenue, between Garfield place and First street, known as Nos. 33 and 34, in Block 1074.

No. 8, Fourteenth Street—On the south side of Fourteenth street, between Fourth and Fifth avenues, about 150 feet from Fifth avenue.

No. 9, Fifteenth Street—On the south side of Fifteenth street, between Seventh and Eighth avenues, and on the north side of Sixteenth street, between Seventh and Eighth avenues, known as Nos. 11, 12, 16, 17, 71 and 72, in Block 1104.

BIRD S. COLER, President.
 CHARLES FREDERICK ADAMS, Secretary.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Brooklyn, at the above office until 11 o'clock a. m. on

WEDNESDAY, OCTOBER 20, 1909,

NO. 1. FOR REGULATING AND REPAIRING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF CLARKSON AVENUE, FROM FLATBUSH AVENUE TO ALBANY AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

20,850 square yards of asphalt pavement outside of railroad area (five years' maintenance).

50 square yards of asphalt pavement within railroad area (no maintenance).

40 square yards of old stone pavement to be relaid,

2,910 cubic yards of concrete for pavement foundation outside of railroad area.

10 cubic yards of concrete for pavement foundation within railroad area.

1,240 linear feet of new curbstone set in concrete.

2,700 linear feet of old curbstone reset in concrete.

35 noiseless covers and heads complete for sewer manholes furnished and set.

800 linear feet of cement curb.

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 Fourteen Thousand Dollars (\$14,000).

NO. 2. FOR REGULATING AND REPAIRING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF PROSPECT PARK WEST, FROM PLAZA STREET TO NINTH STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

11,960 square yards of asphalt pavement outside of railroad area (five years' maintenance).

AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

1,384 square yards of asphalt block pavement (five years' maintenance),
212 cubic yards of concrete for pavement foundation.

The time allowed for the completion of the work and the full performance of the contract will be twenty-five (25) working days.

The amount of security required will be Thirteen Hundred Dollars (\$1,300).

No. 9. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON EIGHTY-FIRST STREET, FROM FIFTH AVENUE TO SIXTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

1,540 linear feet of new curbstone, set in concrete,
40 linear feet of old curbstone, reset in concrete,
370 cubic yards of earth excavation,
9,280 cubic yards of earth filling (to be furnished),
90 cubic yards of concrete (not to be bid for),
7,810 square feet of cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract will be sixty (60) working days.

The amount of security required will be Twenty-two Hundred Dollars (\$2,200).

No. 10. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON EIGHTY-FIRST STREET, FROM TENTH AVENUE TO ELEVENTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

1,620 cubic yards of earth excavation,
263 cubic yards of earth filling (not to be bid for),
1,450 linear feet of cement curb,
80 cubic yards of concrete (not to be bid for),
6,720 square feet of cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract will be thirty (30) working days.

The amount of security required will be Four Hundred Dollars (\$400).

No. 11. FOR REGULATING AND GRADING FOURTEENTH AVENUE, FROM SEVENTY-NINTH STREET TO EIGHTY-SIXTH STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

180 cubic yards of earth excavation,
36,790 cubic yards of earth filling (to be furnished).

The time allowed for the completion of the work and the full performance of the contract will be one hundred fifty (150) working days.

The amount of security required will be Six Thousand Dollars (\$6,000).

No. 12. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON FIFTY-SECOND STREET, FROM ELEVENTH AVENUE TO FORT HAMILTON AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

1,030 linear feet of new curbstone, set in concrete,
10 linear feet of old curbstone, reset in concrete,
2,500 cubic yards of earth excavation,
520 cubic yards of earth filling (not to be bid for),
60 cubic yards of concrete (not to be bid for),
3,700 square feet of cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract will be thirty-five (35) working days.

The amount of security required will be Nine Hundred and Fifteen Dollars (\$9,50).

No. 13. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON HARMAN STREET, FROM ST. NICHOLAS AVENUE TO THE BOROUGH LINE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

810 linear feet of new curbstone, set in concrete,
710 linear feet of old curbstone, reset in concrete,
1,550 cubic yards of earth excavation,
410 cubic yards of earth filling (not to be bid for),
80 cubic yards of concrete (not to be bid for),
4,630 square feet of cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract will be twenty (20) working days.

The amount of security required will be Two Hundred Dollars (\$200).

No. 14. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON IRVING AVENUE, FROM PALMETTO STREET TO PUTNAM AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

810 linear feet of new curbstone, set in concrete,
710 linear feet of old curbstone, reset in concrete,
1,550 cubic yards of earth excavation,
410 cubic yards of earth filling (not to be bid for),
80 cubic yards of concrete (not to be bid for),
4,630 square feet of cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract will be forty (40) working days.

The amount of security required will be Nine Hundred Dollars (\$900).

No. 15. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON IRVING AVENUE, FROM PUTNAM AVENUE TO THE COUNTY LINE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

4,470 cubic yards of earth excavation,
60 cubic yards of earth filling (not to be bid for),
1,200 linear feet of cement curb,
12,100 square feet of cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract will be fifty (50) working days.

The amount of security required will be Fifteen Hundred Dollars (\$1,500).

No. 16. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON AVENUE J, FROM CONEY ISLAND AVENUE TO THE BRIGHTON BEACH RAILROAD TRACKS, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

2,200 linear feet of new curbstone, set in concrete.

350 cubic yards of earth excavation,
20 cubic yards of earth filling (to be furnished),
120 cubic yards of concrete (not to be bid for),
4,520 square feet of cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract will be thirty (30) working days.

The amount of security required will be One Thousand Dollars (\$1,000).

No. 17. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS WHERE NOT ALREADY LAID ON PITKIN AVENUE, FROM POWELL STREET TO JUINIUS STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

340 linear feet of new curbstone set in concrete,
10 linear feet of old curbstone reset in concrete,
80 cubic yards of earth excavation,
20 cubic yards of concrete (not to be bid for).

The time allowed for the completion of the work and the full performance of the contract will be twenty (20) working days.

The amount of security required will be One Hundred and Fifty Dollars (\$150).

No. 18. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON SACKMAN STREET, FROM RIVERDALE AVENUE TO NEWPORT AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

460 cubic yards of earth excavation,
1,120 linear feet of cement curb,
3,050 square feet of cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract will be thirty (30) working days.

The amount of security required will be Four Hundred Dollars (\$400).

No. 19. FOR REGULATING AND PAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF SACKMAN STREET, FROM RIVERDALE AVENUE TO NEWPORT AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

1,554 square yards of asphalt pavement (five years' maintenance),
246 cubic yards of concrete for pavement foundation.

The time allowed for the completion of the work and the full performance of the contract will be twenty (20) working days.

The amount of security required will be One Thousand Dollars (\$1,000).

No. 20. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON SEVENTH AVENUE, FROM FORTY-NINTH STREET TO SIXTIETH STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

4,825 linear feet of new curbstone set in concrete,
165 linear feet of old curbstone reset in concrete,
2,970 cubic yards of earth excavation,
880 cubic yards of earth filling (not to be bid for),
280 cubic yards of concrete (not to be bid for),
18,630 square feet of cement sidewalk.

The time allowed for the completion of the work and the full performance of the contract will be fifty (50) working days.

The amount of security required will be Twenty-eight Hundred Dollars (\$2,800).

No. 21. FOR REGULATING AND PAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF SUTTER AVENUE, FROM GRAFTON STREET TO SARATOGA AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

2,424 square yards of asphalt pavement (five years' maintenance),
344 cubic yards of concrete for pavement foundation.

The time allowed for the completion of the work and the full performance of the contract will be twenty (20) working days.

The amount of security required is Fourteen Hundred Dollars (\$1,400).

No. 22. FOR REGULATING AND PAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF VAN SICKLEN AVENUE TO WARWICK STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

2,140 linear feet of new curbstone, set in concrete,
130 linear feet of old curbstone, reset in concrete,
200 cubic yards of earth excavation,
730 cubic yards of earth filling (to be furnished),
125 cubic yards of concrete (not to be bid for),
8,700 square feet of 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 Forty-five Hundred Dollars (\$4,500).

No. 23. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON EIGHTEENTH STREET, FROM A POINT 400 FEET WEST OF THIRD AVENUE TO THIRD AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

2,620 linear feet of new curbstone, set in concrete,
200 linear feet of old curbstone, reset in concrete,
17 noiseless covers and heads, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Fourteen Hundred Dollars (\$1,400).

No. 24. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF PACIFIC STREET, FROM FIFTH AVENUE TO CARLTON AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

3,430 square yards of new granite pavement, with tar and gravel joints (one year's maintenance),
2,280 square yards of old granite pavement, with tar and gravel joints (one year's maintenance),
960 cubic yards of concrete, for pavement foundation,

2,200 linear feet of new curbstone, set in concrete,
730 linear feet of old curbstone, reset in concrete.

The time allowed for the completion of the work and the full performance of the contract is one hundred and seventy-five (175) consecutive working days.

The amount of security required is fifty per cent (50%) 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 J. BARRY, Commissioner.

The time allowed for the completion of the work and the full performance of the contract will be twenty (20) working days.

The amount of security required will be Six Hundred Dollars (\$600).

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per linear foot, square foot, square yard, cubic yard or other unit of measure, by which the bids will be tested.

The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Blank forms and further information may be obtained at the office of the Bureau of Highways, the Borough of Brooklyn, Room No. 12, Municipal Building, Brooklyn.

BIRD S. COLER, President.

Dated September 30, 1909.

10 square yards of old stone pavement to be relaid,
195 cubic yards of concrete for pavement foundation,

710 linear feet of new curbstone set in concrete,

120 linear feet of old curbstone, reset in concrete,

5 noiseless heads and covers, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Eleven Hundred Dollars (\$1,100).

No. 5. FOR REGULATING AND REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF VERNON AVENUE, FROM STUYVESANT AVENUE TO BROADWAY, AND STUYVESANT AVENUE TO BROADWAY, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

935 square yards of asphalt pavement (five years' maintenance),
10 square yards of old stone pavement, to be relaid,

130 cubic yards of concrete for pavement foundation,

230 linear feet of new curbstone, set in concrete,

140 linear feet of old curbstone, reset in concrete,

2 noiseless covers and heads, complete, for sewer manholes, furnished and set.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Seven Hundred Dollars (\$700).

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per linear foot, square foot, square yard, cubic yard or other unit of measure, by which the bids will be tested.

The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Blank forms and further information may be obtained at the office of the Bureau of Highways, the Borough of Brooklyn, No. 12 Municipal Building, Brooklyn.

BIRD S. COLER, President.

Dated September 20, 1909.

\$21.06

See General Instructions to Bidders on the last page, last column, of the "City Record."

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 President of the Borough of Brooklyn at the above office

DEPARTMENT OF PUBLIC CHARITIES.

DEPARTMENT OF PUBLIC CHARITIES, FOURTH FLOOR, EAST TWENTY-SIXTH STREET, NEW YORK.

BOROUGHS OF BROOKLYN AND QUEENS.

TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

SEALED BIDS OR ESTIMATES WILL BE received by the Department of Public Charities at the above office until 2:30 o'clock p. m. on

MONDAY, OCTOBER 11, 1909.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR THE ERECTION AND ENTIRE COMPLETION OF NEW BRADFORD STREET HOSPITAL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

The time allowed for the completion of the work and full performance of the contract is three hundred (300) consecutive working days.

The security required will be Ninety Thousand Dollars (\$90,000).

The bidder will state one aggregate price for the whole work described and specified, as the contract is entire and for a complete job.

Blank forms and further information may be obtained at the office of Helmle & Huberty, Architects, No. 190 Montague street, Borough of Brooklyn, The City of New York, where plans and specifications may be seen.

ROBERT W. HEBBERD, Commissioner.

Dated September 28, 1909.

\$28,011

See General Instructions to Bidders on the last page, last column, of the "City Record."

BOARD OF ELECTIONS.

OFFICE OF THE BOARD OF ELECTIONS OF THE CITY OF NEW YORK, NO. 107 WEST FORTY-FIRST STREET, BOROUGH OF MANHATTAN.

SEALED BIDS OR ESTIMATES WILL BE received by the Board of Elections of The City of New York at the above office until 12 o'clock m. on

SATURDAY, OCTOBER 9, 1909.

FOR FURNISHING AND DELIVERING OFFICIAL AND SAMPLE BALLOTS AND FOUR QUESTIONS SUBMITTED AND ONE PROPOSITION BALLOTS FOR ELECTION PURPOSES.

The time for the delivery of the ballots, etc., and the performance of the contract is by or before October 29, 1909.

The amount of security required is Twenty Thousand Dollars (\$20,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms and further information may be obtained at the office of the Board of Elections, at No. 107 West Forty-first street.

Dated September 25, 1909.

\$29,09

See General Instructions to Bidders on the last page, last column, of the "City Record."

FIRE DEPARTMENT.

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Fire Commissioner at the above office until 10:30 o'clock a. m. on

WEDNESDAY, OCTOBER 20, 1909,

Borough of Manhattan.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR THE COMPLETION OF NEW ANNEX AND ADDITIONS AND ALTERATIONS TO THE PRESENT FIRE HEADQUARTERS BUILDING, LOCATED ON EAST SIXTY-EIGHTH AND EAST SIXTY-SEVENTH STREETS, BETWEEN LENNINGTON AND THIRD AVENUE, BOROUGH OF MANHATTAN.

The time for the completion of the work and the full performance of the contract is three hundred and fifty (350) days.

The amount of security required will be Forty Thousand Dollars (\$40,000).

Bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Fire Department, Nos. 157 and 159 East Sixty-seventh street, Manhattan.

NICHOLAS J. HAYES, Commissioner.

Dated September 30, 1909.

02,20

See General Instructions to Bidders on the last page, last column, of the "City Record."

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Fire Commissioner at the above office until 10:30 o'clock a. m. on

FRIDAY, OCTOBER 15, 1909,

Borough of Queens.

No. 1. FOR FURNISHING AND DELIVERING TWO FOURTH-SIZE STEAM FIRE ENGINES.

The time for the delivery of the articles, materials and supplies and the performance of the contract is one hundred and twenty (120) days.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

No. 2. FOR FURNISHING AND DELIVERING THREE COMBINATION HOIST AND LADDER TRUCKS AND CHEMICAL ENGINES.

The time for the delivery of the articles, materials and supplies and the performance of the contract is one hundred and twenty (120) days.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, by which the bids will be tested. Award will be made to the lowest bidder on each item.

must be made and footed up, as the bids will be read from the total. The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Fire Department, Nos. 157 and 159 East Sixty-seventh street, Manhattan.

NICHOLAS J. HAYES, Commissioner.

Dated October 1, 1909.

INCII, AND THREE-QUARTER (3 1/4) INCH BROKEN STONE AND SCREENINGS OF TRAP ROCK OR STATEN ISLAND SYENITE.

The time for the completion of the work and the full performance of the contract is thirty (30) days.

The amount of security required is Two Thousand Dollars (\$2,000).

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 inclose the bid, together with a copy of the contract, including the specifications, in the form approved by the Corporation Counsel, can be obtained upon application therefor at the office of the said President. 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, August 28, 1909.

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF EDUCATION.

DEPARTMENT OF EDUCATION, CORNER OF PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Superintendent of School Supplies at the above office of the Department of Education until 3 p. m. on

MONDAY, OCTOBER 18, 1909.

FOR BOOKS, PLASTER CASTS, TOOLS, LABORATORY APPARATUS AND MISCELLANEOUS SUPPLIES FOR THE DAY HIGH SCHOOLS AND TRAINING SCHOOLS FOR TEACHERS 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 per cent. (50%) of the amount of the bid or estimate.

Bidder must enter his price under the separate heading, and in estimating the amount of his bid upon which security will be required, said security must be based on the highest price quoted on each item.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, dozen, gallon, yard or other unit of measure, by which the bids will be tested. Award will be made to the lowest bidder on each item.

Blank forms and further information may be obtained at the office of the Superintendent of School Supplies, Board of Education, the Borough of Manhattan, corner of Park avenue and Fifty-ninth street.

PATRICK JONES, Superintendent of School Supplies. Dated October 6, 1909.

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 4 o'clock p. m. on

MONDAY, OCTOBER 18, 1909.

Borough of The Bronx.

FOR THE ERECTION OF NEW IRON RAILINGS, FOLDING GATES, ETC., AT PUBLIC SCHOOL 27, ST. ANNS AVENUE, ONE HUNDRED AND FORTY-SEVENTH AND ONE HUNDRED AND FORTY-EIGHTH STREETS, BOROUGH OF THE BRONX.

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 Five Hundred Dollars (\$500).

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.

C. B. J. SNYDER, Superintendent of School Buildings. Dated October 6, 1909.

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 11 o'clock a. m. on

SATURDAY, OCTOBER 9, 1909.

FOR FURNISHING AND DELIVERING TEXTBOOKS, MAPS, GLOBES, CHARTS, PICTURES, ETC., FOR THE DAY AND EVENING HIGH SCHOOLS AND DAY AND EVENING ELEMENTARY SCHOOLS 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, 1910, and such further time as may be allowed by the contract.

The amount of the security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, by which the bids will be tested. Award will be made to the lowest bidder on each item.

Delivery will be required to be made to the places designated at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Superintendent of School Supplies, Board of Education, the Borough of Manhattan, southwest corner of Park avenue and Fifty-ninth street.

PATRICK JONES, Superintendent of School Supplies. Dated September 29, 1909.

The time for the completion of the work and the full performance of the contract is forty (40) days.

The amount of security required is Eighteen Hundred Dollars (\$1,800).

No. 3. FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR CONSTRUCTING A TEMPORARY STORM-WATER OVERFLOW SEWER THROUGH AN EASEMENT AT THE FOOT OF MAPLE AVENUE AND OTHER STREETS, BEING WITHIN SEWERAGE DISTRICT NO. 5A, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required is as follows:

5 manholes, complete, as per section on plan of the work.

1,000 feet (B. M.) of foundation timber and planking in place and secured.

1,000 feet (B. M.) of sheeting, retained.

1 cubic yard of concrete, in place.

1 cubic yard of brick masonry.

5 cubic yards of additional excavation.

20 cubic yards of additional filling.

240 linear feet of new five-inch by sixteen-inch (5 1/2" by 16-inch) bluestone curbstone, finished and set in concrete.

The time for the completion of the work and the full performance of the contract is three hundred (300) days.

The amount of security required is Thirty-five Thousand Dollars (\$35,000).

No. 4. FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR REGULATING AND GRADING CRESCENT AVENUE, BETWEEN JERSEY STREET AND DANIEL LOW TERRACE, AND TO PAVE THE ROADWAY THEREOF WITH MAG-ADAM PAVEMENT AND TO LAY GUTTERS OF VITRIFIED BRICK ON CONCRETE FOUNDATION FIVE (5) INCHES THICK, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required is as follows:

1,200 square yards of vitrified brick pavement, including sand bed and laid with cement grout joints, with one (1) year's maintenance.

3,200 square yards of macadam pavement, with one (1) year's maintenance.

900 cubic yards of excavation.

12 cubic yards of reinforced concrete for retaining walls and culverts.

280 linear feet of twelve (12) inch culvert pipe, furnished and laid.

175 cubic yards of concrete for foundation.

120 square feet of old bridgestone, redressed, rejoined and relaid.

36 linear feet of new sixteen (16) inch curbstone for corners, furnished and set.

445 linear feet of old curbstone, redressed, rejoined and reset.

1,184 square feet of old sidewalk relaid.

2,500 linear feet of cement curb, furnished and set.

2 manhole covers and frames, in place.

The time for the completion of the work and the full performance of the contract is sixty (60) days.

The amount of security required is Four Thousand Dollars (\$4,000).

No. 5. FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR REGULATING AND GRADING STONE STREET, FROM RICHMOND ROAD TO ST. PAULS AVENUE, AND TO PAVE WITH CONCRETE, ON A FOUNDATION OF ASHES, ETC., TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantity and quality of the material, and the nature and extent, as near as possible, of the work required, is as follows:

150 cubic yards of excavation.

80 cubic yards of concrete pavement.

180 cubic yards of steam ashes.

4 iron posts, furnished and set.

See General Instructions to Bidders on the last page, last column, of the "City Record."

BOROUGH OF RICHMOND.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF RICHMOND, BOROUGH HALL, ST. GEORGE, NEW 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

TUESDAY, OCTOBER 19, 1909.

Borough of Richmond.

No. 1. FOR FURNISHING AND DELIVERING TWO FOURTH-SIZE STEAM FIRE ENGINES.

The time for the delivery of the articles, materials and supplies and the performance of the contract

that are situated respectively in the Boroughs of Manhattan and Queens, at the respective addresses herein stated, for a period of six weeks before said sale, and will be delivered free of all costs or charges to any person applying for same.

Dated September 24, 1909.
DANIEL MOYNANAN, Collector of Assessments and Arrears of The City of New York, \$29,06,13,20,27,n3,10,17

NOTICE OF SALE.

FOR TAXES AND ASSESSMENTS UNPAID AND DUE FOR THE YEARS PRIOR TO 1898, IN THE THIRD WARD OF THE BOROUGH OF QUEENS.

Town of Flushing.

Notice of Sale of Lands in That Part of the Third Ward of the Borough of Queens, City of New York, Formerly Known as the Village of Flushing, for Arrears of Taxes of 1897 and Prior Years.

I, DANIEL MOYNANAN, COLLECTOR OF ASSESSMENTS AND ARREARS OF THE CITY OF NEW YORK, do hereby give notice that, in pursuance of chapter 248 of the Laws of 1897 and the acts amendatory thereof, and the Charter of The City of New York, I will proceed to sell at public auction at the Town Hall, Broad-day and Linden Avenue, Flushing, in the said former Village of Flushing, on

FRIDAY, NOVEMBER 12, 1909, at 10 a.m. for the shortest period of time that any person or persons may offer to take the same, in consideration of advancing the said taxes and assessments with the percentage and interest thereon at twelve per centum per annum, to the time of sale, together with all expenses of publication and the charges allowed by law, are add to me at my office in the Hackett Building, Linden Avenue and Fifth street, Long Island City, on or before the sixth day of November, 1909.

And notice is hereby further given that there has been published in the "Queens Borough Reporter" and the "North Shore Leader," a list of the several parcels of real estate to be sold, in the same manner set forth, as well as the same are described in the assessment rolls in which said taxes and assessments are imposed thereon, together with the name of the person to whom such real estate is sold and the amount of the taxes and assessments assessed thereon in several columns, which will be open to public inspection in the office of the Collector of Assessments and Arrears in the Department of Finance, that are situated, respectively, in the Boroughs of Manhattan and Queens, at the respective addresses herein stated, for a period of six weeks before said sale, and will be delivered free of all costs or charges to any person applying for same.

Dated September 1, 1909.
DANIEL MOYNANAN, Collector of Assessments and Arrears of The City of New York, No. 280 Broadway, Borough of Manhattan, Thomas A. Healy, Deputy Collector, Hackett Building, Linden Avenue and Fifth Street, Long Island City.

Flushing, C. C. Page, Post.

Notice of Sale of Lands in That Part of the Third Ward of the Borough of Queens, City of New York, Formerly Known as the Village of Flushing, for Arrears of Taxes and Assessments Confirmed Prior to January 1, 1898.

I, DANIEL MOYNANAN, COLLECTOR OF ASSESSMENTS AND ARREARS OF THE CITY OF NEW YORK, do hereby give notice that, in pursuance of chapter 248 of the Laws of 1897 and the acts amendatory thereof, and the Charter of The City of New York, I will proceed to sell at public auction at the office of Mr. Smith's Attorney, No. 233 Thirteenth street, in the said former Village of Flushing, on

MONDAY, NOVEMBER 8, 1909, at 10 a.m. for the shortest period of time that any person or persons may offer to take the same, in consideration of advancing the said taxes and assessments with the percentage and interest thereon at twelve per centum per annum to the time of sale, together with all expenses of publication and the charges allowed by law, are add to me at my office in the Hackett Building, Linden Avenue and Fifth street, Long Island City, on or before the 6th day of November, 1909.

DANIEL MOYNANAN, Collector of Assessments and Arrears of The City of New York, No. 280 Broadway, Borough of Manhattan, Thomas A. Healy, Deputy Collector, Hackett Building, Linden Avenue and Fifth street, Long Island City.

Flushing, C. C. Page, Post.

Notice of Sale of Lands in That Part of the Third Ward of the Borough of Queens, City of New York, Formerly Known as the Village of Flushing, for Arrears of Taxes and Assessments Confirmed Prior to January 1, 1898.

I, DANIEL MOYNANAN, COLLECTOR OF ASSESSMENTS AND ARREARS OF THE CITY OF NEW YORK, do hereby give notice that, in pursuance of chapter 248 of the Laws of 1897, as amended by chapter 146 of the Laws of 1897, and the acts amendatory thereof, and the Charter of The City of New York, I will proceed to sell at public auction at the Louise of Empire Engine and Hose Company No. 1, Seventh Avenue, near Sixty-eighth Street, in the said former Village of Flushing, on

TUESDAY, NOVEMBER 9, 1909, at 10 a.m. for the shortest period of time that any person or persons may offer to take the same, in consideration of advancing the said taxes and assessments with the percentage and interest thereon at twelve per centum per annum to the time of sale, together with all expenses of publication and the charges allowed by law, are add to me at my office in the Hackett Building, Linden Avenue and Fifth street, Long Island City, on or before the 8th day of November, 1909.

And notice is hereby further given that there has been published in the "Queens Borough Reporter" and the "North Shore Leader," a list of the several parcels of real estate in said

villages to be sold, in the same manner, substantially as the same are described in the assessment rolls in which said taxes and assessments are imposed thereon, together with the name of the person to whom such real estate is assessed and the amount of the taxes and assessments assessed thereon in separate columns, which will be open to public inspection in the offices of the Collector of Assessments and Arrears in the Department of Finance, that are situated, respectively, in the Boroughs of Manhattan and Queens, at the respective addresses herein stated, for a period of six weeks before said sale, and will be delivered free of all costs or charges to any person applying for same.

Dated September 24, 1909.

DANIEL MOYNANAN, Collector of Assessments and Arrears of The City of New York, No. 280 Broadway, Borough of Manhattan.

Thomas A. Healy, Deputy Collector, Hackett Building, Jackson Avenue and Fifth street, Long Island City.

Village of Flushing.

Notice of Sale of Lands in That Part of the Third Ward of the Borough of Queens, City of New York, Formerly Known as the Village of Flushing, for Arrears of Taxes and Assessments, Confirmed Prior to January 1, 1898.

I, DANIEL MOYNANAN, COLLECTOR OF ASSESSMENTS AND ARREARS OF THE CITY OF NEW YORK, do hereby give notice that, in pursuance of chapter 248 of the Laws of 1898 and the acts amendatory thereof, and the Charter of The City of New York, I will proceed to sell at public auction at the Town Hall, Broad-day and Linden Avenue, Flushing, in the said former Village of Flushing, on

WEDNESDAY, NOVEMBER 10, 1909,

at 10 a.m. for the shortest period of time that any person or persons may offer to take the same, in consideration of advancing the said taxes and assessments with the percentage and interest thereon at twelve per centum per annum, to the time of sale, together with all expenses of publication and the charges allowed by law, are add to me at my office in the Hackett Building, Linden Avenue and Fifth street, Long Island City, on or before the sixth day of November, 1909.

And notice is hereby further given that there has been published a list of the several parcels of real estate to be sold, in the same manner substantially as the same are described in the assessment rolls in which said taxes and assessments are imposed thereon, together with the name of the person to whom such real estate is assessed and the amount of the taxes and assessments assessed thereon in separate columns, which will be open to public inspection in the office of the Collector of Assessments and Arrears in the Department of Finance, that are situated, respectively, in the Boroughs of Manhattan and Queens, at the respective addresses herein stated, for a period of six weeks before said sale, and will be delivered free of all costs or charges to any person applying for same.

Dated September 1, 1909.

DANIEL MOYNANAN, Collector of Assessments and Arrears of The City of New York, No. 280 Broadway, Borough of Manhattan.

Thomas A. Healy, Deputy Collector, Hackett Building, Linden Avenue and Fifth Street, Long Island City.

Village of Flushing.

Notice of Sale of Lands in That Part of the Third Ward of the Borough of Queens, City of New York, Formerly Known as the Village of Flushing, for Arrears of Taxes and Assessments Confirmed Prior to January 1, 1898.

I, DANIEL MOYNANAN, COLLECTOR OF ASSESSMENTS AND ARREARS OF THE CITY OF NEW YORK, do hereby give notice that, in pursuance of chapter 248 of the Laws of 1898, as amended by chapter 146 of the Laws of 1897, and the acts amendatory thereof, and the Charter of The City of New York, I will proceed to sell at public auction at the Louise of Empire Engine and Hose Company No. 1, Seventh Avenue, near Sixty-eighth Street, in the said former Village of Flushing, on

WEDNESDAY, NOVEMBER 10, 1909,

at 10 a.m. for the shortest period of time that any person or persons may offer to take the same, in consideration of advancing the said taxes and assessments with the percentage and interest thereon at twelve per centum per annum, to the time of sale, together with all expenses of publication and the charges allowed by law, are add to me at my office in the Hackett Building, Linden Avenue and Fifth street, Long Island City, on or before the 6th day of November, 1909.

Dated September 12, 1909.

DANIEL MOYNANAN, Collector of Assessments and Arrears of The City of New York, No. 280 Broadway, Borough of Manhattan.

Thomas A. Healy, Deputy Collector, Hackett Building, Linden Avenue and Fifth Street, Long Island City.

Village of Flushing.

Notice of Sale of Lands in That Part of the Third Ward of the Borough of Queens, City of New York, Formerly Known as the Village of Flushing, for Arrears of Taxes and Assessments Confirmed Prior to January 1, 1898.

I, DANIEL MOYNANAN, COLLECTOR OF ASSESSMENTS AND ARREARS OF THE CITY OF NEW YORK, do hereby give notice that, in pursuance of chapter 248 of the Laws of 1898, as amended by chapter 146 of the Laws of 1897, and the acts amendatory thereof, and the Charter of The City of New York, I will proceed to sell at public auction at the Louise of Empire Engine and Hose Company No. 1, Seventh Avenue, near Sixty-eighth Street, in the said former Village of Flushing, on

WEDNESDAY, NOVEMBER 10, 1909,

at 10 a.m. for the shortest period of time that any person or persons may offer to take the same, in consideration of advancing the said taxes and assessments with the percentage and interest thereon at twelve per centum per annum, to the time of sale, together with all expenses of publication and the charges allowed by law, are add to me at my office in the Hackett Building, Linden Avenue and Fifth street, Long Island City, on or before the 6th day of November, 1909.

Dated September 12, 1909.

DANIEL MOYNANAN, Collector of Assessments and Arrears of The City of New York, No. 280 Broadway, Borough of Manhattan.

Thomas A. Healy, Deputy Collector, Hackett Building, Linden Avenue and Fifth Street, Long Island City.

Village of Flushing.

Notice of Sale of Lands in That Part of the Third Ward of the Borough of Queens, City of New York, Formerly Known as the Village of Flushing, for Arrears of Taxes and Assessments Confirmed Prior to January 1, 1898.

I, DANIEL MOYNANAN, COLLECTOR OF ASSESSMENTS AND ARREARS OF THE CITY OF NEW YORK, do hereby give notice that, in pursuance of chapter 248 of the Laws of 1898, as amended by chapter 146 of the Laws of 1897, and the acts amendatory thereof, and the Charter of The City of New York, I will proceed to sell at public auction at the Louise of Empire Engine and Hose Company No. 1, Seventh Avenue, near Sixty-eighth Street, in the said former Village of Flushing, on

WEDNESDAY, NOVEMBER 10, 1909,

at 10 a.m. for the shortest period of time that any person or persons may offer to take the same, in consideration of advancing the said taxes and assessments with the percentage and interest thereon at twelve per centum per annum, to the time of sale, together with all expenses of publication and the charges allowed by law, are add to me at my office in the Hackett Building, Linden Avenue and Fifth street, Long Island City, on or before the 6th day of November, 1909.

Dated September 12, 1909.

DANIEL MOYNANAN, Collector of Assessments and Arrears of The City of New York, No. 280 Broadway, Borough of Manhattan.

Thomas A. Healy, Deputy Collector, Hackett Building, Linden Avenue and Fifth Street, Long Island City.

Village of Flushing.

Notice of Sale of Lands in That Part of the Third Ward of the Borough of Queens, City of New York, Formerly Known as the Village of Flushing, for Arrears of Taxes and Assessments Confirmed Prior to January 1, 1898.

I, DANIEL MOYNANAN, COLLECTOR OF ASSESSMENTS AND ARREARS OF THE CITY OF NEW YORK, do hereby give notice that, in pursuance of chapter 248 of the Laws of 1898, as amended by chapter 146 of the Laws of 1897, and the acts amendatory thereof, and the Charter of The City of New York, I will proceed to sell at public auction at the Louise of Empire Engine and Hose Company No. 1, Seventh Avenue, near Sixty-eighth Street, in the said former Village of Flushing, on

WEDNESDAY, NOVEMBER 10, 1909,

at 10 a.m. for the shortest period of time that any person or persons may offer to take the same, in consideration of advancing the said taxes and assessments with the percentage and interest thereon at twelve per centum per annum, to the time of sale, together with all expenses of publication and the charges allowed by law, are add to me at my office in the Hackett Building, Linden Avenue and Fifth street, Long Island City, on or before the 6th day of November, 1909.

Dated September 12, 1909.

DANIEL MOYNANAN, Collector of Assessments and Arrears of The City of New York, No. 280 Broadway, Borough of Manhattan.

Thomas A. Healy, Deputy Collector, Hackett Building, Linden Avenue and Fifth Street, Long Island City.

Village of Flushing.

Notice of Sale of Lands in That Part of the Third Ward of the Borough of Queens, City of New York, Formerly Known as the Village of Flushing, for Arrears of Taxes and Assessments Confirmed Prior to January 1, 1898.

I, DANIEL MOYNANAN, COLLECTOR OF ASSESSMENTS AND ARREARS OF THE CITY OF NEW YORK, do hereby give notice that, in pursuance of chapter 248 of the Laws of 1898, as amended by chapter 146 of the Laws of 1897, and the acts amendatory thereof, and the Charter of The City of New York, I will proceed to sell at public auction at the Louise of Empire Engine and Hose Company No. 1, Seventh Avenue, near Sixty-eighth Street, in the said former Village of Flushing, on

WEDNESDAY, NOVEMBER 10, 1909,

at 10 a.m. for the shortest period of time that any person or persons may offer to take the same, in consideration of advancing the said taxes and assessments with the percentage and interest thereon at twelve per centum per annum, to the time of sale, together with all expenses of publication and the charges allowed by law, are add to me at my office in the Hackett Building, Linden Avenue and Fifth street, Long Island City, on or before the 6th day of November, 1909.

Dated September 12, 1909.

DANIEL MOYNANAN, Collector of Assessments and Arrears of The City of New York, No. 280 Broadway, Borough of Manhattan.

Thomas A. Healy, Deputy Collector, Hackett Building, Linden Avenue and Fifth Street, Long Island City.

Village of Flushing.

All bids must state clearly (1) the number or description of the building or buildings bid for, (2) the amount of the bid, (3) the full name and address of the bidder.

All bids must be inclosed in properly sealed envelopes, marked "Proposals to be opened October 20, 1909," and must be delivered, or mailed in time for their delivery, prior to 11 a.m. of that date to the "Collector of City Revenue, Room 141, No. 280 Broadway, New York City," from whom any further particulars regarding the buildings to be disposed of may be obtained.

The buildings will be sold for immediate removal only, subject to the following

TERMS AND CONDITIONS.

The buildings and appurtenances thereto will be sold to the highest bidder, who must pay cash or a certified check drawn to the order of the Comptroller of The City of New York and must also give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of \$50, the sum of \$50 shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied to the purchase price of any building or buildings, or part thereof, which may be sold by the Comptroller for the payment of any taxes or assessments due and unpaid on the same.

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 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 forfeit the sale and cause immediate forfeiture of the purchase money and the security deposited for the faithful performance of the conditions of the sale. The placing therein or permitting the occupancy of any such building by any tenant free, for rent or otherwise, excepting the necessary watchmen or the workmen engaged in the actual demolition thereof, shall of itself be a breach of the above conditions of sale.

The sale will be as of the condition of the property on date of delivery thereof to the purchaser. The City of New York will not be responsible for any change or loss which may occur in the condition of the buildings, or their appurtenances, between the time of the sale thereof and the time of delivering possession to the purchaser, after being properly vacated by all tenants. The sale and delivery to purchaser will be made as nearly together as the circumstance of vacating the structures of their tenants will permit.

All the material of the buildings, sheds, walls, structures and cellars of whatsoever nature, with their exterior and interior fixtures, appurtenances and foundations of all kinds, except the exterior walls of the buildings and their foundations and the sidewalks and curbs in front of said buildings, extending within the described area shall be torn down and removed from the premises. None of the dirt, debris or waste resulting from demolition shall be allowed to remain on the premises, except old mortar or plaster only, which may be two feet, but not higher at any point than two feet below the curb opposite that point. The exterior walls and their foundations shall be taken down only to a plane whose elevation shall be the level of the curb in front of the building. Where there is no curb the elevation of the surrounding ground shall be considered curb level. All wells, cesspools, sinks, etc., existing on the property must be filled to the level of the surrounding ground with clean earth.

The purchaser at the sale shall also withdraw and remove all abandoned water taps and old service mains, and in place thereof cause to be inserted a brass plug in the main water pipe in the street, in compliance with the rules and regulations of the Department of Water Supply, Gas and Electricity, and furnish the Department of Finance with a certificate from the Department of Water Supply, Gas and Electricity that this has been performed.

The purchaser at the sale shall also remove all house sewer connections to the main sewer in the street, and the opening of the main sewer in street shall be properly closed in compliance with the directions of the Bureau of Sewers,

Comptroller of The City of New York, and must also give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of \$50, the sum of \$50 shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied by the City to the cost of completing any of the work required under the contract, but unfinished at the expiration of the contract period.

The purchaser shall not lease, occupy, cause or permit the building or buildings, etc., purchased by him to be used or occupied for any purpose other than that of their speedy removal, nor shall he collect any rental or other revenue for the use of either the land or the buildings, etc., situated thereon. The breach of either or any of these conditions shall forthwith void the sale and cause immediate forfeiture of the purchase money and the security deposited for the faithful performance of the conditions of the sale. The placing therein or permitting the occupancy of any such building by any tenant free, for rent or otherwise, excepting the necessary watchmen or the workmen engaged in the actual demolition thereof, shall of itself be a breach of the above conditions of sale.

The sale will be as of the condition of the property on the date of delivery thereof to the purchaser. The City of New York will not be responsible for any change or loss which may occur in the condition of the buildings, or their appurtenances, between the time of the sale thereof and the time of delivering possession to the purchaser, after being properly vacated by all tenants. The sale and delivery to purchaser will be made as nearly together as the circumstances of vacating the structures of their tenants will permit.

All the material of the buildings, sheds, walks, structures and cellars of whatsoever nature, with their exterior and interior fixtures, appurtenances and foundations of all kinds, except the exterior walls of the buildings and their foundations at the sidewalks and curb in front of said buildings, extending within the described area, shall be torn down and removed from the premises. None of the dirt, debris or waste resulting from demolition shall be allowed to remain on the premises except old mortar or plaster only, which may be left, but not higher at any point than two feet below the curb opposite that point. The exterior walls and their foundations shall be taken down only to a place where the elevation shall be the level of the curb in front of the building. Where there is no curb the elevation of the surrounding ground shall be considered curb level. All wells, cesspools, sinks, etc., existing on the property must be filled to the level of the surrounding ground and removed, and all abandoned water taps and old service mains, and in place thereof cause to be inserted a brass plug in the main water pipe in the street, in compliance with the rules and regulations of the Department of Water Supply, Gas and Electricity, and furnish the Department of Finance with a certificate from the Department of Water Supply, Gas and Electricity that this has been performed.

The purchaser at the sale shall also remove all house sewer connections to the main sewer in the street, and the opening of the main sewer in street shall be properly closed, in compliance with the directions of the Bureau of Sewers, Borough of The Bronx, and furnish the Department of Finance with a certificate from the Bureau of Sewers that the work has been properly performed.

The permit for all opening in the street to be obtained by and at the expense of the purchaser, cause the same to be removed, and the costs and expense thereof charged against the security above mentioned.

The work of removal must be carried on in every respect in a thorough and workmanlike manner, and must be completed within thirty days from the day of possession, and the successful bidder will provide and furnish all materials of labor and materials necessary thereto, and will place or set and sufficient guards and fences and warning signs by day and night for the protection of pedestrians, and will indemnify and save harmless The City of New York, its officers, agents and servants, and each of them, against any and all costs and actions, claims and demands of every nature and description brought against it, them or any of them, and against all issues of damage and costs to which it, they or any of them may be put by reason of injury to the person or property of another, resulting from negligence or carelessness in the performance of the work or in removing the same, or from any damage or defective materials or machinery, implements or appliances used in the removal of said buildings.

Where party walls are found to exist between buildings purchased by different bidders, the materials of said party walls shall be understood to be equally divided between the separate purchasers. Party walls and fences, when existing against adjacent or neighboring buildings, shall not be taken down. All furniture, 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, beams, etc., braced up, and the wall pointed and made to exclude wind and rain and present a clean exterior. The roofs of adjacent buildings shall be properly fashed and pointed 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 materials included therein, or to reject any and all bids, and it is further resolved.

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 at the office of the City.

H. A. METZ, Comptroller.
City of New York, Department of Finance,
Comptroller's Office, September 25, 1909.

o2,19

NOTICE 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 the assessments for OPENING AND ACQUIRING TITLE to the following named streets in the BOROUGH OF BROOKLYN:

TWENTY-SEVENTH WARD, SECTIONS 10 AND 11.

FORREST STREET—OPENING, from Central avenue to Flushing avenue. Confirmed July 10, 1909. Entered September 29, 1909. 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.:

Beginning at the intersection of a line midway between Forrest street and Noll street with a line 100 feet southwardly from the southwesterly side of Central avenue and parallel therewith, the said distance being measured at right angles to the line of Central avenue, and running thence northwardly and parallel with the line of Central avenue to the intersection with a line distant 100 feet northwardly from the northwest side of Forrest street and parallel therewith, the said distance being measured at right angles to the line of Forrest street; thence running northwardly and parallel with the line of Forrest street to the intersection with the northwest side of Flushing avenue; thence northwardly at right angles to the line of Flushing avenue 100 feet; thence northwardly and parallel with the line of Flushing avenue to the intersection with a line at right angles to the line of Flushing avenue, and passing through a point on the southeasterly side of the said avenue midway between the intersection of the said southeasterly side with the southeasterly side of Forrest street and the southeasterly side of Hamburg avenue; thence southwardly along the course last described to the southeasterly side of Flushing avenue; thence southwardly and parallel with the line of Hamburg avenue to the intersection with the prolongation of a line midway between Forrest street and Noll street; thence southwardly and along the said line midway between Forrest street and Noll street to the point or place of beginning.

THIRTIETH WARD, SECTION 18.

ACQUIRING TRIANGULAR PARCEL OF LAND BOUND BY NINETY-FOURTH STREET, FOURTH AND FIFTH AVENUES. Confirmed June 3, 1909. Entered September 29, 1909. 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 west by a line 100 feet westerly from and parallel with the westerly line of Fourth avenue, the said distance being measured at right angles to the line of Fourth avenue; on the north by a line 100 feet north of the northerly line of Ninety-fourth street, the said line being measured at right angles to the line of Ninety-fourth street; on the east by a line 100 feet east of the easterly line of Fifth avenue, the said distance being measured at right angles to the line of Fifth avenue; and on the south by a line midway between Ninety-fourth street and Ninety-sixth street, through that portion of their length west of Fourth avenue, and by the prolongation of the said line.

—that the above entitled assessments were 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, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided by section 1019 of the Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment, to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated by the date of payment, from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record." * * *

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Mechanics Bank Building, Court and Montague streets, Borough of Brooklyn, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before November 29, 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.

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Mechanics Bank Building, Court and Montague streets, Borough of Brooklyn, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before November 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 assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.
City of New York, Department of Finance,
Comptroller's Office, September 29, 1909.

o2,16

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE BY SEALED BIDS.

AT THE REQUEST OF THE COMMISSIONER OF THE DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSIONERS OF THE SINKING FUND, BY VIRTUE OF THE POWERS VESTED IN THEM BY LAW, WILL OFFER FOR SALE BY SEALED BIDS ALL THE BUILDINGS PARTS OF BUILDINGS, ETC., STANDING UPON PROPERTY OWNED BY THE CITY OF NEW YORK, ACQUIRED BY IT FOR PIPE LINE PURPOSES IN THE REMOVAL OF OLD BUILDINGS.

WHEREVER PARTS OF THE SAME MAY BE OWNED BY DIFFERENT BIDDERS, THE MATERIALS OF SELLING PARTS WILL BE UNDERSTOOD TO BE EQUALLY DIVIDED BETWEEN THE SEPARATE PURCHASERS.

Party walls and fences, when existing against adjacent or neighboring buildings, shall not be taken down. All furniture, 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, beams, etc., braced up, and the wall pointed and made to exclude wind and rain and present a clean exterior. The roofs of adjacent buildings shall be properly fashed and pointed 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 materials included therein, or to reject any and all bids, and it is further resolved.

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 at the office of the City.

H. A. METZ, Comptroller.
City of New York, Department of Finance,
Comptroller's Office, September 25, 1909.

o2,19

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:

SEVENTEENTH WARD, SECTION 9.
ECKFORD STREET—SEWER, between Engert and Manhattan avenues. Area of assessment: Both sides of Eckford street, between Engert avenue and Newton street.

HAUSMAN STREET—OUTLET SEWER, between Norman avenue and Nassau avenue. Area of assessment: Both sides of Hausman street, between Nassau and Norman avenues, and south side of Nassau avenue, between Hausman street and Apollo street.

TWENTY-SECOND WARD, SECTION 4.

SEWER BASIN at the east corner of TENTH STREET and SECOND AVENUE. Area of assessment: North side of Tenth street, between Second and Third avenues.

TWENTY-FOURTH WARD, SECTION 5.

SEWER BASIN at the southeast corner of ST. MARKS AVENUE and ROGERS AVENUE. Area of assessment: East side of Rogers avenue, between St. Marks avenue and Prospect place.

TWENTY-FIFTH WARD, SECTION 6.

SEWER BASIN at the northeast corner of GATES and REID AVENUES. Area of assessment: East side of Reid avenue, between Gates avenue and Quincy street.

SEWER BASIN at the southwest corner of HALSEY STREET and HOWARD AVENUE. Area of assessment: South side of Halsey street, between Howard and Ralph avenues.

TWENTY-EIGHTH WARD, SECTION 11.

SEWER BASINS at the south and east corners of HAMBURG AVENUE and GROVE STREET. Area of assessment: Southeast side of Grove street, between Knickerbocker and Central avenues.

TWENTY-NINTH WARD, SECTION 16.

SEWER BASINS at the northeast and northwest corners of DORCHESTER ROAD and WESTMINSTER ROAD. Area of assessment: Blocks bounded by Cortelyou road, Dorchester road, East Eleventh street (Stratford road), East Thirteenth street (Argyle road).

THIRTIETH WARD, SECTION 17.

SEWER BASINS at the north and east corners of BAY RIDGE AVENUE and TENTH AVENUE. Area of assessment: South side of Sixty-eighth street, between Eleventh avenue and Fort Hamilton street, and northeast corner of Fort Hamilton and Bay Ridge avenues.

FORTY-SEVENTH STREET—SEWER, between New Utrecht avenue and Twelfth avenue; and FORTY-SEVENTH STREET—OUTLET SEWER, between Twelfth and Thirteenth avenues. Area of assessment: Both sides of Forty-seventh street, from New Utrecht to Thirteenth avenue, northwest side of Twelfth avenue, from Forty-sixth to Forty-eighth street.

—that the same were confirmed by the Board of Assessors on September 28, 1909, and entered September 28, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of 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 by the date of payment, from the date when such assessment became a lien, as provided by section 159 of this act.

—that the same were confirmed by the Board of Assessors on September 28, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of 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 by the date of payment, from the date when such assessment became a lien, as provided by section 159 of this act.

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record." * * *

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Mechanics Bank Building, Court and Montague streets, Borough of Brooklyn, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before November 29, 1909, will be exempt from interest as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when such assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.
City of New York, Department of Finance,
Comptroller's Office, September 28, 1909.

s30,014

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE BY SEALED BIDS.

AT THE REQUEST OF THE PRESIDENT OF THE BOROUGH OF THE BRONX, PUBLIC NOTICE IS HEREBY GIVEN THAT THE COMMISSIONERS OF THE SINKING FUND, BY VIRTUE OF THE POWERS VESTED IN THEM BY LAW, WILL OFFER FOR SALE BY SEALED BIDS ALL THE BUILDINGS PARTS OF BUILDINGS, ETC., STANDING UPON PROPERTY OWNED BY THE CITY OF NEW YORK, ACQUIRED BY IT FOR OPENING PURPOSES IN THE BOROUGH OF THE BRONX.

BEING ALL THE BUILDINGS, PARTS OF BUILDINGS, ETC., STANDING WITHIN THE LINES OF RICHARD STREET, FROM KING STREET TO MORRIS STREET, ALL OF WHICH ARE MORE PARTICULARLY DESCRIBED 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 ON SEPTEMBER 22, 1909, THE SALE BY SEALED BIDS OF THE ABOVE-DESCRIBED BUILDINGS AND APPURTENANCES THERETO WILL BE HELD BY DIRECTION OF THE COMPTROLLER ON

FRIDAY, OCTOBER 15, 1909,

AT 11 A. M., IN LOTS AND PARCELS AND IN MANNER AND FORM AS FOLLOWS:

PARCEL NO. 1. ONE AND ONE-HALF STORY FRAME DWELLING, FACING KING STREET, WITH ONE-STORY FRAME EXTENSION AND ONE-STORY FRAME SHED AND OUTHOUSE IN REAR OF SAME.

PARCEL NO. 2. ONE-STORY FRAME STABLE AND 16 FEET OF ONE-STORY COVERED SHED ADJOINING, WITH THREE OUTHOUSES IN THE REAR AND NORTH OF PARCEL NO. 1.

PARCEL NO. 3. TWO-STORY FRAME DWELLING NORTH OF PARCEL NO. 2.

PARCEL NO. 4. ABOUT 8 FEET OF THE WEST SIDE (REAR) OF THE TWO-STORY FRAME DWELLING FACING ELLIOTT AVENUE, NORTHEAST OF PARCEL NO. 3.

o2,6

PARCEL NO. 5. ABOUT 12 FEET OF THE WEST SIDE (REAR) OF THE TWO-STORY FRAME DWELLING AT THE SOUTHWEST CORNER OF ELLIOTT AVENUE AND WILSON PLACE, ADJOINING PARCEL NO. 4.

PARCEL NO. 6. ABOUT 6 1/2 FEET OF THE FRONT OF THE TWO-STORY FRAME DWELLING AT THE SOUTHWEST CORNER OF RICHARD STREET AND MORRIS STREET.

SEALED BIDS (BLANK FORMS OF WHICH MAY BE OBTAINED UPON APPLICATION) WILL BE RECEIVED BY THE COMPTROLLER AT THE OFFICE OF THE COLLECTOR OF CITY REVENUE, ROOM 141, NO. 280 BROADWAY, BOROUGH OF MANHATTAN, UNTIL 11 A. M. ON THE 15TH DAY OF OCTOBER, 1909, AND THEN PUBLICLY OPENED FOR THE SALE FOR REMOVAL OF THE ABOVE-DESCRIBED BUILDINGS AND APPURTENANCES THERETO, AND THE AWARD WILL BE MADE TO THE HIGHEST BIDDER WITHIN TWENTY-FOUR HOURS, OR AS SOON AS POSSIBLE THEREAFTER.

Each parcel must be bid for separately and will be sold in its entirety, as described in above advertisement.

Each and every bid must be accompanied by a deposit of cash or certified check in a sum equal to 25 per cent of the amount of the bid, except that a minimum deposit of \$50 will be required with all bids, and that a deposit of \$50 will be sufficient to entitle bidders to bid on any or all of the buildings.

Deposits of unsuccessful bidders will be returned within twenty-four hours after successful bidders have paid purchase price in full and given security, and those of successful bidders may be declared forfeited to The City of New York by the Comptroller upon the failure of the successful bidder to further comply with the requirements of the terms and conditions of the sale as

manner, and must be completed within thirty days from the day of possession, and the successful bidder will provide and furnish all materials of labor and machinery necessary thereto, and will place proper and sufficient guards and fences and warning signs by day and night for the prevention of accidents, and will indemnify and save harmless The City of New York, its officers, agents and servants, and each of them, against any and all suits and actions, claims and demands of every name and description brought against it, them or any of them, and against and from all damage and costs to which it, they or any of them be put by reason of injury to the person or property of another, resulting from negligence or carelessness in the performance of the work, or in guarding the same, or from any improper or defective materials or machinery, implements or appliances used in the removal of said buildings.

Where party walls are found to exist between buildings purchased by different bidders, the materials of said party walls shall be understood to be equally divided between the separate purchasers.

Party walls and fences, when existing against adjacent property not sold, shall not be taken down. All 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 pointed and made to exclude wind and rain and present a clean exterior. The roofs of adjacent buildings shall be properly flashed and painted and made watertight where they have been disturbed by the operations of the contractor.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids; and it is further

Resolved, That, while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized to cause the sale to be advertised and to direct the sale thereof as financial officer of the City.

H. A. METZ, Comptroller,
City of New York, Department of Finance,
Comptroller's Office, September 25, 1909.
s29,015

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE BY SEALED BIDS.

AT THE REQUEST OF THE PRESIDENT of the Borough of Brooklyn, public notice is hereby given that the Commissioners of the Sinking Fund, by virtue of the powers vested in them by law, will offer for sale by sealed bids all the buildings, parts of buildings, etc., standing upon property owned by The City of New York, acquired by it for street opening purposes in the

Borough of Brooklyn.

Being all the buildings, parts of buildings, etc., standing within the lines of Scott avenue, between St. Nicholas avenue and Johnson avenue, all of which are more particularly described on a certain map on file in the office of the Collector of City Revenue, Department of Finance, Room 141, No. 280 Broadway, Borough of Manhattan.

Pursuant to a resolution of the Commissioners of the Sinking Fund, adopted at a meeting held September 22, 1909, the sale by sealed bids of the above-described buildings and appurtenances thereto will be held by direction of the Comptroller on

THURSDAY, OCTOBER 14, 1909,
at 11 a. m., in lots and parcels and in manner and form as follows:

Parcel No. 1. One-story and basement frame building with shed and outhouse in rear of same, corner of Scott avenue and Jefferson street.

Parcel No. 2. Rear part of three two-story frame buildings facing on St. Nicholas avenue, near Trouman street, 13 feet on north end by 60 feet on south end.

Scaled bids (blank forms of which may be obtained upon application) will be received by the Comptroller at the office of the Collector of City Revenue, Room 141, No. 280 Broadway, Borough of Manhattan, until 11 a. m. on the 14th day of October, 1909, and then publicly opened for the sale for removal of the above-described buildings and appurtenances thereto, and the award will be made to the highest bidder within twenty-four hours, or as soon as possible thereafter.

Each parcel must be bid for separately and will be sold in its entirety, as described in above advertisement.

Each and every bid must be accompanied by a deposit of cash or certified check in a sum equal to twenty-five per cent. of the amount of the bid, except that a minimum deposit of \$50 will be required with all bids, and that a deposit of \$500 will be sufficient to entitle bidders to bid on any or all of the buildings.

Deposits of unsuccessful bidders will be returned within twenty-four hours after successful bidders have paid purchase price in full and given security, and those of successful bidders may be declared forfeited to The City of New York by the Comptroller upon the failure of the successful bidder to further comply with the requirements of the terms and conditions of the sale as set forth hereinafter.

Successful bidders will be required to pay the purchase money and deposit the required security within twenty-four hours of the receipt of notification of the acceptance of their bids.

The Comptroller reserves the right to reject any and all bids and to waive any defects or informities in any bid should it be deemed in the interest of The City of New York to do so.

All bids must state clearly (1) the number or description of the building or buildings bid for, (2) the amount of the bid, (3) the full name and address of the bidder.

All bids must be enclosed in properly sealed envelopes, marked "Proposals to be opened October 14, 1909," and must be delivered, or mailed in time for their delivery, prior to 11 a. m. of that date to the "Collector of City Revenue, Room 141, No. 280 Broadway, New York City," from whom any further particulars regarding the buildings to be disposed of may be obtained.

The buildings will be sold for immediate removal only, subject to the following

TERMS AND CONDITIONS.

The buildings and appurtenances thereto will be sold to the highest bidder, who must pay cash or a certified check drawn to the order of the Comptroller of The City of New York, and must also give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of \$50, the sum of \$50 shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied by the City to the cost of completing any of the work required under the contract, but unfinished at the expiration of the contract period.

The purchaser shall not lease, occupy, cause or permit the building or buildings, etc., purchased by him to be used or occupied for any purpose other than that of their speedy removal, nor shall he collect any rental or other revenue for the use of either the land or the buildings, etc., situated thereon. The breach of either or any of these

conditions shall forthwith void the sale and cause immediate forfeiture of the purchase money and the security deposited for the faithful performance of the conditions of the sale. The placing therein or permitting the occupancy of any such building by any tenant free, for rent or otherwise, excepting the necessary watchmen or the workmen engaged in the actual demolition thereof, shall of itself be a breach of the above conditions.

The sale will be as of the condition of the property on date of delivery thereof to the purchaser. The City of New York will not be responsible for any change or loss which may occur in the condition of the buildings, or their appurtenances, between the time of the sale thereof and the time of delivering possession to the purchaser, after being properly vacated of all tenants. The sale and delivery to purchaser will be made as nearly together as the circumstances of vacating the structures of their tenants will permit.

All the material of the buildings, sheds, walks, structures and cellars of whatsoever nature, with their exterior and interior fixtures, appurtenances and foundations of all kinds, except the exterior walls of the buildings and their foundations and the sidewalks and curb in front of said buildings, extending within the described area shall be torn down and removed from the premises. None of the dirt, debris or waste resulting from demolition shall be allowed to remain on the premises except old mortar or plaster only, which may be left, but not higher at any point than two feet below the curb opposite that point. The exterior walls and their foundations shall be taken down only to a plane whose elevation shall be the level of the curb in front of the building. Where there is no curb the elevation of the surrounding ground shall be considered curb level. All wells, cesspools, sinks, etc., existing on the property must be filled to the level of the surrounding ground with clean earth.

The sale will be as of the condition of the property on date of delivery thereof to the purchaser. The City of New York will not be responsible for any change or loss which may occur in the condition of the buildings, or their appurtenances, between the time of the sale thereof and the time of delivering possession to the purchaser, after being properly vacated of all tenants. The sale and delivery to purchaser will be made as nearly together as the circumstances of vacating the structures of their tenants will permit.

—that the same were confirmed by the Board of Revision of Assessments on September 23, 1909, and entered September 23, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and

the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided by section 1019 of the Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment, to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated at 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 Monroe streets, Borough of Brooklyn, between the

hours of 9 a. m. and 2 p. m., and on Saturdays

from 9 a. m. to 12 m., and all payments made thereon or before November 22, 1909, will be exempt from interest as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when such assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance,

Comptroller's Office, September 23, 1909.

s27,015

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE BY SEALED BIDS.

AT THE REQUEST OF THE PRESIDENT of the Borough of Brooklyn, public notice is hereby given that the Commissioners of the Sinking Fund, by virtue of the powers vested in them by law, will offer for sale, by sealed bids, all the buildings, parts of buildings, etc., standing upon property owned by The City of New York, acquired by it for street opening purposes in the

properly performed.

The permit for all opening in the street to be obtained by and at the expense of the purchaser of the building.

Failure to remove said buildings, appurtenances or any part thereof within thirty days from the day of possession will work forfeiture of ownership of such buildings, appurtenances or portion as shall then be left standing, together with all moneys paid by said purchaser on account thereof at the time of the sale, and the bidder's assent to the above conditions being understood to be implied by the act of bidding, and The City of New York will, without notice to the purchaser, cause the same to be removed, and the costs and expense thereof charged against the security above mentioned.

The work of removal must be carried on in every respect in a thorough and workmanlike manner, and must be completed within thirty days from the day of possession, and the successful bidder will provide and furnish all materials of labor and machinery necessary thereto, and will place proper and sufficient guards and fences and warning signs by day and night for the prevention of accidents, and will indemnify and save harmless The City of New York, its officers, agents and servants, and each of them, against any and all suits and actions, claims and demands of every name and description brought against it, them or any of them, and against and from all damage and costs to which it, they or any of them be put by reason of injury to the person or property of another, resulting from negligence or carelessness in the performance of the work, or in guarding the same, or from any improper or defective materials or machinery, implements or appliances used in the removal of said buildings.

Where party walls are found to exist between buildings purchased by different bidders, the materials of said party walls shall be understood to be equally divided between the separate purchasers.

Party walls and fences, when existing against adjacent property not sold, shall not be taken down. All 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 pointed and made to exclude wind and rain and present a clean exterior. The roofs of adjacent buildings shall be properly flashed and painted and made watertight where they have been disturbed by the operations of the contractor.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids; and it is further

Resolved, That, while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized to cause the sale to be advertised and to direct the sale thereof as financial officer of the City.

H. A. METZ, Comptroller.

City of New York, Department of Finance,

Comptroller's Office, September 23, 1909.

s28,013

NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF THE Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF THE BRONX:

TWENTY-THIRD WARD, SECTION 9.

WEST ONE HUNDRED AND SIXTY-FIFTH STREET—REGULATING, GRADING, CURBING, FLAGGING, LAYING CROSSWALKS, BUILDING, APPROACHES AND PLACING FENCES, from Sedgwick avenue to Ogden avenue. Area of assessment: East side of Sedgwick avenue, from its intersection with Linn avenue to a point about 614 feet north of One Hundred and Sixty-fifth street; both sides of Linn avenue, from a point about 662 feet south of One Hundred and Sixty-fifth street to One Hundred and Sixty-sixth street; both sides of Lawrence avenue, extending about 170 feet north of Linn avenue; both sides of Summit avenue, from One Hundred and Sixty-fourth street to One Hundred and Sixty-sixth street; west side of Summit avenue, extending about 250 feet south of One Hundred and Sixty-fourth street; both sides of Ogden avenue, from One Hundred and Sixty-sixth street; both sides of One Hundred and Sixty-fifth street, from Sedgwick avenue to Nelson avenue.

The buildings and appurtenances thereto will be sold to the highest bidder, who must pay cash or a certified check drawn to the order of the Comptroller of The City of New York, and must also give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of \$50, the sum of \$50 shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied by the City to the cost of completing any of the work required under the contract 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.

TWENTY-FOURTH WARD, SECTION 11.

HONEYWELL AVENUE—PAVING THE ROADWAY AND SETTING CURB, from Tremont avenue to East One Hundred and Eighty-second street. Area of assessment: Both sides of Honeywell avenue, from Tremont avenue to East One Hundred and Eighty-second street, and to the extent of half the block at the intersecting streets.

TWENTY-FOURTH WARD, ANNEXED TERRITORY.

MORRIS STREET—REGULATING, GRADING, CURBING, SETTING CURBSTONE, FLAGGING, THE SIDEWALKS, LAYING CROSSWALKS, BUILDING, APPROACHES AND PLACING FENCES, from White Plains road to Boston road. Area of assessment: Both sides of Morris street, from White Plains road to Boston road, and to the extent of half the block at the intersecting streets.

—that the same were confirmed by the Board of Revision of Assessments on September 23, 1909, and entered September 23, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and

the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided by section 1019 of the Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment, to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated at 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 sale will be as of the condition of the property on date of delivery thereof to the purchaser. The City of New York will not be responsible for any change or loss which may occur in the condition of the buildings, or their appurtenances, between the time of the sale thereof and the time of delivering possession to the purchaser, after being properly vacated of all tenants. The sale and delivery to purchaser will be made as nearly together as the circumstances of vacating the structures of their tenants will permit.

The sale will be as of the condition of the property on date of delivery thereof to the purchaser. The City of New York will not be responsible for any change or loss which may occur in the condition of the buildings, or their appurtenances, between the time of the sale thereof and the time of delivering possession to the purchaser, after being properly vacated of all tenants. The sale and delivery to purchaser will be made as nearly together as the circumstances of vacating the structures of their tenants will permit.

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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 sale will be as of the condition of the property on date of delivery thereof to the purchaser. The City of New York will not be responsible for any change or loss which may occur in the condition of the buildings, or their appurtenances, between the time of the sale thereof and the time of delivering possession to the purchaser, after being properly vacated of all tenants. The sale and delivery to purchaser will be made as nearly together as the circumstances of vacating the structures of their tenants will permit.

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—that the same were confirmed by the Board of Revision of Assessments on September 23, 1909, and entered September 23, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of

NECESSARY RETAINING WALL, CULVERT AND GUARD RAILS, from Broadway to the first new avenue west of Broadway (Bennett avenue). Area of assessment: Both sides of One Hundred and Ninety-second street, from Broadway to Bennett avenue, and to the extent of half the block at the intersecting streets, —that the same were confirmed by the Board of Revision of Assessments on September 23, 1909, and entered September 23, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessment, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said records."

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 November 22, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller,
City of New York, Department of Finance,
Comptroller's Office, September 23, 1909. \$27,09

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.

RADDE STREET—REGULATING, GRADING, CURBING, FLAGGING AND LAYING CROSS-WALKS, from Paupier avenue to Jane street, Area of assessment: Both sides of Radde street, from Paupier avenue to Jane street, and to the extent of half the block at the intersecting streets.

FIRST AVENUE—PAVING, from Broadway to Washington avenue, Area of assessment: Both sides of First avenue, from Broadway to Washington avenue, and to the extent of half the block at the intersecting streets.

WASHINGTON AVENUE—REGULATING, GRADING, CURBING, LAYING SIDEWALKS AND CROSWALKS, from Academy street to Jackson avenue, Area of assessment: Both sides of Washington avenue, from Academy street to Jackson avenue, and to the extent of half the block at the intersecting and terminating avenues, —that the same were confirmed by the Board of Revision of Assessments September 23, 1909, and entered September 23, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, at the Hackitt 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. to 12 m., and all payments made thereon on or before November 22, 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 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 Hackitt 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. to 12 m., and all payments made thereon on or before November 22, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller,
City of New York, Department of Finance,
Comptroller's Office, September 23, 1909. \$27,09

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:

EIGHTH WARD, SECTION 3, AND THIRTEETH WARD, SECTION 17.

LAVING CEMENT SIDEWALKS on FIFTIETH STREET, both sides, between Eighth and First Hamilton avenue; on FIFTY-FIRST STREET, both sides, between First and Second streets; on FIFTY-SEVENTH STREET, north side, between Fifth and Sixth avenues; on FIFTY-EIGHTH STREET, south side, between Fifth and Sixth avenues. Area of assessment: Both sides of Fifth street, from Eighth to First Hamilton avenue; both sides of Fifty-first street, from First to Second avenue; north side of Fifty-seventh street and south side of Fifth street, between Fifth and Sixth avenues.

FORTY-EIGHTH STREET—REGULATING, GRADING, CURBING, AND LAVING CEMENT SIDEWALKS, between Sixth and New York avenues. Area of assessment: Both sides of Forty-eighth street, from Sixth to New York avenue, and to the extent of half the block at the intersecting avenues.

TWENTY-SIXTH WARD, SECTIONS 12 AND 13.

LAVING CEMENT SIDEWALKS on JAMAICA AVENUE, between Georgia and New Jersey avenues; northwest side, between Vermont

and Miller avenues; southeast corner of MILLER AND JAMAICA AVENUES; northwest side, between Hendrix and Barby streets; southeast side, between Force Tube avenue and Norwood avenue; between Richmond and Chestnut streets; between Chestnut street and Euclid avenue; between Crescent street and Railroad avenue; between Railroad avenue and Nichols avenue; and between Grant avenue and Elderts lane. Area of assessment: Jamaica avenue, between Georgia and New Jersey avenues; northwest side, between Vermont street and Miller avenue; southeast corner of Miller and Jamaica avenues; northwest side, between Hendrix and Barby streets; southeast side, between Force Tube avenue and Norwood avenue; between Richmond and Chestnut street; between Chestnut and Euclid avenue; between Railroad avenue and Nichols avenue; and between Grant avenue and Elderts lane.

TWENTY-NINTH WARD, SECTION 16.
BEVERLY ROAD—SEWER BASIN at the northeast corner of Flatbush avenue and at the northwest and southwest corners of East Twenty-second street. Area of assessment: Both sides of Beverly road, from Flatbush avenue to East Twenty-second street; east side of Flatbush avenue and west side of East Twenty-second street, between Beverly road and Tilden avenue; south side of Tilden avenue, between Flatbush avenue and East Twenty-second street.

TWENTY-NINTH WARD, SECTION 17.
FOURTEENTH AVENUE—REGULATING, GRADING, CURBING AND LAYING CEMENT SIDEWALKS, from Thirty-ninth street to Sixtieth street. Area of assessment: Both sides of Fourteenth avenue, from Thirty-ninth street to Sixtieth street, and to the extent of half the block at the intersecting streets.

THIRTIETH WARD, SECTION 17.
FOURTEENTH STREET—SEWER, between Thirteenth avenue and the summit between Fourteenth and Fifteenth avenues, and FORTY-NINTH STREET—SEWER, between Fourteenth and Fifteenth avenues. Area of assessment: Both sides of Forty-eighth street, from Thirteenth to Fifteenth avenue, and both sides of Forty-ninth street, from Fourteenth to Fifteenth

av. TWENTY-NINTH AND THIRTIETH WARDS, SECTIONS 16 AND 17.
FOURTEENTH AVENUE—REGULATING, GRADING, CURBING AND LAYING CEMENT SIDEWALKS, from Thirty-ninth street to Sixtieth street. Area of assessment: Both sides of Fourteenth avenue, from Thirty-ninth street to Sixtieth street, and to the extent of half the block at the intersecting streets.

THIRTIETH WARD, SECTION 18.
EIGHTY-SEVENTH STREET—SEWER, between Narrows and Second avenues. Area of assessment: Both sides of Eighty-seventh street, between Narrows and Second avenues, —that the same were confirmed by the Board of Revision of Assessments on September 23, 1909, and entered September 23, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, Room H, No. 280 Broadway, Borough of Manhattan, between the hours of 9 a. m. and 2 p. m., and on Saturdays, from 9 a. m. to 12 m., and all payments made thereon on or before November 19, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller,
City of New York, Department of Finance,
Comptroller's Office, September 20, 1909. \$22,05

NOTICE TO PROPERTY OWNERS.

AT THE REQUEST OF THE PRESIDENT of the Borough of Brooklyn, public notice is hereby given that the Commissioners of the Sinking Fund, by virtue of the powers vested in them by law, will offer for sale by sealed bids all the buildings, parts of buildings, etc., standing upon property owned by The City of New York, acquired by it for street opening purposes, in the

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:

SIXTH WARD, SECTION 1.
RESTORING ASPHALT PAVEMENT on BAXTER STREET, in front of premises Nos. 63 and 85. Area of assessment: South side of Baxter street, about 150 feet east of Bayard street.

NINETEENTH WARD, SECTION 5.
RESTORING ASPHALT PAVEMENT on EIGHTY-SIXTH STREET, in front of premises No. 232 East. Area of assessment: South side of East Eighty-sixth street, about 207 feet west of Second avenue.

The above assessments were certified to the Collector of Assessments and Arrears, under the provisions of section 391 of the Greater New York Charter.

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

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 November 19, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller,
City of New York, Department of Finance,
Comptroller's Office, September 20, 1909. \$22,05

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:

SIXTH WARD, SECTION 1.
RESTORING ASPHALT PAVEMENT on EIGHTY-SIXTH STREET, in front of premises No. 232 East. Area of assessment: South side of East Eighty-sixth street, about 207 feet west of Second avenue.

The above assessments were certified to the Collector of Assessments and Arrears, under the provisions of section 391 of the Greater New York Charter.

Section 159 of this act provides * * * "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

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 November 19, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller,
City of New York, Department of Finance,
Comptroller's Office, September 20, 1909. \$22,05

NOTICE TO PROPERTY OWNERS.

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE BY SEALED BIDS.

AT THE REQUEST OF THE PRESIDENT of the Borough of Brooklyn, public notice is hereby given that the Commissioners of the Sinking Fund, by virtue of the powers vested in them by law, will offer for sale by sealed bids all the buildings, parts of buildings, etc., standing upon property owned by The City of New York, acquired by it for street opening purposes, in the

Borough of Brooklyn.

Failure to remove said buildings, appurtenances or any part thereof within thirty days from the day of possession will work forfeiture of ownership of such buildings, appurtenances or portion of them by the purchaser on account of the non-payment of the purchase price.

The permit for all opening in the street to be obtained by and at the expense of the purchaser of the building.

The purchaser at the sale shall also withdraw and remove all abandoned water tanks and old service mains, and in place thereof cause to be inserted a brass plug in the main water pipe in the street, in compliance with the rules and regulations of the Department of Water Supply, Gas and Electricity, and furnish the Department of Finance with a certificate from the Department of Water Supply, Gas and Electricity that this has been performed.

The purchaser at the sale shall also remove all house sewer connections to the main sewer in the street, and the opening of the main sewer in the 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.

The work of removal must be carried on in every respect in a thorough and workmanlike manner, and must be completed within thirty days from the day of possession, and the successful bidder will provide and furnish all materials of labor and machinery necessary thereto, and will place proper and sufficient guards and fences and warning signs by day and night for the prevention of accidents, and will indemnify and save harmless The City of New York, its officers, agents and servants, and each of them, against any and all suits and actions, claims and demands of every name and description brought against it, them or any of them, and against and from all damage and costs to which it, they or any of them are put by reason of injury to the person or property of another, resulting from negligence or carelessness in the performance of the work, or in guarding the same, or from any improper or defective materials or machinery, implements or appliances used in the removal of said buildings.

Party walls and fences, when existing against adjacent property not sold, shall not be taken down. All furring, plaster, chimneys, projecting brick, etc., on the faces of such party walls, are to be taken down and removed. The walls shall be made permanently self-supporting, beam-holes, etc., bricked up, and the wall pointed 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 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.

II. A. METZ, Comptroller,
City of New York, Department of Finance,
Comptroller's Office, September 21, 1909. \$22,08

NOTICE OF CONTINUATION OF MANHATTAN TAX TAX SALE.

THE SALE OF THE LIENS FOR UNPAID TAXES, ASSESSMENTS AND WATER RENTS FOR THE BOROUGH OF MANHATTAN, AS TO LIENS REMAINING UNPAID AT THE TERMINATION OF SALES OF JUNE 7, 1909, JULY 1, 15, AUGUST 19 AND SEPTEMBER 26, 1909, HAS BEEN CONTINUED TO

THURSDAY, OCTOBER 14, 1909,
at 10 a. m., pursuant to section 1028 of the Greater New York Charter, and will be continued at that time at the Aldermanic Chamber, in the City Hall, as heretofore.

DANIEL MOYNAHAN,
Collector of Assessments and Arrears.
Dated September 20, 1909.

\$21,014

TERMS AND CONDITIONS.
The buildings and appurtenances thereto will be sold to the highest bidder, who must pay cash or a certified check drawn to the order of the Comptroller of The City of New York, and must also give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase

UNTIL FURTHER NOTICE SURETY COMPANIES will be accepted as sufficient upon the following contracts to the amounts named:

Supplies of Any Description, Including Gas and Electricity.

One company on a bond up to \$50,000. When such company is authorized to write that amount as per letter of Comptroller to the surety companies, dated September 16, 1907.

Construction.

One company on a bond up to \$25,000. Including regulating, grading, paving, sewers, maintenance, dredging, construction of parks, parkways, docks, buildings, bridges, tunnels, aqueducts, repairs, heating, ventilating, plumbing, etc., etc. When such company is authorized to write that amount as per letter of Comptroller to the surety companies, dated September 16, 1907.

Asphalt, Asphalt Block and Wood Block Pavements.

Two companies will be required on any and every bond up to amount authorized by letter of Comptroller to the surety companies, dated September 16, 1907.

Dated June 19, 1909.

H. A. METZ, Comptroller.

CHARTER LEGISLATIVE COMMITTEE.

RULES OF PROCEDURE.

OWING TO THE REQUIREMENT THAT the Committee report to the Legislature on or before February 1, 1910, it has been found necessary to adopt the following rules:

Public Hearings—Persons or associations desiring to address the Committee at public hearings are required to file with the Committee on or before

WEDNESDAY, OCTOBER 20, 1909,

(1) A written request to be heard, stating clearly the name and address of the person making such request and on whose behalf the same is made, and the subject matter, and

(2) In addition, twelve copies of a brief or memorandum, printed or typewritten, setting forth concisely the writer's points.

The basis of the Committee's examination is the proposed Charter and Administrative Code submitted to the Legislature by the Charter Revision Commission. So far as practicable, it is requested that the briefs contain reference to the sections of the Charter or Code discussed therein, and if any amendments or additions are suggested, it is requested that a draft of the proposed phrasology be submitted.

Subsequent to October 20 the Committee will make up and announce its calendar for public hearings and will notify those who have complied with these rules of the time and place of hearing. A copy of the Charter and Administrative Code will be given, wherever practicable, to those applying for the same.

All communications should be addressed to CHARTER LEGISLATIVE COMMITTEE, Room 1403, No. 43 Exchange Place, New York City, N. Y.

\$29,011

MUNICIPAL CIVIL SERVICE COMMISSION.

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, NEW YORK, October 1, 1909.

PUBLIC NOTICE IS HEREBY GIVEN that promotion examinations for all positions in Part II, (the Clerical Service) and Part VII, (the Civil Engineer Service) will be held in the month of November, upon dates to be announced later.

Examinations for positions in Part II, will be open to persons who have served continuously in the next lower grade for a period of three years prior to October 1, 1909, with the exception of Grade 2, for admission to which only two years service is required.

The positions in Part II, are graded as follows:

Grade 1, \$300 annually.

Grade 2, \$600 annually.

Grade 3, \$1,200 annually.

Grade 4, \$1,800 annually.

Grade 5, \$2,400 annually, or over.

Examinations for positions in Part VII, will be open to persons who have served continuously in the next lower grade, in the same Bureau or office, for a period of six months prior to October 1, 1909.

First grade Clerks to be eligible to compete for promotion must be eighteen years of age.

Second grade Clerks and others, to be eligible to compete for promotion to the third grade, must be twenty-one years of age.

For all other positions applicants must be twenty-one.

Promotion lists now in existence will continue in force for a period of one year from the date of publication, and thereafter until such time as new lists shall be announced.

We hold it may be procured at once, at the application desk, Room 1403, and should be filed before October 30, 1909, at 12 noon.

Transcripts of the efficiency records of candidates, as they appear upon the records of the Departments in which they are employed, should appear on page 3 of the applications, duly signed by the persons designated by the appointing officers for that purpose.

Promotion examinations for positions other than those in Parts II, and VII, will be held only at the request of heads of Departments.

Where there are less than three persons in a Bureau eligible for admission to an examination in Part II, applications will be accepted only when accompanied by the request of the head of the Department.

No further notice of these examinations will be given.

Candidates for promotion in the several grades in Part II, (the Clerical Service) will be examined in the following subjects:

GRADE II.

Group 1—Clerks.
Letterwriting.
Arithmetic.
Copying from plain copy.
Handwriting.

Group 3—Stenographers.
Dictation (shorthand).
Copying from plain copy (machine).
Letterwriting.

GRADE III.

Candidates of all groups in the Clerical Service will be examined in the following subjects:

Duties of position.
Duties of Department.
Duties of co-operating Departments.

Candidates will be also examined according to the following group subdivision:

Group 1—Clerks.
Letterwriting.
Arithmetic.

Group 2—Accountants.
Practical test in bookkeeping or accounting.
Details of office management.

Group 3—Stenographers.
Dictation (shorthand).
Copying from plain copy (machine).
Letterwriting.

Group 4—Statisticians.
Practical tests in statistics and tabulation.

GRADE IV.

Candidates of all groups in the Clerical Service will be examined in the following subjects:
Duties of position.
Duties of Department.

Elementary government of New York City.
Elementary government of New York State.

Candidates will be also examined according to the following group subdivision:

Group 1—Clerks.
Letterwriting.
Methods of discipline and business system.

Group 2—Accountants.
Practical tests in bookkeeping or accounting.
Details of business system.

Group 3—Stenographers.
Dictation (shorthand).
Letterwriting.

Group 4—Statisticians.
Practical tests in statistics and tabulation.
Statistical reports.

GRADE V.

Candidates for all groups in the Clerical Service will be examined in the following subjects:
Duties of position.
Duties of Department.

Elementary government of New York City.
Elementary government of New York State.

Candidates will be also examined according to the following group subdivisions:

Group 1—Clerks.
Details of office management.
General commercial usage and methods.

Group 2—Accountants.
Practical tests in bookkeeping and accounting.
Details of business system.

Group 3—Stenographers.
Dictation (shorthand).
Letterwriting.

Group 4—Statisticians.
Practical tests in statistics and tabulation.

Statistical reports, with deductions therefrom.
Where letterwriting or report is given as a subject, it will be on matters connected with the Department. Where arithmetic is a subject, the examination will consist of practical problems which do not require a knowledge of unusual, involved or technical mathematical formulas for their solution, except where such special knowledge is required by the position.

F. A. SPENCER, Secretary.
ol.30

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, NEW YORK, September 27, 1909.

PUBLIC NOTICE IS HEREBY GIVEN that applications will be received from

TUESDAY, SEPTEMBER 28, UNTIL 4 P. M. ON WEDNESDAY, OCTOBER 13, 1909,

for the position of

CUSTODIAN, GOVERNOR'S ROOM, OFFICE OF THE PRESIDENT OF THE BOROUGH OF MANHATTAN.

The examination will be held on Monday, November 8, 1909, at 10 a. m.

The subjects and weights of the examination are as follows:

Special paper..... 6
Experience 4

A percentage of 70 will be required.

The special paper will largely consist of questions on history and the government of New York City and New York State.

The duties of the Custodian are to be in charge of the Governor's Room at the City Hall and to explain the objects of historical interest to visitors.

Salary, \$720 per annum.

There is one vacancy.

The minimum age is 21 years.

No application received at the office of the Commission, by mail or otherwise, after 4 p. m. October 13 will be accepted.

FRANK A. SPENCER, Secretary.
s28,013

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, NEW YORK, September 23, 1909.

PUBLIC NOTICE IS HEREBY GIVEN that applications will be received from

FRIDAY, SEPTEMBER 24, UNTIL 4 P. M. ON FRIDAY, OCTOBER 8, 1909,

for the position of

STATIONARY ENGINEER, ELECTRIC PUMPING STATIONS.

(No application received at the office of the Commission, by mail or otherwise, after 4 p. m. on October 8 will be accepted.)

The examination will be held on Thursday, November 4, 1909, at 10 a. m.

The subjects and weights of the examination are as follows:

Technical 6
Experience 4

The percentage required is 75 on the technical and 70 on all.

Candidates will be required to operate the high pressure fire service pumping stations using electric machinery and centrifugal pumps.

They must be familiar with the use and operation of high and low tension electric machinery and have had at least four years' experience as an apprentice or practical machinist, and at least three years' experience in handling high tension electric machinery.

There are several vacancies.

The salary is \$4.50 per day.

The minimum age is 23 years.

FRANK A. SPENCER, Secretary.
s24,08

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, NEW YORK, August 17, 1909.

PUBLIC NOTICE IS HEREBY GIVEN that applications will be received from

MONDAY, AUGUST 23, UNTIL THURSDAY, NOVEMBER 11, 1909,

for the position of

PATROLMAN, POLICE DEPARTMENT.

(NO APPLICATIONS RECEIVED BY THE COMMISSION, BY MAIL OR OTHERWISE, AFTER 4 P. M. ON NOVEMBER 11 WILL BE ACCEPTED.)

GRADE II.

Group 1—Clerks.

Letterwriting.

Arithmetic.

Copying from plain copy.

Handwriting.

Group 3—Stenographers.

Dictation (shorthand).

Copying from plain copy (machine).

Letterwriting.

GRADE III.

Candidates of all groups in the Clerical Service will be examined in the following subjects:

Duties of position.

Duties of Department.

Duties of co-operating Departments.

Candidates will be also examined according to the following group subdivision:

Group 1—Clerks.

Letterwriting.

Arithmetic.

Copying from plain copy.

Handwriting.

Group 3—Stenographers.

Dictation (shorthand).

Copying from plain copy (machine).

Letterwriting.

GRADE IV.

Candidates of all groups in the Clerical Service will be examined in the following subjects:

Duties of position.

Duties of Department.

Duties of co-operating Departments.

Candidates will be also examined according to the following group subdivision:

Group 1—Clerks.

Letterwriting.

Arithmetic.

Copying from plain copy.

Handwriting.

Group 3—Stenographers.

Dictation (shorthand).

the area of the street or avenue shall be taken from the area maps on file in the Department of Street Cleaning, which have been drawn from the original surveys and have been made by the Sanborn Map Company for the Department of Street Cleaning.

Compensation at so much per centum of the above rate or price will be allowed for snow and ice that has been piled but has not been removed because of the work being stopped by the Commissioner of Street Cleaning after the snow has been so piled and before it was removed, and at so much per centum thereof for rough cleaning because of the work being stopped by the Commissioner of Street Cleaning after the piles have been removed, leaving a certain amount of crust or a film of ice on the surface of the street to be removed.

This price and these percentages must be written out and must also be given in figures.

The contract, if awarded, will be awarded to the lowest bidder per cubic yard, without taking into account any estimate of the probable amount of piling or rough cleaning.

Blank forms and further information may be obtained at the office of the Department of Street Cleaning, the Borough of Manhattan, Nos. 13 to 21 Park row.

W.M. H. EDWARDS, Commissioner.

Dated September 22, 1909.

\$23.06

** See General Instructions to Bidders on the last page, last column, of the "City Record."*

MAIN OFFICE OF THE DEPARTMENT OF STREET CLEANING, ROOM 1403, NOS. 13 TO 21 PARK ROW, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Street Cleaning at the above office until 12 o'clock m. on

WEDNESDAY, OCTOBER 6, 1909,

Borough of Brooklyn.

CONTRACT FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR THE REMOVAL OF SNOW AND ICE.

"Form No. 27," as designated by resolution of the Board of Estimate and Apportionment of June 23, 1909.

The time for the completion of the work and the full performance of the contract is by or before April 15, 1910.

The amount of security required is One Hundred Thousand Dollars (\$100,000).

The compensation will be at a rate or price per cubic yard of snow and ice actually removed from the place or places where work under this contract is carried on. Compensation will be allowed for snow and ice that has been piled but has not been removed because of the work being stopped by the Commissioner of Street Cleaning; this compensation will be at a rate or price per cubic yard of snow and ice piled, computed by multiplying the area of the street or avenue upon which the snow and ice is scattered in heaps for removal by two-thirds the actual depth of snow and ice. The depth of snow and ice shall be determined by the official report of the New York Meteorological Observatory, Department of Parks, Central Park, in The City of New York, or by the official reports of an observatory or observatories established or designated by the Commissioner of Street Cleaning; the area of the street or avenue shall be taken from the area maps on file in the Department of Street Cleaning, made by the Sanborn Map Company for the Department of Street Cleaning.

These rates or prices must be written out and must also be given in figures.

The contract, if awarded, will be awarded to the lowest bidder per cubic yard, without taking into account any estimate of the probable amount of piling.

Blank forms and further information may be obtained at the office of the Department of Street Cleaning, the Borough of Manhattan, Nos. 13 to 21 Park row.

W.M. H. EDWARDS, Commissioner.

Dated September 22, 1909.

\$23.06

** See General Instructions to Bidders on the last page, last column, of the "City Record."*

CHANGE OF GRADE DAMAGE COMMISSION.

TWENTY-THIRD AND TWENTY-FOURTH WARDS.

PURSUANT TO THE PROVISIONS OF chapter 537 of the Laws of 1893 and the acts amending thereof and supplemental thereto, notice is hereby given that meetings of the Commissioners appointed under said acts will be held at the office of the Commission, Room 219, No. 280 Broadway (Stewart Building), Borough of Manhattan, New York City, on Mondays, Wednesdays, and Fridays of each week, at 2 o'clock p.m., until further notice.

Dated New York City, July 27, 1909.

WILLIAM E. STILLINGS,
GEORGE C. NORTON,
LEWIS A. ABRAMS,

Commissioners.

JOSEPH HAAG, Clerk

BOARD OF ESTIMATE AND APPORTIONMENT.

PUBLIC NOTICE IS HEREBY GIVEN THAT at a meeting of the Board of Estimate and Apportionment, held September 17, 1909, the following petition was received:

To the Honorable, The Board of Estimate and Apportionment of The City of New York:

The petition of the Bush Terminal Railroad Company respectfully shows:

1. Your petitioner is a street railroad corporation duly organized and existing under the laws of the State of New York, and has duly made and filed, pursuant to section 99 of the Railroad Law, a statement of the names and descriptions of the streets, roads, avenues, highways and private property, in or upon which it is proposed to construct, maintain and operate extensions or franchises of its railroad, as herein set forth.

2. Your petitioner desires to obtain from The City of New York, and hereby respectfully applies for the consent to a grant of the franchise or right to use certain streets, roads, avenues, highways or public ground within or belonging to The City of New York, for the construction and operation and upon the surface thereof of extensions or franchises of its street surface railroad, to consist of a double or single track surface railroad, including the necessary poles, wires, conduits, connections, switches, sidings, turnouts, crossovers and suitable stands, equipment or other structures necessary for the occupancy and operation of said railroad by the overhead or other system of electricity, or other motive power which may lawfully be used upon the same for public use and convenience of persons and property for compensation.

3. The following is a description of the streets, avenues, highways, public grounds and private property upon and along which your petitioner desires to extend its railroad, to wit:

Beginning at a point at the Brooklyn terminus of the Thirty-ninth Street Municipal Ferry distant ninety-five (95) feet northerly of the southerly line of Thirty-ninth street, if produced, and five hundred eighty (580) feet westerly of the westerly line of First avenue, if produced; running thence with a double track easterly along the property of The City of New York and generally parallel with Thirty-ninth street nine hundred thirty (930) feet; thence southerly with double and single track along private property and parallel with First avenue two hundred eighty (280) feet; thence westerly with single track along private property and parallel with First avenue two thousand five hundred eighty (2580) feet.

Also beginning at a point on the northerly line of Forty-first street distant two hundred forty (240) feet easterly from the easterly line of First avenue; running thence northerly with single track over private property at right angle to Forty-first street three hundred (300) feet.

Also beginning at a point on the centre line of First avenue distant one hundred (100) feet northerly from the northerly line of Forty-second street; running thence northerly with single and double track along First avenue one hundred seventy (170) feet, and thence northerly along First avenue, if produced, and over private property two hundred twenty (220) feet.

4. Your petitioner proposes to operate the railroad to be constructed upon said streets and avenues by the overhead trolley system, or by any other motive power other than steam locomotive power which may be approved by the Public Service Commission of the First District, and consented to by the owners of the property bounded upon said routes, as provided by law.

5. Your petitioner submits herewith a plan showing the location of said tracks, and connection of the same with its present street surface railroad tracks.

Wherefore your petitioner prays that public notice herein of the time and place when and where this application will be first considered be given, as required by the provisions of section 92 of the Railroad Law, and of all other laws applicable thereto, and that the desired consent or grant be embodied in the form of a contract, with all the terms and conditions as to compensation and otherwise, in accordance with the provisions of the Charter of The City of New York and the laws of the State.

Dated at New York City, August 17, 1909.

BUSH TERMINAL RAILROAD COMPANY.

(Seal) By IRVING T. BUSH, President.

Attest:

H. W. GREENE, Secretary.

State of New York, City of New York, County of New York, ss:

Irving T. Bush, being duly sworn, deposes and says that he is the President of the Bush Terminal Railroad Company, the petitioner named in the foregoing petition; that he has read the foregoing petition, and knows the contents thereof; that the same is true of his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true; that the reason why this verification is not made by the petitioner is that it is a corporation; that the petitioner is an officer of said corporation, to wit: 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 in his personal knowledge, are statements made by officers or agents of the corporation to him as President thereof.

IRVING T. BUSH.

Sworn to before me this 17th day of August, 1909.

(Seal) CHARLES W. DREW, Notary Public No. 3.

State of New York, City of New York, County of New York, ss:

On this 17th day of August, in the year nineteen hundred and nine, before me personally came Irving T. Bush, who, being by me duly sworn, did depose and say that he resided in the Borough of Manhattan, City of New York; that he is the President of the Bush Terminal Railroad Company, the corporation described in, and which executed the foregoing instruments; that he knew the seal of said corporation; that the seal affixed to said instruments was such corporate seal, and that it was so affixed by order of the Board of Directors of the said corporation, and that he signed his name thereto by like order.

(Seal) CHARLES W. DREW, Notary Public No. 3.

— and the following resolutions were therupon adopted:

Whereas, The foregoing petition from the Bush Terminal Railroad Company, dated August 17, 1909, was presented to the Board of Estimate and Apportionment at a meeting held September 17, 1909.

Resolved, That, in pursuance of law this Board sets Friday, the 15th day of October, 1909, at 10:30 o'clock in the forenoon, and Room 16 in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered, and a public hearing shall be held thereon, at which citizens shall be entitled to appear and be heard; and it further

Resolved, That the Secretary is directed to cause such petition and these resolutions to be published for at least fourteen (14) days in two daily newspapers in The City of New York, to be designated by the Mayor, and for at least ten (10) days in the City Record immediately prior to such date of public hearing. The expense of such publication to be borne by the petitioner.

JOSEPH HAAG, Secretary.

New York, September 17, 1909.

parkway, and for supplying electric current to public and private consumers, and has supplied electricity for light, heat and power to the public authorities and to private consumers.

Wherefore, your petitioner prays that the assent of your Honorable Board for the Corporation of The City of New York be granted to it for the construction, laying, maintenance and operation of such suitable wires or other conductors, with the necessary poles, pipes or other fixtures, with the necessary branches or connections therewith, in the Borough of Brooklyn, City of New York, and shown on a map attached hereto and made a part hereof, for the purpose of transmitting and distributing electricity for light, heat and power to public and private consumers, and that the desired consent, grant or franchise be embodied in the form of a contract, with proper terms and conditions, in accordance with the provisions of the Greater New York Charter:

Beginning at a point at the intersection of the westerly side of Ocean parkway with the northerly side of Foster avenue, running thence westerly along the northerly side of Foster avenue to its intersection with the westerly side of East Fifth street; thence southerly along the westerly side of East Fifth street and on a line therewith through private property to the intersection with the westerly side of East Fifth street with the northerly side of Avenue W; thence westerly along the northerly side of Avenue W to its intersection with the westerly side of East Fourth street; thence southerly along the westerly side of East Fourth street to its intersection with the northerly side of Avenue X; thence westerly along the northerly side of Avenue X to its intersection with the westerly side of East Third street; thence southerly along the westerly side of East Third street to its intersection with the northerly side of Avenue Y; thence westerly along the northerly side of Avenue Y to its intersection with the westerly side of East Second street; thence southerly along the westerly side of East Second street to its intersection with the northerly line of Avenue Z; thence westerly along the northerly line of Avenue Z to its intersection with the westerly side of East First street; thence southerly along the westerly side of East First street to its intersection with the northerly side of Canal avenue; thence westerly along the northerly side of Canal avenue to its intersection with the westerly side of West First street; thence southerly along the westerly side of West First street to its intersection with the northerly side of Sea Breeze avenue; thence westerly along the northerly side of Sea Breeze avenue to its intersection with the westerly side of West Fifth street; thence southerly along the westerly side of West Fifth street to the Atlantic Ocean; thence easterly along the Atlantic Ocean to its intersection with Coney Island avenue, also known as Coney Island road; thence northerly along the westerly line of Coney Island avenue or Coney Island road to its intersection with the northerly line of Avenue W; thence westerly along the northerly line of Avenue W to its intersection with the easterly line of East Seventh street; thence northerly along the easterly line of East Seventh street to its intersection with the northerly line of Foster avenue; thence westerly along the northerly line of Foster avenue to its point or place of beginning.

Dated at New York City, April 6, 1909.

THE FLATBUSH GAS COMPANY,

By W. K. ROSSITER, Vice-President.

State of New York, County of Kings, ss:

W. K. Rossiter, being duly sworn, deposes and says: That he is the vice-president of the Flatbush Gas Company, the petitioner named in the foregoing petition; that he has read the foregoing petition and knows the contents thereof; that the same is true of his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true; that the reason why this verification is not made by the petitioner is that it is a corporation; that the petitioner is an officer of said corporation—to wit: vice-president—and that the grounds of his information in regard to the matters stated in the foregoing petition, so far as the same are not in his personal knowledge, are statements and reports made by officers and employees of the corporation to him as vice-president thereof.

W. K. ROSSITER.

Sworn to before me this 6th day of April, 1909.

F. R. WOGAN, Notary Public, Kings County.

— and at the meeting held September 17, 1909, the following resolutions were adopted:

Whereas, The foregoing petition from the Flatbush Gas Company, dated April 6, 1909, was presented to the Board of Estimate and Apportionment at a meeting held April 24, 1909.

Resolved, That, in pursuance of law, this Board sets Friday, the 15th day of October, 1909, at 10:30 o'clock in the forenoon, and Room 16 in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered and a public hearing shall be held thereon, at which citizens shall be entitled to appear and be heard; and 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 HAAG, Secretary.

New York, September 17, 1909.

o2,15

Street Cold Storage Company, the petitioner named in the foregoing petition, and that he is acquainted with the facts stated therein and that the same is true to the knowledge of deponent.

WM. FELLOWES MORGAN.

Sworn to before me this 11th day of June, 1909.

(Seal) ALEXANDER MOIR, Notary Public,

New York City,

— and at the meeting of September 17, 1909, the following resolutions were adopted:

Whereas, The foregoing petition from the Harrison Street Cold Storage Company, dated June 11, 1909, was presented to the Board of Estimate and Apportionment at a meeting held June 25, 1909.

Resolved, That in pursuance of law this Board sets Friday, the 15th day of October, 1909, at 10:30 o'clock in the forenoon and Room 16 in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered, and a public hearing shall be held thereon, at which citizens shall be entitled to appear and be heard; and 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 HAAG, Secretary.

New York, September 17, 1909.

o2,15

NOTICE TO TAXPAYERS.

PURSUANT TO A RESOLUTION ADOPTED

by the Board of Estimate and Apportionment at a meeting held May 14, 1909, PUBLIC HEARINGS will be held on Thursday, October 14, 1909, and on Monday, October 18, 1909, in Room 16, City Hall, Borough of Manhattan, at 10:30 o'clock in the forenoon, in relation to the application of the several Borough Presidents, Deputies, Boards, Officers, Corporations and Institutions for appropriations for the year 1910, and the taxpayers of the City are invited to appear and be heard on those days in regard to the appropriations to be made and included in the Budget for the year 1910, and a further PUBLIC HEARING on the Budget as tentatively prepared will be held at the same hour on Wednesday, October 27, 1909.

Resolved, That this Board consider the proposed change at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 8th day of October, 1909, at 10:30 o'clock a.m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the City Record and the corporation newspapers for ten days continuously, Sundays and legal holidays excepted, prior to the 8th day of October, 1909.

Dated September 25, 1909.

JOSEPH HAAG, Secretary,
No. 277 Broadway, Room 1406.
Telephone, 2280 Worth.

\$25.06

NOTICE IS HEREBY GIVEN THAT THE Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to discontinue St. Nicholas Avenue from Jefferson Avenue to Foster street, Borough of Queens, and that a meeting of said Board will be held in the Old City Hall, City Hall, Borough of Manhattan, City of New York, on October 8, 1909, at 10:30 o'clock a.m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on July 2, 1909, notice of the adoption of which is heretofore given, viz:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of Section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by discontinuing St. Nicholas Avenue from Jefferson Avenue to Foster street in the Borough of Queens, City of New York.

Resolved, That this Board consider the proposed change at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 8th day of October, 1909, at 10:30 o'clock a.m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the City Record for ten days continuously, Sundays and legal holidays excepted, prior to the 8th day of October, 1909.

Dated September 25, 1909.

JOSEPH HAAG, Secretary,
No. 277 Broadway, Room 1406.
Telephone, 2280 Worth.

\$25.06

NOTICE IS HEREBY GIVEN THAT THE Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to discontinue St. Nicholas Avenue from Fifth street to Richmond road, Borough of Richmond, and that a meeting of said Board will be held in the Old City Hall, City Hall, Borough of Manhattan, City of New York, on October 8, 1909, at 10:30 o'clock a.m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on July 2, 1909, notice of the adoption of which is heretofore given, viz:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of Section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by laying out and fixing grades for Rose Avenue from Fifth street to Richmond road, in the Borough of Richmond, City of New York, as more particularly shown up in a map or plan bearing the signature of the President of the Borough, and dated March 31, 1909.

Resolved, That this Board consider the proposed change at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 8th day of October, 1909, at 10:30 o'clock a.m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the City Record for ten days continuously, Sundays and legal holidays excepted, prior to the 8th day of October, 1909.

Dated September 25, 1909.

JOSEPH HAAG, Secretary,
No. 277 Broadway, Room 1406.
Telephone, 2280 Worth.

\$25.06

NOTICE IS HEREBY GIVEN THAT THE Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to discontinue the block of East Sixty-fifth street between Avenue A and Exterior street, Borough of Manhattan, and that a meeting of said Board will be held in the Old City Hall, City Hall, Borough of Manhattan, City of New York, on October 8, 1909, at 10:30 o'clock a.m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on July 2, 1909, notice of the adoption of which is heretofore given, viz:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of Section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by discontinuing the block of East Sixty-fifth street between Avenue A and Exterior street in the Borough of Manhattan, City of New York.

Resolved, That this Board consider the proposed change at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 8th day of October, 1909, at 10:30 o'clock a.m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the City Record for ten days continuously, Sundays and legal holidays excepted, prior to the 8th day of October, 1909.

Dated September 25, 1909.

JOSEPH HAAG, Secretary,
No. 277 Broadway, Room 1406.
Telephone, 2280 Worth.

\$25.06

NOTICE IS HEREBY GIVEN THAT AT the meeting of the Board of Estimate and Apportionment held on July 2, 1909, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to the lands and premises required for the opening and extending of Skillman avenue from Greenpoint avenue to the

angle point between Hulst street and Van Pelt street, in the Borough of Queens, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the lands required for the foregoing improvement to fix and determine upon an area or areas of assessment for benefit for said proceeding.

Resolved, That the Board of Estimate and Apportionment, in pursuance of the provisions of section 980 of the Greater New York Charter, hereby gives notice that the following is the proposed area of assessment for benefit in this proceeding:

Beginning at a point on the prolongation of a line midway between Middletown avenue and Skillman avenue, as these streets are laid out west of Gosman avenue, distant 100 feet easterly from the prolongation of the easterly line of Fourth street as this street is laid out north of Skillman avenue, the said distance being measured at right angles to Fourth street, and running thence southwardly and always distant 100 feet easterly from and parallel with the easterly line of Fourth street, and the prolongation thereof, to the intersection with a line bisecting the angle formed by the intersection of the prolongations of the centre lines of Skillman avenue and Great avenue; thence westwardly along the said bisecting line to the intersection with a line bisecting the angle formed by the intersection of the prolongations of the westerly line of Lincoln avenue and the easterly line of Dickson street; thence northwardly along the said bisecting line to the intersection with the prolongation of a line midway between Skillman avenue and Foster avenue, as these streets are laid out east of Van Pelt street; thence westwardly along the said line midway between Skillman avenue and Foster avenue, and along the prolongations of the said line, to the intersection with a line midway between Hulst street and Van Pelt street; thence northwardly along the said line midway between Hulst street and Van Pelt street, and along the prolongation of the said line to the intersection with a line parallel with Skillman avenue as laid out east of Van Pelt street, and passing through the point of beginning; thence easterly along the said line parallel with Skillman avenue to the point or place of beginning.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 8th day of October, 1909, at 10:30 o'clock a.m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the City Record for ten days prior to the 8th day of October, 1909.

Dated September 25, 1909.

JOSEPH HAAG, Secretary,
No. 277 Broadway, Room 1406.
Telephone, 2280 Worth.

s25.06

District Attorney, Richmond County.
Commissioner of Jurors, New York County.
Commissioner of Jurors, Kings County.
Commissioner of Jurors, Queens County.
Commissioner of Records, New York County.
Commissioner of Records, Kings County.
City Court.
Municipal Courts, all Boroughs.
Court of Special Sessions, First Division.
Court of Special Sessions, First Division, Children's Court.

Court of Special Sessions, Second Division.
Court of Special Sessions, Second Division, Children's Court.
City Magistrates' Courts, First Division.
City Magistrates' Courts, Second Division.
Supreme Court, First Department.
Supreme Court, First Department, Appellate Division.
Supreme Court, Second Department.
Supreme Court, Second Department, Appellate Division.
Court of General Sessions.
Surrogate's Court, New York County.
Surrogate's Court, Kings County.
Surrogate's Court, Queens County.
County Court, Kings County.
Supreme and County Court, Queens County.
County Court and Surrogate's Court, Richmond County.

WEDNESDAY, OCTOBER 13, 1909.

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.
Department of Finance.
City Chamberlain.
Bonds of Indebtedness.
State Taxes.

Rents.

Charitable Institutions.

Miscellaneous.

All Other Public Offices.

Deficiency in the Product of Taxes (chapter 200, Laws of 1906).

Received, That this Board does hereby designate Thursday, October 14, 1909, and Monday, October 18, 1909, at 10:30 o'clock a.m., in Room 16, City Hall, Borough of Manhattan, as the time and place for public hearings in relation to the Budget for 1910, and that notice inviting the taxpayers of the City to appear and be heard on said dates in regard to appropriations to be made and included in said Budget be inserted in the City Record; and be it further

Resolved, That this Board will hold a public hearing on the Budget, as tentatively prepared, in addition to the public hearings for taxpayers as above set forth, at the same hour and place on Wednesday, October 27, 1909.

JOSEPH HAAG, Secretary.

New York, September 17, 1909.

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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 23, 1906. Amended March 1, 1906; November 20, 1906; February 20, 1907, and March 5, 1908.

DEPARTMENT OF DOCKS AND FERRIES.

FILLING-IN PRIVILEGE.

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 PIER "A," FOOT OF BATTERY PLACE, IN THE CITY OF NEW YORK, UNTIL 12 O'CLOCK NOON ON

THURSDAY, OCTOBER 14, 1909,
FOR THE RIGHT TO DUMP AND FILL IN BEHIND THE BULKHEAD WALL RECENTLY BUILT ON PART OF THE JEFFERSON SECTION ON THE EAST RIVER, BOROUGH OF MANHATTAN.

TERMS AND CONDITIONS OF SALE.

The work to be done is to fill in with suitable material, as hereinafter described, the area behind the new bulkhead wall extending from about the intersection of the westerly side of Clinton street, prolonged outshore, and the bulkhead wall and extending easterly along the bulkhead wall a distance of about 140 feet.

The filling shall be brought to a grade level with the top of the coping of the bulkhead wall and shall extend inshore on a sloping grade to the level of the street adjacent.

It is estimated that the area outlined by the above described limits will create a basin to be filled in, under this agreement, whose cubical contents in net void space is equal to 2,600 cubic yards.

Bidders will state in writing a lump sum price, which they agree to pay for the privilege of filling in the void space behind the bulkhead wall, built at the foot of Clinton street on the East River, Borough of Manhattan, as above more fully described.

In the estimated amount given, the amount in cubic yards is arrived at without placing any allowance for shrinkage, settlement, swelling of the material or penetration into the mud.

The Department is not bound in any way by such estimate, and bidders must satisfy themselves of the actual quantity required to fill in the above described area by examination of the premises or such other means as they may prefer, the intention of the Department being to fill in the whole of the said premises behind the bulkhead wall within the above described limits, and no allowance will be made to the purchaser from the purchase price on account of any discrepancy which may be found between the above estimated quantity and the actual amount of filling required.

The purchaser will be required to place the filling in accordance with the following specifications:

All the filling shall, unless otherwise directed, be placed directly in the rear of the bulkhead wall and carried from the bulkhead wall toward the shore.

All material must be dumped and filled in only in such manner, at such points and in such order of procedure and at such times and seasons as may, from time to time, be directed, and the work of filling in may be entirely suspended for such periods of time as may be directed by the Engineer. The purchaser shall have no claim for damage or for any allowance from the purchase money on account of such suspension of the work.

All directions shall be given by the Engineer, and wherever the word "Engineer" is used in these specifications it refers to and designates the Chief Engineer of the Department of Docks and Ferries, or such officer of employee as may be designated by him.

Rip-rap stone coming directly on or against the bulkhead wall must be deposited carefully in such manner as will not injure the same.

All the filling, except as otherwise specified herein, shall be of ashes, cellar dirt, broken stone, etc., entirely free from garbage or any organic matter objectionable in the opinion of the Engineer.

At any section of the bulkhead wall the filling shall be brought up level with the under side of the backing log of the bulkhead wall as such section, and no higher unless otherwise directed.

The filling shall be commenced within five days after the date of the receipt of a notification from the Engineer that the work, or any part of it, is ready to be begun, after which not less than 100 cubic yards per day shall be placed, and the whole amount of the filling called for to bring the above described basin up to grade shall be completed within twenty-six days from the date of the receipt of said notification. At the expiration of this time this agreement shall be considered closed unless a further extension of time shall be given by the Commissioner of Docks. If at any time during the progress of the work it shall be deemed necessary to order the suspension of the whole or any part of the filling, the time for completing said filling shall be extended as much as it may have been delayed by such suspension.

In case the purchaser at any time does not proceed with the work of filling in to the satisfaction of the Commissioner of Docks, the said Commissioner will at once terminate the privilege of filling in and proceed to have the remainder of the filling in done by other parties in such way and manner as he deems proper, and any loss which may result therefrom shall be charged against the principal and his surety.

The purchaser shall during the work of filling in, and at all times until the completion thereof, take all necessary precautions and place proper guards for the prevention of accidents, and put up and maintain at night sufficient lights, and he shall indemnify and save harmless The City of New York from all damages and costs to which it may be put by reason of injury to the person or property of another resulting from negligence or carelessness in the performance of the work or guarding the same, to which the surety is also bound.

No bid or estimate will be considered unless accompanied by a certified check drawn to the order of the Commissioner of Docks, or money to the amount of twenty-five per centum of the amount of the bid, which amount shall be applied in the case of the successful bidder to the first one-quarter of the amount of the filling to be deposited; twenty-five per centum to be paid when the first one-quarter of filling has been completed; twenty-five per centum additional when one-half of the filling has been completed, and the balance, twenty-five per centum, when three-quarters of said filling has been completed.

A surety or guarantee company, duly authorized by law to act as surety, to be approved by the Commissioner of Docks, will be required to enter into a bond or obligation jointly and severally with the purchaser, in the sum of double the amount of the purchase price as security for the satisfactory performance of said work, in accordance with the terms and conditions hereof.

ALLEN N. SPOONER, Commissioner.

Dated The City of New York, October 4, 1909.

5.14

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

MONDAY, OCTOBER 18, 1909,
Borough of Manhattan.

CONTRACT NO. 1187.

FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR FURNISHING AND DELIVERING IRON, STEEL, MACHINERY AND MISCELLANEOUS TOOLS AND SUPPLIES AND DIVERS' SUPPLIES.

The time for the completion of the work and the full performance of the contract and the amount of security required are as follows:

Class

BOARD OF ASSESSORS.

PUBLIC NOTICE IS HEREBY GIVEN TO the owner or owners of all houses and lots, improved or unimproved lands affected thereby, that the following proposed assessments have been completed and are lodged in the office of the Board of Assessors for examination by all persons interested, viz:

Borough of Manhattan.

List 699, No. 1. Fencing vacant lots at Nos. 308 to 328 East One Hundred and Tenth street, List 701, No. 2. Fencing vacant lots at Nos. 5 to 13 West One Hundred and Thirty-sixth street.

List 702, No. 3. Fencing vacant lots on the south side of One Hundred and Fortieth street, commencing 445 feet west of Fifth avenue and running 100 feet.

List 705, No. 4. Fencing vacant lot on the south side of One Hundred and Seventy-fourth street, commencing 70 feet west of Amsterdam avenue.

List 706, No. 5. Fencing vacant lot on the north side of Seventy-fifth street, commencing 175 feet east of Avenue A.

Borough of The Bronx.

List 710, No. 6. Furnishing labor and material for repairing and adjusting sidewalks on the east side of Grand avenue, 100 feet north of Tremont avenue.

List 711, No. 7. Receiving basins and appurtenances at the northeast corner of Jerome avenue and King-bridge road.

List 715, No. 8. Building a retaining wall, placing necessary filling to bring the sidewalks to its proper grade, relaying sidewalks where necessary and erecting guardrail on the south side of East One Hundred and Seventieth street, between Harlem Railroad and Brook avenue.

List 716, No. 9. Furnishing labor and materials for repairing sidewalks at the southeast corner of One Hundred and Eighty-first street and Jerome avenue, and placing guard rail where necessary.

List 718, No. 10. Receiving basins and appurtenances at the northwest and southwest corners of West One Hundred and Eighty-eighth street and Grand avenue and at the northwest and southwest corners of East One Hundred and Eighty-ninth street and Valentine avenue.

List 721, No. 11. Receiving basins at the northwest and southwest corners of East Two Hundred and Third street and Valentine avenue.

List 722, No. 12. Erecting a guardrail at the westerly side of Walton avenue, 50 feet south of One Hundred and Fiftieth street and extending southerly 50 feet.

Borough of Queens.

List 182, No. 13. Regulating grading, curbing, paving and bridging Third avenue, from Broadway to Jamaica avenue, First Ward.

List 577, No. 14. Paving with asphalt block pavement Fifteenth avenue (Luyster street), from Broadway to Newtown road, First Ward.

List 582, No. 15. Temporary sewer in Seventeenth street, from Eleventh avenue to Seventh avenue, First Ward.

List 583, No. 16. Sewer in Wilbur avenue, from Crescent to William street, and in William street, from the crown north of Wilbur avenue, at Harris avenue, First Ward.

List 630, No. 17. Sewer in William street, from the crown north of Wilbur avenue to Paynter avenue, First Ward.

List 635, No. 18. Paving with asphalt block pavement Academy street, from Freeman avenue to Wilbur avenue, First Ward.

List 639, No. 19. Sewer in Bodine street, from Vernon avenue to Hamilton avenue; in Hamilton street, from Bodine street to Harris avenue; in Bodine street, from Hamilton street to the Boulevard; in Hancock street, from Bodine street to Harris avenue, and in Bodine street, from the Boulevard to Sherman avenue, and in the Boulevard, from Bodine street to Harris avenue, First Ward.

List 653, No. 20. Sewer in Twelfth avenue (Winats street), from Broadway to Graham avenue, to connect with the Broadway sewer, First Ward.

The limits within which it is proposed to lay the said assessments include all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

No. 1. South side of One Hundred and Tenth street, between First and Second avenues, Lots Nos. 39 to 47, inclusive, Block 1681.

No. 2. North side of West One Hundred and Thirty-sixth street, between Fifth and Lenox avenues, Lots Nos. 28, 30, 31 and 32 of Block 1734.

No. 3. South side of West One Hundred and Eighty-first street, between Fifth and Lenox avenues, Lots Nos. 54, 54½, 55, 55½, 56 and 57 of Block 1737.

No. 4. South side of West One Hundred and Seventy-fourth street, from Amsterdam avenue to a point 200 feet west, Lots Nos. 40, 41, 42, 43 and 44 of Block 2130.

No. 5. North side of Seventy-fifth street, 173 feet east of Avenue A, Lots Nos. 8 and 9 of Block 1487.

No. 6. East side of Grand avenue, about 100 feet north of Tremont avenue, Lot No. 7, Block 2870.

No. 7. Block bounded by Jerome and Morris avenues, East One Hundred and Ninety-sixth street and King-bridge road.

No. 8. Southeast corner of Brook avenue and East One Hundred and Seventieth street.

No. 9. Southeast corner of Jerome avenue and East One Hundred and Eighty-first street.

No. 10. West side of Grand avenue, from Fordham road to West One Hundred and Ninety-sixth street; west side of Valentine avenue, from East One Hundred and Eighty-seventh street to Fordham road; northeast corner of One Hundred and Eighty-seventh street and Grand Boulevard and Concourse, and both sides of One Hundred and Eighty-ninth street, from Grand Boulevard and Concourse to Valentine avenue.

No. 11. East side of Grand Boulevard and Concourse, between Two Hundred and Second and Two Hundred and Fourth streets; northwest corner of Two Hundred and Second street and Valentine avenue, and both sides of Two Hundred and Third street, between Grand Boulevard and Concourse and Valentine avenue.

No. 12. West side of Walton avenue, 50 feet south of One Hundred and Fiftieth street, Lot No. 43, Block 2352.

No. 13. Both sides of Third avenue, from Broadway to Jamaica avenue, and to the extent of half the block at the intersecting streets, including interior Lot No. 5 of Block 121.

No. 14. Both sides of Fifteenth avenue (Luyster street), from Broadway to Newtown road, and to the extent of half the block at the intersecting streets.

No. 15. Both sides of Seventeenth street, from Seventh avenue to Eleventh avenue.

No. 16. Both sides of William street, between Harris avenue and Paynter avenue; north side of Harris street, between William street and Ely avenue; both sides of Henry street, between Crescent and William streets; both sides of Wilbur avenue, between Crescent and William streets; west side of Crescent, between Wilbur and Paynter avenues.

No. 17. Both sides of William street, between Wilbur and Paynter avenues; west side of Cres-

cent, between Wilbur and Paynter avenues; south side of Paynter avenue, from Crescent to William street.

No. 18. Both sides of Academy street, from Freeman avenue to Wilbur avenue, and to the extent of half the block at the intersecting streets.

No. 19. Both sides of Bodine street, between Hancock street and Vernon avenue, and between Sherman avenue and Hancock street; west side of Hancock street and both sides of Hamilton street, between Bodine street and Harris avenue; east side of Hancock street, and both sides of Boulevard, between Bodine street and Harris avenue, including Lot No. 1 of Block 143.

No. 20. Both sides of Twelfth avenue, from Broadway to Graham avenue; west side of Thirteenth avenue, between Broadway and Graham 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 November 3, 1909, at 11 a. m., at which time and place the said objections will be heard and testimony received in reference thereto.

ANTONIO ZUCCA,
PAUL WEIMANN,
JAMES H. KENNEDY,
Board of Assessors.

WILLIAM H. JASPER, Secretary,
No. 320 Broadway, City of New York, Borough of Manhattan, September 30, 1909.

\$30,011

OFFICIAL BOROUGH PAPERS.

BOROUGH OF THE BRONX.

"The Bronx Star," "North Side News," "Bronx Independent."

BOROUGH OF RICHMOND.

"Staten Island World," "The Staten Islander."

BOROUGH OF QUEENS.

"Long Island Star" (First and Second Wards), "Flushing Evening Journal" (Third Ward), "Long Island Farmer" (Fourth Ward), "Rockaway News" (Fifth Ward).

BOROUGH OF BROOKLYN.

"Brooklyn Eagle," "Brooklyn Times," "Brooklyn Citizen," "Brooklyn Standard-Union," "Brooklyn Free Press."

BOROUGH OF MANHATTAN.

"Real Estate Record and Guide" (Harlem District), "Manhattan and Bronx Advocate" (Washington Heights, Morrisania Heights and Harlem Districts).

Designated by Board of City Record June 19, 1906. Amended June 20, 1906; September 30, 1907; February 24, 1908; March 5 and 16, 1908, and March 16, 1909.

SUPREME COURT—FIRST DEPARTMENT.

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 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 18th day of October, 1909, at 10:30 o'clock in forenoon of that day, or as soon thereafter as Counsel can be heard thereon; and that the said bill of costs, charges and expenses has been deposited in the Office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by 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, October 2, 1909.

T. CHANNON PRESS,
FRANK A. SPENCER, JR.
STANISLAUS J. VANECZEK,
Commissioners.

JOHN P. DUNN, Clerk.

52,14

FIRST DEPARTMENT.

In the matter of acquiring title by The City of New York to certain lands and premises situated on the northerly side of EAST ONE HUNDRED AND FORTY-FIRST STREET,

between Cypress avenue and Powers avenue, in the Borough of The Bronx, in The City of New York, duly selected as a site for school purposes, according to law.

No. 1. East side of Grand avenue, from Fordham road to West One Hundred and Ninety-sixth street; west side of Valentine avenue, from East One Hundred and Eighty-seventh street to Fordham road; northeast corner of One Hundred and Eighty-seventh street and Grand Boulevard and Concourse, and both sides of One Hundred and Eighty-ninth street, from Grand Boulevard and Concourse to Valentine avenue.

No. 2. South side of West One Hundred and Forty-first street, from Amsterdam avenue to a point 200 feet west, Lots Nos. 40, 41, 42, 43 and 44 of Block 2130.

No. 3. North side of Seventy-fifth street, 173 feet east of Avenue A, Lots Nos. 8 and 9 of Block 1487.

No. 4. East side of Grand avenue, about 100 feet north of Tremont avenue, Lot No. 7, Block 2870.

No. 5. Block bounded by Jerome and Morris avenues, East One Hundred and Ninety-sixth street and King-bridge road.

No. 6. Southeast corner of Brook avenue and East One Hundred and Seventieth street.

No. 7. Southeast corner of Jerome avenue and East One Hundred and Eighty-first street.

No. 8. West side of Grand avenue, from Fordham road to West One Hundred and Ninety-sixth street; west side of Valentine avenue, from East One Hundred and Eighty-seventh street to Fordham road; northeast corner of One Hundred and Eighty-seventh street and Grand Boulevard and Concourse, and both sides of One Hundred and Eighty-ninth street, from Grand Boulevard and Concourse to Valentine avenue.

No. 9. West side of Walton avenue, 50 feet south of One Hundred and Fiftieth street, Lot No. 43, Block 2352.

No. 10. Both sides of Third avenue, from Broadway to Jamaica avenue, and to the extent of half the block at the intersecting streets, including interior Lot No. 5 of Block 121.

No. 11. Both sides of Fifteenth avenue (Luyster street), from Broadway to Newtown road, and to the extent of half the block at the intersecting streets.

No. 12. Both sides of Seventeenth street, from Seventh avenue to Eleventh avenue.

No. 13. Both sides of William street, between Harris avenue and Paynter avenue; north side of Harris street, between William street and Ely avenue; both sides of Henry street, between Crescent and William streets; both sides of Wilbur avenue, between Crescent and William streets; west side of Crescent, between Wilbur and Paynter avenues.

No. 14. Both sides of William street, between Wilbur and Paynter avenues; west side of Cres-

cent and extending of EDGEWATER ROAD (although not yet named by proper authority), from Garrison avenue (or Mohawk avenue) to Seneca avenue, in the Twenty-third Ward, Borough of The Bronx, City of New York.

NOTICE IS HEREBY GIVEN THAT THE supplemental and additional bill of costs, charges and expenses incurred by reason of the proceedings in the above entitled matter will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Court House in the Borough of Manhattan, in The City of New York, on the 13th day of October, 1909, at 10:30 o'clock in forenoon of that day, or as soon thereafter as Counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of Kings, on the 26th day of April, 1909; and the said George D. Beatty, Samuel S. Whitehouse and Arthur C. Salmon, were appointed Commissioners of Estimate for the purpose of making a just and equitable estimate and assessment of the loss and damage, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening and extending the above mentioned street or avenue, the same being particularly set forth and described in the petition of The City of New York, and also in the notice of the application for the said order thereto attached, filed herein in the office of the Clerk of the County of Kings, on the 26th day of April, 1909; and the said George D. Beatty was appointed Commissioner of Assessment for the purpose of making a just and equitable estimate and assessment of the value of the benefit and advantage of the said street or avenue so to be opened and extended, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening and extending the above mentioned street or avenue, the same being particularly set forth and described in the petition of The City of New York, and also in the notice of the application for the said order thereto attached, filed herein in the office of the Clerk of the County of Kings, on the 26th day of April, 1909; and the said George D. 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